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Central Organisation ECHS
Adjutant General's Branch
IHQ of MoD (Army)
Thimayya Marg, Gopinath Circle
Delhi Cantt - 110 010

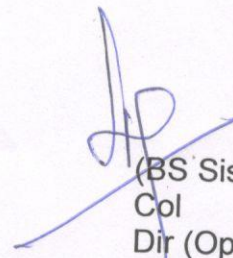
B/49701-PR/AG/ECHS/2020

14 Jul 2020

IHQ of MoD (Navy)/PD ECHS (N)
Air HQ (VB)/DPS
All Command HQs
All Regional Centre (ECHS)

ECHS FACILITIES FOR MARRIED DISABLED SON

1. PI refers :-
 - (a) The Gazette of India dt 28 Dec 2016 regarding the Right of Persons with Disabilities Act, 2016 (copy att).
 - (b) Govt of India, MH & FW, Department of Health & Family Welfare EHS Section letter No 4-24/96-C&P/CGHS(P)/EHS dt 07 May 2018 (copy att).
 - (c) Govt of India, MoD (DoESW) letter No 18(77)/2017/WE/D(Res-I) dated 18 Sep 2018 (copy att).
2. A large No of queries are being recd at this HQ regarding auth of ECHS membership to disabled married son under Persons with Disability (PWD). Person with Disabilities Act 2016 was implemented wef 18 Sep 2018 vide Govt orders mentioned at Para 1 (c) above. PWD Act 2016 authorise only unmarried disabled son to avail ECHS benefits.
3. It is further clarified that PWD Act 2016 annuls PWD Act 1995. However Para 102. (1) & (2) of Gazette of India dated 28 Dec 2016 clearly reads that benefits extended under PWD Act 1995 to existing members will continue, even under PWD Act 2016 irrespective of category (Married /unmarried).
4. Anyone joining scheme after implementation of PWD Act 2016 will be purely guided by eligibility criteria as mentioned in PWD Act 2016, subject to applicant meeting the income criteria Rs 9000/- pm plus DA.
5. This office letter No B/49701-PR/AG/ECHS/2020 dated 07 Jul 2020 may pl be treated as cancelled.
6. This has the approval of MD ECHS.


(BS Sisodia)
Col
Dir (Ops & Coord)
for MD ECHS

Encls :- As above.

Internal

All Secs (Less S&A) - For info pl.

S&A Sec - Request upload the letter on ECHS website.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 59]

नई दिल्ली, बुधवार, दिसम्बर 28, 2016/ पौष 07, 1938 (शक)

No. 59] NEW DELHI, WEDNESDAY, DECEMBER 28, 2016/PAUSHA 07, 1938 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 28th December, 2016/Pausha 17, 1938 (Saka)

The following Act of Parliament received the assent of the President on the 27th December, 2016, and is hereby published for general information:—

THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016

(No. 49 of 2016)

[27th December, 2016]

An Act to give effect to the United Nations Convention on the Rights of Persons with Disabilities and for matters connected therewith or incidental thereto.

WHEREAS the United Nations General Assembly adopted its Convention on the Rights of Persons with Disabilities on the 13th day of December, 2006;

AND WHEREAS the aforesaid Convention lays down the following principles for empowerment of persons with disabilities,—

(a) respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;

(b) non-discrimination;

(c) full and effective participation and inclusion in society;

(d) respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;

(l) salaries, allowances and other conditions of services of the State Commissioner under sub-section (3) of section 79;

(m) the salaries, allowances and conditions of services of officers and staff of the State Commissioner under sub-section (3) of section 79;

(n) the composition and manner of appointment of experts in the advisory committee under sub-section (7) of section 79;

(o) the form, manner and content of annual and special reports to be prepared and submitted by the State Commissioner under sub-section (3) of section 83;

(p) the fee or remuneration to be paid to the Special Public Prosecutor under sub-section (2) of section 85;

(q) the manner of constitution of State Fund for persons with disabilities under sub-section (1), and the manner of utilisation and management of State Fund under sub-section (2) of section 88;

(r) the form for preparation of accounts of the State Fund for persons with disabilities under sub-section (3) of section 88.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such State Legislature consists of one House, before that House.

Repeal and savings.

✓ 102. (1) The Persons with Disabilities (Equal Opportunity Protection of Rights and Full Participation) Act, 1995 is hereby repealed. 1 of 1996.

✓ (2) Notwithstanding the repeal of the said Act, anything done or any action taken under the said Act, shall be deemed to have been done or taken under the corresponding provisions of this Act.

