

# Office of the Accountant General (A&E), Bihar, Patna

Workshop on documents required for finalizing  
pension / family pension papers

# What Head of the Office has to ensure before sending pension case to AG

- ▶ Nomination : A valid nomination in respect of DCRG in favour of family member/s. A government servant has to nominate one or more family member/s as receiver of DCRG. Nomination made outside the family is not a valid nomination. If a government servant dies without a valid nomination, amount of DCRG has to be distributed equally among the surviving wife/husband, sons and unmarried/widowed daughters. (Memo 1062/60-28619 F dated 03.12.1960)

# What Head of the Office has to ensure before sending pension case to AG

- ▶ Family details : Signed family details containing date of birth, relationship with the employee should be obtained from the employee and countersigned by Head of the Office and pasted on service book. (Memo No 1451 F dated 19.02.1965)

# What Head of the Office has to ensure before sending pension case to AG

- ▶ Examination of excess payment as pay : Excess amount paid to employee in respect of pay ( arising due to wrong fixation, incorrect increment, incorrect MACP/ACP, etc) for which employee has no fault, should be identified at the time of preparation of pension papers( 18 months prior to retirement). Any recovery should be made from salary. If not recovered earlier and the same is asked for recovery from the pensionary benefits by PSA, it does sustain in view of the ratio applied by the honourable supreme court in case of Rafiq Masih.

# What papers/documents have to be sent to AG Office by the Head of the Office for authorization of Pension

- ▶ Service Book
- ▶ Pension Form-4

# Service Book

- ▶ All pension sanctioning authorities must take care that service book has been scrutinized thoroughly and attestation / signature of competent authority are there. Special care should be taken that all entries regarding pay/ increment/ pay fixation during the one year before retirement are duly authenticated/ examined and certified by the competent authorities.
- ▶ Family details of pensioner must be pasted to service book to avoid future litigations as well as wrong claim of family pension.

# Pension Form -4

- ▶ Each and every field of form -4 must be duly filled. Page 2 & 3 should be duly filled and signed by employee and countersigned by Head of the Office. Special care should be taken in respect of Page 5 & 6 of the form in which Pension Sanctioning Officer ( i.e. appointing officer ) calculates and gives sanction of pension/gratuity/commutation of pension/family pension. In many cases, Head of the Office is not PSO. In that case, proper officer designated as PSO should sign page 5 & 6. If retiring official himself/herself is Head of the Office, next Higher official should sign pension papers wherever Head of the Office is mentioned. Last pay certificate of form should match with the last pay mentioned in the Service book. Specimen pension form -IV is being presented here. पेंशन प्रपत्र (भरा हुआ).pdf

# Provisional Pension

- ▶ In case of non-gazetted employee, provisional pension and gratuity to extent of 90 % of normal pension/ gratuity can be paid by Head of the Office. There is no need to send such cases for authorization to AG.
- ▶ In case of gazetted employee, provisional gratuity to extent of 90 % of gratuity can be paid by Head of the Office. There is no need to send such cases for authorization to AG. However, authorization from AG is needed for provisional pension.



# Date of starting of pension

- ▶ As per rule 209 of Bihar Pension Rules 1950, Pension, is payable from the date on which the pensioner ceased to be borne on the establishment or from the date of his application, whichever is later. The rule may be relaxed, in this particular, by the authority sanctioning the pension when the delay is sufficiently explained.
- ▶ As per rule 210 *ibid*, the preceding rule applies to ordinary, not to special cases. If under special circumstances, a pension is granted long after a Government servant has retired, retrospective effect should not be given to it without the special orders of the Government; in the absence of the special orders such a pension takes effect only from the date of sanction.

# Date of starting of pension

- ▶ Documents required if pension is sanctioned after many years of retirement and sanction is given from the date of retirement: Special order from the government in this regard.
- ▶ Bihar Pension Rule 209 and 210.pdf

# Commutation of Pension

- ▶ Upto 40 % of pension can be commuted. Once it is sanctioned. It cannot be altered on the request of the pensioner. Commutation request after one year of retirement can only be granted after medical examination under laid down procedure.
- ▶ Document required if commutation of pension is sanctioned after one year or retirement :Copy of required medical report from the competent authority.

# Payment of arrears of pension of dead pensioner

- ▶ Unlike central government, there is no facility of nomination for receiving such arrears. On the death of a pensioner, payment of any arrears due, is to be made to his heirs.(Rule 241(a)(ii) of BTR 2011). Accordingly, sanction should be given in favour of all heir of the late pensioner as neither the BPR nor the BTR provides that it can be paid to one heir if remaining heirs give declaration through affidavits.
- ▶ Document required: Copy of family details kept by office. If no details are kept, family details from revenue officials.

# Family pension

- ▶ Family pension is to be sanctioned in strict compliance of the Family Pension Scheme for State Government Employees, 1964. No deviation in respect of who will get family pension is allowed. The pensioner can not decide who would get family pension. He is not permitted to disallow any eligible member of his family. If there is any family dispute due to which employee and his/her spouse living separately but there is no legal separation, he/she will get family pension.

