

CHAPTER-I

OBJECTIVES

Objectives of the Grants(ORs) Sections are:

- 1 (i) Timely grant of pensionary (including commutation) benefits as admissible under rules.
- (ii) To render necessary advice to all concerned on pensionary benefits as and when asked for.

Duties

- 2 This Section deals with all types of pension/gratuity claims of service personnel including Territorial Army and deputationist of Army Postal Service below officer rank and their families as indicated below: -
 - (i) Service, Special, Reservists, Disability, War injury, Invalid, Disability Reassessment, Family pension (Ordinary, Special and Liberalized including Exgratia lump sum compensation) claims and also retirement/death gratuity claims connected therewith.

Note Service gratuity and retirement gratuity claims of personnel discharged with less than 15 years of qualifying service are dealt with by the Pay Accounts Officer(ORs).
 - (ii) Compensation in lieu of disability/war injury element
 - (iii) Invalid gratuity claims in the case of individuals invalidated from service and the retirement gratuity claims connected therewith.
 - (iv) Terminal gratuity claims of the personnel of Territorial Army invalidated out of service.
 - (v) Special Road Mileage allowance claims in respect of Gorkha disabled pensioners.
 - (vi) Application for commutation of pension.
 - (vii) Claims for grant/continuance of allowance attached to gallantry decorations
 - (viii) Jangi Inam claims
 - (ix) Jagir allowance claims.
 - (x) Adjudication of disability and special family pension claims and appeals against such decision of Principal CDA(Pensions).
 - (xi) Revision of all types of pensionary awards as per Govt. letters issued from time to time.
 - (xii) Grant of Pending Enquiry Award.

Distribution of work

- 3 These pension/gratuity claims are dealt with in different sub-sections in accordance with the nature of claims. The procedure to be followed in dealing with such claims of those sections is laid down in the relevant Chapters.

CHAPTER-II

Grant I Section Coordination, Technical Section And Defence Pension Adalat Cell

Functions

- 4 This Section is divided in three-sub sections:
- (i) Coordination Section.
 - (ii) Technical Section.
 - (iii) Defence Pension Adalat Cell.
- 5 **(i) Coordination Section.**
This Section --
- (a) looks after the general administration of all the sub sections of the Grants (ORs) Section in general and maintains centrally various reports and returns and other relevant statistical data pertaining to Grants (ORs) Section.
 - (b) is responsible centrally for examination and furnishing reply to Parliament Questions relating to various types of pensionary awards pertaining to personnel below officer rank.
 - (c) receives the payment vouchers and D.P. sheets from different sub sections of Grant (ORs) Section and passes them on to the Disbursement Section after allotting vouchers No. for issue of Cheques. The vouchers received back from the Disbursement Section through the Accounts section are returned to the concerned sub sections for record. This Section is also responsible for numbering and transmission of original copy of punching media for the Grants (Other Rank) Section as a whole to the EDP centre and duplicate copy to Accounts section.
 - (d) is also responsible for receiving centrally all the complaints from V.I.Ps., Ministries and CGDA relating to pension matters pertaining to personnel below officer rank and watching its final disposal and rendition of completion report to O & M Cell.
 - (e) deals with originating of D.I.D. schedules pertaining to Grants (Other Ranks) Section.
 - (f) is centrally responsible to receive the lists of outstanding pension claims from Record Offices and intimating the position to them regarding action taken against such claims after ascertaining the position from the concerned sub sections of Grants (Other Ranks) Section.
- (ii) Technical Section**
This Section
- (a) examines the rules and orders issued by the competent authorities from time to time on the pension/gratuity matters relating to the personnel below officer rank and brings these to the notice of the various sections through the medium of Group Order, Routine Note, Circular, etc.

- (b) offers its comments on Notes put up by various sub sections of the Grants (Other Rank) for a decision of Group Officer /JCDA/CDA /PCDA(P) .
- (c) maintains Master Note Book of all orders pertaining to pension/gratuity relating to the personnel below officer rank.
- (d) obtains ruling from the authorities concerned on points of doubt in application of rules and orders relating to pension/gratuity matters and tenders advice to higher administrative and technical authorities on pension/gratuity matters relating to personnel below officer rank.
- (e) maintains subject files.
- (f) ensures uniformity in application of rules and orders relating to the pension/gratuity matters of personnel below officer rank.
- (g) review the working of the various sub sections of the Grants (ORs) with a view to ensuring proper functioning, effecting simplification of procedure and improvement of efficiency.
- (h) issues general circulars to Pension Disbursing Agencies for payment without issue of individual PPOs in implementation of the decision regarding change in pensionary entitlements in respect of personnel below officer rank.
- (j) vetting of draft Govt. letters relating to pension/ .gratuity matters in respect of personnel below officer rank

(iii) Defence Pension Adalat Cell

This cell is responsible for the following items of work: -

- (i) to organize Defence Pension Adalat and finalise cases received before, during and after Adalat.
- (ii) to finalise cases of Mini Pension Adalat held by CDAs (PD) Meerut & CDA Chennai.
- (iii) to organize Quarterly Mini Defence Pension Adalats in office premises in January, April, July and October every year and finalise the cases received.
- (iv) to finalise pending cases of Ex-Servicemen Rallies.