File No.18(77)/2017/WE/D(Res-I)
Government of India
Ministry of Defence
(Department of Ex-Servicemen Welfare)
Room No.221, B wing
Sena Bhavan, New Delhi

Dated 18 Sept, 2018

To,

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

Subject : Eligibility of Permanently Disabled Unmarried son of a ECHS
Beneficiary to avail ECHS facility.


Sir,

The undersigned is directed to refer to Ministry of Health & Family Welfare OM No.4-24/96-C&P/CGHS(P)/EHS dated 7-5-2018 and to convey the approval of the Competent Authority to make the provision of the aforesaid OM of MoH&FW applicable to ECHS beneficiaries in r/o dependent unmarried sons of ECHS beneficiaries beyond 25 years of age w.r.t. definition of 'permanent disability'.

2. This issues with the concurrence of Ministry of Defence (Finance/Pension) vide their U.O No 32(23)/2017/Fin/Pen dated 5-9-2018.

3. This provision shall be effective from the date of issue of this letter.

Yours faithfully,


(A.K. Karn)

Under Secretary to the Govt. of India

Copy to :

1. AG, IHQ of MoD (army)
2. CGDA, New Delhi
3. MD, ECHS
4. DGADS

Copy for information to

1. PS to RM
2. PS to RRM
3. PPS to Secretary, ESW
4. PS to JS, ESW
5. PS to Addl FA(RK) & JS

Copy signed in ink to

Concerned PCsDA/CsDA.



No. 4-24/96-C&P/CGHS (P)/EHS
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare
EHS Section

Nirman Bhawan, New Delhi
Dated: the 7th May, 2018

OFFICE MEMORANDUM

Subject: Eligibility of Permanently Disabled Unmarried Son of a CGHS Beneficiary to avail CGHS facility - Reg.

The undersigned is directed to refer to this Ministry's Office Memoranda of even number dated 31.05.2007, 29.08.2007 and 02.08.2010 vide which the entitlement of the son of a CGHS beneficiary beyond the age of 25 years was conveyed. As per the two Office Memoranda under reference, it was indicated that an unmarried son of a CGHS beneficiary suffering from any permanent disability of any kind (physical or mental) will be entitled to CGHS facility even after attaining the age of 25 years.

2. Since then this Ministry is in receipt of several representations for inclusion of more conditions in view of modification to the PwD Act, 1995 by "The Rights of Persons with Disabilities Act, 2016 (Act No. 49 of 2016)" as notified by M/o Law and Justice, Govt. of India on 27.12.2016. The matter has been reviewed by the Ministry and it is now decided that for the purpose of extending the CGHS benefits to dependent unmarried son of CGHS beneficiary beyond 25 years of age, the definition of 'Permanent Disability' shall include the following conditions:

I. Physical Disability:

A. Locomotor disability including

- a) **Leprosy cured person**- suffering from loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity or suffering from manifest deformity and paresis or having extreme physical deformity as well as advanced age which prevents him/her from gainful occupation
- b) **Cerebral palsy** - caused by damage to one or more specific areas of the brain usually occurring before, during or immediately after birth.
- c) **Dwarfism**- a medical genetic condition resulting in an adult height of 147 cms or less;
- d) **Muscular dystrophy**- a group of hereditary genetic muscle diseases characterized by progressive skeletal muscle weakness
- e) **Acid attack victims** - disfigured due to violent assaults by throwing acid or similar corrosive substance

B. Visual impairment:

- a) **Blindness**- where a person has any of the following conditions after best correction:
 - (i) Total absence of sight or
 - (ii) Visual acuity less than 3/60 or less than 10/200 (Snellen) in the better eye with best possible correction
 - (iii) Limitation of field of vision subtending an angle of less than 10 degree
- b) **"Low vision"** means any of the following conditions:
 - (i) visual acuity not exceeding 6/18 or less than 20/60 upto 3/60 upto 10/200

- (ii) (Snellen) in the better eye with best possible corrections; or
limitation of the field of vision subtending an angle of less than 40 degree up to 10 degree

C. Hearing Impairment ✓

- (a) "deaf" means persons having 70 db hearing loss in speech frequencies in both ears;
(b) "hard of hearing" means persons having 60 db to 70 db hearing loss in speech frequencies in both ears;

D. "Speech and Language disability" - permanent disability arising out of conditions such as Laryngectomy or aphasia affecting one or more components of speech and language due to organic or neuronal causes.

II. Intellectual disability - characterized by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior, which cover a range of every day, social and practical skills, including-, social and practical skills, including-

- (a) "Specific language disabilities" - a heterogeneous group of conditions wherein there is deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do the mathematical calculations and includes conditions such as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia
(b) "Autism spectrum disorder" - a neuro-developmental disorder typically appearing in the first three years of life that significantly affects a person's ability to communicate, understand relationships and relate to others, and frequently associated with unusual or stereotypical rituals or behaviour.

