

No.906/A/D (Pension/Sers)/05
Government of India
Ministry of Defence
Department of Ex-Servicemen Welfare

New Delhi, the 10th November, 2009

To

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

Subject: Simplification of procedure for payment of family pension to handicapped son/daughter of Armed Forces Personnel.

The undersigned is directed to refer this Ministry's letter No. A/49601/AG/PS-4(e)/3363/B/D (Pension/Services) dated 17.8.1987 as amended from time to time, according to which if the son or daughter of an Armed Forces personnel is suffering from any disorder or disability of mind (including mentally retarded) 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 five years, the family pension shall be payable to such son or daughter for life subject to fulfillment of certain conditions. Further, the family pension shall be paid to such son or daughter through the Guardian if the son or daughter were a minor except in the case of physically crippled son/daughter who has attained the age of majority. In the case of a mentally retarded son or daughter, the family pension shall be payable to a person nominated by the pensioner or by the court of law, as the case may be. It has been further provided in explanation (d) below Para 2 of this Ministry's above said letter dated 27.8.1987 that it shall be the duty of Guardian or son or daughter to furnish a certificate to the Treasury/Bank, the case may be, every month to the effect that:-

- (i) He/she has not started earning his/her livelihood, and
- (ii) In case of daughter, that she has not yet married.

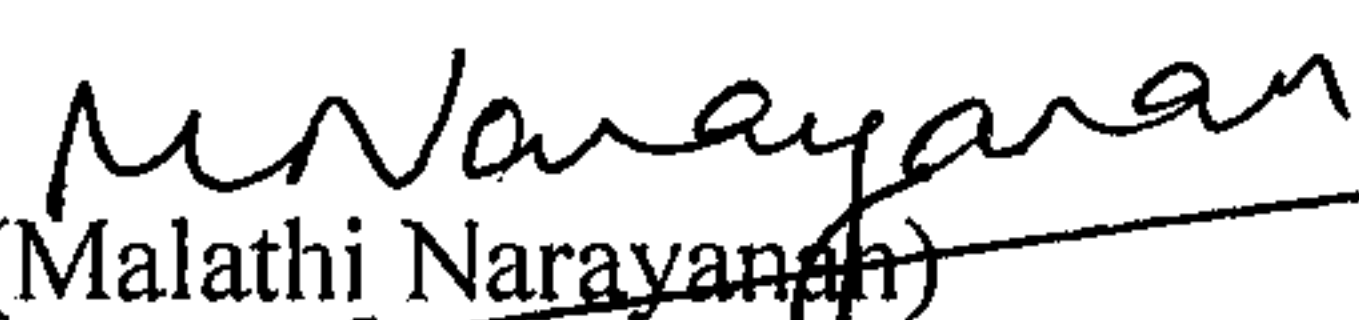
2. Consequent upon receipt of certain representations requesting simplification of procedure concerning family pension to handicapped/disabled son/daughter of civilian Government employees/pensioners, particularly with regard to submission of monthly certificate as stated above, Ministry of Personnel, Public Grievances & Pension, DP&PW, New Delhi vide their OM No. 1/16/08-P&PW(E) dated 9th March 2009 (copy enclosed) have decided that in all such cases the Guardian or son or daughter, shall furnish a certificate to the Pension Disbursing Agency (PDA), every year instead of every month subject to the condition that in case of any eventuality taking place at any point of time during the year, the same shall be reported by the guardian or son or daughter, to the PDA concerned at the earliest.

3. The provisions of Ministry of Personnel, Public Grievances and Pensions, DP&PW above said OM dated 9th March 2009 will mutatis mutandis apply to Armed Forces Personnel.

4. The issues with the concurrence of Finance division of this Ministry vide their UO No.2154/DFA(P)/09 dated 04.11.09.

Hindi version will follow.

Yours faithfully


(Malathi Narayanan)
Under Secretary (Pen/Pol)

Copy to: As per standard distribution list.

No.1/16/08-P&PW(E)
Government of India
Ministry of Personnel P.G. & Pension
Department of Pension & Pensioners Welfare

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Lok Nayak Bhawan
Khan Market, New Delhi
Dated the 9th March, 2009

OFFICE MEMORANDUM

Subject: Simplification of procedures outlined in Rule 54(6) of CCS(Pension) Rules, 1972 regarding Family Pension to Handicapped/Disabled son/daughter of Government Servants/Pensioners – Reg.

The undersigned is directed to say that as per the existing provisions under clauses (iii) & (vi) and the explanation (d) thereunder below the proviso to Sub-rule 6 of Rule 54 of CCS(Pension) Rules, 1972, if the son or daughter of a Government servant is suffering from any disorder or disability of mind (including mentally retarded) 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 five years, the family pension shall be payable to such son or daughter for life subject to certain stipulations. Further, the family pension shall be paid to such son or daughter through the Guardian as if he or she were a minor except in the case of physically crippled son/daughter who has attained the age of majority. In the case of a mentally retarded son or daughter, the family pension shall be payable to a person nominated by the Government or the pensioner, as the case may be. It has been further provided that it shall be the duty of the Guardian or son or daughter to furnish a certificate to the Treasury/Bank, as the case may be, every month to the effect that – (i) he /she has not started earning his/her livelihood; and (ii) in case of daughter, that she has not yet married.


2. Representations have been received in this Department requesting for simplification of procedures concerning family pension to handicapped/disabled son/daughter of Government servants/pensioners, particularly with regard to submission of a certificate to the Treasury/Bank, as the case may be, every month by the guardian or son or daughter, to the effect (i) that he/she has not started earning his/her livelihood, and (ii) in case of daughter, that she has not yet married. These procedures are stated to be cumbersome and unreasonable thereby causing hardship to the concerned.

3. The matter has been examined in this Department in consultation with the Ministry of Finance(Department of Expenditure). Taking note of these concerns, and the difficulties being faced by those affected by the existing cumbersome procedures in this regard, it has accordingly been decided that in all such cases the Guardian or son or daughter, shall furnish a certificate to the Treasury/Bank, as the case may be, every year

instead of every month, as in the existing provisions, subject to the condition that in case of any eventuality taking place at any point of time during the year, the same shall be reported by the guardian or son or daughter, to the Bank/Treasury at the earliest possible.

4. This issues with the concurrence of the Ministry of Finance, Department of Expenditure vide their U.O.No. 563/E.V/2008 dated 22.10.2008.

5. These orders, in so far as their applicability relates to the employees of the Indian Audit and Accounts Department, are being issued in consultation with the Comptroller and Auditor General of India, vide their U.O. No.19-Audit (Rules)/26-2008 dated 6.3.2009.


(M.P.SINGH)
DIRECTOR

To,

All Ministries, Departments of Government of India.