

DISABILITY PENSION

Q.1. When I was selected in the IAF I was fit therefore whatever disease/disability I have picked up in service is because of the hard nature of Military Service. Therefore, why is my disease/disability categorized as not attributable to/aggravated by the military service?

Ans. A disability can creep in a fully fit person either through an injury or through a disease. If the disability is due to injury, then the COI/Injury Report will comment on the circumstances under which the injury took place. If the injury has taken place while discharging bonafide Air Force duty, only then, it will be attributable to the service, otherwise not. Similarly, a disease can emerge due to constitutional / genetic reasons or due to situation created by the Military Service. The Specialist Medical Officers in IMB/RMB have clear guidelines (IAP 4303) on how to distinguish between the two. The specialist Medical opinion will be considered as final for the purpose of deciding attributability to / aggravation by Military Service.

Q.2. What is RAMB? My disability was initially assessed as 60% but now in the RAMB it has been reduced to 20%. Why?

Ans. The disability percentage initially granted to the individual by IMB/RMB can reduce with time bound improvement. However certain other disease/disability can increase in percentage with time bound deterioration. The purpose of **Re-Assessment Medical Board (RAMB)** is to re-assess this disability and reduce/increase the disability percentage as per specialist medical opinion. Accordingly, the RAMB has the powers to reduce the disability percentage from 60% to 20% or even less. Similarly, RAMB can increase disability percentage from 60% to higher figures. However, even if disability percentage is reduced to less than 20%, still the service element (where applicable) with DA continues to be paid to the pensioner. As per 7th CPC provisions, the disability percentage is not approved by Govt for broadbonding for grant of DP.

Q.3. What is One Time Re-Assessment Medical Board (OTRAMB) in respect of Pre – 96 retirees?

Ans. The earlier system was that the disease /disability were reviewed periodically every two to three years or less after discharge /superannuation by RAMB. This system was causing a lot of inconvenience to pensioners who were old and disabled. The Govt, therefore, decided to conduct one last and final, **One Time RAMB** for Pre-96 disability pensioners. The recommendations of the RAMB on the disability percentage were to be treated as final and for life.

Q.4. When I was discharged in Low Medical Category (LMC) in a higher rank why am I getting disability pension for the lower rank?

Ans. Earlier Disability Pension was given for the rank which was held at the time of the onset of the disease/injury. After the acceptance of the recommendations of 6th CPC, disability pension is being calculated as per the rank last held at the time of discharge. Both Pre & Post 06 retirees are beneficiaries and the benefits have been conferred only from the date of implementation of 6th CPC.

Q.5. Am I entitled for DA / Family pension on Disability Pension?

Ans. Admissible DA on total disability pension is applicable. However, family pension is entitled only on service element of disability pension as well as on Invalid Pension. Those pensioners who are not in receipt of Invalid pension / service elements of disability pension are not eligible for Family Pension.

Q.6. I am a case of RMB. Why my disability is not rounded off to higher figure like IMB cases?

Ans. The special provision of rounding off disability percentage to higher figure is only applicable for individuals who are invalided out of service solely on medical grounds through an IMB before completion of engagement / extended engagement period of service, on account of disability accepted as either attributable to or aggravated by military service. This provision was not applicable for individuals after completion of their terms of engagement / on attaining the age of superannuation during 6th CPC. However as per 7th CPC, the provision of rounding of (broadbanding) of disability is permitted in all past cases w.e.f 01 Jan 2016.

Q.7. I am a SNLR case. Why, I am not entitled for service element in disability pension?

Ans. As per interpretation of Audit Authorities, service element in disability pension is only authorised when an individual is invalided out of service on medical grounds i.e IMB discharges. Since, individuals who go out on SNLR grounds do not fit in the category of invalidation out of service on medical grounds therefore, those individuals (SNLR case), who are low in medical category and are eligible for disability pension, are only given disability element of disability pension and not the service element.

Q.8. My husband/ son is invalided out of service. He is mentally unsound/in a vegetative state and can not get up from the bed. Can I draw his pension as his wife/father/mother/ NOK?

Ans. As per Para 81 of Defence Pension Payment Instructions (DPPI), 2013, there is a provision to collect pension by next of kin on behalf of an individual who is not mentally fit (i.e. insane cases etc). However, in this procedure there are checks and balances to protect the interests of the pensioner. Such cases can be referred to Pension disbursing office (bank etc) or DAV for advice on the procedure given in the DPPI.

Q.9. My RMB/IMB has recommended a very high percentage of disability (50%, 80%, 100% etc.) then why I am not eligible for disability pension?

Ans. To become eligible for disability pension, besides the disability percentage, the injury/disease should also be **either attributable to or aggravated by Military service**. Therefore, despite high disability percentage an individual will not be eligible for disability pension, if his medical board (IMB/RMB) has given opinion that the injury/disease was not attributable to or aggravated by the Military Service.

Q.10. Can I get a copy of the COI and RMB/IMB/RAMB proceedings? How will I know my disability percentage and whether my disease/ injury is attributable to/ aggravated by service?

