

Grant of Family Pension for Life to Hdndicapped Children of Armed Forces Personnel

Copy of letter No.49601/AG/PS-4(e)/1243/B/D (Pension/Service) dated 7-11-91 from Government of India, Ministry of Defence addressed to all service chiefs.

Sir,

Sub:- Grant of Family Pension for life to Handicapped Children of Armed Forces Personnel.

As per the provisions contained in this Ministry's letter No.A/49601/AG/PS-4(e)/3363/B/D(Pen/Sers) dt. 27/8/1987, read with letter No. 6(10)/87/3206/B/D (Pen/Ser) dated 3rd September 1987, on the subject, son or daughter of a service Personnel suffering from any disorder or disability of mind or physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of twenty-five years was made eligible for grant of family pension for life subject to certain conditions. These orders were made effective from 30th September, 1974. In other words children of service officers and personnel below officer rank who retired/died or after this date were made eligible for family pension. Subsequently, as per Government letter No.A/49601/AG/PS-4(e)/3363/B/D(Pens/Sers) dated 7th October 1987, the provisions were extended to such sons/daughters of those Armed Forces personnel also who retired/died before 30th September, 1974.

2. In the Explanation (a) below para 2 (v) of the letter dated 27-8-1987 referred to above, it was provided that only that disability which manifests itself before the retirement or death of the Service personnel shall be taken into account for the purpose of grant of Family Pension under that letter.
3. It has been represented that the restriction imposed with regard to the manifestation of disablement before the retirement or death of the Service personnel was acting harshly on the disabled children who are in the utmost need to be provided with succour, being unable to earn a living to sustain themselves, and may, therefore be removed.
4. The president is now pleased to decide that the requirement of manifestation of the disability before retirement/death in harness of a service personnel as a precondition for the grant of life time family pension as stipulated in the Explanation (a) below para 2(v) of this Ministry's letter dated 27-8-1987 referred to above, may be dispensed with. The President is also pleased to decide that the eligible disabled children who were not granted this benefit due to absence of necessary provision in the orders prior to September 1974 or due to the operation of restriction as referred to above will also now be eligible for the benefit of life time payment of family pension. This is, however, subject to the condition that they are not already in receipt of any pension or are eligible therefore under any other rules of the Central Government or a State Government and/or a Public Sector undertaking/autonomous body/Local Fund under the Centre or a State Government.
5. It is also clarified that the benefit referred to in para 4 above, will be admissible to the eligible disabled children whether born before or after retirement and its grant shall continue to be governed by other conditions stipulated in Army Instruction 51/80 and corresponding provisions on the Naval and Air Force and the Government letters referred to above.
6. The Pension Regulations for the three services will be amended accordingly, in due course.
7. These orders take effect from 19th Feb. 1990, i.e. the date from which similar provisions were issued on Civil side vide Dept. of pension & Pensioners Welfare OM No.1/8089-P&PW(C) dated 19-2-1990 and cover past referred to in para 4 above also.
8. This issues with the concurrence of Finance Division of this Ministry vide their U.O.No.2644/Pen/01 dated 31-10-91

Sd/-

(DIVAN CHAND)
DESK OFFICER