

WESTERN RAILWAY

P.S.No.72/2013

Headquarter Office,
Churchgate, Mumbai-20

No. E(S)789/0 Vol.XXI

Date: 5.09.2013

To,
All DRMs / CWMs & Units Incharge,
C/- Genl. Secy., WREU-GTR / WRMS-BCT.
C/- ZG-All India SC/ST Rly Employees. Assn, 'W' Zone, Mumbai
C/- ZG-All India OBC Rly Empl. Assn, Mumbai.

- Sub: (i) Payment of arrears of pension in cases where valid nomination has not been made under the Payment of Arrears of Pension (Nomination) Rules, 1983.
(ii) Payment of arrears of family pension-reg.

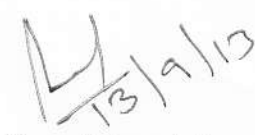
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A copy of Railway Board's letter No.F(E)III/2008/PN 1/13 dtd.7.8.2013 (R.B.E.No.80/2013) is sent herewith for information, guidance and necessary action.

The Board's letter have already been circulated under this office letter number quoted below.

Sr. No.	Board's letter No. & Date.	This office letter No. & date and P.S.No.
1.	No.F(E)III/83/PN dt.21.11.83 1/25	No.E(S)789/5/11 dt.2.1.84
2.	No.F(E)III/83/PN dt.13.11.85 1/8	No.E(S)789/0 Vol.XII dt.6.12.85 (P.S.318/85)
3.	No.F(E)III/95/PN dt.19.1.96 1/23	(Copy enclosed)

Encl: As above.


(Smruti Jacob)
APO(B&A)
For General Manager (E)

Sub : Nomination facility to pensioners/ family pensioners for drawing life-time arrears of pension / family pension – Clarification thereof.

A copy of the Department of Pension and Pensioner's Welfare's O.M. No.43/4/95-P&PW(G) dated 30.10.1995 is sent herewith. Orders contained therein apply mutatis mutandis on the Railways.

2. The Payment of Arrears of Pension (Nomination) Rules, 1983, referred to in the above O.M. were adopted on the Railways vide Board's letter No.F(E)III/83/PN 1/25 dated 21.11.83 and Rule 54 of CCS (Pension) Rules corresponds to Rule 75 of Railway Services (Pension) rules, 1993.

[Copy of Government of India,
Department of Pension & Pensioner's Welfare
O.M.No.43/4/95-P&PW(G) dated 30.10.1995.]

OFFICE MEMORANDUM

Sub : Nomination facility to pensioners/ family pensioners for drawing life-time arrears of pension / family pension under payment of arrears of pension (Nomination) Rules, 1963 - Clarification thereof.

Suggestions have been received in the Department of Pension & Pensioners Welfare for extending the nomination facility to family pensioners in respect of Life-Time Arrears (LTA) of family pension on the lines of provisions for pensioners contained in Payment of Arrears of Pension (Nomination) Rules, 1983.

2. The matter has been considered by the Government Family pension unlike pension is granted by the Government for the sustenance of the family of the deceased Government servant/ pensioner and is in the nature of a welfare measure, whereas pensioner is granted pension for the past services rendered by him. Accordingly, it is not considered necessary to provide the facility of nomination facility for family pension. In the event of death of a family pensioner, the right to receive any arrears of family pension would automatically pass on to the eligible member of a family next in line in accordance with Rule 54 of CCS (Pension) Rules.

3. The requirement of succession certificate for payment of any arrear should be required only in cases, where there is no eligible family member as defined in the above Rule 54, after the death of a family pensioner.

4. These instructions may be brought to the notice of all disbursing authorities.

RBE No. 80/2013

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

No: F(E)III/2008/PN1/13

New Delhi, Dated: 07.08.2013.

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


Subject:- (i) Payment of arrears of pension in cases where valid nomination has not been made under the Payment of Arrears of Pension (Nomination) Rules, 1983;

(ii) payment of arrears of family pension-reg.

