

GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS
20, ASHOKA ROAD, SANCHAR BHAWAN
NEW DELHI-110001

No 47-16/TA.II/PDA/2016/Pt-1/ 3220-21

Dated : 13.02.2024

To

Jt CGCA(BA&IT),
O/o CGCA, NICF Campus,
Ghitorni, New Delhi

Sub : Co-authorization of permanently disabled children in PPO

Ref : This office letter of even No.1194-1199 dated 14.08.2023, No.153701538 dated 20.09.2023, No.1942-43 dated 10.11.2023 and No.2231-32 dated 14.12.2023

This is with reference to your office letter No.2-177/2022-23/BA&IT dated 23.11.2023 on the subject cited above (enclosing therewith O/o Pr CCA Chennai letter dated 08.11.2023) vide which it was requested to seek clarification from DOPPW as to whether the stand taken by O/o Pr CCA Chennai for insisting a disability certificate issued by medical board clearly certifying that the disability is of such a nature so as to prevent the disabled child from earning his or her livelihood, is in order.

2. In this regard it is stated that DoP&PW has issued orders/instructions from time to time on the subject matter, however, the fact remains that interpretation of rules are best left to the judgement of implementing agency/Appointing Authority. It is also not out of place to mention that Department of Pension and Pensioners' Welfare, New Delhi in a reply to RTI application of Ms Parvathy, Chennai(Copy again enclosed) at point No.3 of the RTI reply has mentioned that "As per Sub Rule (9)(h)(v) of Rule 50 of CCS(Pension) Rules, 2021, before allowing the family pension for life to any such son or daughter, the appointing authority shall satisfy that the disability is of such a nature so as to prevent him or her from earning livelihood and the same shall be evidenced by a certificate obtained from:

(a) An authority competent to issue disability certificate in accordance with Rights of Persons with Disabilities Act, 2016(49 of 2016), the Rights of Persons with Disabilities Rules, 2017 and the guidelines and notifications issued by the Central Government or a State Government or a Union territory administration. OR

(b) A Medical Board comprising of a Medical Superintendent or a Principal or a Director or Head of the Institution or his nominee as Chairman and two other members, out of which at least one shall be a Specialist in the particular area of disability, setting out, as far as possible, the exact mental or physical condition of the child.

3. Further at, point No.4 of the RTI reply it has been mentioned that "The medical Board referred to in Rule 50(9)(h)(v)(B) is additional/optional medical authority for this purpose and it does not prevent any person from obtaining a disability under clause (a).

4. At point No.5 of the RTI reply it has been mentioned ***"The rules do not require that the certificate to be issued by the authority competent to issue medical certificate would indicate the earning capacity of the person with disability. The rule only requires that the disability is of such a nature so as to prevent the child from earning his or her livelihood and the same shall be "evidenced" by the certificate issued by the competent medical authority"***.

5. As already informed at Para 6 of this office letter dated 14.08.2023, DOT HQ is dealing with pension authorization work of staff of DOT HQ who are liable to inter-ministry transfers. These cases are forwarded to Central Pension Accounting office, Ministry of Finance, for payment of pension through CPPCs of Banks. Few months back, in the case of an Ex-SO of DOT HQ who retired on superannuation on 31.10.2016, disabled son has been co-authorized after retirement. Disability certificate of his son issued by Ministry of Social Justice and Empowerment, showing only percentage of disability and nature of disability(copy enclosed), Disability Certificate alongwith copy of Unique Disability ID (Copy enclosed) issued by Institute of Human Behaviour and Allied Sciences, Tahirpur Road, Dilshad Garden, Delhi-110095, and a copy of Affidavit(Copy enclosed) regarding mental illness, date of birth, marital status, income was enclosed with the case. The other son of the Ex SO was appointed as guardian of the disabled son by the Ex SO on a plain paper (Copy enclosed). His case was forwarded to Central Pension Accounting Office alongwith duly filled in Part IV of PPO Booklet (copy enclosed) and same has been accepted by Central Pension Accounting Office and forwarded to Bank, co-authorizing the disabled son.

6. Few other fresh cases for co-authorizing of disabled children have also been forwarded to Central Pension Accounting Office enclosing therewith all the above mentioned documents and same have been accepted and forwarded to CPPCs of Banks.

7. Therefore, in view of the facts narrated above, the contention of Pr CCA Chennai to insist for a disability certificate issued by medical board clearly certifying that the disability is of such a nature so as to prevent the disabled child from earning his or her livelihood does not find any merit, is un-reasonable, not justified/ not in order and not agreed to by this HQ.

8. In light of the above, it is once again requested to intervene and direct O/o Pr CCA Chennai, not to insist on certification of earning capability of the disabled child/ children from the medical board and immediately do the needful for co-authorization of disabled children/siblings as per extant rules and in the light of clarifications/instructions issued time to time by DOP&PW in the matter / RTI reply of DOP&PW to Ms Parvathy, Chennai, and other examples given by DoT HQ on acceptance of disability certificate and other documents by Central Pension Accounting Office, New Delhi.

9. Further, the case of Shri G Hariharasubramanian was settled by Pr CCA Chennai on 24.05.2022 by co-authorizing his permanently disabled daughter in Part IV of PPO (forwarded by DOT HQ along with copy of DOP&PW OM dated 21.03.2022 with a direction to take necessary action), however, no communication on settlement of the case by Pr CCA, Chennai was conveyed to DoT HQ in this regard. Hence, it is

also requested to instruct all CCA/Pr CCA offices to forward compliance on communication issued by DoT on relevant matters.

10. This is issued with the approval of the Competent Authority.

Encl : As above



(Gp Capt Atul Pokhriyal)
Director(Accounts.I)
Tel 011-23036185

Copy for information to:

O/o Pr CCA, Tamilnadu Circle, No.60, Ethiraj Salai, TNIT Complex,
Egmore, Chennai 600008

KJR