(A) Holding of Defence Pension Adalat:-

The cell is responsible to hold Defence Pension Adalat on the places for which responsibility is given to the office of Pr. CDA (P). Defence Pension Adalat is organized under the annual action plan of the Ministry of Defence every year mainly for the redressal of pension related grievances of the Defence pensioners. Pension Adalat is a platform where Defence Pension Sanctioning authorities interacts directly with the pensioners and try to solve their grievances within the ambit of the existing rule position. Its aims are also to bring consciousness/awareness among the pensioners to make them aware about their legitimate pensionary entitlements and latest rule position on pension matters.

Defence Pension Adalat is not vested with any judicial powers like a Court of Law. The problems of the pensioners are resolved within the frame-work of pension rules and Govt. orders. Adalat may not sanction or disburse any amount of pension which is precisely not covered under pension rules or Govt. orders.

Defence pension Adalat is organised by PCDA (P)/CDA(PD)/Meerut/CDA Chennai under the guidance and direction of the Head of Department i.e. CGDA. While selecting the venue of Adalat due consideration is given to the large concentration of the pensioners and their problems relating to pension matters.

Settlement of pension adalat cases received either before holding of the adalat or after conclusion of the adalat will be monitored centrally by the Pension Adalat Cell of the PCDA(P), Allahabad.

Under existing orders the complaint of a pensioner should be disposed of within 48 hours of its receipt in the Section. Pension Adalat Cases should be given highest priority and all out efforts should be made to settle the grievances of the concerned pensioners by examining the records available in this office or after calling the requisite details/documents from the ROs/PDAs. The disposal of all pension adalat cases should be addressed to the pensioner with a copy to the Officer-in-Charge Pension Adalat Cell.

General Guidelines for holding Defence Pension Adalat

- (i) A Nodal Officer either from Army or DAD on the station of holding the Adalat should be nominated for liaison with concerned authorities for logistic support.
- (ii) The fixation of venue, date (s) and time for holding the pension adalat should be decided at least four months in advance to give adequate time to pensioners for sending their cases for consideration in such adalats.
- (iii) The fixation of last date for receiving representations/grievances from Defence pensioner should be such as to allow at least three months time for examination of the cases by the concerned agencies before the adalat day.
- (iv) The representations from the pensioners should be invited by giving wide publicity through leading English/Hindi/Regional language News papers, Radio and T.V. announcements from stations covering the selected zones/ areas, etc. The name and designation of the officer to whom the representations for pension adalat shall be sent should be publicized in such announcements. The Public Relation Officer (Defence) and Public Relation Officer (State) may also be kept in picture and their help may be taken for proper publicity.
- (v) Additional display of posters at appropriate places like MH, CSD canteen, Station HQ, Zila Sainik Welfare Office, TO/DPDO/PSBs railway Station/Bus Stand where bulk of pensioners are likely to notice them should be displayed.
- (vi) An IDAS Officer should also be deputed to the place where Defence Pension Adalat is to be held for on the spot logistic support assessment
The specimen of the Notice is given in **Sl. No. 81 of Annexure C**
- (vii) At least two to three Adalat benches depending upon the number of representations likely to be heard during the adalat should be arranged.
- (viii) Senior officers of the rank of JCDA/CDA/PCDA(P) Allahabad/ any officer of CGDA office should hear the cases in Defence Pension Adalats and take decision on the spot.

- (ix) The following dignitaries may also be invited: -
- (a) A Nodal officer from Banking Division in addition to senior officers of P.S.Bs. and representatives of DPDO and Treasury Officer at the station.
 - (b) The representatives of Ministry of Defence, CGDA, CDA(PD) Meerut, CDA Chennai and the Service Headquarter New Delhi.
 - (c) Zila Sainik Welfare Officer/Representative of Director Sainik Welfare Officers.
 - (d) The representatives of Ex-servicemen League/Association of the station/SCOVA members.
 - (e) Local Senior Army /Navy/Air Force Officers/ DAD Officers
- (x) The representations received up to the last date fixed for receiving such representations should be entered in a register and a registration number is allotted. These representations should be examined carefully keeping in view the nature of complaint and forwarded duly super-scribed "Defence Pension Adalat Case" by red ink to the concerned section of this office/R.O./H.O.O/PDA for taking appropriate action before the date of holding the adalat. The action taken by the concerned authorities on the representations of the individual is also informed to them through Registered letter. He is also given an opportunity to represent his case to Adalat in person if he is not satisfied. In the intimation memo, it will be mentioned that no TA/DA will be paid to them. Besides the representations received after the fixed date and also on the spot on the day of Adalat should also be entered in the same register, examined and necessary action taken in the same manner as for registered cases. The specimen of the format of the register is given at **Sl. No. 7 of Annexure-B.**
- (xi) There should be proper follow up action on these cases which may not be settled on the spot for certain administrative reasons. Such cases should be settled within one month after the date of the Adalat.
- (xii) Monthly progress report on the status of various cases will be sent to the CGDA office after monthly review of the cases of the pension adalat.

(B) Mini Pension Adalat.

With a view to give boost to the complaint management and take grievance redressal machinery to the doorstep of the pensioners, the concept of holding mini pension adalat has been introduced. Under this system, mini pension adalat will be held by CDA(PD) Meerut/CDA Chennai where defence pensioners are drawing their pension from DPDOs by Inspecting Officer of the DPDO.