A copy of Department of Pension and Pensioners' Welfare (DOP&PW)'s O.M. No. 1/22/2012-P&PW(E) dated 10.07.2013 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also. The Ministry of Finance, Department of Expenditure's O.M.No.1(3)-E.V/83 dated 22.10.1983 & 04.06.1985 and the Department of Pension & Pensioners' Welfare(DOP&PW)'s O.M.No.43/4/95-P&PW(G) dated 30.10.1995 mentioned in the O.M. were circulated vide this office letter No.F(E)III/83/PN1/25 dated 21.11.1983, F(E)III/83/PN1/8 dated 13.11.1985 and F(E)III/95/PN1/23 dated 19.01.1996 respectively.

2. Please acknowledge receipt.

D.A.: One.


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

No. 172/2012-P&PW (I)
Government of India
Ministry of Personnel, P.G. & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi
Dated: 10th July, 2012

Office Memorandum

- Sub: (i) Payment of arrears of pension in cases where valid nomination has not been made under the Payment of Arrears of Pension (Nomination) Rules, 1983;
(ii) Payment of arrears of family pension - ICG.

Attention is invited to the Payment of Arrears of Pension (Nomination) Rules, 1983 which provide that after the death of the pensioner, all moneys payable to the pensioner on account of pension will be paid to the nominee of the deceased pensioner. In the absence of any nomination made by the pensioner, the arrears of his/her pension are paid to the legal heir as per the procedure indicated in para 4 of part A of an annexure to Ministry of Finance OM No. (S) E V/83 dated 11.10.1983. However, dependants of some pensioners expressed difficulties in obtaining the legal heir ship certificates and represented that the necessity of production of legal heir ship certificates may be waived where the amount of arrears payable is small.

2. The matter had been examined in Ministry of Finance, D/o Expenditure vide OM dated 04/06/1983 and it was decided that in case where a valid nomination does not exist under the Payment of Arrears of Pension (Nomination) Rules, 1983 and the dependent of pensioner is unable to produce the legal heir ship certificate, the Payment of Lifetime Arrears of Pension accruing to the deceased pensioner may be authorized on the basis of any documentary proof regarding the relationship and heir-ship of the claimant if the gross amount of arrears does not exceed Rupees 25,000. In such cases, if the gross amount did not exceed Rupees 5,000 and case represented no peculiar features, the accounts officer was authorized to make the payment on his own authority.

3. The Government has further looked into the matter and decided to increase the limits of Rupees 5000 and 25000 as indicated in Department of Expenditure OM, dated 4.6.83 to Rupees 50,000 and 2,50,000 respectively. The conditions and the procedure of payment as indicated in Department of Expenditure OM, dated 22.10.1983 and 04.06.1983 will remain the same, which are reiterated hereunder.

4. The Pension Disbursing Authority (PDA) may receive application along with any documentary proof regarding the relationship and heir-ship of the claimant. In case the claimant is the recipient of family pension, the disbursing Officer will verify the identity of the claimant with reference to the disburser's half as well as pensioner's half of the PPO and give a certificate of having done so. PDA will duly attest the documents received from the applicant and forward these along with the application to the Accounts Officer. The Accounts Officer, on receipt of application along with a copy of PPO of the pensioner and other documents from the PDA, will calculate the amount of arrears and issue necessary authority for payment of life time arrears to the disbursing authority if the case does not present any peculiar features and the amount does not exceed Rs. 50,000. In case the amount exceeds Rupees 50,000 but does not exceed Rupees 2,50,000, the Accounts Officer will obtain the

orders of the Head of Department or Administrator or the CAG in the case of pensioners from Indian Audit & Accounts Department or any Officer of that Department declared as an HOD. Payment will be made on execution of a duly stamped indemnity bond in Form T.R. 14/G.A.R. 26, with such sureties as necessary in terms of para 7 below. In case of any doubt and also in cases where the amount of arrears exceeds Rupees 2,50,000, payments shall be authorized to be made only to the persons producing the legal authority.

5. This department's OM No. 43/4/95-P&PW(G), dated 30.10.1995 stipulates that in the event of death of a family pensioner, the right to receive any arrears of family pension would automatically pass on to the eligible member of the family next in line. The requirement of succession certificate for payment of any arrears occurs only where there is no member in the family who is eligible to receive family pension after the death of the family pensioner. Therefore, it has been decided that the provisions of this office memorandum will also apply to the payment of arrears of family pension where no member of family is eligible to receive family pension.

