

Directorate of Pay & Allowances
 Integrated Headquarters
 Ministry of Defence (Navy)
 Annexe Building, Talkatora Stadium
 New Delhi 110001

PN/0725/Gen/21

28 Feb 22

The Flag Officer Commanding-in-Chief
 {for CSO(P&A)}
 Headquarters, Western Naval Command
 Mumbai 400001

The Commander-in-Chief
 {for CSO(LA&P)}
 Headquarters, Andaman and Nicobar Command
 Port Blair 744102

The Flag Officer Commanding-in-Chief
 {for CSO(P&A)}
 Headquarters, Eastern Naval Command
 Visakhapatnam 530014

The Flag Officer Commanding-in-Chief
 {for CSO (P&A)}
 Headquarters, Southern Naval Command
 Kochi 682004

CPS Sectt.	7437
Dy. No.	7437
Date	28.3.22
CPS	23/04
SO to CPS	1
Action	

SO - see back to
all Dte's

**GRANT OF ORDINARY FAMILY PENSION TO DISABLED CHILDREN OF
 DECEASED ARMED FORCES PERSONNEL**

1. Refer to GoI, MoD/DESW letter 1(7)/2013/D(P/P)/Vol-I dated 28 Sep 21 (copy enclosed).
2. **Amended Income Criteria for Grant of Ordinary Family Pension to
 Disabled Children of Deceased Armed Force Personnel.** GoI MoD/ DESW vide letter ibid has amended Income Criteria for grant of Family Pension to children/ siblings suffering from mental or physical Disability. The income criteria has been enhanced from ***Minimum Family Pension (Rs. 9,000/- pm plus the dearness relief admissible thereon)*** to ***Ordinary Family Pension (30% of the last Pay drawn by the deceased Government servant/ pensioner concerned plus Dearness Relief admissible thereon)***.
3. **Illustration of Enhancement.** Amendment in Income Criteria for grant of Family Pension to children/ siblings suffering from mental or physical Disability is as follows:-

Minimum Family Pension
 (Rs. 9,000/- pm plus Dearness
 Relief admissible thereon)



Ordinary Family Pension
 (30% of the last Pay drawn by
 the deceased Officer/Sailor
 concerned plus the Dearness
 Relief admissible thereon)

4. **Benefit Accrued.** The new Income criteria *will benefit disabled child/ sibling* of deceased Armed Forces Personnel, suffering from a mental or physical Disability having income more than *earlier Income Criteria* (Rs. 9,000/- plus DR) but less than new Income Criteria (30% of Last Pay Drawn plus DR). ***Such disabled children will now be entitled for Ordinary Family Pension wef 08 Feb 21.***

5. **Comprehensive Policy.** It has been observed that there is *lack of awareness* in the environment about the *provisions for grant of Ordinary Family Pension to disabled child/ sibling of deceased Armed Forces Personnel*. Accordingly, various aspects for grant of Ordinary Family Pension to Disabled Children of Deceased Armed Force Personnel in accordance with Regulation 68 and 69 of the Pension Regulations for the Army, Part-I (2008), Gol, MoD letter PN/7995/D(Pen/Pol)/2010 dated 01 Oct 10 and Gol, MoD/DESW letter ibid are enumerated in succeeding paragraphs.

Eligibility Criteria

6. **Entitlement of Pension to Disabled Child.** If a son or daughter is suffering from any disorder or disability of mind including mentally retarded or is physically crippled or disabled so as to render him/ her *unable to earn a living* even after attaining age of 25 years, ***the Ordinary Family Pension is entitled for life, to such child.***

7. **Ineligibility on Marriage.** A disabled son/ daughter becomes ineligible for Ordinary Family Pension from the date he/ she gets married.

8. **Eligibility of Disabled Daughter on Annulment of Marriage.** If the marriage of the disabled daughter is legally annulled, she would be eligible for Family Pension for life from the date her marriage stands annulled, subject to the following conditions:-

- (a) Divorce is valid in law.
- (b) Divorced daughter is not required to come back to parent's home.
- (c) Disability is certified by an appropriate authority as required under this regulation.

