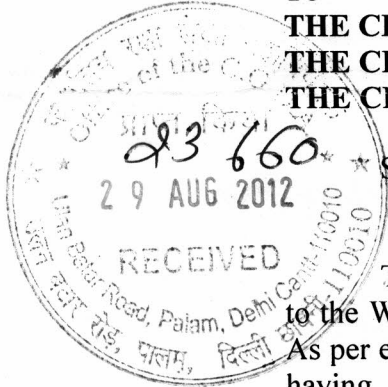


No. 8(01)/2007-D(Pen/Pol) (Vol. III)
Government of India
Ministry of Defence
Department of Ex-servicemen Welfare

B-Wing, Sena Bhawan,
New Delhi
Dated 23 August, 2012

To
THE CHIEF OF THE ARMY STAFF
THE CHIEF OF THE NAVAL STAFF
THE CHIEF OF THE AIR STAFF



* SUBJECT : Restoration of withheld portion of Ordinary Family Pension to widow of ESM in Nepal.

The proposal regarding restoration of withheld portion of Ordinary family pension to the Widow of ESM in Nepal has been under consideration by the Government of India. As per extant provision, ordinary family pension can be divided in the event of a pensioner having more than one wife. Plural marriages are apparently very common in Nepal. Therefore, Record office, Indian Embassy has recommended apportionment of ordinary family pension depending upon the number of wives recorded. PCDA(P) is the pension sanctioning authority and full share of family pension to a claimant is not agreed unless it is established that the other widows whose names are recorded are dead.

The name of co-widow recorded in service documents should be divulged to the surviving widow to enable her to obtain either the whereabouts or the documents to prove that either the widow whose name recorded is dead/eloped or does not exist so that withheld portion of family pension is restored to her. However, after a detailed study and analysis of the social customs and peculiarities in Nepal, it was learnt that divulging names would lead to preparation of false documents of death/elopment as surviving widows are not aware of the whereabouts of widows recorded in sheet roll as in all probabilities they are not in existence due to wrong entries of the names like pet and alias names. The issue is sensitive and has been taken up by various ex-servicemen associations in Nepal followed by the media.

2. The President is now pleased to decide the restoration of Family Pension in such cases in Nepal. All such cases which are more than seven years old, sanction is given for restoration of the pension with the following conditions :-

(i) AMA Records in the IE Nepal will carry out detailed investigation in each case, including consultation with reputed persons/public authorities from the village of the deceased soldier, regarding existence or otherwise of the other widow whose name is recorded in service documents but whose whereabouts are not known for the last seven years, in order to establish that the claimant for 100% restoration of family pension is the only surviving and genuine widow.

(ii) After conclusion of the investigation, the MA Records, IE, Nepal, Kathmandu will prepare a statement of case in each case and will forward the same to PCDA(P) Allahabad

along with his recommendation and supported with the following documents :

- (A) Investigation report as at (i) above
- (B) An affidavit from the claimant duly affirmed before the Chief District Officer (CDO) and witnessed by 2 senior Indian Army Pensioners not below the rank of JCOs, stating that she is the only surviving widow and no other legal claimant is either alive or eligible and that she undertakes to refund the entire amount of 50% share of the family pension received by her in case eligible claimant reports for claiming Ordinary Family Pension at a later stage.
- (C) A certificate from Chief District Officer after due verification by him to the effect that no other legal widow is alive to claim 50% portion of the family pension except the claimant.

The documents as at (B) & (C) above may be countersigned by MA/AMA Records, IE Nepal, and Kathmandu. However, such case may be re-investigated at ground level, it may not be done only on basis of documents produced by the claimant. Legal heirship certificate issued by competent authority may be taken from the claimant, if necessary.

3. In case any other widow reports later – on i.e., after sanction of family pension to the claimant by following the above procedure, the pension may be divided again proportionately if the claimant's genuineness is established.
4. This issues with the concurrence of Finance Division of the Ministry vide their ID No. 10(10)2010/Fin/Pen, dated 26.07.2012.

Hindi version will follow.

Yours faithfully,

M. Narayanan
(Malathi Narayanan)

Under Secretary to Govt. of India

Copy to : *CGDA, Wari Bazar Road,*

1. As per Standard Distribution List.