# Family Pension: Cases of two wives

- ▶ If employee has married second time during the life time of first wife, second wife is not entitled for family pension. However, eligible child of second wife is eligible for family pension. In such situation, first wife will receive 50 % of family pension and eligible child of second wife will receive 50% of family pension. After death of first wife, her eligible child would get her share of family pension. If there is no eligible child , it would lapse. It cannot be restore to eligible child of second wife.
- ▶ Documents/details required : Family details in form 4 should clearly indicate name of the mother of all children of the employee.

# Family Pension: Cases of two wives

- ▶ As Muslim Personal Law allows, more than one marriage, if a muslim government servant has more than one surviving widows and marriages were solemnized after getting permission from the government, then only family pension would be distributed equally among all surviving wives. If no permission from government is obtained, Memo of 1996 will apply. While sanctioning such pension,
- ▶ Documents required : If sanction is given for distributing pension among all surviving wives, copy of government permission is to be attached.

# Family pension: Handicapped Child

- ▶ Dependent Handicapped Child is eligible for family pension. If such child was handicapped during life time of his/her either of the parents, his/her income is within the prescribed limit and a medical board in chairmanship of medical officer not below the rank of CS gives a certificate that due to nature of handicap, he/she is not able to earn his/her livelihood, he/she is eligible for family pension. Marriage of such child does not disentitle family pension to such child.



# Family pension: Handicapped Child

- ▶ Document required:
- ▶ (i) List of family members of deceased government employee to ensure that no other senior member is eligible for family pension
- ▶ (ii) Death certificate in respect of both parents.
- ▶ (iii) Handicap certificate issued first time by competent authority
- ▶ From (ii) & (iii) it is ensured that handicap occurred during lifetime of either parent

# Family pension: Handicapped Child

- ▶ (iv) Certificate of medical board in chairmanship of medical officer not below the rank of CS that due to nature of handicap, he/she is not able to earn his/her livelihood.
- ▶ (v) Income certificate from the revenue official
- ▶ (vi) Affidavit from guardian/family member through which such family pension is to be paid.

# Family pension :Widowed/ divorced daughter

- ▶ Dependent widowed/ divorced daughter is eligible for family pension if she fulfil all the prescribed conditions. It is granted till she remarry or her income exceeds the prescribed limit
- ▶ Following documents are required :
- ▶ (i) List of family members of deceased government employee to ensure that no other senior member is eligible for family pension

# Family pension :Widowed/ divorced daughter

- ▶ (ii) Death certificates of both parents and her husband to ensure that she was widowed during lifetime of either of the parent
- ▶ (iii) Order of the court annulling marriage to ensure that she was divorced during lifetime of either of the parent. Any alimony granted form income of the divorced daughter.
- ▶ Income certificate from the revenue official.

# Family pension : Unmarried daughter beyond the age of 25 years

- ▶ Unmarried daughter is eligible for family pension beyond the age of 25 years on fulfilment of prescribed conditions. It is sanctioned till she marry or her income exceeds prescribed limit, whichever is earlier.
- ▶ Documents required :
- ▶ (i) List of family members of deceased government employee to ensure that no other eligible member below the age of 25 years exists.
- ▶ (ii) Income certificate from the revenue official.
- ▶ (iii) Affidavit of being unmarried before a first class magistrate.

## Family pension : Unmarried son/daughter aged between 18 and 25 years

- ▶ Documents required :
- ▶ (i) List of family members of deceased government employee to ensure that no other eligible member below the age of 25 years exists.
- ▶ (ii) Income certificate from the revenue official.

# Family pension : Unmarried son/daughter below the age of 18 years

- ▶ Documents required :
- ▶ (i) List of family members of deceased government employee to ensure that no other eligible member below the age of 25 years exists.
- ▶ Affidavit from guardian/family member through which such family pension is to be paid.

# Special Family Pension to Policemen killed while performing duties

- ▶ Special family pension is sanctioned to family member of all policemen irrespective of their ranks who were killed during course of performing their duties. If the policemen was covered under OPS, the special family pension equivalent to last pay drawn is paid till the date of his/her presumptive date of retirement. After completion of that period, normal family pension is paid. If covered under NPS, only special family pension is equivalent to last pay drawn will be paid till the date of his/her presumptive date of retirement.
- ▶ Documents required : An endorsement from the competent officer that the policeman was killed during performance of his/her duties.



# Family pension: Employee married after retirement

- ▶ Spouse and children born after marriage of a retired employee are eligible for family pension
- ▶ Document required:
  - ▶ (i) Marriage certificate to ensure that marriage was actually solemnized.
- ▶ If family details kept by office exhibits that the government servant has living spouse at the time of retirement, death certificate of the deceased spouse to ensure that marriage after retirement was not solemnized during life time of earlier spouse.

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the left and right sides of the frame, leaving a large white central area. The shapes are layered, creating a sense of depth and movement.

Thanks