

12(28)/2010-D (Pen/Pol)
Government of India
Ministry of Defence
Department of Ex-servicemen Welfare

Dated: 10th February 2014

To

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

Subject:- Grant of Service element of disability pension to pre 1.1.1973 invalidated out ICOs, ORs and NCs(E)/Sailor/Airmen when the accepted degree of disablement re-assessed as less than 20% - reg.

Sir,

The undersigned is directed to refer to Regulation 186 of Pension Regulations for the Army Part-I (1961) and equivalent provisions in the Pension Regulations for the Navy & Air Force, which provides that in case of personnel below officer rank granted disability pension on invalidment due to disabilities attributable to or aggravated by military service but whose accepted degree of disability subsequently falls below 20%, the service element of disability pension was made permanent provided the qualifying service rendered by the individual was 10 years or more (15 years in case of NCs(E)). The requirement of rendering stipulated qualifying service for continuance of service element was further relaxed to 5 years for the individuals who were invalidated out of service on or after 1.3.1968 vide this Ministry's letter No.1(4)/68/1035-A/S/D (Pension / Services) dated 30.10.1968. In Implementation of the Government decisions on the recommendations of Third Pay Commission vide SAI 4/S/75, the condition of having minimum service for continuance of service element, when disability was re-assessed as less than 20% was abolished in those cases where the invalidment occurred on or after 1.1.1973. Due to the above said stipulation of having prescribed service for continuation of service element, pre-1.1.1973 invalidated out cases erstwhile in receipt of disability pension, were disallowed service element of disability pension and subsequently family pension also, where the disability was accepted as less than 20% in subsequent re-assessment(s).

2. Based on various representations from such personnel and their families for continuance of service element of disability pension and/or grant of family pension, the matter has been considered by the Government. The President is now pleased to decide that condition prescribed prior to 1.1.1973 for continuance of service element with reference to minimum stipulated qualifying service, in cases where the accepted degree of disability subsequently fell below 20%, shall be dispensed with from 1.1.1973 or the date from which the accepted degree of disability fell below 20%, whichever is later. The NOK of such invalidated out

personnel who at the time of invalidment were in receipt of disability pension and subsequently died, shall also be entitled for family pension from the date following the date of death of individual.

3. The service element of disability pension /family pension in terms of these orders shall accordingly be notified by the Pr. CDA (Pensions), Allahabad. For this purpose, each affected personnel below officer rank who was invalidated out prior to 1.1.1973 and initially granted disability pension but the same discontinued as their accepted degree of disability fell below 20% at the time of re-assessment, shall submit an application in the format enclosed as Annexure to this letter to the PSAs concerned through their Pension Disbursing Agencies and Record Office. In cases where the pensioner was alive as on 1.1.1973 or date of discontinuance of disability pension which is later and died subsequently, his heir(s) shall be paid life time arrears on account of service element of disability pension accrued in terms of these orders as per the prevailing instructions on the subject. For this purpose, eligible heir(s) of the deceased pensioner may also apply to the Pension Disbursing Agencies of the deceased pensioner.

4. The Record Offices may, however, also identify the affected cases and take necessary action after obtaining relevant information required from the pensioners for notification of their awards.

5. Further implementation instructions to all concerned will be issued by Pr. CDA (Pensions), Allahabad, immediately on receipt of these orders.

6. This issues with the approval of Ministry of Defence (Finance) vide their I.D.No.10(4)/2012/FIN/PEN dated 16.01.2014.

7. Hindi version will follow.

Yours faithfully,


(Malathi Narayanan)

Under Secretary to the Govt. of India

Copy to:-

As per standard distribution list.

(Referred to in Para 3 of MoD letter No. 12(28)/2010-D(Pen/Pol) dated 10th Feb., 2014)
Annexure
FORM OF APPLICATION

(To be submitted IN TRIPLICATE by Armed Forces disability pensioners invalidated out prior to 1.1.1973)

To

(Pension Disbursing Authority)

Sub:- Grant of Service Element of disability pension in pre-1.1.1973 invalidated out cases.

Sir,

With a view to grant service element of disability pension in terms of Ministry of Defence letter No. 12(28)/2010-D(Pen/Pol) dated 10.02.14, the requisite particulars are given below:-

1. Name of the pensioner :
2. Rank/Group and Regt. No. :
3. Date of Enrolment :
4. Date of Invalidment :
5. Type of pension admissible :
6. PPO No. / Corr. PPO No. under :
which disability pension on
invalidment was notified
7. Pension Disbursing Agency (Paying :
bank branch with SB/Current A/c.
No. Treasury / DPDO/PAO)
8. Name of applicant if the application :
is being made on behalf of
pensioner for Life-Time Arrears
9. Address of the pensioner / :
applicant

Date

SIGNATURE OF THE PENSIONER / APPLICANT

PART-II

(To be completed by the PDA of the pensioner)

The particulars mentioned above are verified with reference to pension account held and forwarded to the Record Office (full address).

No. -----

Date -----

(SIGNATURE)

Rubber Stamp of Pension Disbursing Authority

Part-III

(To be completed by the Record Office of the pensioner)

Verified and forwarded to the PSAs concerned -----
(full address).

No. -----

Date -----

(SIGNATURE)

Rubber Stamp of Competent Authority