RBE No. 12 /2013

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

No. F(E)III/2005/PN1/32

New Delhi, Dated: 11.02.2013.

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

Subject:  (i) Eligibility of disabled children for family pension after marriage and

(ii) Eligibility of two family pensions –Clarification regarding

A copy of Department of Pension and Pensioners’ Welfare (DOP&PW)’s O.M. No. 1/33/2012-P&PWE dated 16.01.2013 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. Sub-rules 6, 13-A and 13-B of Rule 54 of the CCS (Pension) Rules, 1972 referred to therein correspond to sub-rules 6, 17 and 18 of Rule 75 of the Railway Services (Pension) Rules, 1993 respectively.

2. The Explanation 1 & 3 mentioned in DOP&PW’s O.M. referred above are contained in the amendment being carried out in the Railway Services (Pension) Rules, 1993 in consultation with the Ministry of Law & Justice.

3. Please acknowledge receipt.

(SUKHENDER KAUR)
Joint Director Finance (Estt.),
Railway Board.

D.A.: One.

No. F(E)III/2005/PN1/32

New Delhi, Dated: 11.02.2013.

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

for Financial Commissioner/Railways.
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 Bhavan.
6. The Secretary, RBSS Group “B” Officers’ Association.
7. The Secretary General, IRPOF, Room No. 288, 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.

for Secretary/Railway Board.

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 CAOand FA&CAO, COFMOW/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, IRIFEN/Nasik Road,IRIMEE/Jaipur, IRISET/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, Mil 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).
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-110 066.

28. Manager/HRD, Rail Land Development Authority, Near Safdarjung Railway Station, Motibagh-1, New Delhi – 110021. Email: mgrhrd@rlda.in

29. The Chief Mechanical Engineer, Indian Railway Organisation for Alternate Fuels, 12th Floor, Core-I, Scope Minar, District Centre, Laxmi Nagar, Delhi-92.

30. Office of the Chief Administrative Officer, Indian Railways (Workshop Projects), Chamber Bhawan, Judge's Court Road, Angra Ghat, Patna-800001, Bihar.

31. The Chief Administrative Officer, Rail Coach Factory/Rasboreli Project, Kishanganj, Delhi-7.

Copy to:-
1. Shri V.K. Sitharunathan, National President, National Federation of Railway Pensioners, 36, Venkataramanaraya Road, T. Nagar, Chennai-600 017.
3. Shri Y.N. Sastry, President, AIRRF, Rly Block-303, Railway Colony High School, Chilkaiguda, Secunderabad-500 025.
4. B. Jayajaya Rao, President, All India Retired Railway Officer's Association, 12-13-268 (505), New Street-2, Lane 9, Tamaka, Secunderabad-500 017.
5. The General Secretary, Railway Pensioners' Council Kiran Kutir, Larkania Tola, Kathmandu.
6. The General Secretary, All India Federation of Pensioners Association, T.P.M Hall, 22, Kaviraj 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-1/64, Arena Colony, Bhupal(M.P) 462 016.
9. Shri Nirmal Das Gupta, Vice President, Federation of Central Government Pensioners' Organisation, P-24C, Sagar Mantra Road, Kolkata. 700 060.
10. Shri B.S. Dard, Secretary General, Central Government Pensioners' Association, 18742, 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:-
PSOs Sr. PPSs PPSs/PSs/PAs to: MR, MSR(A), MSR(M), CRB, FC, MT, ME, MS, MM, ML, DG(RHS), DG(RPF), Secretary, All Executive Members, Adv.(S), All Executive Directors, IGRPSF, JS, JS(G), JS(E), DE(Res) & I, DE(GC), DE(G), DE(N), DE(Rep), DPC-I, II, DS(D), DS(E), DS(G), JDPMP, JDE(N), JDE(E), JDE(Rep), JDC-PG, JDE(G), JDE(D&A), JDE(P&A), JDE(Gaz), JDE(W), JDE(GP), JDE(Res), JDE(I), JDE(LR), DDF(E-I), DDF(Res), DDF(Res), DDF(Res), DDF(Res), DDF(Res), DDF(Res), DDF(Res), DDF(Res), DDF(Res), USI, US(A), US(B), W.O./Railway Board.


