

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: 31st May, 2007

O F F I C E M E M O R A N D U M

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

The undersigned is directed to state that the age limit for dependent sons and daughters was earlier fixed vide Office Memorandum, No: B – 12014/7/92-CGHS (P) dated the 31st December, 1993, issued by the Ministry of Health & Family Welfare, according to which for sons to be dependent on his father / mother, he had to be less than 25 years of age or till he started earning, whichever was earlier. As a result of stay granted by the Hon'ble High Court of Delhi in Civil Miscellaneous Petition, No: 115/97 in Civil Writ Petition, No: 2542 of 1996 in Shri Madan Mohan Sharma Vs Union of India, the Ministry of Health & Family Welfare issued an Office Memorandum, No: 4-24/96-C&P/CGHS/CGHS(P) on 17th September, 1999, upper age limit for sons was removed subject to fulfilling other conditions regarding dependency and normally staying with the Government servant / pensioner. The Hon'ble High Court of Delhi has dismissed the petition by its order on 29th November, 2006.

2. In view of the dismissal of the Writ Petition, it has been decided to re-fix the age limit for dependents, as indicated below:

| | | |
|-------|---|---|
| (i) | Son | Till he starts earning or attains the age of 25 years, whichever is earlier. |
| (ii) | Daughter | Till she starts earning or gets married, irrespective of the age limit, whichever is earlier. |
| (iii) | Son suffering from any permanent disability of any kind (physical or mental) | Irrespective of age limit. |
| (iv) | Dependent divorced / abandoned or separated from their husband / widowed daughters and dependent unmarried / divorced / abandoned or separated from their husband / widowed sisters | Irrespective of age limit. |
| (v) | Minor brother(s) | Upto the age of becoming a major. |

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

4. This order will take effect from the date of issue of the Office Memorandum.

5. This order would also be applicable to Central Government employees covered under Central Services (Medical Attendance) Rules, 1944.

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6. This issues with the concurrence of IFD vide their Dy. No: 2552/2007 dated the 15th May, 2007.
7. Hindi version of the Office Memorandum will follow.

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

To

1. All Ministries/ Departments of Government of India
2. Director, CGHS, Nirman Bhawan, New Delhi
3. All Pay & Accounts Officers under CGHS
4. Additional Directors of CGHS
5. JD(Gr.)/JD(R&H), CGHS, Delhi
 6. CGHS Desk-I/Desk-II/CGHS-I/CGHS-II,Dte,GHS, Nirman Bhawan, N.Delhi
 7. Estt.I /Estt.II /Estt.III/Estt.IV Sections, Min. of Health & F.W.
 8. Admn.I/Admn.II Sections of Dte.GHS
 9. M.S.Section, Min. of Health & Family Welfare
10. Rajya Sabha / Lok Sabha Secretariat
11. Registrar, Supreme Court of India /Delhi High Court, Sher Shah Road, New Delhi
12. U.P.S.C.
13. Finance Division, Ministry of Health & Family Welfare
 14. Deputy Secretary(Civil Service News), Dept. of Personnel & Training, 5th Floor, Sardar Patel Bhawan, New Delhi
 15. PPS to Secretary (H&FW), Min. of Health & F.W.
 16. PPS to DGHS/AS&FA/AS(J),AS(DG)/AS&PD, NACO
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