This cell is responsible to finalise the pension cases pertaining to this office which could not be settled by mini pension adalats held by CDA (PD) and Meerut/CDA Chennai.

Guidelines for Mini Pension Adalat where defence pensioners draw their pension through DPDOs.

- (i) DPDO will be nominated as a Nodal Officer for mini pension adalat to be held in his office.
- (ii) DPDO will initiate action for calling for applications from the pensioners at least two months before the proposed month of

inspection. Minimum time of 30 days will be given to the pensioners to submit their representations to the DPDO.

- (iii) Wide publicity should be given by displaying the Notice for Mini Pension Adalat on the Notice Board in the offices of DPDO, all NBS bank branches, Zila Sainik Board, Director Sainik Welfare Office, Military Hospital, CSD and other units on that station.
A specimen of the Notice is given in **Sl. No. 82 of Annexure-C**.
- (iv) Applications from pensioners will be called for in duplicate duly noted HO NO, Bank A/C No, PPO No, and name of the Record office/ Head of office in their applications.
- (v) DPDO will open a register of mini pension adalat in the proforma given at **Sl. No. 7 of Annexure-B**
- (vi) The applications will be acknowledged and the pensioner also informed of Registration No allotted.
- (vii) Each application will be carefully examined and a copy of the same will be sent to the concerned agency on which the action devolves for taking action thereon. The cases actionable by PCDA(P) will be sent to their Nodal officer by name. Similarly, where action devolves on Record offices/Head of the offices, copies of the applications will be sent to that office under forwarding memo duly super-scribed as "MINI PENSION ADALAT CASE." They will be requested to complete action within 10 days of receipt of letter at their end.
- (viii) The cases in which action is to be taken by the DPDO, PC file, Check Register and Pension Schedules of these pensioners will be taken out and action to settle the complaint taken.
- (ix) DPDO will prepare brief of each complaint and action taken thereon before the Pension Adalat is held. All PC files, Check registers, Pension Payment Schedules, relevant provisions of PPI, Pension Regulations Part I and II will also be kept ready. The brief will be submitted for scrutiny and examination to the SO(A)/AAO/AO/SAO leading the inspection team and wanting information, if any, will be filled up.
- (x) Registered Call letters to all pensioners whose representations are received by the DPDO will be issued at least 15 days before the date of Mini Pension Adalat for representing his case if he is not satisfied intimating venue and time for the Adalat. It will also be mentioned in the call letter that no TA/DA will be paid to them.
- (xi) It will be advisable to invite Zila Sainik Welfare Officer/ representative of Director Sainik Welfare as well as Commanding Officers of local Army formations to be present on the date of Mini Pension Adalat.
- (xii) Arrangement will also be made to register representations of the pensioners on the spot on the day of Adalat and their applications will also be put up to the Inspecting Officer.
- (xiii) The bench will be presided over by the Inspecting Officer of the rank of Sr. IDAS officer who will hear grievances of the affected pensioners and pass on appropriate decision with reference to relevant information/ rule position. He will be assisted by the SO (A)/AAO/AO/SAO of the Inspecting team.
- (xiv) In all the cases where complaint of the pensioner is settled finally, he will be informed by Registered Post.
- (xv) The cases which remain unresolved will be perused till finality by the DPDO and Monthly Progress Report on the status of various cases will be rendered to CDA(PD) Meerut/CDA Chennai through their

Zonal officers after monthly review of the cases of Mini Pension Adalat.

- (C) Quarterly Mini Defence Pension Adalat:** Defence Pension Adalat Cell is also responsible to organise quarterly Mini Defence Pension Adalat in office premises on the first working day of each quarter of January, April, July and October of each year. The adalat will be presided by PCDA(P) or CDA(P) in his absence.

A notice is also published in local daily News Papers at least one month in advance inviting Defence Pensioners drawing their pension from treasury office, DPDO or public sector banks of Allahabad or its adjoining districts who may attend adalat for redressal of their grievances relating to sanction of pension by Pension Sanctioning Authority or revision and payment of pension by Pension Disbursing Authority. The cases of all such pensioners attending the mini adalat will first be registered at the reception counter of the office and then will be heard by Pension Adalat Adhikari of the rank of Sr. IDAS Officer or Sr. A.O. and the same will be attended for its settlement by the representatives of the concerned sections on the same day. At the end, a summary showing total no of pensioners attended, cases finally settled and cases referred to the concerned authorities will be prepared and submitted to PCDA(P)/CDA(P) for information.

(D) Ex-Servicemen Rally

Ex-servicemen rallies are organized by Army formations where such personnel are settled in large number after discharge from service. In such rallies, Army formation also invite team from this office for sorting out the problems of the Ex-servicemen relating to pension matters . A team consisting of one IDAS officer /Sr.AO/AO/AAO/SO(A)/ Auditor depending on the level of participation & dignitaries and population of ex-servicemen is detailed. The team will hear the grievances of the Ex-servicemen and clarify their doubts on the spot. There may be some cases which need to be examined with relevant records held in this office or documents/information available with RO/HOO/PDA. The team will carry such cases and hand it over to Defence Pension Adalat cell for further processing. A detailed report of rally will be submitted by the team to CDA/ PCDA(P) on arrival .

