

**No. 36-03/2019-Pen(T)/6
Government of India
Ministry of Communications
Department of Telecommunications
(Pension Section)**

513, Sanchar Bhawan
20, Ashoka Road, New Delhi
Dated: 3rd November, 2022

OFFICE MEMORANDUM

Subject: Circulation of DoP&PW OM No.1/1(1)/2022-P&PW (E) dated 26.10.2022 – regarding grant of family pension to other eligible member of the family where first eligible member is charged with offence of murdering the Government servant or for abetting in commission of such an offence.

The undersigned is directed to circulate the above mentioned DoP&PW OM to all concerned for information and strict implementation.

Encl: As above.

Leena George
3.11.2022

**(Leena George)
Under Secretary to the Govt. of India**

To:

1. All the office of Pr. CCAs/ CCAs/LSAs/Heads of BSNL circles.
2. Sr. DDG(TEC), Khurshid Lal Bhawan, Janpath, New Delhi, WMO/NCCS
3. DDG(A/cs), DDG(C&A), DDG(Pers.), DDG(E&T), DoT, HQ.
4. Dir (Accounts-I), Dir (Accounts-II), Dir (Staff), Dir (SEA), Dir (Civil), Dir (Arch.), Dir (Elect.), DS (Admn.I), DS (Admn.II), DoT, HQ.
5. US (Admn.I), US (Admn.II), US(Admn.III), US(SGT), US(SNG), ADG(SEA-I), ADG(SEA-II), DoT
6. ADG(E&C), DoT for uploading this OM on DoT website.

Copy, in respect of DoT employees working on deputation, to:

7. CMD, BSNL/MTNL/BBNL/TCIL/ITI.
8. Registrar, TDSAT, Secretary TRAI, Chairman C.DoT

36-03/2019-Pen(T)

711566/2022/Pension

F. No. 1/1(1)/2022-P&PW (E)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
 Khan Market, New Delhi-110 003
 Dated: 26.10.2022

Office Memorandum

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

The undersigned is directed to say that Department of Pension has notified the Central Civil Services (Pension) Rules, 2021 in supersession of the Central Civil Service (Pension) Rules, 1972. Rule 50 of the Central Civil Service (Pension) Rules, 2021 deals with payment of family pension on death of a Government servant/pensioner.

2. In accordance with Rule 50(14) of the Central Civil Service (Pension) Rules, 2021, if a person, who in the event of death of a Government servant or pensioner, is 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 (including the charge of abetting death by suicide), the family pension shall not be paid to such a person till the conclusion of the criminal proceedings instituted against him. During the period the family pension is not paid to such person, the family pension shall be paid to other eligible member of the family, if any, from the date following the date of death of the Government servant.

3. 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 member of the family eligible for family pension 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 shall not act as guardian for the purpose of drawal of family pension.

4. If on the conclusion of the criminal proceedings, the person concerned is convicted for the murder or abetting in the murder of the Government servant, such a person shall be debarred from receiving the family pension which shall be continued to be paid to other eligible member of the family, if any. If the person concerned is acquitted of the charge of murder or abetting in the murder of the Government servant, the family pension shall become payable to such a person from the date of such acquittal and the family pension to other member of the family shall be discontinued from that date.

5. **If there was no other eligible member of the family or the family pension ceased to be payable to the other eligible member of the family before the date of acquittal of the person concerned, the family pension shall be payable to such a person from the date following the date of death of the Government servant or from the date on which family pension ceased to be payable to the other eligible member of the family, as the case may be.**

6. All Ministries/Departments are requested that the above provisions relating to grant of family pension to other eligible member of the family where first eligible member is charged with offence of murdering the Government servant or for abetting in commission of such an offence may be brought to the notice of the personnel dealing with the pensionary benefits in the Ministry/Department and attached/subordinate offices thereunder, for strict implementation.

(Vishal Kumar)

Under Secretary to Government of India
 Tel: 24644632

To

All Ministries/Departments/Organisations (As per standard list)