9. **On Death of Husband of Disabled Daughter.** The disabled widowed daughter is eligible for Ordinary Family Pension for life from the date of death of her husband even after attaining the age of 25 years of age subject to all other conditions prescribed in the case of son/daughter.

10. **Order of Family Members for Entitlement of Ordinary Family Pension.** Ordinary Family Pension entitlement is to be paid as follows:-

- (a) Ordinary Family Pension is to be *paid first to spouse*.
- (b) In the *absence of spouse* or in the event of his/her disqualification or death, Ordinary Family Pension is to be *paid to the eligible eldest child*.

(c) In case of *twin children*, Ordinary Family Pension is to be paid to such children in *equal shares*. When *one such child ceases* to be eligible, his/ her share is to be *reverted to the other child*. When *both cease* to be eligible, Ordinary Family Pension is to be *paid to next eligible child*.

(d) Ordinary Family Pension to *unmarried daughter above 25 years of age, widowed/ divorced daughter*, is to be *paid only after* the other eligible *children below age of 25 years have ceased* to be eligible to receive Ordinary Family Pension and there is *no disabled child* to receive the Ordinary Family Pension.

11. **Payment of Ordinary Family Pension iro Disabled Children of Deceased Armed Force Personnel.** Ordinary Family Pension is to be paid to such child through the *guardian* except in case of physically crippled or disabled child who has attained age of majority. The guardian is to be *nominated by service personnel or spouse* to the concerned Record office during their lifetime.

12. **Disability of Children of Deceased Armed Force Personnel.** The person receiving Ordinary Family Pension is to produce a certificate from a Medical Board if the disability is permanent. If the disability is temporary, the certificate is to be produced once in every 5 years. A certificate of guardianship issued *iro* person with Autism, Cerebral Palsy, Mental retardation and multiple disabilities issued under National Trust Act by local level Committee is acceptable. The certificate is to be submitted to IHQ MoD (N)/ DESA and NAVPEN.

13. **Composition of Medical Board.** The Medical Board needs to comprise the following:-

- (a) A Medical Superintendent or a Principal or a Director or Head of the Institution or his nominee as Chairman.
- (b) 02 other members out of which at least one shall be a specialist in the particular area of mental or disability including mental retardation.

14. **Amended Income Criteria for Grant of Ordinary Family Pension to Disabled Children of Deceased Armed Force Personnel.** GoI MoD/ DESW vide letter ibid has revised Income Criteria for grant of Family Pension to children/ siblings suffering from mental or physical Disability to ***Ordinary Family Pension*** (30% of the last pay drawn by the deceased Government servant/ pensioner concerned plus the dearness relief admissible thereon). Accordingly a child/ sibling of a deceased Government Servant/ Pensioner, who is suffering from a mental or physical Disability, shall be eligible for Family Pension for life, if he/ she fulfills, among others, the *following conditions*:-

- (a) A ***Disability Certificate*** is issued by the competent medical authority.
- (b) The *overall income* of the disabled child, from sources other than Family Pension, *remains less than the entitled Family Pension at Ordinary rate* (i.e. 30% of the last pay drawn by the deceased Government servant/ pensioner concerned) *plus the dearness relief admissible* thereon.

15. **Date of Implementation of the Amended Income Criteria.** The amended income criteria is applicable for dependent children/ siblings, who is suffering from a mental or physical disability, of a deceased Armed Forces Personnel/ Pensioners *wef 08 Feb 21*.

16. **Past Cases.** In cases where a child/ sibling, suffering from a mental or physical Disability is *presently not in receipt of Family Pension* due to *non-fulfilment of the earlier Income criteria* (Rs. 9,000/- plus DR), *Family Pension shall be granted* to such a child/ sibling, if he/ she *fulfils the new Income criteria* (30% of Last Pay Drawn plus DR) and also fulfils the other conditions for grant of Family Pension at the time of death of Government servant or Pensioner or previous Family Pensioner. Financial benefits, in such cases, shall accrue with effect from **08 Feb 21.**

17. It is requested that the contents of the letter may be given wide publicity.

18. NAVPEN is requested to host this on the NAVPEN website. In addition, DESA is requested to ensure dissemination to all Chapters of Navy Foundation and Veteran Sailors' Forum for the benefit of Veterans.