The cell will examine all such cases carefully after entering in a separate register(as per specimen given at **Sl. No. 7 of Annexure-B**) and forward the same to the concerned section of this office/ RO/HOO/PDA to whom the case pertains for taking appropriate action endorsing a copy of the same to the petitioner. The concerned agencies are also advised to intimate the petitioner about the final action taken with a copy to this cell. Monthly review of unsettled cases will be carried out and report will be put up to the CDA/PCDA(P).

CHAPTER-III

Grant 2 Section Service Pensionary Awards Functions

- 6 The following pension/gratuity claims of service personnel below officer rank are dealt with in this Section:-
- (a) the claims for Service pension, Special pension and retirement gratuity, claims connected therewith and Jagir allowance claims.
 - (b) consolidation of pension under Government of India Min of Personnel (PP & G) Deptt of Pension OM No. 2(1)/87-P&PW (PIC) dt. 8-3-88 read with OM No. 38/38/02-P& PW(A) dated 23.04.2003 circulated vide Ministry of Defence ID. No.1(01)/2003/D(Pen/Sers) dt. 2.9.2003 in respect of pensioners who are in receipt of two pension.
 - (c) claims for authorization of OTI under Govt. of India Min of Def. Letter No. 1(2)/92/D (Pen / Sers) dt. 16-3-92, 1(3)/93/D (Pen / Sers) dt. 25-2-94 and PC to F1 (3/93/d (Pen /Sers) dt. 27-3-97 in respect of pensioners discharged/retired prior to 1-1-86 and issue of clarification thereon.

Persons Entitled To Pensionary Benefits

- 7 All service personnel below officer rank(including those of DSC and TA) who served on regular engagement and are discharged under Army/Navy/Air Force Act are eligible for pension under the relevant Armed Forces Pension Regulations except where specifically provided otherwise vide Regn. 112 and 113 Pension Regulations for the Army Part I (1961)

Territorial Army Personnel

- 8 With effect from 11.06.1985, service pension can be granted to all Territorial Army JCOs/ ORs (other than civil Govt. servants and civil pensioners) who have a minimum qualifying and aggregate embodied service of 15 years as indicated below.
- (a) Former qualifying regular service in Army, Navy, and Air Force in any rank will be counted to the same extent as admissible to the regular Army personnel.
 - (b) The weightage added to the qualifying service of regular Army personnel will, not be allowed in the case of T.A. personnel.
 - (c) The qualifying embodied service as mentioned above, may be continuous or rendered in broken spells. For calculating the total embodied service the breaks in embodied service due to disembodying, will be treated as condoned but the period of breaks itself will not be treated as qualifying service for pension. Where qualifying embodied service has been rendered in broken spells, five percent cut will be imposed on the pension of those JCOs/ORs who have completed 15 years or more of aggregate embodied service, but have not completed 20 years of aggregate embodied service.

Note Where the service pension of TA personnel exceeds the service pension of regular Army personnel of the same rank who are

discharged at the same time, the service pension of the TA personnel will be restricted to the service pension of the Regular Army personnel.

Circumstance in which a claim for service pension arises

9 The claims on account of pensionary benefits in respect of individuals serving on regular terms /engagement arise in the following circumstances:

- (a) On transfer to pension establishment; on completion of tenure/service limit period of engagement
- (b) On attaining the prescribed age.

In this event he is eligible to a service pension/gratuity as admissible under Section II of Chapter III of P.R.A. Part I (1961).

- (c) On discharge from military service owing to reduction in the strength of the establishment of the Army, etc. or on the re-organisation which results in disbandment of any unit/formation.

In this event he is eligible to a special pension/gratuity as admissible vide Regulation 164 PRA Part I (1961).

10 It should be noted that unless otherwise specified, all claims to pension/gratuity are to be regulated by the rules in force at the time when the individual is discharged from Army vide Army (Regn. 1 Pension Regulation for the Army Part I (1961) refers).

Provisional Pension

11 A service personnel against whom any departmental or judicial proceedings are pending or instituted after retirement in respect of an event which took place not more than 4 years before such institution, may be authorised by the competent authority payment of provisional pension under the provisions contained in Govt. of India, Min. of Def. Letter No. F.12 (i) /73/556/S/D (pension/services) dated 20.07.74. The provisional pension will be notified for the period commencing from the date of retirement to the date on which, upon conclusion of the departmental or judicial proceedings final orders are passed by the competent authority.

Note The power to grant provisional pension has been delegated to PCDA (P) vide Govt. of India, Min. of Def. Letter No. B/40418/AG/PS 4(e)/1252/B/(Pen/Sers) dt. 21.06.85.

The claim will be audited and checked on the lines of audit checks laid down in Paras 34 and 35. The PPO notifying the provisional pension will be marked at the top "Provisional" and will contain the following guide notes: -

- (a) Commutation of provisional pension is not permissible.
- (b) No retirement gratuity will be authorized alongwith provisional pension.
- (c) No family pension will be notified along with provisional pension. Payment of provisional pension will be adjusted against the final retirement benefits, but no recovery will be

made where the pension finally sanctioned is less than the provisional pension or where final pension is reduced or withheld either permanently or for a specified period.

When a communication regarding finalisation of the proceedings and result thereof is received, the Record office concerned will be asked to obtain and forward the orders of the competent authority under Regn. 3 P.R.A. Part I and based on the proceedings and the orders of the competent authority the final award will be notified in the PPO which will be issued in supersession of the provisional PPO. The PPO for the final award will contain the following guide notes: -

(a) Where the final award is equal to or more than the provisional award:-

"This is in supersession of the provisional award of pension notified in PPO No payment thereon will be adjusted in full before making first payment on this PPO".

