

No. 1(3)/99/D(Pension/Services)
Government of India/Bharat Sarkar
Ministry of Defence/Raksha Mantralaya

New Delhi, the 24th November, 1999

To,

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

Subject:- RECOMMENDATIONS OF THE 5TH CENTRAL PAY COMMISSION ON GRANT OF FAMILY PENSION TO PARENTS, SONS AND DAUGHTERS – CLARIFICATIONS REGARDING.

Sir,

The undersigned is directed to refer to the Ministry of Defence letter No. B/38207/AG/PS4(b)/931/B/D(Pension/Services) dated 26 Aug 1998 prescribing the income criterion and certain other eligibility conditions for the grant of Family Pension to the dependent parents and widowed/divorced daughters of deceased Armed Forces Personnel in pursuance of the recommendations of the 5th Central Pay commission. This Ministry has been receiving a number of references seeking clarifications on issues of relevance for implementation of the orders. After consideration of these references, the following clarifications are furnished for the guidance of all concerned:-

- (i) In terms of MOD letter dated 26 Aug 1998, parents who were wholly dependent on the deceased Armed Forces Personnel when he/she was alive will also be entitled to Family Pension with effect from 1st January, 1998 subject to the fulfillment of the other conditions prescribed in this regard. Doubts have been raised whether parents of Armed Forces Personnel who died/prior to 1st January, 1998, will also be entitled to Family Pension. It is clarified that Family Pension will be admissible in these cases subject to the following:
 - (a) The parents were wholly dependent on the Armed Forces Personnel when he/she was alive;
 - (b) The Armed Forces Personnel has not left behind a widow/widower, eligible son or daughter of a widowed/divorced daughter, who will have a prior claim to Family Pension in the order indicated.
 - (c) All other prescribed conditions are fulfilled. The Family Pension will, however, be payable only with effect from 1st January, 1998. It will be the responsibility of the pension

sanctioning authorities concerned to satisfy themselves, based on a scrutiny of the service records and other relevant documents, that the parents were, in fact, wholly dependent on the deceased Armed Forces Personnel when he/she was alive and that he/she has not left behind any of the other specified beneficiaries who have a prior claim to the family pension.

- (d) The Family Pension wherever admissible to parents, the mother will receive the pension first and after her death the father will receive the family pension.
- (ii) The production of Income Certificate as stipulated in the Government of India, Ministry of Defence letter dated 26 Aug 1998 is also required to be insisted upon before authorizing the Family Pension to the eligible sons and daughters (including widowed/divorced daughters) and dependent parents. In case, they are self-employed or are in receipt of income from sources other than employment, Income Certificates furnished by the concerned beneficiaries themselves may be accepted for the purpose.
- (iii) Income Criterion will be taken into account for both the parents when both are alive and it will be taken for single parent when only one of them is alive.
- (iv) Eligible sons of deceased Armed Forces Personnel will also be required to furnish half yearly certificates in regard to their marital status as is required of eligible daughters.
- (v) Payment of Family Pension is, to be discontinued in the event of the eligible sons/daughters (including widowed/divorced daughters) getting married/remarried or on their earnings monthly income exceeding RS. 2,550/- or on attaining 25 years of age whichever is earlier. The crucial date for determining their continued eligibility to Family Pension shall be 1st January, 1998.

2. These clarifications issue with the concurrence of the Finance Division of this Ministry vide their U.O. No. 6829/Pen/99 dated 27th October, 1999.

Yours faithfully,



(S. R. SHARMA)

Under Secretary to the Government of India

