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No.A/49601/AG/PS4(e)/3363/B/D(Pension/Services)
Government of India/Bharat Sarkar
Ministry of Defence/Raksha Mantralaya

New Delhi, Dated the 27th August, 1987

To

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

Subject:- Grant of Family Pension for life to Handicapped children of Armed Forces Personnel.

Sir,

As per existing para 7 of A.I. 51/80 (and corresponding provisions on the Naval and Air Force side), after the widow, a minor son upto the age of 21 years and an unmarried daughter upto the age of 30 years are eligible for grant of ordinary family pension.

2. The President is pleased to decide that if the son or daughter of a Service Personnel is suffering from any disorder or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of twenty one years in the case of the son and thirty years in the case of the daughter the family pension shall be payable to such son or daughter for life subject to the following conditions, namely:-

- (i) If such son or daughter is one among two or more children of the Service Personnel, the family pension shall be initially payable to the minor children in the order set out in note under para 8 of AI 51/80 (and corresponding provisions on the Naval and Air Side) until the last minor child attains the age of twenty one or thirty years as the case may be, and thereafter the family pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life;
- (ii) if there are more than one such son or daughter suffering from disorder or disability of mind or who are physically crippled or disabled, the family pension shall be paid in the following order namely:-
 - (a) firstly to the son, and if there are more than one son, the younger of them will get the family pension only after the lifetime of the elder;
 - (b) secondly, to the daughter, and if there are more than one daughter, the younger of them will get the family pension only after the lifetime of the elder;

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- (iii) the family pension shall be paid to such son or daughter through the guardian as if he or she were a minor;
- (iv) before allowing the family pension for life to any such son or daughter, the appointing authority shall satisfy that the handicap is of such a nature so as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a Medical Officer not below the rank of a Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child;
- (v) the person receiving the family pension as guardian of such son or daughter shall produce every three years a certificate from a Medical Officer not below the rank of a Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

EXPLANATIONS

- (a) Only that disability which manifests itself before the retirement or death of the Service Personnel while in service shall be taken into account for the purpose of grant of family pension under this proviso.
 - (b) A daughter shall become ineligible for family pension under this proviso from the date she gets married.
 - (c) The family pension payable to such a son or daughter shall be stopped if he or she starts earning his/her livelihood.
 - (d) In such cases it shall be the duty of the guardian to furnish a Certificate to the Treasury or Bank, as the case may be, every month that:
 - (i) he or she has not started earning his/her livelihood;
 - (ii) in case of daughter, that she has not yet married.
3. Pension Regulations for the three services will be amended in due course.
4. These orders will take effect from 30th September, 1974. In other words, these shall apply in respect of service officers and personnel below officer rank who retired/died on or after this date.

5. This issues with the concurrence of Finance Division of this Ministry vide their U.O. No. 1890-Pen of 1987.

Yours faithfully,

(Y.K. TALWAR)
DESK OFFICER

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