(b) When the final award is less than the provisional award : -

"This is in supersession of the provisional award of pension notified in PPO No..... However, no recovery shall be made in respect of excess amount of pension paid upto.....(here specify the date on which final orders on conclusion of the proceedings are issued)"

In cases where pension is withheld permanently or for a specified period, instructions for stoppage will be issued to the pension disbursing officer telegraphically under intimation to Audit Section concerned and the information, as to date up to and for which the provisional pension has been paid, is obtained. In such cases period of award will be suitably restricted. The finalisation of the cases will be watched through a register to be opened in the form **GO (2) R.6 (Sl. No. 1 of Annexure B)**.

Service Pension Claims - Computerised Processing

- 12** Pension payment order in respect of JCOs/ORs retired or retiring on or after 31.03.85 (i.e. where pension commences from 01.04.85) excluding DSC and TA personnel is being generated on computer based on LPC-cum- data sheet **(Sl.No. 49 of Annexure C)**. Computerised PPOs in respect of DSC and TA are also being issued with effect from 1.04.1997.

Under the computerized system, all regular claims are initiated by the Record Office through LPC -Cum-Data sheet (Sl.No. 49 of Annexure C) and are forwarded to this office 4 months before the anticipated date of discharge of the individual for sanctioning pensionary awards.

The data sheet along with Sheet Roll and all documents is forwarded to PAO(ORs) who in turn verify all the columns with reference to these documents and fill Pay and Allowances columns, receipt column and affix LPC seal and forward LPC Cum Data Sheet along with all documents to PCDA(P) and returns Sheet Roll to the Record Office. The data sheet contains all the relevant data required for sanction of pensionary awards but therefore submission of Sheet

Roll/Enrolment form, etc, alongwith pension claim to PCDA(P) has been dispensed with.

Service pension claims processed through data sheet for generation of computerized PPOs are dealt with in EDP Service Manual Section. The detailed procedure to be followed in this section are explained in succeeding paras.

Detailed Procedure for Generation of Computerised PPOs for Fresh Claims

- 13** Service pension claims processed through Data Sheet will be received direct in EDP Service Manual Section. On receipt of the pension claim it will be entered in the Central Pension claim Diary Register on the proforma given in **GO(2) R-1 (Sl. No. 2 of Annexure-B)** through which a claim Diary Serial No. (C.R. NO.) will be allotted to it. The claim diary is maintained R.O. wise. The Diary Serial number will be allotted in serial order commencing from 1, from the beginning of a calendar year. On allotment of the C.R. Number from the "Central Pension Claim Diary Register", the C.R. No. will be noted down on the PCDA (P)'s cage in the bottom of LPC-Cum-Data Sheet and page 1 of the Discharge Roll (IAFY-1948A) on top left hand corner duly circled.

Detailed Scrutiny of the Pension Claim.

- 14** Detailed scrutiny of pension claim taken up for generation of computerized PPO involves:
- (a) Checking of documents
 - (b) Verification and processing of LPC-Cum-Data-Sheet.
 - (c) Issue of observation memo, if any.
 - (d) Preparation of punching medium & DID Schedule for recovery of demand shown in the LPC-Cum-Data-Sheet.

The various checks to be observed in conducting the detailed scrutiny are set out in succeeding paras. These checks are in addition to checks mentioned in Para 34.

Checking of Documents.

- 15** It will be seen that
- (i) The pension claim processed through the data sheet contains the following documents:-
 - (a) LPC-Cum-Data sheet.
 - (b) Discharge roll (IAFY-1948 A).
 - (c) Release Medical Examination Report (AFMSF-18) or Release Medical Board Proceedings (AFMSF-16).
 - (d) Commutation application (IAFA-340 A).
 - (e) Annexure-A containing family details and duly attested joint photographs,
 - (ii) The particulars of the applicant recorded in the claim (IAFY-1948 A) viz the name, date of birth, name of spouse Pension Disbursement Agencies details tally with those reflected in the data sheet. Three specimen signatures/thumb impressions should also be verified.
 - (iii) The Discharge Roll (IAFY-1948 A) has been signed by the appropriate authority in the space provided for the purpose.
 - (iv) The details of service and other particulars have been recorded on page 1 &2 of the claim.

- (v) The “Remarks of the R.O.” on page 4 of the claim are completed in all respect and are signed by the appropriate authority.

Verification of LPC-Cum-Data Sheet.

- 16** The data sheet will be scrutinized to see that the same has been signed by the R.O. and approved by the PAO(ORs) concerned and duly embossed with LPC seal in the appropriate cage at the bottom of the data sheet.

LPC-Cum-Data Sheet has to be checked 100% with reference to the information contained in the accompanying documents for filling up the columns. The Columns should be checked from the documents mentioned below:-

Col.2- Annexure for R.O. Code and discharge roll.

Col. 3 to 16,18,21 to 23, 31 to 37, 44,45,46- Discharge Roll.

Col. 25- AFMSF-16 or 18.

Col. 26- Commutation application and AFMSF-16 or 18.

Col. 27,28,29,30 & 31 – Annexure “A” containing family details.