(Copy to Department of Pension & Pensioners' Welfare (DOP&PW) w.r.t. their O.M.No.1/33/2012-P&PW(E) dated 16.01.2013)
No.1/33/2012-P&PW (E)  
Government of India  
Ministry of Personnel, P.G. & Pensions  
Department of Pension & Pensioners’ Welfare  
3rd Floor, Lok Nayak Bhavan,  
Khan Market, New Delhi  
Dated: 16th January, 2013  

Office Memorandum  

Sub: (i) Eligibility of disabled children for family pension after marriage and  
(ii) Eligibility for two family pensions—clarification regarding.  

The undersigned is directed to state that the Government has decided to allow  
continuance of family pension to mentally/physically disabled children who drew, are  
drawing or may draw family pension even after their marriage. Further, the Government has  
also decided to allow two family pensions where the pensioner drew, is drawing or may  
draw two pensions for military and/or civil employments.  

2. In order to implement these decisions, Explanations 1 and 3 after sub-rule 6 of Rule  
54 of the Central Civil Services (Pension) Rules, 1972 have been suitably amended and sub-  
rules 13-A and 13-B have been omitted. A copy of Gazette notification, G.S.R. No. 938 (E),  
dated 27th December, 2012, giving effect to these amendments is enclosed.  

3. For the sake of clarity, the old and new explanations 1 and 3 are reproduced as under  
highlighting the changes made therein:  

Old: EXPLANATION 1 - An unmarried son or an unmarried or widowed or divorced  
daughter shall become ineligible for family pension under this sub-rule from the date  
he or she gets married or remarried.  
EXPLANATION 3 - It shall be the duty of son or daughter or siblings or the  
guardian to furnish a certificate to the Treasury or Bank, as the case may be, once in a  
year that (i) he or she has not started earning his or her livelihood and (ii) he or she  
has not yet married or remarried. A similar certificate shall be furnished by a childless  
widow after her re-marriage or parents to the Treasury or Bank, as the case may be,  
once in a year that she or he or they have not started earning her or his or their  
livelihood.  

New: EXPLANATION 1 - An unmarried son or an unmarried or widowed or divorced  
daughter, except a disabled son or daughter, shall become ineligible for family  
pension under this sub-rule from the date he or she gets married or remarried.  
EXPLANATION 3 - It shall be the duty of son or daughter or siblings or the  
guardian to furnish a certificate to the Treasury or Bank, as the case may be, once in a  
year that (i) he or she has not started earning his or her livelihood and (ii) he or she  
has not yet married or remarried. A similar certificate shall be furnished by a childless  
widow after her re-marriage or by the disabled son or daughter or parents to the  
Treasury or Bank, as the case may be, once in a year that she or he or they have not  
started earning her or his or their livelihood.  

4. Sub rule 13-A regulates the grant of family pension to a military pensioner after his  
re-employment in a civil service or a civil post. Grant of two family pensions had been  
prohibited under this sub rule. Similarly, sub rule 13-B prohibits grant of two family  

pensions to a person who is already in receipt of Family Pension or is eligible therefor under any other rules of the Central Government or a State Government and/or Public Sector Undertaking/Autonomous Body/Local Fund under the Central or a State Government. The sub-rules 13-A and 13-B have since been omitted vide the above mentioned Gazette notification.

5. It is clarified that financial benefits in past cases will accrue with effect from 24th September, 2012.

6. As regards pensioners/family pensioners belonging to the Indian Audit and Accounts Departments, these Orders issue after consultation with the Comptroller and Auditor General of India.

