GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. F(E)III/2009/PN1/7

New Delhi, Dated: 24.02.2012.

The GMs/FA&CAOs,
All Indian Railways/Production Units.
(As per mailing list)

Subject: Grant of family pension to the next eligible member in the family in the case of missing family pensioners.

*****

A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M. No. 1/17/2010-P&PW(E) dated 2nd January,2012 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also.

2. A concordance of DOP&PW's earlier instructions and Railway Board's corresponding instructions for grant of family pension to the dependent family members of a railway servant/pensioner reported missing is given below:

<table>
<thead>
<tr>
<th>S.No.</th>
<th>DOP&amp;PW's instructions</th>
<th>Railway Board's corresponding instructions</th>
</tr>
</thead>
</table>

3. Please acknowledge receipt.

DA: One.

(T.P. SHARMA)
Dy. Director Finance(Estt.)III,
Railway Board.
No. F(E)III/2009/PN1/7

New Delhi, Dated: 24.02.2012.

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.224, Rail Bhavan, New Delhi (40 spares).

[Signature]
for Financial Commissioner/Railways.

No. F(E)III/2009/PN1/7

New Delhi, Dated: 24.02.2012.

Copy forwarded to:
1. The General Secretary, NFIR, Room No. 256-E, Rail Bhavan, New Delhi (with 35 spares)
2. The General Secretary, AIRF, Room No. 253, Rail Bhavan, New Delhi (with 35 spares)
3. The Members of the National Council, Departmental Council and Secretary Staff Side, National Council, 13-c, Feroze Shah Road, New Delhi (with 60 spares).
4. The Secretary General, FROA, Room No. 256-A, Rail Bhavan, New Delhi (with 5 spares).
5. The Secretary, RBSS, Group "A" Officers Association, Room No. 402, Rail Bhawan.
6. The Secretary, RBSS, Group "B" Officers' Association.
7. The Secretary General, IRPOF, Room No. 268, Rail Bhavan, New Delhi (with 5 spares)
8. The Secretary, Railway Board Ministerial Staff Association.
9. The Secretary, Railway Board Class IV Staff Association.
10. The Secretary General, All India RPF Association, Room No. 256-D, Rail Bhavan, New Delhi-110 001. (5 spares)
11. The Secretary, Railway Board Promottee Officers Association, Room No. 341-C, Rail Bhavan, New Delhi.
12. The General Secretary, All India SC/ST Railway Employees Association, Room No. 7, Ground Floor, Rail Bhavan, New Delhi.

[Signature]
for Secretary/Railway Board.

No. F(E)III/2009/PN1/7

New Delhi, Dated: 24.02.2012.

1. The G.M, N.F Railway(Const.).
2. The Director General and Ex-officio General Manager, RDSO/Lucknow.
3. The General Manager and FA&CAO, Metro Railway/Kolkata.
4. The CAO and FA&CAO, COFMOV/New Delhi.
5. The General Manager and FA&CAO, CORE/Allahabad.
6. Director General, Railway Staff College/Vadodara.
7. The Executive Director, CAMTECH/Gwalior-474020
8. The Director, IRICEN/Pune, IRIEEN/Nasik Road, IRIIMEE/Jalalpur, IRISID/ Secunderabad.
9. The Managing Director, IRCON, IRFC, MRVC, IRWO, IRC&TC, CONCOR of India Limited, Executive Director, CRIS.
10. The Chairman -cum-Managing Director, KRC Limited/New Delhi
12. The Director (Movement) Railways/Kolkata.
13. The Joint Director, Rail, Ministry of Defence.
14. The Joint Secretary, Iron & Steel, 5 Koila Ghat Street/Kolkata.
15. Chief Mining Advisor, Ministry of Railway, Dhanbad, Bihar.
16. The Chairman, RCC, Lok Sabha Secretariat/New Delhi.
17. The Chairman, RCT/Delhi.
18. The Chairman, RRT, Chennai.
19. The Chairman, RRB/Ajmer, Ahmedabad, Allahabad, Bangalore, Bhopal, Bhubaneswar, Chandigarh, Chennai, Kolkata, Jammu, Gorakhpur, Guwahati, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, and Trivandrum.
20. The Editor, "Bharatiya Rail".
21. The Editor "Indian Railways".
22. The Pay & Accounts Officer, Ministry of Railways (Railway Board) with 5 spares.
23. The General Secretary, IRCA/New Delhi.
24. The Chief Commissioner of Railway Safety/Lucknow.
25. Chairman, RITES.
26. Chairman, CAT.
27. The Managing Director, Rail Vikas Nigam Ltd., Plot No. 25, First Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110 006.
28. Manager/HRD, Rail Land Development Authority, Near Safdarjung Railway Station, Motibagh-1, New Delhi-110021. Email: mhrd@railIndia.in
29. The Chief Mechanical Engineer, Indian Railway Organisation for Alternate Fuels, 12th Floor, Core-1, Scope Minar, District Centre, Laxmi Nagar, Delhi-62.
30. Office of the Chief Administrative Officer, Indian Railways (Workshop Projects), Chamber Bhawan, Judge's Court Road, Anita Ghat, Patna-800001, Bihar.
31. The Chief Administrative Officer, Rail Coach Factory/Rae bareli Project, Kishanganj, Delhi-7.