After verification of the LPC-Cum-Data Sheet, the SrAO/AO of PCDA (P) will sign the cage provided at the bottom of the data sheet in token of having approved the same for processing and generation of computerized PPO.

Calling for wanting documents:

- 17** Pension claim will be returned if the pension application and the data sheet have not been signed by the individual and competent authority.
- (i) After detailed scrutiny of the claim in the manner as stated above, the wanting documents/information, if any, required for the settlement of the case should be determined. The draft of the communication in the form **GO(2) F-6 (Sl. No. 6 of Annexure-C)** calling for the wanting documents/information should then be put up to OI/C for approval. Before the draft is issued it should be ensured that observations are comprehensive, so that claim may be finalized after settlement of the observations.
- (ii) Piece meal observations should be avoided.

Preparation of Punching Medium and DID Schedules

- 18** The demand shown in the data sheet will be transcribed with full particulars in “Demand Register” to be maintained by the I.O. Cell in the proforma given below for preparation of punching medium.

Proforma for Demand Register

Name of Record Office	CR No.	Regt. No. Rank and Name	Amount of Advance	Nature of demands RDR or other than RDR	PPO No. under which recovery is made
1	2	3	4	5	6

The IO Cell will prepare punching medium in quadruplicate for the demand as transcribed in the Demand Register by crediting the recovered amount of demand to the Remittance Head of Defence Exchange Account of the Pay Controller concerned and debiting the same to retirement gratuity head. All the four copies of the PM will be passed on to coordination group for

numbering and passing of the same to Accounts Section for ensuring compilation in the month in which the pension/gratuity is payable to the pensioner. For this purpose, the coordination group will maintain the Class II Voucher Numbering Register in the following proforma. The full particulars of the individuals and details of demand should be mentioned in the PM.

Class II Voucher Numbering Register

SI No.	Regt. No. Rank and Name	Nature of demands	Name of Record Office	Amount
1	2	3	4	5

CDA to whom credit is being passed on	PPO No.	PMs No. Month / Year	DID schedule No.
6	7	8	9

The distribution of four copies of PM by the Coordination group will be as under: -

One copy of the PM duly numbered will be returned to IO cell for record with the pension documents. Two copies of the PM will be forwarded to Accounts Section and the fourth copy will be retained as office copy in the coordination group.

Illustration for preparation of Punching Medium.

Ex No. 3179556 A Sep. Narendra Singh is due to be discharged from Service on 31.10.2002 (AN) from Jat Regt. Rs. 58118/- and Rs. 7624/- on account of RDR and other than RDR are shown as demand in LPC-cum-data sheet. (In the present case Pay and Audit controller of Jat Regt. is CDA(Army) Meerut) These amounts have been recovered from his retirement gratuity while notifying the pensionary awards and a PM will be prepared in the manner as indicated below:

Punching Medium

Month 10/02 CDA 01 Section 13 Class of Vr. II Vr. No. 8

Classification code	Receipts		Classification code	Charges	
	(R) (1)	(R) (2)		C(3)	C(4)
0/073/21	65742.00	-	0/014/34	58118.00	
			0/014/36	7624.00	
	65742.00			65742.00	

DID Schedules

Simultaneously with the preparation of PM, the DID schedule on IAF (CDA) 338 will also be prepared by the EDP Service Manual Section in quintuplicate out of which one copy will be sent to Accounts Section for noting the same centrally in their out ward DID schedule register. The DID schedule will be prepared by the section immediately without waiting for receipt of sectional compilation. However, on receipt of sectional compilation the printing or the transaction of Defence Exchange Heads will be scrutinised carefully with reference to DID schedules already prepared and a certificate rendered to Accounts Section regarding completion of this scrutiny.

The distribution of five copies of DID schedule will be as under: -

Three copies received by the Accounts Section of the originating controllers and one copy will be retained as office copy.

Out of three copies received by the Accounts Section of the Responding controller after adjusting the same and completing the lower portion of the DID Schedule showing adjustment details, one copy will be sent to EDP Centre processing the compilation for that particular office (alongwith PM for other classes of vouchers). One copy will be sent to the section entrusted with the works of preparing monthly report of DID Schedule responded/adjusted through computer and the third copy will be retained as office copy of the adjusted schedules by the section adjusting the same.

DID Schedule number will consists of 15 digits. The first two digits will indicate the CDA, next four digits section number, the seventh digit, the class of voucher, eight to eleventh digits voucher number twelfth and thirteenth, the month and fourteenth, the year as shown below in the case of class II voucher floated by EDP Service Manual Section of Pr. CDA(P) Allahabad.

Note List of Code Heads for originating and responding Cs.DA is given at **Appendix 1**.

Processing of Data Sheet.

- 19** The pension claims which on detailed scrutiny are found to be in order are sent together with the Data Sheet to Data entry group of EDP Centre in batches of not more than 50 claims for punching and preparation of floppy through magnetic media.

On receipt of the batches of data sheet, the data are punched and verified by Data Entry Operators and the Data Sheet batches alongwith the floppy is passed on to system room for generation of edit list.

In the system room, the validation programme is run for checking of fields of data and generation of edit list for all records of the batch. The edit list together with the pension claim and data sheet is passed on to the operative groups concerned for hundred percent comparison with reference to data sheet and for proposing correction, if any, through correction sheet, supplied by EDP Centre.

