

EAST COAST RAILWAY



प्रधान मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Principal Chief Personnel Officer
रेल सदन, द्वितीय तल, भुवनेश्वर- 751017
Rail Sadan, IInd Floor, Bhubaneswar-751017

स्थापनाक्रमांक/Estt. Srl. No. 81/2021
पूतरे/कार्मिक/आर/ECOR/Pers/R/Pension

RBE No. 48/2021
Date: 27.07.2021

सेवामे,

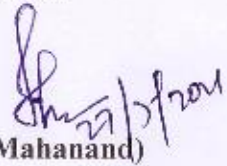
सभीप्रमुखविभागाध्यक्षों/समन्वयकविभागाध्यक्षों, पूतरे/भुवनेश्वर
मं.रे.प्र/व.मं.का.अधिकारी/मं.का.अधिकारी-खोरधारोड, बालतेरू, संबलपुर,
मु.कारखानाप्रबंधक/कारखानाकार्मिकअधिकारी- मंचेश्वर, अतिरिक्तरजिस्ट्रार/रेलदावाअधिकरण,
उ.मु.काअधिकारी(नि.)/भुवनेश्वर
महासचिव/इकोरश. कां., महासचिव/इकोरश. यू.,
महासचिव/एआईओबीसीआरईए, महासचिव/ एआईएससीएसटीआरईए

Sub: Suspension of family pension to a person charged with the offence of murdering or abetting in the murder of the government servant- Allowing family pension to other eligible family member.

उपर्युक्त विषय पर रेलवे बोर्ड पत्र सं D-43/43/2020-F(E)III दिनांक 16.07.2021 की प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of Railway Board's letter No. D-43/43/2020-F(E)III dated 16.07.2021 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

Encl: As above,


(H.K. Mahanand)

Senior Personnel Officer-I
For Principal Chief Personnel Officer

प्रतिलिपिप्रेषित/Copy to :

- 1) महाप्रबंधककेसचिव/पूर्वतटरेलवे, भुवनेश्वर
- 2) मुकाधि/मुकाधि(प्रशा.), उपम.प्र, अध्यक्ष(रेलवेभर्तीप्रकोष्ठ)
- 3) उपमुख्यप्रबंधक(सू.प्रौ), उपमुकाधि(औ.सं.एवंकल्याण), वकाधि(इंजी.)
- 4) वकाधि(स्टाफ), वकाधि(मुख्या. एवंन्याया.)
- 5) मुकाधिकेनिजीसचिव/सहा.कार्मिकअधि.(मुख्या.),सहा.कार्मिकअधि(कल्याण), सहा.कार्मिकअधि.(बिल),

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. D-43/43/2020-F(E)III

New Delhi, Dated: 16.07.2021.

The General Managers/Principal Financial Advisers,
All Zonal Railways/Production Units etc.,
(As per mailing list)

Subject: Suspension of family pension to a person charged with the offence of murdering or abetting in the murder of the government servant-Allowing family pension to other eligible family member.

A copy of Department of Pension & Pensioners' Welfare(DOP&PW)'s O.M. No.1/24/2019-P&PW(E) dated 16.06.2021 is enclosed for compliance and guidance. These instructions shall apply mutatis mutandis on the Railways also. Rule 54(11-C) of the Central Civil Services(Pension) Rules, 1972 corresponds to Rule 75(14) of the Railway Services(Pension) Rules, 1993.

D.A.: As above.


(G. Priya Sudarsani)
Director, Finance (Estt.),
Railway Board.

No. D-43/43/2020-F(E)III

New Delhi, Dated: 16.07.2021.

Copy to:

Deputy Comptroller and Auditor General of India (Railways), RoomNo.222, Rail Bhawan, New Delhi.


For Member Finance/Railways

F. No. 1/24/2019-P&PW (E)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & Pensioners' Welfare
(Desk-E)

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi
Dated 16th June, 2021

OFFICE MEMORANDUM

Subject: Suspension of family pension to a person charged with the offence of murdering or abetting in the murder of the Government servant– Allowing family pension to other eligible family member.

In accordance with sub-rule (11-C) of rule 54 of the Central Civil Services (Pension) Rules, 1972, if a person, who is eligible to receive family pension on death of a Government servant or a pensioner, is charged with the offence of murdering the Government servant/pensioner or for abetting in the commission of such an offence, the payment of family pension remains suspended till the conclusion of the criminal proceedings instituted in this regard. In that case, family pension is neither paid to the person who is charged with the offence nor to any other eligible member of the family till the conclusion of the said criminal proceedings. If on conclusion of the criminal proceedings, the person concerned is convicted for the murder or abetting in the murder of the Government servant, he/she is debarred from receiving the family pension. In that case, the family pension becomes payable to other eligible member of the family, from the date of death of the Government servant. If, however, the person concerned is subsequently acquitted of the charge, the family pension becomes payable to that person from the date of death of the Government servant.

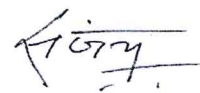
2. The above provisions have been reviewed in consultation with Department of Legal Affairs. Denying the payment of family pension to any other member of the family (e.g. dependent children, parents, etc.), who is not charged with the offence, till the conclusion of criminal proceedings is not considered justified, as finalisation of the criminal proceeding may take a long time and the eligible children/parents of the deceased may suffer for want of financial support by way of family pension.

3. It has, accordingly, been decided that in cases where a person eligible to receive family pension is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence and the payment of family pension to him/her remains suspended under Rule 54(11-C) of CCS (Pension) Rules, 1972, family pension may be allowed to other eligible member of the family till the conclusion of the criminal proceedings in this regard. If the spouse of the Government servant is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence and the other eligible family member is a minor child of the deceased Government servant, the family pension to such minor child shall be payable through a duly appointed guardian, and the mother or father of the minor child (who is charged with the offence) shall not act as guardian for the purpose of drawal of family pension.

4. If the concerned person is subsequently acquitted of the charge, the family pension shall become payable to that person from the date of such acquittal and the family pension to other member of the family shall be discontinued from that date.

5. This will take effect from the date of issue of this Office Memorandum. In the cases where the payment of family pension has been suspended as per the provisions of Rule 54 (11-C) of CCS (Pension) Rules, 1972, before the issue of this Office Memorandum, the arrears of family pension accruing from the date following the date of death Govt. Servant/Pensioner, shall also be paid to the other eligible family member of the Govt. Servant/Pensioner.

6. The provisions of Rule 54(11-C) of CCS (Pension) Rules, 1972, shall stand amended to the extent mentioned above. Formal amendment to the Central Civil Services (Pension) Rules, 1972 shall be notified separately.



(Sanjoy Shankar)
Deputy Secretary to the Government of India
Ph. 24644632

1. All Ministries/Departments of the Government of India
2. President's Secretariat
3. Vice President's Secretariat
4. Prime Minister's Office
5. Comptroller & Auditor General of India
6. Cabinet Secretariat
7. Union Public Service Commission
8. NIC for uploading in the Website