Copy to:-
1. Shri V.K. Sthanunathan, National President, National Federation of Railway Pensioners, 36, Venkataramayana Road, T. Nagar, Chennai-600 017.
4. B. Jayajaya Rao, President, All India Retired Railway Officers' Association, 12-13-268 (505) New, Street-2, Lane 9, Tamaka, Secunderabad-500 017.
5. The General Secretary, Railway Pensioners' Council Kirti Kutir, Larkana Tola, Katihar.
6. The General Secretary, All India Federation of Pensioners Association, T.P.M Hall, 22, Kavinal Street, Saidapet West, Chennai-600 015.
7. Shri S.S. Ramachandra, Secretary General, All India Central Committee of Pensioners Association, Flat No. 144, New Suryakiran Apartments, Plot No. 65, Patparganj, N. Delhi-110002.
8. Shri M.S. Solanki, General Secretary, Central and AIS Pensioners Association, E-164, Arena Colony, Bhopal (MP) 462 016.
10. Shri B. S. Dard, Secretary General, Central Government Pensioners' Association, 1874/2, Sector-64, S.A.S Nagar, Chandigarh 160 061.
12. Secretary General, Bharat Pensioners' Samaj, Post Box 3303, Jangpura Extension, New Delhi-110 014.
13. The Secretary General, National Federation of Railway Pensioners' Organization, 825, Supertech Residency, Sector-5, Plot No. 6A, Ghaziabad-201010.
15. The General Secretary, Retired Railway Employees Welfare Association (Regd), 490A/16,
Gurudwara Road, Gurgaon.

Copy to:-

PSCs/Sr. PPSs/PPSs/PAs to: MR, MSR(B), MSR(M), CRB, FC, MT, ME, MS, MM, ML, DG(RHS),
DG(RPF), Secretary, All Additional Members, Adv.(S), All Executive Directors, IG/RPSF, JS, JS(G), JS(E),
DE(Res) I & II, DE(GC), DE(G), DE(N), DE(Rep), DPC-I, II, DS(D), DS(E), DS(G), JDMPP, JDE(N),
JDF(E), JDE(Rep), JDPC-VI, JDE(G), JDE(D&A), JDE(P&A), JDE(Gaz), JDE(M), JDE(GP), JDE(Res),
JDE(L), JDE(LR), DDF(E-I, II, DDE(LR), DDE(R)I, II, DDE(D&A), DDE(P&A)-I, II, III, DDE(Rep)-I, US(A),
US(E), W.O./Railway Board.

Revision Cell (with 2 spares), C&S (with 2 spares) A&Cs-I, II, III, Railway Board.

(Copy to DOP&PW wrt to their O.M. No. 1/17/2010-P&PW(E) dated 02.01.2012)

-------
F.No.1/17/2010-P&PW(E)  
Ministry of Personnel, P.G. & Pensions  
Department of Pension & Pensioners' Welfare  
Desk (E)  
3rd Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi - 03,  
Dated the 2nd January, 2012

Office Memorandum

Sub: Grant of family pension to next eligible member in the family in the case of missing family pensioners.

The undersigned is directed to state that as per extant instructions of the Government, conditional provisions have been made in the case of a missing employee/pensioner, as a measure of social security, to cut short the period of 7 years, as given in Sections 107 and 108 of Indian Evidence Act, 1872, after which the presumption of a missing person being no longer alive may be raised, and enable the family pensioner to receive family pension after a period of six months from the date of filing FIR. However, there is no such provision in the case of a missing family pensioner that the next eligible member of the family of the employee/pensioner may be granted family pension.

2. The Department of Pension and Pensioners' Welfare has been receiving requests to issue a clarification whether family pension to eligible child/children of a family pensioner who has been declared missing can be granted.

3. The matter has been considered in this Department in consultation with the Department of Expenditure, Ministry of Finance. It has been decided to make similar provisions to mitigate the hardships of the family caused by the deprivation of its rightful family pension as a consequence of disappearance of the family pensioner. The administrative Departments/Ministries may grant family pension to the next eligible member in the family subject to fulfilment of conditions as prescribed from time to time for dealing with the cases of missing employees/pensioners.

4. The Indemnity Bond prescribed for missing pensioners has been suitably modified to include the name and relationship of the next eligible family member as well as the deceased employee/pensioner and the missing family pensioner(s).

5. These provisions would also be applicable in case a person, who is eligible for family pension, goes missing before the family pension is actually sanctioned to him/her. In such cases, family pension will be sanctioned to the next eligible person.