(Sujasha Choudhury)
Deputy Secretary to the Govt. of India
Tel. No. 24635979

All Ministries/Departments of the Government of India
O/o The Comptroller & Auditor General of India
O/o The Controller General of Accounts, Lok Nayak Bhavan, New Delhi.
भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उप-खण्ड (I)
PART II—Section 3—Sub-section (I)
प्रकाशक से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 669] NEW DELHI, FRIDAY, DECEMBER 28, 2012/PUSA 7, 1934
No. 669] नई दिल्ली, सुबह, दिसंबर 28, 2012/पुस्त 7, 1934

काफिला, लेख रिपोर्टमध्ये तत्त्व पंजन भंडार
(पंजन और पंजनमाध्यम कार्यालय विभाग)
अधिकृत
नई दिल्ली, 27 दिसंबर, 2012
स.का.पत्र के 938(अ)—सार्वजनिक, सार्वजनिक संगठनांच्या अनुसारणात 309 वर्षांतप और अनुसारण 148 वर्षांतप (5) प्रश्नामध्ये प्रत्येकांना किंवा प्रत्येक वर्षांतपाचे प्रश्नांतपाचे क्रमांक राखून जावा भारतीय संस्थान परीक्षा और संस्था विभागात संस्थानांमध्ये संस्थानांमध्ये भारत रत्न शिक्षण-महाविद्यालय परीक्षा से प्रवेश करणे की प्रवेश शिक्षण सेवा (पंजन) नियम, 1972 मध्ये एवढीखोरण करणे की तयारीला आने का नियम निर्माण बनाल, अखाड़े—

1. (1) हे नियमांक शासनांच्या नाम कोठीय रिपोर्ट सेवा (पंजन) ही विभाग नियम, 2012 हा इ. (2) राजपत्रात उक्त क्रांती की हार का प्रयत्न होणे येईल.

2. कोठीय रिपोर्ट सेवा (पंजन) नियम, 1972 मध्ये नियम 54 मध्ये,

(क) उपरिनियम (६) मध्ये—

(i) सूचीकरण १ मध्ये, यदि युवती एवढी बनावते पेपरों "युवती, विद्याय निधान: पुढील पी. इ. का प्रियात्मक कारण" बनावते येईल.

(ii) सूचीकरण ३ मध्ये, "उक्त क्षेत्रातील युवती" संस्थानांच्या स्तरात पेपरों "उक्त क्षेत्रातील युवती निधान: पुढील पी. इ. का प्रियात्मक कारण" का प्रवेशात्मक कारण बनावते येईल.

(क) उपरिनियम १३-का लोक किमा जाऊ. येईल.

(ख) उपरिनियम १३-खा लोक किमा जाऊ. येईल.

[फा. सं. 133/2012—पी.वे. जी.डी.क्यू (इ.)]
सुलभा चौधुरी, उप सचिव

टिप्पणी: मूल नियम संतुलक का.आ. 134, तारीख १ अड़ात, 1972
प्रकाशित किया गया है। दुसरे वर्ष 1988 तक का संरक्षित नियम का जीवन संरक्षण वर्ष 1988 में प्रकाशित किया गया था। कर्पोरेट उक्त नियम
निर्माणकाल अनुसार 8 जुलाई, 31 अगस्त, 2012—

1. का.आ. 254, तारीख 4 फरवरी, 1989
2. का.आ. 970, तारीख 6 मई, 1989
3. का.आ. 2457, तारीख 7 अगस्त, 1989
4. का.आ. 899, तारीख 14 अगस्त, 1990
5. का.आ. 1454, तारीख 26 मई, 1990
6. का.आ. 2329, तारीख 8 सितंबर, 1990
7. का.आ. 3259, तारीख 8 दिसंबर, 1990
8. का.आ. 3270, तारीख 8 दिसंबर, 1990
9. का.आ. 3273, तारीख 8 दिसंबर, 1990
10. का.आ. 409, तारीख 9 फरवरी, 1991
11. का.आ. 464, तारीख 16 फरवरी, 1991
12. का.आ. 2287, तारीख 7 जुलाई, 1991
13. का.आ. 2740, तारीख 2 नवम्बर, 1991
14. स.का.पत्र 677, तारीख 7 सितंबर, 1991
15. स.का.पत्र 39, तारीख 1 फरवरी, 1992
16. स.का.पत्र 55, तारीख 15 फरवरी, 1992
17. स.का.पत्र 570, तारीख 19 दिसंबर, 1992
18. का.आ. 258, तारीख 13 फरवरी, 1993
19. का.आ. 1673, तारीख 7 अप्रैल, 1993
20. का.आ. 449, तारीख 11 सितंबर, 1993
21. का.आ. 1984, तारीख 25 सितंबर, 1993
22. का.आ. 389 (का), तारीख 18 अप्रैल, 1994
23. का.आ. 1175, तारीख 19 जुलाई, 1997
27. S.O. 75 (E), dated 1 February, 2002.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(Deprtment of Pension and Pensioners' Welfare)

