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B/49701-PR/AG/ECHS/2018

26 Sep 2018

Air HQ PD (DAV)
PD (Navy)
All Comd HQ's (A/ECHS)
AMA ECHS, Embassy of India, Nepal
Director General Indian Coast Guard
Director General NCC
Director General SFF
ADG TA/TA-3
All Regional Centres, ECHS

**PROCEDURE FOR PROCESSING OF ECHS APPLICATION
IN CASE OF MARITAL DISCORD / FAMILY DISPUTE AND
PARENTS OF SOLDIERS AFTER DEATH IN HARNESS**

1. A number of petitions are recd from spouses of veterans as a consequence of marital discord and parents of the serving soldiers who died in harness wherein the primary beneficiary does not apply for ECHS membership for the dependents. The extant rules do not permit anyone else to apply for ECHS membership except the primary member.

2. ECHS is akin to CGHS in many regards and ECHS rules are similar too. Since the CGHS rules extend CGHS facilities to a judicially separated wife (CGHS Rule Book, Chapter 3, Page 25), it is axiomatic that since a judicially separated wife is auth CGHS facilities, a spouse during the period of marital discord will also be allowed CGHS facilities. Further, the meaning of 'family' as per Govt Rules are as under :-

- (a) Husband/wife, including more than one wife and a judicially separated wife.
- (b) Parents (excluding step parents), subject to the following :-
 - (i) In case of adoption, adoptive parents and not real parents.
 - (ii) If adoptive father has more than one wife, only the first wife: and.
 - (iii) In case of female employees, parents or parents-in-law, at her option, subject to the conditions of dependency and residence etc. being satisfied.
- (c) Children, including step children, legally adopted children, children taken as wards by the Government servant under the Guardians and Ward Act, 1980, provided that such a ward lives with him, treated as a family member and is given the status of a natural born child through a special will executed by that Government servant :-
 - (i) Son is eligible till he starts earning or attains the age of 25 years or gets married, whichever is earlier.
 - (ii) Daughter is eligible till she starts earning, or gets married.

(d) Sons suffering from permanent disability either physically or mentally, without any age-limit.

(i) Disability means blindness, low vision, leprosy-cured, hearing impairment, locomotor disability, mental illness (includes schizophrenia), autism, cerebral palsy or a combination of any two or more of such conditions and includes a person suffering from several multiple disability.

(ii) 'Permanent disability' means a person with 40% or more of one or more disabilities.

(e) Dependent divorced/abandoned or separated from their husband/widowed daughters (irrespective of age).

3. The ECHS facilities will hence be extended to the spouse/her dependent children/eligible parents/dependents, during the period of marital discord.

4. In so far as, the parents of ESM are concerned, there are cases where the spouse of ESM becomes the primary member after the demise of the ESM, but due to strained relations (family dispute) is reluctant to obtain ECHS membership for the parents, despite their meeting the dependent criteria including income criteria. Such cases will also be addressed under the meaning of the term 'family' and ECHS facility will be made applicable to eligible persons.

5. The procedure for processing of ECHS application in case of marital discord / family dispute cases will be as under :-

(a) Spouse/ dependent children and dependent parents will be eligible to apply for ECHS membership on production all supporting documents for eligibility of self and his / her children and similarly for dependent parents.

(b) On the basis of ibid provision, the spouse / dependent children / dependent parents should apply to DIAV for Army, DESA for Navy & DAV for Air Force who will facilitate in obtaining copy of PPO from respective Record offices. The application should be duly supported with an identity proof in the form of Aadhaar Card, PAN Card, Ration Card, Marriage Part II order & Dependent Card issued by District Soldier Board. DIAV/DESA/DAV will endorse a letter to the primary beneficiary to give him/her an opportunity to apply for cards himself/herself within 30 days for eligible family members. In case of non receipt of reply within 30 days / refusal to apply, obtaining copy of PPO will be facilitated for the applicant.

(c) Having obtained the copy of the PPO, the spouse / dependent children / dependent parents should apply through 'Online Application' portal of ECHS website for issue of ECHS Smart Card. Once the online application is successfully filled up alongwith payment for the card (s), the indl will be able to generate 'Temporary Slip' for the affected persons. The same will be activated at dependent Polyclinics with a validity of three months at a time or till receipt of card whichever is earlier. The Temporary Slip will allow med treatment to the concerned persons till receipt of Smart Card.

(d) In marital discord cases, the ECHS membership granted will be for a limited period of one year or till resolution / divorce whichever is earlier. The same will be renewed in case of status quo beyond a year.


(e) The membership of spouse will be discontinued once a divorce is granted & settled. The responsibility of informing of divorce will be that of the primary beneficiary / ESM. If not informed and any treatment taken by the divorced lady post divorce / recovery due will be on the primary beneficiary / ESM including for those children staying with him / her.

(f) It will be responsibility of dependent parents (in cases of serving soldiers died in harness) to give yearly affidavit for income criteria. Wife of deceased soldier should also inform if parents have more income which makes them ineligible. Responsibility of recovery will be on primary beneficiary.

(g) Membership of children will be based on the eligibility criteria as governed in terms of age, income and marriage criteria applicable as laid down vide CGHS letter No MH & FW No 4-24/96-C&P/CGHS/CGHS(P) dated 31 May 2007.

(h) The onus of informing of divorce for marital discord cases and income criteria for dependent parents will be of primary beneficiary.

6. This has approval of AG.


(Niranjana Kumar)
Brig
Dy MD
for MD ECHS

Copy to :-

PCDA (P), Allahabad }
SO to DG DC&W }
SO to DGMS (Army) } - For info.
SO to ADGMS (Army) }
SO to DGMS (Navy) }
O/o DGAFMS }
O/o AFMSD }
O/o DIAV }

Internal

All Secs (less S&A Sec) - For info.

S&A Sec - Request upload the above policy on our website and also share on ECHS Whatsapp Gp. Also ensure suitable work flow wrt Para 7 (c) above.