

No. 13(4)/66/4571/D(Pensions/Services)
Government of India,
Ministry of Defence,
New Delhi, the 14th June 1967
Jyaishta 28, 1889 (Saka)

To

The Chief of the Army Staff
The Chief of the Naval Staff
The Chief of the Air Staff.

**Subject:- LIBERALISATION OF FAMILY PENSION IN RESPECT OF
COMMISSIONED OFFICERS AND SERVICE PERSONNEL WHO
DIE WHILE IN SERVICE.**

Sir,

I am directed to say that the President has been pleased to sanction in partial modification of the existing orders on the subject, the following improvements in the family pension in respect of Commissioned Officers, JCOs, Other Ranks and NCs(R) and corresponding ranks of the Navy and Air Force to whom the orders in A.I.2/S/64, AFI 1/S/64 and N.I. 1/S/64 apply and who die while in service after putting in a minimum of 7 years continuous qualifying service prior to death:-

- (a) (i) Irrespective of whether or not the death was due to causes attributable to or aggravated by military service, the family pension will be at 50% of the basic pay last drawn, subject to the maximum of twice the ordinary family pension admissible under para 2 of A.I.2/S/64/AFI 1/S/64/N.I.1/S/64. In the case of commissioned officers and personnel below officer rank whose death is either attributable to or aggravated by military service, child/children's allowance, if any, admissible under the normal orders, will be paid in addition. (These awards will be in lieu of those payable either under A.I.2/S/64/A.F.I.1/S/64/N.I.1/S/64 or the Ministry of Defence letter No.196093/Pen-C, dated 14-6-1964 or in rule 95, Pension Regulations for the Army (1961) Part -I and the corresponding rules for the Air Force and Navy Regulations. However, if in any case, the award admissible under this Ministry's letter referred to above is more favourable, that award will continue to be admissible.)
- (ii) The term 'basic pay' will mean the pay as defined in para 3 of Army Instruction 2/S/64/A.F.I.1/S/64/N.I.1/S/64.
- (iii) The above awards are payable only to the family as defined in A.I.2/S/64/AFI 1/S/64/N.I.1/S/64, in all cases of Commissioned officers, and also in the cases of personnel below officer rank whose death is not accepted as either attributable to or aggravated by service. These awards are payable to the heir eligible for the grant of special family pension under the Military Pension Regulations, in cases of Service personnel below officer rank whose death is accepted as either attributable to or aggravated by service.

(P.T.O.)

(b) Family Pension as in (a)(i) above be admissible for:-

- (i) a period of 7 years from the date following the date of death;
- or (ii) in the case of Commissioned Officers, till the date ^{on} which the deceased would have reached the prescribed age for compulsory retirement, whichever period is shorter;
- Or (iii) in the case of Service personnel below officer rank, till the date on which the deceased would have completed the term of his engagement but for his death, or till the date of attainment of the age of compulsory retirement/discharge whichever period is the shortest.

In the case of officers/personnel who are on extension of service or on extended engagement the date upto which extension of service/extended engagement has been sanctioned prior to death will be deemed to be the normal date of compulsory retirement/discharge.

- (c) After the period referred to in (b) above, family pension will be payable at the normal rates laid down in the applicable orders.
- (d) The other provisions in the existing orders will continue to operate for the increased pension in (a)(i) above.

2. These orders have effect from 1st January 1966, i.e. they will apply to all cases of Commissioned Officers, JCOs, ORs, and NCs(E) and corresponding ranks in the Navy and Air Force, who died/die on or after that date.

3. These orders do not apply to cases of Commissioned Officers/personnel who are killed in action or die of wounds received in action, etc., for whom separate Government orders exist as noted in the margin.

4. Personnel who were in service on 31st December 1963 and had opted not to be governed by the provisions of Army Instructions 2/S/64 (and corresponding Navy/Air Force Instructions) or by the New Pension Code, vide paras 8 & 9 of that Instruction, but who may now desire to avail of the benefits of the present concession will be allowed to exercise in writing a fresh option within six months from the date of issue of these orders. In case of failure to exercise a fresh option within stipulated period, the earlier option, if any, will be deemed to subsist.

5. The fresh option exercised in accordance with para 4 above will be countersigned by the Commanding Officer under whom the optee is serving and will be communicated to the officer maintaining the service records of the individual for retention along with those records.

6. Pension Regulations will be amended in due course.

7. This letter issues with the concurrence of the Ministry of

(i) M. of D
letter No.
195163/Pen-C,
dt.17-9-65, as
amended by
letter of the
same number
dt.7-10-65.

(ii) M of D
letter No.
195163/Pen-C
dt.17-11-65.

(iii) M of D
letter No.
195163/Pen-C
dt.16-11-66.

(P.T.O.)

Finance (Defence) vide their u.o.No.309-Pen of 1967.

Yours faithfully,

N.K. Bhavnani

(N.K. BHAVNANI)

Under Secretary to the Government of India.

Copy of the above forwarded to:-

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Director of Audit, Defence Services, New Delhi.
Controller of Defence Accounts (Officers), Poona.
Controller of Defence Accounts (Other Ranks), Madras.
Controller of Defence Accounts (Central Command), Meerut.
Senior Deputy Director of Audit, Defence Services, Poona.
Controller of Defence Accounts, Eastern Command, Patna
Deputy Director of Audit, Defence Services (Pens), Allahabad.
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Copy signed in ink to be sent to:-

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The Controller of Defence Accounts, Central Command, Meerut.
The Controller of Defence Accounts, Eastern Command, Patna
The Director of Audit and Accounts (APS Section), Nagpur
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