



ELIGIBILITY CRITERIA FOR FAMILY PENSION

Rule 54 of CCS (Pension) Rules, 1972

CATEGORY OF FAMILY MEMBERS

Sub rule 6 of Rule 54

- (i) Spouse
- (ii) Children
- (iii) Parents
- (iv) Disabled Sibling

- 1. Eligibility of Spouse**
- 2. Eligibility of Children**
- 3. Eligibility of Disabled Child**
- 4. Eligibility of Divorced / Widowed / Unmarried Daughter**
- 5. Eligibility if Govt. Servant has survived by Widows and Children from both wedlock**
- 6. Eligibility of Judicially Separated Spouse**
- 7. Eligibility of Parents**
- 8. Eligibility of Disabled Sibling**

1. ELIGIBILITY OF SPOUSE

- (i) Family Pension is payable to widow or widower **up to the date of death or re-marriage**, whichever is earlier.
- (ii) Family pension **will continue to be payable to a childless widow on re-marriage**, if her income from all other sources is less than the amount of minimum family pension and the dearness relief admissible.

2. ELIGIBILITY OF CHILDREN

- (i) Family pension to the children shall be payable **in the order of their birth** and the younger of them will not be eligible for family pension unless the elder next above him/her has become ineligible for the grant of family pension.

Sub Rule 8(iii) of Rule 54

- (ii) Where the family pension is payable to **twins**, it shall be paid to such children **in equal share**.

Sub Rule 7(d) of Rule 54

- (iii) In the case of an **unmarried son** family pension will be payable until he attains the **age of 25 years** or until he gets **married** or until he **starts earning** his livelihood, whichever is the earliest.

Sub Rule 6(ii) of Rule 54

- (iv) In case **both wife and husband are govt. servant**, the surviving child or children shall be granted the **two family pensions** in respect of the deceased parents.

Sub Rule 11 of Rule 54

- (v) **Family pension** admissible to a beneficiary in respect of one deceased employee or pensioner **is not to be counted as income for the purpose of determination of eligibility for another family pension** which is admissible in connection with another deceased employee or pensioner.

OM No. 1/11/2011-P&PW Dated 30/11/2011

- (vi) A **child adopted by the spouse** of the pensioner shall **not be treated as a member** of the family of the deceased pensioner.

OM No. 1/27/2011-P&PW Dated 1/7/2013

3. ELIGIBILITY OF DISABLED CHILD

- (i) If the child of a Govt. servant is suffering from any **disability of mind** or is **physically disabled** so as to render him or her **unable to earn** a living even **after** attaining the **age of 25 years**, the **family pension** shall be payable to such son or daughter **for life**.

Sub Rule 6 of Rule 54

- (ii) **The family pension is payable to the disabled children for life after the youngest child attains the 25 years of age years.** Thereafter family pension shall be resumed in favour of the child suffering from disability.

Sub Rule 6 of Rule 54

- (iii) **Non-intimation of physical/mental handicap does not make a child ineligible for family pension.** A disability certificate issued after the death of the employee/pensioner or his/her spouse for a disability which existed before their death may be accepted.

OM No. 1/18/2001-P&PW Dated 25-26/1/2016

- (iv) The family pension shall be paid to such son or daughter **through the Guardian** if he or she is a **minor**.

OM No. 1/47/87-P&PW Dated 30/3/1989

- (v) The Government has decided to allow continuance of family pension to mentally/physically disabled children even **after their marriage**.

OM No. 1/33/2012-P&PW Dated 16/1/2013

(vi) It shall be the duty of the Guardian/son/daughter to furnish a certificate to the Treasury/Bank, as the case may be, **every year** to the effect that-

(1) he/she has not started earning; and

(2) not yet married.

In case of disability, child or the guardian is required to produce the certificate in **every 5 years** to the effect that he/she continues to suffer from the disability.

Sub Rule 6 of Rule 54

4. ELIGIBILITY OF DIVORCED/WIDOWED/ UNMARRIED DAUGHTER

- (i) The family pension is payable to the unmarried/widowed/divorced daughters until she gets **married** or **remarried** or until she **starts earning** her livelihood, whichever is earlier.

Sub Rule 6(iii) of Rule 54

- (ii) The family pension is payable to the unmarried/widowed/divorced **daughters above the age of 25**, after all unmarried children have attained the 25 years of age or started earning their livelihood whichever is earlier.

If the deceased govt. servant/pensioner has survived by any disabled child, the widowed/divorced/unmarried daughter will be eligible to receive family pension only after the turn of disabled child.

OM No. 1/13/09-P&PW Dated 11/11/2013

- (iii) Divorced daughter is eligible for family pension where the divorce proceedings had been filed in a competent Court during the lifetime of the employee/pensioner or his/her spouse but divorce took place after their death.

5. ELIGIBILITY IF GOVT. SERVANT HAS SURVIVED BY WIDOWS AND CHILDREN FROM BOTH WEDLOCKS

- (i) If deceased employee is survived one widow and children from first wife, however second marriage was solemnized after first wife was not alive, Family pension will be shared equally by widow along with child from first wedlock i.e. **50% each.**

Sub Rule 7(c) of Rule 54

- (ii) If deceased employee is survived by one widow and children from first wife, however second marriage was solemnized after getting divorce decree from first wife, Family pension will be shared equally by Second widow along with child from first wife i.e. **50% each.**

Sub Rule 7(c) of Rule 54

- (iii) If deceased employee is survived by **more than one widow** and children from both wedlock, family pension will be **shared equally** by **first wife** being legally wedded wife **along with child from second wedlock** i.e. **50% each.**

However, **second widow will not have any claim for family pension** as second marriage is null and void and she is not holding the status of legally wedded wife.

OM No. 1/16/1996-P&PW Dated 27/11/2012

- (iv) **On the death of a legally wedded wife who is not survived by any eligible child**, share of the family pension would be payable to children from second wedlock in full **i.e. 100%**.

Sub Rule 7(b) & 7(c) of Rule 54

- (v) **If children from second wedlock become ineligible** to receive pension, such share of the family pension would be payable to legally wedded wife or her children in full **i.e. 100%**.

Sub Rule 7(b) & 7(c) of Rule 54

6. ELIGIBILITY OF JUDICIALLY SEPARATED SPOUSE

After the children cease to be eligible for family pension, such family pension shall become payable to the surviving judicially separated spouse of the deceased Govt. servant till his or her death or remarriage, whichever is earlier.

Sub Rule 11 of Rule 54

7. ELIGIBILITY OF PARENTS

- (i) Family pension to the parents shall be payable if the parents were wholly dependent on the Government servant and the deceased Govt. servant is not survived by a widow or an eligible child.

Sub Rule 10-A (a) of Rule 54

- (ii) The family pension, wherever admissible to parents, will be payable to the mother of the deceased Govt. servant failing which to the father.

Sub Rule 10-A (a) of Rule 54

- (iii) The family pension to the parents will be payable for life.

Sub Rule 6 of Rule 54

8. ELIGIBILITY OF DISABLED SIBLING

Disabled siblings may be eligible for family pension if they are wholly dependent upon the govt. servant immediately before his/her death and deceased government servant is not survived by widow or eligible children or parents.

Sub Rule 10-B of Rule 54