III. Mental behaviour ✓

"Mental illness" - a substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgement, behaviour, capacity to recognize reality or ability to meet the ordinary demands of life, but does not include retardation.

IV. Mental Retardation

V. Disability caused due to ✓

- (a) Chronic neurological conditions such as ✓
(i) Multiple Sclerosis ✓
(ii) Parkinson's disease ✓
(b) Blood disorder ✓
(i) Haemophilia ✓
(ii) Thalassemia ✓
(ii) Sickle Cell Disease ✓

VI. Multiple Disabilities (more than one of the above disabilities)- including deaf blindness

3. Bench Mark Disability- unmarried permanently disabled and financially dependent sons of CGHS beneficiaries suffering 40% or more of one or more disabilities as certified by a Medical Board shall be eligible to avail CGHS facilities even after attaining the age of 25 years.

4. This OM will be effective from the date of its issue.



(Rajeev Attri)

Under Secretary to the Govt. of India
Tel: 011-2306 1883

To

1) All Ministries/Departments, Government of India

- 2) Director, CGHS, Nirman Bhawan, New Delhi
- 3) Addl. DDG(HQ), CGHS, MoHFW, Nirman Bhawan, New Delhi
- 4) AD(HQ), CGHS, R.K.Puram, Sector-12, New Delhi
- 5) All Addl. Directors/Joint Directors of CGHS cities outside Delhi
- 6) Additional Director (SZ)/(CZ)/(EZ)/(NZ)/(MSD), MCTC CGHS, New Delhi
- 7) JD(HQ), JD (Grievance)/JD (R&H), CGHS, Delhi
- 8) DDG(M) /CMO(SRA), Dte.GHS, MoHFW, Nirman Bhawan, New Delhi
- 9) Rajya Sabha/Lok Sabha Secretariat, New Delhi
- 10) Registrar, Supreme Court of India, New Delhi
- 11) U.P.S C. Dholpur House, New Delhi
- 12) Office of the Comptroller & Auditor General of India, Pocket-9, Deen Dayal Upadhyaya Marg, New Delhi - 24
- 13) Director, Department of Pension & Pensioners Welfare, Lok Nayak Bhawan, Khan Market, New Delhi
- 14) PPS to Secretary (H&FW)/Secretary (AYUSH)/Secretary (HR)/Secretary (AIDS Control), Ministry of Health & Family Welfare
- 15) PPS to DGHS/AS&DG (CGHS)/AS&FA/AS&MD, NRHM/AS(H), MoHFW, New Delhi
- 16) MS Section, MoHFW, Nirman Bhawan, New Delhi
- 17) MG-I Section, Dte.GHS, Nirman Bhawan, New Delhi
- 18) Hospital Empanelment Cell, CGHS, MoHFW, Nirman Bhawan, New Delhi
- 19) CGHS-I/II/III/IV, Dte. Gen of CGHS, MoHFW, Nirman Bhawan, New Delhi
- 20) Estt.I/Estt.II/Estt.III/Estt.IV Section, MoHFW, Nirman Bhawan, New Delhi
- 21) Admn.I/Admn.II Section, Dte.GHS, MoHFW, Nirman Bhawan, New Delhi
- 22) Integrated Finance Division, MoHFW, Nirman Bhawan, New Delhi
- 23) All Officers/Sections/Desks in the Ministry
- 24) Deputy Secretary (Civil Service News), Department of Personnel & Training, 5th Floor, Sardar Patel Bhawan, New Delhi
- 25) Shri Umraomal Purohit, Secretary, Staff Side, 13-C, Ferozshah Road, New Delhi
- 26) All Staff Side Members of National Council (JCM)
- 27) ED(H)/Planning, Railway Board, Ministry of Railways, Rail Bhawan, Rafi Marg, New Delhi - 110001
- 28) Central Organisation, ECHS, Department of Ex-Servicemen Welfare, Ministry of Defence, New Delhi
- 29) Chairman, Employees State Insurance Corporation, Ministry of Labour & Employment, Panchdeep Bhawan, C.I.G. Marg, New Delhi-110002
- 30) UTL/PSL, 153/1, First Floor, Old Madras Road, Ulsoor, Bengaluru-560008.
- 31) Sr. Technical Director, NIC, MoHFW, Nirman Bhawan, New Delhi with the request to upload this OM on the Ministry's website under the link of CS (MA) Rules - OMs and Circulars
- 32) Hindi Section, MoHFW, Nirman Bhawan, New Delhi for providing Hindi version of this OM.
- 33) Guard file