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2/13-A - LGF Backside, Jangpura - 'A',
New Delhi - 110 014
Telephone : 011-24376642
E-mail : bharatpensioner@gmail.com
Website : www.pensionersmedia.in



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**BHARAT PENSIONERS'
SAMAJ**

(All India Federation of Pensioners' Associations)
(Registered No. 2023 of 1962-63), Recognised by GOI-DOP&PW
Associate NGO International Federation on Ageing,
Toronto (Canada)
2/13-A - LGF Backside, Jangpura - 'A',
New Delhi - 110 014
Mobile : 09868488199 / 08860412898

Bye-mail

No BPS/SG/AGM/Resolution/11

Dated: 20.12.023

To

1. The Secretary,
GOI M/O Personnel, AR, PG & Pensions
2. The Secretary,
GOI M/O Law and Justice-DLA
3. The Secretary,
DOE-M/O Finance
4. The Secretary,
M/O Railway-Railway Board

Subject:- Aligning CCS Pension Rules 2021 with the Hindu Adoption and Maintenance Act 1956: Inclusion of Widowed Dependent Daughter-in-Law in the Definition of Family-Resolution No11 adopted by BPS 68th AGM held at Delhi on 18.11.023

Sir/Madam,

Revise the definition of Family to include widowed dependent daughter-in-law: Under Section-19 of the Hindu Adoption and maintenance act 1956; the daughter-in-law is entitled to be maintained after the death of her husband by her father-in-law. She is held to be dependent on her father-in-law under section 21(vii) of the said Act. As such CCS Pension Rules 2021 be brought in line with the law of the land.

The Hindu Adoption and Maintenance Act 1956 (HAMA 1956) has long been a cornerstone in the legal framework governing familial obligations and rights within Hindu communities in India. A particular aspect of this Act, under Section 19, stipulates the maintenance responsibilities towards a widowed daughter-in-law. This provision underlines the importance of social security for women who lose their husbands and subsequently rely on their in-laws for support. However, there seems to be a misalignment with the Central Civil Services (CCS) Pension Rules 2021, which currently does not explicitly recognize widowed dependent daughters-in-law in the definition of 'family'. This article explores the need to revise the CCS Pension Rules 2021 to bring them in line with HAMA 1956.

The Hindu Adoption and Maintenance Act 1956 is a significant legislation that outlines the legal obligations of Hindus regarding adoption and maintenance. Under Section 19, the Act specifically addresses the responsibility of a father-in-law to maintain his widowed daughter-in-law. This obligation is conditional upon the father-in-law having the means and the daughter-in-law being unable to maintain herself out of her own earnings or other property. Section 21(vii) further clarifies that the daughter-in-law is considered a dependent of the father-in-

law in such circumstances. The CCS Pension Rules 2021 govern the pension and other retirement benefits of government employees. As of now, these rules define 'family' in a manner that does not explicitly include widowed dependent daughters-in-law. This omission potentially lead to a lack of financial security and support for women who, under HAMA 1956, are entitled to maintenance from their in-laws.

The misalignment between HAMA 1956 and the CCS Pension Rules 2021 raises concerns about the comprehensive protection of widowed daughters-in-law. Bringing the CCS Pension Rules in line with HAMA 1956 would not only ensure consistency across legal frameworks but also enhance the social security net for vulnerable members of the family.

To align the CCS Pension Rules 2021 with HAMA 1956, the definition of 'family' should be revised to explicitly include a widowed dependent daughter-in-law. This amendment would ensure that such individuals are eligible for pension and other benefits, thereby providing them with financial stability and support in their time of need.

Aligning the CCS Pension Rules 2021 with the provisions of the Hindu Adoption and Maintenance Act 1956 is a step towards ensuring a more inclusive and protective legal environment for widowed daughters-in-law. This amendment would not only uphold the spirit of familial responsibility enshrined in HAMA 1956 but also reinforce the government's commitment to safeguarding the rights and welfare of all family members, especially those in vulnerable positions.

This 68th AGM of Bharat Pensioners Samaj, therefore, urges the Government to take immediate action to bring CCS Pension Rules 2021 in line with the law of the Country.

With regards

Truly yours,



S.C. Maheshwari
Secy. Genl.

Bharat Pensioners Samaj