Edit list is compared with reference to data sheet by the I.O. (Input output) group and corrections are proposed for both comparison as well as audit errors, if any, and edit list with correction sheet is passed on to Data Entry Group. Data Sheet together-with the pension claim is retained in I.O. group.

Batch wise corrections, as proposed by the I.O. group are received in data entry group alongwith original edit list for data entry.

Corrections (batch wise) are punched by Data Entry Operators and passed on to system room alongwith the floppy and original edit list and corrections for updation of original data, held on the computer disk.

The system room undertakes the following action: -

- (i) Updation programme is run for updation of data and updation list i.e. hard copy of corrections as proposed is generated through the system.
- (ii) The updated file is run for validation of data with 'N' option and a list for invalid record will be generated through the system.

The updation list/re-validation list is again sent to I/O Cell for comparison of the updation list 100% with the correction proposed. Data found still in errors, shall be checked and correction proposed again for updation of the data. The process will continue till all the records in the batch become error free. The batches which are not error free third time should be shown to Group Officer.

Printing of PPOs

- 20** The Sr.Accounts Officer/AO(P) in charge, I/O Cell, on receipt of the modified edit list from EDP Centre will ensure that all the errors detected either on comparing the edit list with the data sheet or due to validation/revalidation run, have been rectified through the proposed correction and all the records of the batches have been made error free. And then only, the SAO/AO will record his order on the "Control run" for printing of PPOs and pass on the edit list to the EDP Centre. On receipt of the order of the printing of PPOs, the EDP Centre will print 6 copies of the PPO pertaining to each error free record of a batch along with edit list and return the printed PPOs to I/O Cell for further action.

Action by I.O. Cell

- 21** The I.O. Cell will remove the carbons and copies of the PPOs will be segregated as under:
- (i) Original copy (For PDO through R.O.)
 - (ii) Duplicate copy (For CH Section)
 - (iii) Triplicate copy (For R.O.)
 - (iv) Quadruplicate copy (For draft/office copy)
 - (v) Quintuplicate copy (Spare copy)
 - (vi) Sixtuplicate copy (For pasting in Pension Certificate)

The draft PPOs will be compared with the entries in the LPC-Cum-Data Sheet 100% and will be initialed by the Auditor, SO(A)/AAO and AO/Sr.AO in the space provided in the LPC-Cum-Data Sheet and enfacement will also be made on IAFY-1948A under the signature of AO/Sr.AO the PPO Number and year will be indicated thereon after due verification of its correctness.

Copy of the PPO meant for pension certificate will be pasted on it after putting facsimile signature of PPO signing officer. The triplicate copy meant for R.O. will also be enfaced with facsimile signature. The A O (P) / Sr. A.O. (P) will authenticate the PPO original and duplicate on the basis of attestation of AO/SO(A) on the draft PPO.

The original copy of the PPO and pension certificate will be embossed in presence of the PPO signing officer simultaneously at the time of authentication. The date of dispatch will be affixed on all the copies of the PPO with a rubber stamp.

The original and triplicate copies of the PPOs alongwith pension certificate will be arranged in the ascending order of the PPO number for each R.O. and will be entered in a PPO dispatch register indicating PPO number and date of dispatch.

Dispatch of PPO to R.O.

- 22 (i)** The I.O. Cell will also prepare three copies of the forwarding memo and forward the following documents to the R.O. with the instructions to check the award as notified in the PPO and make an endorsement regarding the details of pensionary awards and PPO No. in the service documents of the individual before transmitting to the PDAs:-
- (a) Original copy of the PPO meant for PDA
 - (b) Triplicate copy of the PPO for R.O.
 - (c) Pension certificate duly pasted with a copy of the PPO meant for the pensioner.

Note Normally these PPOs will be despatched through ROs couriers. In case no courier is likely to come within a fortnight, the same will be despatched by Regd. Post.

Disposal of other copies of the PPOs

- (ii)** The other copies of the PPOs will be disposed of as under: -

The duplicate copy duly signed by the PPO signing officer of the PPO will be sent to CH section on monthly basis by the 10th of the following month.

The quadruplicate copy of the PPO will be stitched together with the LPC-Cum-Data sheet and pension claim for ultimate binding and record in Old Record Section. The quintuplicate copy will also be bound locally for reference.

Note: A list of PPOs generated on computer during the month is published after the end of month and despatched to the concerned pension disbursing authorities for checking issue of two PPOs on one pension disbursing authority in respect of the same individual.

Issue of Corrigendum PPOs through computer

- 23** Any amendment/revision claims, which become due either on receipt of wanting documents/information or a proposal for amendments made by the R.O. in the original PPO earlier issued or due to change in entitlement as per Govt. decision where service pension has been notified on computer, shall be processed through data sheet (Rev.) **Serial No. 56 & 57 of Annexure C.**
- 24** The data sheet (Rev.) will be prepared on the basis of revised data by the R.O. in triplicate. The R. O. after completing the data sheet and making necessary endorsement in the relevant bottom cage, will retain the third copy as office copy and submit the original and duplicate copies alongwith supporting documents in each case to the PAO (ORs) for their check. The PAO (ORs) after exercising necessary check and completing the revised pay details and affixing LPC seal wherever

required will return the original copy to R.O and retain duplicate copy at his end. The R.O. will transmit the original copy of the data sheet alongwith supporting documents to the of the PCDA (P) office for issue of corrigendum PPO on computer.

