

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Sanction of Family Pension to the families of employees/pensioners whose whereabouts are not known – Orders – Issued.

FINANCE & PLANNING (FW. PEN.I) DEPARTMENT

G.O.Ms.No.41

Dated:08-02-1994
Read the following:-

1. G.O.Ms.No.241 Fin. & Plg. (FW.PEN.I) Dept. Dt.10-09-1987.
2. Govt.Lr.No.22498/561/Pen.I/88, Dt.19-9-89, addressed to A.G. (A&E), A.P. Hyderabad.
3. Govt. of India, Dept. of Personnel, Pensions and Public Grievances OM.No.1-(17) P & PW/86-E, Dt.18-02-1993.
4. A.G. (A&E), A.P. Hyderabad, D.O.Lr.No.PM/I/3-28(3)/93-94/20, Dt.14-06-1993.

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ORDER:

Orders were issued in the G.O. 1st read above prescribing the procedure for sanction of family pension in case of Govt. Servants whose whereabouts are not known. It was clarified in the Govt. letter 2nd read above addressed to A.G. that the orders vide G.O.1st read above were also applicable to pensioners whose whereabouts are not known. But the G.O. was not issued to this effect.

2. Accountant-General (A&E), A.P., Hyderabad has brought to the notice of Government certain clarification issued in this regard by Govt. of India in the reference 3rd read above, and requested to examine whether similar orders could be issued by the State Government in respect of State Government Pensioners.

3. Government, after careful examination of the said Govt. of India O.M. in the reference 3rd read above, issue the following orders both in respect of employees and pensioners whose whereabouts are not known.

4. (a) *Employees whose whereabouts are not known:*

- i. Under the existing procedure, family pension is payable after a lapse of one year from the date of filing of FIR with Police authorities and after obtaining a report to the effect that the employee has not been traced. Keeping in view of the liberalization made by Govt. of India in their O.M. 3rd read above, family pension is now payable from the date of lodging of FIR. Family Pension will however be sanctioned and paid one year after the date of lodging the FIR with Police and obtaining a Certificate that the employee is not traceable. The other procedure already prescribed in the G.O.1st read above will continue to be applicable.
- ii. In case of any delay in lodging of FIR, no payment is admissible from the date of following the date of disappearance to the date of filing the F.I.R

- iii. An Indemnity Bond will be obtained from the family and will be retained with the Head of office. The Bond need not be forwarded to A.G. However, the fact of obtaining the Bond should be certified by the Head of the Office while sending the Pension papers to Accountant General.

4. (b) Pension whose whereabouts are not known:

- i. In respect of pensioners, whose whereabouts are not known, the family pensioner in whose favour family pension was already endorsed in the service pension payment order, has to lodge an F.I.R. with Police authorities and obtain a report to the effect that the pensioner has not been traced after all efforts made by the family pensioner. The family pension beneficiary shall have to apply to the Pension Sanctioning Authority with the above documents and indemnity bond vide Para 4 (a) (iii) and based on the sanction of the Pension Sanctioning Authority, the Pension Disbursing Officer will take necessary action for commencement of Enhanced Family Pension / Family Pension without any further authorization of Accountant – General.
- ii. In respect of cases where there is no family pension endorsement in the P.P.O, the family pension beneficiary has to apply for family pension in the prescribed proforma along with the above documents to the Pension Sanctioning Authority for further action.
- iii. Family Pension is payable from the date of filing of F.I.R but however be sanctioned by the Pension Sanctioning Authority and paid only after one year from the date of filing of F.I.R.
- iv. Life Time Arrears of service pension from the date of last payment to the date of disappearance will be payable to the nominee/legal heir. No payment will however be admissible as in para 4(a)(i) ante.
- v. Enhanced Family Pension will be regulated with reference to the date of disappearance of the pensioner.
- vi. In cases where the date of death is specifically declared by a Court of Law, the same date shall be accepted as the actual date of death.

5. In respect of cases, where the period of seven years was already over, before the issue of orders vide G.O.Ms.No.241, Finance Dt.10-09-1987, such cases have to be settled under section 108 of India Evidence Act and payment regulated accordingly.

6. These orders regulate the cases of disappearance under normal circumstances and not the cases in which officials disappear after committing frauds etc. In letter type of cases, the family pension needs to be sanctioned only on the Govt. Servant being acquitted by the Court of Law or after the conclusion of the disciplinary proceedings etc., as the case may be.

7. The sanction of family pension ordered above is applicable to those who are entitled for family pension under the rules.

8. This order shall come into force with immediate effect and also cover the cases which are now pending settlement.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH
A.R. JAYA PRAKASH
SPECIAL SECRETARY TO GOVERNMENT