

Sp. M (11)

U

No.1(32)/94-P&PW(E)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Pension & P.W.

Lok Nayak Bhavan, New Delhi
Dated the 9 February, 1995

OFFICE MEMORANDUM

10 FEB 1995

Subject:-Grant of family pension to the families of Govt. servants who retired or died before 1.1.64 or otherwise not covered by the family pension scheme of 1964.

The undersigned is directed to refer to this Department's Office Memoranda No.1(11)/85-PU dated 18.6.1985 and 16th December 1985 on the above mentioned subject and say that under these orders the benefits of Family Pension Scheme 1964 were extended to the families of all those Government servants borne on Pensionable Establishments who were not originally covered by that scheme namely, families of those Government employees who retired/died before 31.12.63 or who opted out of the 1964 scheme. The arrears of family pension are admissible in such cases w.e.f. 22.9.77 or from subsequent date they become eligible for family pension, whichever is later. According to these orders while the prime responsibility for satisfying the Head of Office about her/his entitlement for the benefit including her/his identity lies on the applicant for which the relevant documents like PPO of the late Government servant or other relevant records have to be produced, it is for the administrative authorities to verify the claims with reference to official documents and other relevant evidence. It is also laid down that in cases where because of the passage of time it is not found possible for the administrative authorities to establish the genuineness of the claim from the available records, the claimant could be asked to produce the necessary evidence for establishing genuineness of the claim and his/her entitlement for the benefit such as succession certificate, affidavit and other documents for the satisfaction of the Head of Department/Pension sanctioning authorities. The intention is that old widows who are prima facie eligible for family pension in terms of O.M. dated 18.6.85 should not be put to any harrasment or hardship because of the inability of the administrative authorities to locate the old records.

.....2/-

2. Detail of instructions in regard to the manner of processing of the applications received from eligible family members of deceased Government servants/pensioners under these orders were issued under O.M. of 16.12.85 referred to above. In spite of these instructions, there is no dearth of cases in which old and hapless widows, who would normally be more than 80 years old, had been put to considerable harassment and hardship in getting family pension sanctioned as the concerned administrative authorities were unable to locate the old records and therefore had refused to entertain the claims. This is notwithstanding the fact that the onus of verifying the correctness or genuineness of the claims with reference to official records must be with the administrative authorities. It is reiterated that the claims of the family members of the pre-1964 retirees and deceased Government servants for grant of family pension in terms of O.M. dated 18.6.85 referred to above should not be rejected merely on the ground that they are unable to produce the required documents. In such cases, the departmental authorities may normally accept the affidavit filed by the eligible member of the family of the deceased Government servant alongwith whatever details available with him/her in good faith and consider issue of the orders for provisional family pension at the minimum rate pending inquiry or any other steps which the Department may think appropriate to verify the correctness of the affidavit.

3. Immediately after issue of orders for the grant of provisional family pension, as per the procedure described above, the Head of the Department or the Pension Sanctioning Authority may take suitable steps to verify the correctness of the affidavit and other documentary evidence produced by the claimant. It may also attempt to determine, if possible, the exact amount of family pension admissible based on the emoluments drawn by the deceased retiree/Government servants at the time of superannuation or death as the case may be. For this purpose, help of any ex-colleagues of the deceased retiree/Government servant could be solicited by making local enquiries as well as contacting the concerned Revenue authorities of the respective State/District in which the family is settled. These enquiries should be completed expeditiously and final orders validating the grant of family pension or otherwise issued in consultation with Finance Division invariably within a period of six months from the date of orders for grant of provisional pension. Here also it

3

-3-

would be appropriate to reiterate that while dealing with such cases, which are not likely to be large, a sympathetic and humane attitude may be adopted and the benefit of doubt should normally be given to the applicant who would in most cases be old widows or deceased Government servant's/retirees children suffering from mental disorders/disability or physically crippled.



(S.C. Batra)

Deputy Secretary to the Government of India

To

All Ministries/Department of Government of India
as per circulation list.

