

No. 4-1(2) / 2024 - Pension
Government of India
Ministry of Communication
Department of Posts
(Pension Section)

Dak Bhawan, Sansad Marg
New Delhi – 110001
Dated: 08 January 2024

To

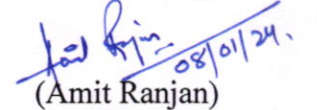
All Heads of Postal Circles
Chief General Manager, BD Directorate / Parcel Directorate / PLI Directorate
All Regional Postmasters General
Director, Rafi Ahmed Kidwai National Postal Academy, Ghaziabad
All Directors/Dy. Directors of Accounts (Postal)

Subject: Amendment to CCS (Pension) Rules, 2021 – Allowing female Government servants/female Pensioner to nominate her child/children for family pension in precedence to her husband in the event of marital discord leading to filing of divorce proceedings in a Court of Law or filing of a case under Protection of Women from Domestic Violence Act or Dowry Prohibition Act or Indian Penal Code – reg.

Sir/Madam,

I am directed to forward herewith a copy of the O.M. No. 1/1(1)/2023-P&PW (E) dated 01st January, 2024 of Department of Pension and Pensioners' Welfare, Ministry of Personnel, Public Grievances and Pensions regarding the above mentioned subject for information and necessary compliance.

Yours faithfully,


(Amit Ranjan)

Assistant Director General (Pension)

Encls.: As above (2 pages)

Copy along with enclosures to:-

1. PPS to Secretary(Posts)/DG(Posts)
2. PPS to Member (Banking & DBT) / Plg.& HRD/Tech./Pers./Ops./PLI/Addl. DG(Cord.)
3. AS & FA/ Sr. DDG(PAF)
4. Secretary(PSB)/All DDsG
5. All Regional Postmasters General/GM(G)/DA(P)/DDA(P)
6. All Postal Training Centres
7. Director, CEPT Mysore-for uploading on the official website of the Dept. Of Posts
8. Guard File

25/1
18/01/2024

No.1/1(1)/2023-P&PW (E)
Government of India
Ministry of Personnel, Public Grievances and Pension
Department of Pension and Pensioners' Welfare

Lok Nayak Bhawan, Khan Market,
New Delhi, Dated the 1st January, 2024

Office Memorandum

Subject: Amendment to CCS (Pension) Rules, 2021 – Allowing female Government servants/female Pensioner to nominate her child/children for family pension in precedence to her husband in the event of marital discord leading to filing of divorce proceedings in a Court of Law or filing of a case under Protection of Women from Domestic Violence Act or Dowry Prohibition Act or Indian Penal Code- reg.

The undersigned is directed to state that, as per the provisions of sub-rule (8) and sub-rule (9) of Rule 50 of CCS (Pension) Rules, 2021, if a deceased Government servant or pensioner is survived by a spouse, family pension is first granted to the spouse and the children and other family members become eligible for family pension, on their turn, only after the spouse of the deceased Government servant/pensioner becomes ineligible for family pension or dies.

2. This Department has been receiving a large number of references from Ministries/Departments, seeking advice as to whether a female Government servant/female Pensioner can be allowed to nominate her eligible child/children for family pension in place of her spouse in the event of marital discord leading to filing of divorce proceedings in a Court of Law or filing of a case under Protection of Women from Domestic Violence Act or Dowry Prohibition Act or under Indian Penal Code.

3. The matter has been examined in consultation with Ministry of Women and Child Development. Accordingly, it has been decided that in case divorce proceedings in respect of a female Government servant/female pensioner are pending in a Court of Law, or the female Government servant/female pensioner has filed a case against her husband under Protection of Women from Domestic Violence Act or Dowry Prohibition Act or under Indian Penal Code, such female Government servant/Female Pensioner may make a request for grant of family pension after her death to her eligible child/children, in precedence to her husband and such request may be considered in the following manner:

(a) Where, in respect of a female Government servant/female pensioner, divorce proceedings are pending in a competent Court of Law, or the female Government servant/female pensioner has filed a case against her husband under Protection of Women from Domestic Violence Act or Dowry Prohibition Act or under Indian Penal Code, the said female Government servant/female pensioner, may make a request in writing to the concerned Head of Office to the effect that, in the event of her death during the pendency of any of the aforesaid proceedings, family pension may be granted to her eligible child/children in precedence to her spouse;

(b) In the event of the death of the female Government servant/female pensioner, who had made a request under clause (a), during the pendency of any of the aforesaid proceedings, the family pension shall be disbursed in the following manner, namely:

Pt. G. S. S. S.
Raj
103/01/24

ASO (A)