



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)

दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment

भारत सरकार/Government of India

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Case no. CCPD/14038/1024/2023

In the matter of:

Shri Balasubramanian Venkataraman Iyer

...Complainant

Versus

The Director (Admin and HR),

Khadi Village Industries Commission

...Respondent

RECORD OF PROCEEDINGS

1. Hearing:

1.1 A hearing in hybrid mode (online/offline) was conducted on **07.04.2025**.

The following parties/representatives were present during the hearing:

S. No.	Name and Designation of the Attendees	On Behalf of	Mode of Attendance
1.	Mr Lakshman Shirke	Complainant	Online
2.	Mr Anil Kumar - Director HR & Administrator, KVIC Mumbai	Respondent	Online

2. Record of Proceedings:

2.1 Upon the matter being called, the Complainant was not present. Shri Lakshman Shirke appeared and submitted that he was representing the

Complainant. It was stated that the Complainant is a person with disability and had applied for a grant of a lifetime family pension as a disabled dependent child. It was submitted that although requisite applications and documents had been furnished to the department, the pension had not been sanctioned.

2.2 The Court examined the relevant provisions of Rule 50 (9) of the CCS (Pension) Rules, 2021 (earlier Rule 54 (6) of 1972 Rules) and observed that lifetime family pension is admissible to a son or daughter suffering from a disability that renders them incapable of earning a livelihood, subject to fulfilment of prescribed conditions and the absence of any other eligible family member.

2.3 The Respondent submitted that the Complainant's father expired in 1994, after which a family pension was sanctioned in favour of the Complainant's mother. It was contended that the Complainant's name did not appear in the family details or nomination records at the relevant time and that the disability had not been declared earlier. The Respondent also raised concerns regarding the vintage of the disability certificate and the need to reassess eligibility, including income status and dependency. The Court observed that provisions relating to the grant of a lifetime family pension to children with disabilities have existed since earlier pension rules. It clarified that the percentage of disability alone is not determinative. The decisive criterion is whether the individual is incapable of earning a livelihood, which must be established through proper documentary evidence.

2.4 Accordingly, the Court directed that all relevant documents be placed on record, including:

- (a) pension papers of the Complainant's mother;
- (b) nomination and family details available with the department;
- (c) disability certificates; and
- (d) material relating to the Complainant's source of livelihood and dependency over the years.

2.5 The Respondent was also directed to clarify whether any information regarding the Complainant's disability was available with the department at an earlier stage and how the case would have been examined under the rules prevailing at that time.

2.6 In view of the above, the matter was adjourned. Both parties were granted 15 days' time to submit the following documents:

- (a) Pension papers relating to the Complainant's mother, clearly indicating nominee details;
- (b) A medical certificate specifically certifying that the Complainant is incapable of earning a livelihood; and
- (c) Documentary proof of the Complainant's present means of livelihood, if any, along with complete family particulars.

2.7 The Court further directed that on the next date of hearing, the Complainant shall remain personally present, preferably on camera, along with proper authorisation in favour of the representative, failing which the matter may not be taken up.

3. This is issued with the approval of the Commissioner for Persons with Disabilities.

(P.P Ambashta)
Dy. Chief Commissioner