(Neeraj Malhotra)
Commodore
Cmde (Pay & Allowances)

Encl:- As above

Copy to:-

The Chief of Integrated Staff Committee
HQIDS, South Block, New Delhi 110011

The Project Director, ATV Project
Rao Tula Ram Marg, New Delhi 110010

The Director General, Project Sea Bird
West Block V, RK Puram, New Delhi 110066

The Chief Hydrographer
National Hydrographic Office, Dehradun 248001

The Commandant, NDC
Tees January Marg, New Delhi 110011

The Commandant, Indian Naval Academy
Ezhimala, Kerala 670310

The Director General, WESEE
RK Puram, New Delhi 110066

The Flag Officer Commanding
Western Fleet, Mumbai 400001

The Flag Officer Commanding
Eastern Fleet, Visakhapatnam 530014

F.No.1(7)/2013/D(P/P)/Vol-I
Government of India
Ministry of Defence
Department of Ex-Servicemen Welfare
D(Pension/Policy)

Room No. 222, 'B' Wing,
Sena Bhawan, New Delhi-110011.
Dated: 28th September, 2021

To

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

Subject: Amendment of income criteria for grant of family pension to children/siblings suffering from mental or physical disability.

Sir,

The undersigned is directed to say that in accordance with Regulation 69 of Pension Regulations for the Army, Part-I (2008) read with MoD letter No. PN/7995/D(Pen/Pol)/2010 dated 1.10.2010 as amended from time to time, if a child/sibling of a deceased Armed Forces Personnel/Pensioner is suffering from a mental or physical disability, he/she is eligible for family pension for life, if the disability is of such a nature so as to prevent him/her from earning his/her livelihood subject to fulfilling income criteria.

2. Department of Pension & Pensioner's Welfare (DoP&PW) has considered the matter regarding income criteria for determining eligibility for family pension in the case of a child/sibling, suffering from mental or physical disability. DoP&PW vide their OM No. 1/17/2019-P&PW(E) dated 08.02.2021 decided that a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if the appointing authority is satisfied that the disability is of such a nature so as to prevent him/her from earning his/her livelihood, as evidenced by a disability certificate obtained from a competent medical authority. Such a child shall be deemed to be not earning his/her livelihood, if his/her overall income from sources other than family pension is less than the entitled family pension at ordinary rate and the dearness relief admissible thereon, payable on death of the Government servant/pensioner concerned.



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28.09.2021

2.1. Accordingly, a child/sibling of a deceased Government servant/pensioner, who is suffering from a mental or physical disability, shall be eligible for family pension for life, if he/she fulfils, among others, the following conditions:

- (i) A disability certificate is issued by the competent medical authority.
- (ii) The overall income of the disabled child, from sources other than family pension, remains less than the entitled family pension at ordinary rate (i.e 30% of the last pay drawn by the deceased Government servant/pensioner concerned) plus the dearness relief admissible thereon.

3. The issue has been considered in this Ministry and the President is pleased to decide that the decision taken at para 2 & 2.1 above shall also be extended for dependent children/siblings, who is suffering from a mental or physical disability, of deceased Armed Forces personnel/pensioners with effect from 08.02.2021.

4. In cases where a child/sibling, suffering from a mental or physical disability is presently not in receipt of a family pension due to non-fulfillment of the earlier income criteria, family pension may be granted to such a child/sibling, if he/she fulfils the income criteria mentioned in para-2 above and also fulfills the other conditions for grant of family pension at the time of death of Government servant or pensioner or previous family pensioner. The financial benefits, in such cases, shall accrue with effect from 08.02.2021. All other conditions relating to grant of family pension remain unaltered.

5. The provisions of Pension Regulation for three services will be amended in due course.

6. This issues with the concurrence of the Finance Division of this Ministry vide their ID Note no. 10(03)/2021/FIN/PEN dated 15.09.2021.

7. Hindi Version will follow.

Yours faithfully,


28.09.2021
(Ashok Kumar)

Under Secretary to the Govt. of India

Copy to:

As per standard distribution list.
DFA(Pension)
CGDA, New Delhi

