

**COURT No.3
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

8.

RA 35/2022 IN OA 704/2022

Lt Gen Gorakhnath (Retd) Applicant
VERSUS
Union of India and Ors. Respondents

For Applicant : Mr. Anil Srivastava, Advocate
For Respondents : Mr. V Pattabhi Ram, Advocate

CORAM

HON'BLE MS. JUSTICE ANU MALHOTRA, MEMBER (J)
HON'BLE LT GEN P.M. HARIZ, MEMBER (A)

ORDER
09-02-2023

RA 35/2022 IN OA 704/2022

Time is sought on behalf of the respondents to seek instructions in view of the office memorandum dated 02.09.2008 No.38/37/08-P&PW(A) and the Para 8.3 of the said office memorandum which reads to the effect:

“The quantum of family pension available to the old family pensioners shall be increased as follows:-

<i>Age of family pensioner</i>	<i>Additional quantum of family pension</i>
<i>From 80 years to less than 85 years</i>	<i>20% of basic family pension</i>
<i>From 85 years to less than 90 years</i>	<i>30% of basic family pension</i>
<i>From 90 years to less than 95 years</i>	<i>40% of basic family pension</i>

<i>From 95 years to less than 100 years</i>	<i>50% of basic family pension</i>
<i>100 years or more</i>	<i>100% of basic family pension</i>

The Pension Sanctioning Authorities should ensure that the date of birth and the age of a family pensioner is invariably indicated in the Form 3 (regarding details of family) and the pension payment order to facilitate payment of additional family pension by the pension disbursing authority as soon as it becomes due. The amount of additional family pension will be shown distinctly in the pension payment order. For example, in case where a family pensioner is more than 80 years of age and his/her family pension Rs.10,000 pm, the pension will be shown as (i).Basic family pension=Rs.10,000 and (ii) Additional family pension = Rs.2,000 pm. The family pension on his/her attaining the age of 85 years will be shown as (i).Basic family Pension = Rs.10,000 and (ii) additional pension = Rs.3,000 pm.”

The matter be re-notified on **14.03.2023**.

(JUSTICE ANU MALHOTRA)
MEMBER (J)

(LT GEN P.M. HARIZ)
MEMBER (A)

NEHA/POOJA