

कार्यालय रक्षा लेखा प्रधान नियंत्रक (पेंशन)
द्रौपदी घाट इलाहाबाद- 211014

O/o THE PRINCIPAL CONTROLLER OF DEFENCE ACCOUNTS
(PENSIONS)

DRAUPADI GHAT, ALLAHABAD- 211014

वेबसाइट : www.pcdapension.nic.in, email : eda-albd@nic.in

FAX Tele: 0532-2421877;2421879;2421880, Extension:2104,2105,2106

Toll Free No: 1800-180-5321 (Timing-9:30 AM to 6:00 PM)

Circular No. 658

Dated:-24.01.2022

To,

**The OI/C
Records/PAOs (ORs)**

.....
.....

Sub: Allowing family pension to other eligible family member in the event of family pensioner is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence.

A copy of Govt. of India, Ministry of Defence, Department of Ex-Servicemen Welfare letter No. F.No. 2(3)/2021/D(Pen/Pol) dated 5th January, 2022 on the above subject is forwarded herewith for information, guidance and necessary action.

2) The provisions contained in regulation No. 75 of Pension Regulations for the Army, Part-I, 2008 on the above subject matter have been reviewed by competent authority and now it has been decided that the provisions contained in GoI, DoP&PW O.M. No. 1/24/2019-P&PW(E) dated 16th June, 2021 shall mutatis-mutandis apply to Armed Forces Pensioners also. These provisions shall be applicable with effect from 16 June 2021.

3) A copy of this circular along with Government of India, Ministry of Defence letter F.No. 2(3)/2021/D(Pen/Pol) dated 5th January, 2022 as well as GoI, DoP&PW OM No. 1/24/2019-P&PW(E) dated 16th June, 2021 is also available on the website of this office www.pcdapension.nic.in.

No. Grants/Tech/0113/LXXXII

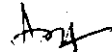
Dated: 24 Jan, 2022


(Rajendra Kumar Gupta)
ACDA(P)

Copy to:

1. The Dy. Secretary, Govt. of India, Ministry of PPG & P(Deptt. of P&PW), Lok Nayak Bhawan, Khan Market, New Delhi.
2. Director (Pensions), Govt. of India, Ministry of Defence D (Pen/Sers), Sena Bhawan, Wing 'A' New Delhi.
3. Naval HQrs, PP & A, DHQ PO New Delhi.
4. DPA, Vayu Bhawan, New Delhi - 11.

5. Air HQrs Ad PP & P- 3, West Block-VI, R. K. Puram, New Delhi- 110066.
6. Sr. Dy.CGDA(AT-II), O/o the CGDA, Ulan Batar Road, Palam Delhi Cantt 110010.
7. PCDA (Navy) No.-1, Cooperage Road, Mumbai- 400039.
8. PCDA (WC), Chandimandir, Chandigarh
9. CDA (AF), West Block-V, R. K. Puram, New Delhi- 110066.
10. CDA, Teynampet, Chennai
11. CDA (PD), Ayudhpath, Meerut
12. JCDA (AF) Subroto Park, New Delhi 110010.
13. Director of Audit, Defence Service, New Delhi
14. All regiment/Corps
15. Naval Pension Office C/o INS, Tanaji, Sion-trombay road Mankhurd Mumbai- 400088
16. Air Force Record, Dhaula Kunwa, Delhi Cantt.
17. Director MP8 (I of R) Integrated HQ of MOD(Army)AG's Branch, Addl Dte Gen of MP/ MP8(I of R) West Block-III, RK Puram ,N-Delhi 110066
18. The OI/C All ROs/PAOs
19. All Addl CsDA/ Jt. CsDA in Main Office.
20. All GOs in Main Office.
21. The O I/C, G-1(M), AT (ORs)-Tech. & G-1/Civil (Tech.)
22. All SAOs/ AOs/ AAOs in Gts/Ors Complex.
23. The O I/C, EDP Manual.
24. The O I/C, EDP Centre.
25. The O I/C, PHP Cell EDP Centre
26. All Sections in Main Office.
27. The O I/C, G -2 Section
28. The O I/C, G-3 Section
29. The O I/C, G- 4 Section
30. The O I/C O & M Cell
31. The O I/C Complaint Cell
32. The O I/C, EDP Centre (Website) **for uploading this circular on the website.**
33. Defence Pension Liaison Cell.
34. The O I/C Reception Centre, PCDA(P) Allahabad-14
35. The Director, Defence Pension Training Institute, Allahabad
36. Spare



(A. K. Malviya)
Sr. Accounts Officer (P)

F. No. 2(3)/2021/D(Pen/Pol)
Government of India
Ministry of Defence
Department of Ex-Servicemen Welfare
D(Pension/Policy)

Room No. 222, 'B' Wing,
Sena Bhawan, New Delhi-110011.
Dated: 05th January, 2022

To

The Chief of the Defence Staff
The Chief of the Army Staff
The Chief of the Naval Staff
The Chief of the Air Staff

Subject: Allowing family pension to other eligible family member in the event of family pensioner is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence.

Sir,

The undersigned is directed to refer to the provisions contained in DoP&PW O.M. No. 1/24/2019-P&PW(E) dated 16.06.2021 allowing family pension to other eligible family member in the event of family pensioner is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence.

2. In terms of Regulation No. 75 of Pension Regulations for the Army, Part- 1, 2008 in the event of an eligible member to receive ordinary family pension under these Regulations is charged with the offence of murdering the service personnel or for abetting in the commission of such an offence, the claim of such a person including other eligible member or members of the family to receive ordinary family pension, shall remain suspended till the conclusion of the criminal proceedings instituted against him.

3. The above provisions have been reviewed and it has been decided that the provisions contained in above mentioned DoP&PW O.M. dated 16th June, 2021 shall mutatis-mutandis apply to Armed Forces Pensioners also. These provisions shall be applicable with effect from 16 June 2021.



2/-

4. The relevant provisions of Pension Regulations of the three Services shall stand modified to the extent mentioned in DoP&PW OM dated 16th June, 2021.
5. This issues with the concurrence of the Finance Division of this Ministry vide their UO Note No. 10(06)/2021/Fin/Pen dated 08.12.2021.
6. Hindi version will follow.

Yours faithfully,

Ashok
05-01-2022
(Ashok Kumar)

Under Secretary to the Government of India

Copy to:

As per standard distribution list.
DFA(Pension)
CGDA
TRIPAS



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.

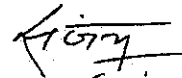
2. The above provisions have been reviewed in consultation with Department of Legal Affairs. Denying the payment of family pension to any other member of the family (e.g. dependent children, parents, etc.), who is not charged with the offence, till the conclusion of criminal proceedings is not considered 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