

No: 4-24/96-C&P/CGHS/CGHS (P)

Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare

Nirman Bhawan, New Delhi

Date: August 29 , 2007

OFFICE MEMORANDUM

Subject: Age limit for dependent children of Government servants and pensioners for availing medical facilities under CGHS and Central Services (MA) Rules, 1944 – Clarification regarding disability

The undersigned is directed to refer to this Ministry's Office Memorandum, of even number dated the 30th May, 2007, vide which age limit for dependent sons and daughters were refixed by the Ministry of Health & Family Welfare, after the Delhi High Court dismissed Civil Miscellaneous Petition, No: 115/97 in Civil Writ Petition, No: 2542 of 1996 in Shri Madan Mohan Sharma Vs Union of India, by its order on 29th November, 2006. In terms of the Office Memorandum of 30th May, 2007, referred to above, a son who is dependent on his father / mother can avail CGHS facilities upto the time he attains the age of 25 years or till he starts earning, whichever is earlier. The age limit of 25 years would not be applicable in respect of the son of a CGHS beneficiary, in case he was suffering from any permanent disability of any kind (physical or mental).

2. Subsequent to the issuing of the Office Memorandum of 30th May, 2007, referred to above, the Ministry of Health & Family Welfare has been receiving requests for clarification from, many sources, as to whether renal failure constitutes a permanent disability. After examination of the matter in the Ministry of Health & Family Welfare, it is hereby clarified that disability that are covered by the above mentioned

Office Memorandum of 30th May, 2007, are "disability" as defined in Section 2(i) of 'THE PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) ACT, 1995 (No: 1 of 1996)", which is reproduced below:

"(i) "disability" means –

- (i) Blindness;
- (ii) low vision;
- (iii) leprosy-cured;
- (iv) hearing impairment;
- (v) locomotor disability;
- (vi) mental retardation;
- (vii) mental illness; "

3. The other conditions of dependency and normally residing with the Government servant /pensioner will remain the same.

(R. Ravi)
Deputy Secretary to the Government of India
[Tel: 2306 3483]