

Government of West Bengal
Finance Department
Pension Branch
2nd Floor, Block-IV
Writers' Building, Kolkata-1

Memorandum

D.O. No. 621-F (Pen)

Dated, the 18th July, 2007

Sub: Clarification sought by the Accountant General, West Bengal regarding Memo No. 620-F (Pen) dt. 29.6.2006.

I am directed to refer to your D.O. Letter No. Pen Co-ordn/4/Vol-X/471 dt. 25.9.2006 for clarification of some points regarding eligibility of divorced widowed daughter for family pension beyond 25 years of age till their remarriage/death vide F.D. Memo No. 620-F (Pen) dt. 29.6.2006, I am to furnish herewith the following clarifications:

Sl. No.	Points raised	Clarifications
i)	How the widowed /divorced daughter will come in chronological order in the definition of family for the purpose of family pension in terms of Rule 7 (1) (e) (2) of WBS (DCRB) rules 1971.	The position of the widowed/divorced daughter in the definition of family will come before the dependent parents. In fact they will be accommodated in the column (iv) itself of 7(1) (e) (2) of WBS (DCRB) Rules' 1971. For example, if such daughter is one among two or more children of the concerned employee, the family pension shall be initially payable to the minor children in the order set out in rule 104 read with rule 105 of WBS (DCRB) Rules'1971 (as amended from time to time until the last minor child attends the maximum age for admissibility of family pension shall be resumed in favour of the widowed / divorced daughter and shall be payable to her for life subject to fulfillment of other conditions as laid down in the memorandum.
iv)	Whether this order will be effective from the date of occurrence of the happening on or after 29.6.06. When Govt, employee retiring/dying before the issue of the G.O. dated 29.6.06.	This order is effective from 29.6.06 onwards. Hence the widowed/ divorced daughter of the Govt, employee and/or the spouse retiring/dying before the issue of the GO. will be entitled to the benefit w.e.f. 29.06.06.
v)	Whether family pension in favour of widowed/divorced daughter will be started where Govt, employee as well as spouse died before the issue of the G.O. dated 29.6.06.	Clarified against point no. IV.
vi)	Who will be competent authority for	Salary/Income Certificate from the employer for

	certifying the income ceiling of Rs. 2600/- p.m. from employment in the Govt./Semi Govt./ Statutory Body/Corporation, Undertaking, Private Sector, Self Employment etc.	employment in Govt./ Semi Govt./Statutory body/ Corporation/Undertaking/Private- Sector is required to be furnished. In case they are self employed or are in receipt of income for sources other than employment,any Gazetted Central Govt. Officer/State Govt. Officer belonging to Gr. 'A' Service shall be the competent authority to issue Income Certificates.
vii)	Whether a widowed daughter is eligible to get such family pension while she is drawing another family pension more than the mentioned ceiling in respect of her deceased husband.	If income from any source, exceeds, the mentioned ceiling, the widowed daughter will not be entitled to the benefit. Moreover double benefit in shape of family pension in respect of deceased husband and deceased father/mother will not be allowed if exceeds Rs. 2600/- p.m . A question may arise that the employed widow/widower of a Govt, employee gets family pension along with his/her salary an there is no ceiling of income. But in that case he/she is earning his/ her part on his/her own. Moreover relief is not allowed in this case.
viii)	Whether a divorced daughter is eligible to get such family pension while she is getting maintenance more than the mentioned ceiling form her husband due to divorce.	Maintenance from ex-husband in respect of a divorced daughter is an income to her. If it exceeds the mentioned ceiling, the divorced daughter will not be entitled to the benefit.
ix)	Whether widowed/ divorced daughter is eligible to get two family pensions due to death of her deceased parents, if both of them are State Govt, employee.	The Widowed/divorced daughter is eligible to get only one family pension in respect of any one of the parents.

Regarding points (ii), (iii) and (x), you are requested to intimate what procedure are followed by Govt. of India in such cases.

Regarding your suggestion in the matter of grant of family pension in favour of minor children (son/daughter) according to their birth and irrespective of their sex, I am to request you to intimate whether the matter is also under consideration of the Govt. of India.

With regards.

Yours faithfully,

O.S. D. & Ex-officio Special
Secretary to the Government
of West Bengal.