Ans. Yes. After adjudication of disability pension claim, Dir – III DAV sends an original copy of IMB/RMB to individual alongwith letter communicating rejection/acceptance of disability pension claim. To know your disability percentage and whether your disability is attributable to / aggravated by service, you can find it while signing on the pages of IMB/RMB. **Airmen/NCs(E) are advised not to sign on blank forms.** Regarding a copy of RAMB, it may be sent to individual, if he demands.

Q.11. How frequently and at what interval RAMB is required to be carried out?

Ans. As per present policy, wherever possible (for disability of permanent nature), the medical board will recommend the disability pension for lifetime. For other cases based on medical specialist opinion one RAMB will be carried within two to five years or less and a final decision on lifetime disability will be given.

Q.12. What is Invalid Gratuity?

ANS In case an individual is invalidated out of service, on account of causes, which are neither attributable to nor aggravated by Air Force Service and his actual qualifying service is more than five years but less than ten years, then he is eligible for grant of invalid gratuity and DCRG. In case service of an individual is less than five years and more than six months, he is eligible for invalid gratuity only. The quantum of invalid gratuity is equal to one month's pay of the rank last held, for each year of service rendered. The pay means the pay last drawn. Invalid gratuity is exempted from assessment to Income Tax.

Q.13. What is the Appeal Medical Board and where is it conducted?

Ans. In all cases at the appellate stage, where the Appeal Medical Authority disagrees with the awards of the Invalid Medical Board/Release Medical Board (**IMB/RMB**), a fresh Physical Examination is held, for which sanction is issued by DGAFMS. The physical examination is held at Base Hospital Delhi Cantt. Free Railway Warrant is not admissible to attend the Appeal Medical Board. The decision of the Appeal Medical Board is considered **final and no further review is entertained**. (Authy: O/o DGAFMS letter No. 16036/DGAFMS/ MA(Pens)/12 dated 16 Mar 05.)

Q.14. What is Review Medical Board?

Ans. (a) At the time of conducting IMB/RMB, if IMB/RMB accepts the disability of any individual as attributable to / aggravated by service but assessed it at less than 20%, then the concerned individual has right to ask for Review Medical Board, if he so desires.

(b) Further, those personnel who are granted Disability Element (DE) of Disability Pension for specific period and later on their disability has been assessed at less than 20% for life through a RAMB as a result of which their Disability Element has been discontinued can seek conduct of Review Medical Board.

(c) In case the disability is re-assessed at less than 20% by RAMB and the individual is not satisfied with the assessment of the RAMB then he is given an option to submit an application to this office for Review Medical Board. The application forwarded to higher authority (i.e. DGAFMS). On acceptance of the application by DGAFMS, the Review Medical Board is conducted for which the individual has to report to hospitals, zone wise as mentioned below, at their own expense after receiving call up letter from the Hospital. Free Railway Warrant is not admissible to attend the Review Medical Board. The decision of Review Medical Board is considered **final and no further appeal/representation is entertained against the decision**. The Review Medical Board is being conducted at the following two hospitals only:-

- (i) For North Zone - Army Hospital (R&R), New Delhi – 10
- (ii) For South Zone - AFMC, Pune

Q.15. I am not aware about my disability's attributability aspects and degree of percentage assessed by RMB/IMB. How can I know the same?

Ans. As per Para 12 of DGAFMS letter No. **16050/DGAFMS/MA (Pens) dtd 25 Jan 07**, signature of the individual on all pages of AFMSF-16 are obtained by RMB/IMB at the time of conducting board. That time individuals can know their attributability aspects and degree of percentage of disability written by board in the AFMSF-16. Further, after adjudication of their disability pension claim by PD, DAV, a copy of approved AFMSF-16 is despatched to them for their reference. Individuals are advised not to sign on blank pages of AFMSF-16 at the time of conduct of their medical board.

Q.16. How much time it will take to get my disability pension PPO after my discharge from service?

Ans. TIME FRAME FOR PROCESSING DISABILITY PENSION CASES

(a) **RMB CASES:** After **receipt** of adjudication memo alongwith Medical Proceedings from Medical Wing and RCSR & SP-PPO from SP section : **01 month** **IMB CASES:** After **receipt** of adjudication memo alongwith Medical Board Proceedings from AFRO Medical Wing, case is taken up for SP-PPO in case of pensionable service

(b) **For SP** – As and when pension papers received from Unit + **06 – 08 Months.**

Q.17. How many appeals can be preferred on rejection of disability pension?

Ans. As per rules a person is entitled for preferring two appeals for consideration of his case for grant of disability pension to appellate committee on pension at Air HQ. These appeals have to be filed within a period of 5 years from the date of discharge/invalid out.

Q.18. Can wife of individual after his death apply for disability pension?

Ans. No, individual can only apply for disability pension and anyone else can not apply on his behalf during his life time or after his death.

Q.19. How much time it takes to decide an Appeal?

Ans. It depends on case to case. In some cases, due to lack of sufficient documents or requirements of additional documents or deliberations and clarifications between members and Chairman, decision process is delayed.