

No. 1/11/85-PU
Government of India
Ministry of Personnel & Training,
Administrative Reforms & Public
Grievances & Pension.
(Deptt. of Pension & Pensioners' Welfare)

Nirvachan Sadan, New Delhi.
Dated 16-12-85

OFFICE MEMORANDUM

Subject:- Grant of family pension to the families of Govt. employees who retired or died before 1.1.1964 or are otherwise not covered by the Family Pension Scheme of 1964 - implementation of the judgement of the Supreme Court -

The undersigned is directed to refer to this Deptt.'s O.M. of even no. dated the 18th June, 1985 on the subject mentioned above and to say that a large number of applications for grant of family pension have been received in various Departments of the Govt. of India. In a number of cases information relating to the last pay drawn, total service rendered etc. is not available either with the widows who are applying for the family pension and the Departments are also unable to lay hands on old records. As such, finalisation of these cases is held up resulting in hardship to the claimant of family pension. Various Departments have also found it difficult to satisfy themselves that the applicant is a genuine claimant as there are no records or documentary evidence available on the subject. In order to expedite settlement of the claims of family pension and arrears due following instructions are issued for deciding such cases:-

2(a) PAY FOR CALCULATION OF FAMILY PENSION WHERE NO RECORDS ARE AVAILABLE.

On receipt of the application in the prescribed form for sanction of family pension, administrative authority should take immediate steps to locate the old records. If particulars of last pay drawn are neither available in the Deptt./Office nor made available by the Accounts Officer, a note may be recorded on the file detailing the steps taken to obtain these particulars resulting in failure. Thereupon, the family pension may be decided based on the documentary proof furnished by the applicant. If no documentary proof has been furnished by the applicant, the pension may be determined with reference to the mid point of the scale of pay attached to the post held at the time of retirement/death of the Govt. Servant (e.g. a UDC who retired during 1958, his scale of pay being Rs. 80-820/-. The mid-point is Rs. 150/-).

However, the procedure for calculating family pension on ad-hoc basis as prescribed above should be followed only as a last resort after earnest efforts by the Head of Office have failed in tracing the relevant record and a dead end has been reached.

2.(b) FORM FOR ASSESSING AND AUTHORISING THE PAYMENT OF FAMILY PENSION.

A form for assessing and authorising the payment of family Pension in respect of cases which are covered by Deptt. of Pension & P.W., G.M referred to in para 1 above has been devised and is enclosed as annexure I. Cases where family pension has already been arranged/sanctioned need not be re-opened.

2.(c) CALCULATION OF RELIEF ON FAMILY PENSION TO BE GRANTED W.E.F 22.9.1977 OR LATER.

In accordance with para 5(c) of this Deptt.'s D.M of 18.6.1985, arrears of family pension are to be granted w.e.f 22.9.1977 or from a subsequent date when they become payable. After pension has been calculated, various Ministries etc. had been finding it difficult to calculate the relief payable on the family pension from time to time, as all the orders issued by the Ministry of Finance & Deptt. of Pension & Pensioners' Welfare sanctioning relief do not seem to have been filed in sequence in their guard files. Nonetheless to facilitate early sanction of family pension & relief thereon as applicable, a table listing relief payable to family pensioners is attached as annexure II.

2(d) DETERMINATION OF THE GENUINENESS OF THE CLAIMANT FOR FAMILY PENSION.

It is the responsibility of the applicant to satisfy the Head of Office that she/he is widow/widower or eligible child of the Govt. Servant concerned and establish identity by production of relevant documents viz. PPO of the late Govt. Servant or any other record which is available. In cases where no such records are available it has been decided that the claimant may be asked to produce one of the following for establishing her genuineness:- /document

- (i) Succession Certificate from a Court, or
- (ii) Affidavit sworn before a Magistrate, or
- (iii) Affidavit of the claimant on a plain paper supported by any two documents which may be acceptable to the Head of the Deptt./Pension Sanctioning Authority.

3. These orders do not apply to Railway employees, persons paid from Defence Services estimates and the members

of the All India Services. Separate orders in respect of them would be issued by the respective Ministries/Departments.

4. In their application to the families of pensioners who retired/retire from Indian Audit and Accounts Department these orders have been issued after consultation with the Comptroller and Auditor General of India.

(Hindi version will follow).

SV Singh
(SHYAMVIR SINGH)

DEPUTY SECRETARY TO THE GOVT. OF INDIA