6. This issue with the concurrence of Department of Expenditure vide their ID No.380/E.V/2011, dated 22.11.2011.

(K.R. Mittal)  
Director  
Tel: 24624752

All Ministries/Departments of the Government of India  

Pensioners' Associations as per list maintained in the Department
INDEMNITY BOND
[In the case of a missing family pensioner]

KNOW ALL MEN by these presents that we (a) ......................................................... resident of ................................................................. and the son/daughter/mother/father/disabled sibling etc. (hereinafter called “the Obligor”) of (b) ........................................................................................................................ who was in receipt of / eligible for family pension before reported to have been missing since ................................................... on account of being the widow/widower/son/daughter/disabled sibling etc. (hereinafter referred to as ‘missing family pensioner’) of (c) .............................................................. who was holding/had retired from the post of ....................................................................................................................... in the Ministry /Department/Office of ....................................................................................................................... and who died on ....................................................................................................................... and (d) ....................................................................................................................... son/wife/daughter of Shri. .............................................................. resident of ....................................................................................................................... and ....

....................................................................................................................... son/wife/daughter of Shri. .............................................................. resident of ....................................................................................................................... and ...

the Sureties for and on behalf of the Obligor (hereinafter called “the Sureties”) are held firmly bound to the President of India (hereinafter called “the Government”) in each and every sum being the arrears of pension and monthly family pension and relief thereon well and truly to be paid to the Government, on demand and without a demur together with simple interest at the rate of ..............% per annum from the date of payment until repayment for which payment we bind ourselves and our respective heirs, executors, administrators, legal representatives, successors and assigns by these presents’.

Signed this ......................... day of ................. two thousand and ..................................................

WHEREAS (b) .............................................................................................................. was at the time of his disappearance a Central Government family pensioner receiving/eligible for receiving a family pension at the rate of Rs. ................. (Rupees .................) only per month and relief thereon from the Government.

AND WHEREAS the said (b) ............................................................................ disappeared on the ......................... day of ......................... 20...... and there was due to him/her at the time of his/her disappearance the sum equivalent of arrears of family pension due.
AND WHEREAS the Obligor is entitled to family pension at Rs. ............ (Rupees ................................................ only) plus admissible dearness relief thereon.

AND WHEREAS the obligor has represented that he/she is entitled to the aforesaid sum and approached the Government for making payment thereof to avoid undue delay and hardship.

AND WHEREAS the Government has agreed to make payment of the said sum of Rs. .................. (Rupees ................................................) and monthly family pension at Rs. .............. (Rupees ................................................) plus relief thereon to the obligor upon the Obligor and the Sureties entering into a Bond in the abovementioned sum to indemnify the Government against all claims to the amount so due to the aforesaid missing Government family pensioner.

AND WHEREAS the Obligor and at his/her request the Surety/Sureties have agreed to execute the Bond in the terms and manner hereinafter contained.

NOW THE CONDITION OF THIS BOND is such that, if after payment has been made to the Obligor, the Obligor and/or the Surety/Sureties shall in the event of a claim being made, by any other person or the missing family pensioner on appearance, against the Government with respect to the aforesaid sum of Rs. ............ (Rupees ................................................) and the sums paid by the Government as monthly pension and relief as aforesaid then refund to the Government the said sum of Rs. ........ (Rupees ................................................) and each and every sum paid by Government as monthly family pension and relief together with simple interest @ ......% per annum and shall, other wise, indemnify and keep the Government harmless and indemnified against and from all liabilities in respect of the aforesaid sums and all costs incurred in consequence of the claim thereto. THEN the above written Bond or obligation shall be void and of no effect but other wise it shall remain in full force, effect and virtue.

AND THESE PRESENTS ALSO WITNESS that the liability of the Surety/Sureties hereunder shall not be impaired or discharged by reason of time being granted by or any forbearance act or omission of the Government whether with or without the knowledge or consent of the Surety/Sureties in respect of or in relation to the obligations or conditions to be performed or discharged by the Obligor or by any other method or thing whatsoever which under the law relating to sureties would but for this provision shall have no effect of so releasing the Surety/Sureties from such liability nor shall it be necessary for the Government to sue the Obligor before suing the Surety/Sureties or either of
them for the amount due hereunder, and the Government agrees to bear the
stamp duty, if any, chargeable on these presents.

IN WITNESS WHEREOF the Obligor and the Surety/Sureties hereto have set
and subscribed their respective hands hereunto on the day, month and year
above-written.

Signed by the above named 'Obligor' in the presence of
1. ........................................
2. ........................................

Signed by the above named 'Surety' / 'Sureties'
1. ........................................
2. ........................................

Accepted for and on behalf of the President of India by

..............................................................
[Name and designation of the Officer directed or authorized, in pursuance of
Article 299 (1) of the Constitution, to accept the Bond for and on behalf of the
President ]

in the presence of ..............................................................
..............................................................

..............................................................
(Name and designation of witness)

NOTE I. - (a) Full name of the claimant referred to as the 'Obligor'.
(b) State relationship of the 'Obligor' to the 'missing family pensioner'.
(c) Name of the deceased employee/pensioner.
(d) Full name or names of the Sureties with name or names of the
father(s)/husband(s) and place of residence.

NOTE II. - The Obligor as well as the Sureties should have attained majority so
that the Bond may have legal effect or force.

NOTE III. - The rate of simple interest will be as prescribed by the Government
form time to time. It is 6% p.a. on the date of issue of the O. M.