

No. 1/1(33)/2024-P&PW(E)/9629

भारत सरकार/Government of India

कार्मिक, लोक शिकायत और पेंशन मंत्रालय /Ministry of Personnel, PG & Pensions

पेंशन एवं पेंशनभोगी कल्याण विभाग/ Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhavan, Khan Market,
New Delhi, Dated the 27th October, 2025

OFFICE MEMORANDUM

Subject : Settlement of Family Pension between two wives of a Government Servant or Pensioner under Central Civil Services (Pension) Rules, 2021 reg.

The undersigned is directed to refer to this Department's O.M. of even number dated 10.10.2024. As stated earlier, the Department of Pension and Pensioners' Welfare (DoPPW) has notified the Central Civil Services (Pension) Rules, 2021 and Rule 50 of the Central Civil Services (Pension) Rules, 2021 deals with payment of family pension on death of a Government servant/pensioner.

2. In accordance with Rule 50 (6) of the CCS (Pension) Rules, 2021, the family pension shall be payable to the members of the family of the deceased Government servant or pensioners in the following order –

- i. Subject to provisions of sub-rule (8), widow or widower, (including a post-retiral spouse and judicially separated wife or husband).
- ii. Subject to provisions of sub-rule (9), children (including adopted children, step children and children born after retirement of the pensioner).
- iii. subject to provisions of sub-rule (10), dependent parents (including adoptive parents) of the deceased Government servant or pensioner,
- iv. subject to provisions of sub-rule (11), dependent siblings (i.e. brother or sister) of the deceased Government servant or pensioner, suffering from a mental or physical disability

3. Whereas the Explanation to Rule 50(6) (1) of the CCS (Pension) Rules, 2021 states that - For the purpose of this rule 'widow' and 'widower' shall mean a spouse, legally wedded to the deceased Government servant or the pensioners.

4. Whereas Rule 50(8)(c) of the CCS (Pension) Rules, 2021 states that-

Where the deceased Government servant or pensioner is survived by more widow than one, the family pension shall be paid to the widows in equal shares and on the death or ineligibility of a widow, her share of the family pension shall become payable to her child or children who fulfil the eligibility conditions mentioned in sub-rule (9).

5. The position with reference to the legality of marriage / spouse was clarified. However, this Department still receives many references seeking clarification on these points. In order to avoid time in decision making, the rule position is re-iterated. Having second wife when the first wife is alive is against the provisions of Hindu Marriage Act, 1955 and also contradictory to the provisions of CCS (Pension) Rules, 2021. For the administrative authority, it is very important to have application of mind while examining such cases and interpreting the Rules. For any disputes arising out of them, the replies / briefs for the tribunals / courts need to be suitably prepared in accordance with the provisions of CCS (Pension) Rules and extant guidelines.

6. All Ministries/Departments are requested to follow the process of consultation with Department of Legal Affairs before arriving at decision regarding Settlement of Family Pension between two wives under Central Civil Services (Pension) Rules, 2021. Such cases must be brought to the notice of the officer dealing with the pensioners' benefits in the respective Ministry/Department by the attached/subordinate offices etc.

7. इसे सक्षम प्राधिकारी के अनुमोदन से जारी किया गया है।

Dilip

27.10.2025

(Dilip Kumar Sahu)

Under Secretary to the Govt. of India

To,

All Ministries/Departments/Organisations.
(As per standard list)

Copy to:

1. President's Secretariat/Vice President's Secretariat/Prime Minister's Office/Supreme Court Rajya Sabha Secretariat/Lok Sabha Secretariat/ Cabinet Secretariat/ UPSC / CVC/ C&AG/ Central Administrative Tribunal (Principal Bench), New Delhi.
2. All Officers in the DoPPW.