

*Grant of Family Pension for Lifetime
to the Son or Daughter of deceased
Government employee suffering from
disorder or disability of mind etc.*

GOVERNMENT OF GUJARAT

FINANCE DEPARTMENT

Resolution No. NVT-1387-GOI-12/PI

Sachivalaya, Gandhinagar, Dated the 6th July, 1989.

- Read: (1) G.R.F.D. No. FPS-1071-J, dated 1.1.72.
(2) G.R.F.D. No. FPS-1081-913-P, dated 2.4.1981.
(3) G.R.F.D. No. NVT-1186-GOI-70-P, dated 25.9.1986.

R E S O L U T I O N

The Government of Gujarat introduced the Family Pension Scheme, 1972 under G.R.F.D. No. FPS-1071-J, dated 1st January, 1972 for the benefit of the State Government employees. Under that scheme, the widow/widower is entitled to get family pension till her/his death or remarriage whichever is earlier and failing the claim of widow, the minor son or unmarried minor daughter is entitled to get the family Pension upto the age of 21 years and 30 years respectively.

2. As laid down in the Scheme, Family Pension is not payable to more than one member of Government Servant's family at a time. In the event of remarriage or death of the widow/widower, family Pension is payable to minor children through their natural guardian and in disputed cases, through legal guardian.

3. In the case of minor son, the family pension is admissible until he attains the age of 21 years as modified under G.R.F.D. dated 2nd April, 1981 referred to at Sr. No. (2) in the preamble.

4. In the case of unmarried daughter, the family pension is admissible until she attains the age of 30 years or marriage whichever is earlier as modified under G.R.F.D. dated 25th September, 1986 referred to at Sr. No. (3) in the preamble.

5. The Government of India have since issued the orders to allow Family Pension for the life time to a son or a daughter of a Government employee suffering from disability of mind etc. The representations have therefore been received by the State Government from various quarters to have the orders issued on the lines of those issued by the Government of India for State Government employees.

6. The question of issuing similar orders allowing family Pension to a son/daughter of a Government Servant suffering from disability of mind etc. was under consideration of Government since some time past. The Government has now decided that if the son or daughter of Government servant is suffering from disorder or disability of mind etc. or is physically

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crippled or disabled so as to render him or her unable to earn a livelihood even after attaining the age of 21 year in the case of son and 30 years in the case of a daughter, such a case shall be considered individually or merits and Family Pension shall be granted to such a son or a daughter for life time, subject to the following conditions, namely: -

(i) If such a son or daughter is one among two or more children of the Government servant, the family Pension shall be initially payable to the children, the order set out in the family Pension scheme under the last minor child attains the age of 21 or 30 as the case may be, and thereafter the family Pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life:

(ii) As and when the disability referred to in the Government Resolution manifests itself in a child which makes him/her unable to earn his/her living, the fact should be brought to the notice of the Head of Office duly supported by a Medical Certificate from a Medical Officer, not below the rank of Civil Surgeon. This may be indicated in Annexure—I, Part—II to the G.R.F.D. No. NVN-1081-2761-P, dated 26th November, 1981 by the Head of Office as and when the claim for family Pension arises, the Legal guardian of the child should make an application supported by a fresh medical certificate from a Medical Officer, not below the rank of Civil Surgeon, to the effect that the child still suffers from the disability:

(iii) If there are more than one such sons or daughters suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the following order namely:—

(a) Firstly to the son, and if there are more than one son, the younger of them will get the family Pension only after the lifetime of the elder;

(b) Secondly, to the daughter, and if there are more than one daughter, the younger of them will get the family Pension only after the lifetime of the elder;

(iv) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor;

(v) before allowing the family pension for life to any such son or daughter, the sanctioning authority shall satisfy that the disability is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a Certificate obtained from a medical officer not below the rank of a Civil Surgeon setting out as far as possible, the exact mental or physical condition of the child;

(vi) the person receiving the family pension as guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of a Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

EXPLANATIONS:

(a) Only that disability which manifests itself before the retirement or death of the Government servant while in service shall be taken into account for the purpose of grant of family pension under this G. R.

(b) A daughter shall become ineligible for family pension under this G. R. from the date she gets married.

(c) The family pension payable to such a son or daughter shall be stopped if he or she starts earning his/her livelihood.

(d) In such cases, it shall be the duty of the guardian to furnish a certificate to the Treasury or Bank, as the case may be, every month that (i) he or she has not started earning his/her livelihood; (ii) in case of daughter, that she has not yet married.

7. These orders shall take effect from 1-4-89.

By order and in the name of the Governor of Gujarat,

N. N. MEHTA,

Deputy Secretary to the Govt. of Gujarat,
Finance Department.

Copy to :

- The Secretary to the Governor.
 - The Personal Secretary to the Chief Minister.
 - The Personal Secretary to all Ministers.
 - The Personal Secretary to the Leader of the Opposition Party, Gandhinagar.
 - All the Department of the Secretariat.
 - All Collectors/All the District Development Officers.
 - The Examiner, Local Fund Accounts/The Director of Pension and Provident Fund, Lalkaka Estate, Khannur, Ahmedabad.
 - All Assistant Examiner, Local Fund Accounts.
 - All Treasury Officers.
 - All Other Heads of Departments/Offices.
 - The Secretary Gujarat Legislature Secretariat, Gandhinagar.
 - The Registrar, Gujarat High Court, Ahmedabad.
 - All Associations of Government Servants recognised by the Government.
 - The Secretary Gujarat State Vigilance Commission, Gandhinagar.
 - The President, Gujarat Civil Services, Tribunal Gandhinagar.
 - The Secretary, Gujarat Public Service Commission, Ahmedabad.
 - All Corporations/Boards/Universities.
 - All Recognised Associations of Employees Panchayat Services.
 - All MPS/MLAs of Gujarat State.
 - The Accountant General, Gujarat Ahmedabad/Rajkot.
 - The Resident Audit Officer, Ahmedabad/Gandhinagar.
 - The Pay and Accounts Officer, Ahmedabad/Gandhinagar.
 - All Branches in Finance Department 'N' Br. (15 copies) Coordination Branch (5 copies).
1. The Chief Accountant Reserve Bank of India, Department of Government & Bank Accounts Central Office Building, Shahid Bhagat Singh Road, Bombay-23.

2. The Chief General Manager, State Bank of India, Lal Darwaja, Ahmedabad.
3. The General Manager (o), State Bank of Saurashtra, Darbargadh, Bhavnagar.
4. The Assistant General Manager, Bank of Baroda, Near Income Tax Office, Ashram Road, Ahmedabad.
5. The Deputy General Manager, Bank of India, Bhadra, Ahmedabad.
6. The Assistant General Manager, Central Bank of India Lal Darwaja Ahmedabad-1.
7. The Deputy General Manager, Dena Bank Dhanlaxmi Building, Ashram Road, Ahmedabad-9.
8. The Assistant General Manager, Union Bank of India, High Court Way, Ashram Road, Ahmedabad-9.