

1/17/2019- पी एंड पी डब्लू (ई)

भारत सरकार

कार्मिक ,लोक शिकायत तथा पेंशन मंत्रालय

पेंशन और पेंशनभोगी कल्याण विभाग

(डेस्क-ई)

तीसरी मंजिल, लोक नायक भवन,

खान मार्केट, नई दिल्ली-110003,

दिनांक 8th फरवरी, 2021

कार्यालय ज्ञापन

विषय: Amendment of income criteria for grant of family pension to children/siblings suffering from mental or physical disability-regarding

The undersigned is directed to say that in accordance with sub-rule (6) of Rule 54 of the Central Civil Services (Pension) Rules, 1972, a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, is eligible for family pension for life, if the disability is of such a nature so as to prevent him/her from earning his/her livelihood. Further, as per the said Rule 54, a member of the family is deemed to be earning his/her livelihood, if his/her income, from sources other than family pension, is equal to or more than the minimum family pension and the dearness relief admissible thereon. This income ceiling is also applicable for determining eligibility for family pension of a child/sibling, suffering from a mental or physical disability.

2. The matter regarding income criteria for determining eligibility for family pension in the case of a child/sibling, suffering from mental or physical disability, has been reviewed in this Department, keeping in view the special needs of such a child/sibling, who requires greater medical care and financial assistance. It is considered desirable that the income ceiling for grant of family pension to such children/siblings should commensurate with the amount of the entitled family pension in their case.

3. Therefore, it has now been decided that a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if the appointing authority is satisfied that the disability is of such a nature so as to prevent him/her from earning his/her livelihood, as evidenced by a disability certificate obtained from a competent medical authority. Such a child shall be deemed to be not earning his/her livelihood, if his/her overall income from sources other than family pension is less than the entitled family pension at ordinary rate and the dearness relief admissible thereon, payable on death of the Government servant/pensioner concerned.

4. Accordingly, a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if he/she fulfils, **among others**, the following conditions:

- i. A disability certificate is issued by the competent medical authority.
- ii. The overall income of the disabled child, from sources other than family pension, remains less than the entitled family pension at ordinary rate (i.e. 30% of the last pay drawn by the deceased Government servant/pensioner concerned) plus the dearness relief admissible thereon.

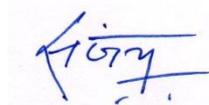
5. The provisions of Rule 54 of the CCS (Pension) Rules, 1972 **shall stand modified to the extent mentioned above only** and the amended provisions shall take effect from the date of issue of this Office Memorandum. A formal amendment of Rule 54 shall be notified separately.

6. In cases where a child/sibling, suffering from a mental or physical disability is presently not in receipt of a family pension due to non-fulfillment of the earlier income criteria, family pension may be granted to such a child/sibling, if he/she fulfils the income criteria mentioned in para 3 and 4 above **and also fulfills the other conditions for grant of family pension at the time of death of Government servant or pensioner or previous family pensioner.** The financial benefits, in such cases, shall accrue from the date of issue of this Office Memorandum and no arrears for the period from the date of death of Government servant/ pensioner/previous family pensioner shall be admissible.

7. This OM is issued with the concurrence of Ministry of Finance, Department of Expenditure vide their ID No. 1(2)/EV/2020 dated 29.12.2020 and 02.02.2021.

8. In its application to persons belonging to Indian Audit and Accounts Department, these orders are issued under Article 148(5) of the Constitution and after consultation with the Comptroller and Auditor General of India vide their यू.ओ.संख्या-28-स्टाफ़ हक.(नियम)/ ए आर./09-2019 dated 25.01.2021.

9. The Administrative Divisions of all Ministries/Departments and attached/subordinate offices are requested to bring the contents of these instructions to the notice of all concerned for compliance.



(संजय शंकर)

भारत सरकार के उप सचिव

Ph. 24644632

To-

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