NOTIFICATION

New Delhi, the 27th December, 2012

G.S.R. 938(E)—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Civil Services (Pension) Rules, 1972, namely:

1. (1) These rules may be called the Central Civil Services (Pension) Second Amendment Rules, 2012.

2. These rules shall come into force on the date of their publication in the Official Gazette.

3. In the Central Civil Services (Pension) Rules, 1972, in Rule 54,—

(a) in sub-rule (6),—
(i) in Explanation 1, for the words "daughter shall," the words "daughter, except a disabled son or daughter," shall be substituted;
(ii) in Explanation 3, for the words "her re-marriage or parents," the words "her re-marriage or by disabled son or daughter or by parents," shall be substituted;
(b) sub-rule 13-A shall be omitted;
(c) sub-rule 13-B shall be omitted.

[S.F. No. 1/33/2012-P&P(G)]

SUKASHA CHOWDHURY, Dy. Secy.

Note—The principal rules were published vide number S.O. 934, dated the 1st April, 1972. The Fourth Edition of the rules corrected up to July, 1988 was published in the year of 1988. The said rules were subsequently amended vide notifications given below—:

1. S.O. 254, dated the 4th February, 1989
2. S.O. 970, dated the 6th May, 1989
3. S.O. 2467, dated the 7th October, 1989
4. S.O. 899, dated the 14th April, 1990
5. S.O. 1454, dated the 26th May, 1990
6. S.O. 2329, dated the 8th September, 1990
7. S.O. 3269, dated the 8th December, 1990
8. S.O. 2730, dated the 8th December, 1990
9. S.O. 3273, dated the 8th December, 1990
10. S.O. 409, dated the 9th December, 1991
11. S.O. 464, dated the 16th February, 1991
12. S.O. 2287, dated the 7th September, 1991
13. S.O. 2740, dated the 2nd November, 1991
14. G.S.R. 677, dated the 7th December, 1991
15. G.S.R. 399, dated the 1st February, 1992
16. G.S.R. 55, dated the 15th February, 1992
17. G.S.R. 570, dated the 19th December, 1992
18. S.O. 258, dated the 13th February, 1993
19. S.O. 1673, dated the 7th August, 1993
20. G.S.R. 449, dated the 11th September, 1993
21. S.O. 1984, dated the 25th September, 1993
22. G.S.R. 389 (E), dated the 18th April, 1994
23. S.O. 1775, dated the 19th July, 1997
24. S.O. 259, dated the 30th January, 1999
25. S.O. 904, dated the 30th September, 2000
26. S.O. 717 (E), dated the 27th July, 2001
27. G.S.R. 75 (E), dated the 1st February, 2002
28. S.O. 4000, dated the 28th December, 2002
29. S.O. 850(E), dated the 28th July, 2003
30. S.O. 1483(E), dated the 30th December, 2003
31. S.O. 1487, dated the 14th October, 2005
32. G.S.R. 723(E), dated the 23rd November, 2006
33. S.O. 1821(E), dated the 25th October, 2007
34. G.S.R. 258 (E), dated the 31st March, 2008
35. S.O. 1028 (E), dated the 25th April, 2008
36. S.O. 829 (E), dated the 12th April, 2010
37. G.S.R. 176, dated the 11th June, 2011
38. G.S.R. 928(E), dated the 26th December, 2012