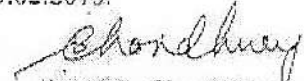
6. The Head of Department here means the Head of Department as defined in rule 2 (xvi) of the General Financial Rules, 2005. However, in order to ensure that the citizens do not have to face unnecessary hardships, it has been decided that in the case of field establishments, the Administrative Ministries/Departments may delegate the power of Head of Department to the Head of Office in the rank of Deputy Secretary/Director, if felt necessary by them. It is also clarified that this OM will cover all such past cases.

7. Normally, there should be two sureties, both of known financial stability. However, in case the amount of claim is less than Rs.75,000/-, the authority accepting the indemnity bond for and on behalf the President of India should decide on the merits of each case whether to accept only one surety instead of two. The obligor as well as the sureties executing the indemnity bond should have attained majority so that the bond has legal effect or force. The bond is required to be accepted on behalf of the President by an officer duly authorised under Article 299 (1) of the Constitution.

8. These orders will not be applicable in cases where a valid nomination exists under the Payment of Arrears of Pension (Nomination) Rules, 1983. In such cases, the payment of arrears will be authorised to be made to the nominee (s).

9. 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.

10. This issues with the concurrence of Ministry of Finance, Department of Expenditure, vide their ID Note No.568/B.V/2013, dated 28th June, 2013 and O/o Controller General of Accounts vide their ID No. 1(7)/FA-III/2011-12/Misc/116, dated 13.02.2013.


(Sujash Choudhury)

Deputy Secretary to the Govt. of India

भारत सरकार
रेल मंत्रालय
(रेलवे बोर्ड)

सं. एफ(ई)॥॥/ २००८/पीएन१/१३

नई दिल्ली, दिनांक ०७.०८.२०१३

महाप्रबंधक/वित्त सलाहकार एवं मुख्य लेखा अधिकारी,
सभी भारतीय रेलें/उत्पादन इकाइयां/अ.अ.मा.सं.

(डाक सूची के अनुसार)

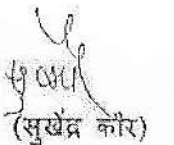
Nestor Mulye / Mumbai

विषय: (i) ऐसे मामलों में पेंशन के बकाया का भुगतान करना जहां पेंशन की बकाया राशि के भुगतान (नामांकन) नियम, १९८३ के अंतर्गत वैध नामांकन न किया गया हो;

(ii) परिवार पेंशन के बकाया का भुगतान।

उपर्युक्त विषय पर पेंशन एवं पेंशनर्स कल्याण विभाग (डीओपीएण्डपीडब्ल्यू) के दिनांक १०.०७.२०१३ के कार्यालय जापन सं. १/२२/२०१२-पीएण्डपीडब्ल्यू(ई) की प्रति सूचना एवं अनुपालन के लिए संलग्न है। ये अनुदेश यथोचित परिवर्तनों सहित रेलों पर भी लागू होंगे। इस कार्यालय जापन में उल्लिखित वित्त मंत्रालय, व्यय विभाग के दिनांक २२.१०.१९८३ एवं ०४.०६.१९८५ के कार्यालय जापन सं. १(३)-ई.वी/८३ तथा पेंशन एवं पेंशनर्स कल्याण विभाग (डीओपीएण्डपीडब्ल्यू) के दिनांक ३०.१०.१९९५ के कार्यालय जापन सं. ४३/४/९५-पीएण्डपीडब्ल्यू(जी) को क्रमशः इस कार्यालय के दिनांक २१.११.१९८३ के पत्र सं. एफ(ई)॥॥/८३/पीएन१/२५ और दिनांक १३.११.१९८५ के पत्र सं. एफ(ई)॥॥/८३/पीएन१/८ तथा दिनांक १९.०१.१९९६ के पत्र सं. एफ(ई)॥॥/९५/पीएन१/२३ के तहत परिपत्रित किया गया था।

२. कृपया पावती दें।


(सुखेंद्र कौर)

संयुक्त निदेशक वित्त (स्था.),
रेलवे बोर्ड