Preliminary action on receipt of revision claim through data sheet

- 25** On receipt of revision/amendment claim through data sheet (Rev.) action to diarise the same in a separate claim diary register will be taken in the same manner as laid down for fresh claim.

Detailed scrutiny of the revision/amendment claims

- 26** It will be seen that: -
- (i) In cage-I the basic particulars, i.e. original PPO number, R.O. code and name of the pensioner in respect of whom the revision/amendment is to be carried out, have been filled in correctly.
 - (ii) Only the affected columns have been completed with the revised data and unaffected columns have been left blank.
 - (iii) The data sheet (Rev.) having financial bearing on the original pensionary award has invariably been got verified and signed by the PAO(ORs) on the appropriate cage at the bottom of data sheet (Rev.).

Processing of data Sheet

- 27** The data Sheet (Rev.) will be processed for issue of computerized corrigendum PPO in the same manner as laid down in sub Para 19 above.

Printing of PPOs and their disposal

- 28** Corrigendum PPOs will be printed and disposed of in the same manner as laid down in sub Paras 20 to 22 above.

Note 1 General instructions for preparation and completion of data sheet by the Record Offices and its checking by the PAO (ORs) are given in **Appendix-2**. These instructions will also apply mutatis mutandis in respect of DSC/TA personnel.

Note 2 Specimen form of LPC-cum-Data Sheet and Data Sheet (Rev.) and PPO formats are given at **at Sl. Nos. 47 to 50, 63 & 64 respectively of Annexure- C.**

Manual Processing of Service Pension Claims

- 29** The service pension claim which can not be processed through LPC-Cum-Data Sheet due to various reasons are processed manually on the pension claim form IAFY-1948-A/AFMSF-16/-IAFA-370 and submitted to this office along with service documents for manual notification of pensionary awards. These claims mainly include Pre - 96 retirees, court cases, cases of Hony Commissioned Officer discharged with less than 21 years qualifying service and cases where pensioner died after retirement before sanction of the service pension. Such claims are dealt with in Manual group of G-2 Section.

The procedure to be followed for processing of such claims manually are explained in the succeeding paragraphs of this chapter.

Preliminary action on receipt of pension claims.

- 30** On receipt, the pension claim should be entered in the claim Register on the proforma given in **G O (2) R-1 (Sl. No. 2 of Annexure B)** which is maintained Record Office wise and allotted a claim number which will be the serial number at which the claim is entered in the claim register. The claims will be entered in the claim Register in serial order commencing from No. 1 from the beginning of a calendar year. The claim serial number should be noted on the forwarding memo of the Record office under which the claim has been received as well as on the Discharge Roll (IAFY-1948-A/AFMSF-16).

Preliminary Scrutiny

- 31** It will be ensured that the claim is prima facie tenable by verifying from service documents of the individual that he is entitled to pensionary benefits. It may be noted that the title to pension arises only if the following conditions are fulfilled:-

- (i) The individual has rendered service on regular engagement terms vide Regn. 112 PRA Part I (1961)

Note 1 When an individual is initially engaged for a minimum period of 15 years [(5 years from 1.4.68) and 15 years in the case of NCs(E)], he should be treated as on regular engagement.

Note 2 War engaged or other irregular personnel not made regular have no title to pension unless they fulfill certain specific conditions laid down in separate orders issued by Govt. from time to time.

- (ii) The individual has actually rendered a minimum period of 15 years' qualifying colour service (20 years' qualifying service in the case of NCs (E)) without weightage vide Regn. 132 & 145 PRA Part I (1961).

- (iii) **For Special Pension:-** 10 years qualifying service in the case of personnel other than NCs(E) and 15 years qualifying service in the case of NCs(E).

- (iv) The individual has been discharged under the provisions of the Army Act and the Rules made there under and not dismissed from service vide Regn. 113 PRA Part- I (1961).

- 32** If it is established that the claim is not tenable the same will be rejected and the detailed reasons for rejection will be intimated to the Record officer. After rejection, the claim will be entered in the **Rejected Pension claim Register [G O (2) R-2] (Sl. No. 3 of Annexure B)**. The specimen of the Register is appended at serial no. 3 of Annexure B. The relevant entries in the claim Registers will be properly completed.

Documents required for the grant of pensionary awards.

- 33.** It should be seen that the following documents have been received in support of the claim:
- (a) Discharge Roll (IAFY-1948-A)

- (b) Sheet Roll (in original) in the case of Army and Air Force Personnel and service certificate in the case of Navy Personnel and Enrolment Form, etc.
- (c) Last Pay Certificate (IAFA-447) (Original)/LPC Cum Data Sheet.
- (d) Commutation application form (IAFA-340-A), if applied for commutation.
- (e) Medical Examination Report (AFMSF-18) along with a copy of annotation made about longevity of the individual for the purpose of commutation or AFMSF-16 if the individual was brought before Release Medical Board due to being in low medical category.
- (f) Family details.
- (g) One copy of the nomination made by the individual for payment of life time arrears of pension.
- (h) Sanction of the competent authority where such a sanction is necessary under Pension Regn.
- (i) One copy of latest joint photograph with spouse in civil dress duly attested.
- (j) Certificate whether or not a disciplinary/judicial proceeding is pending against the individual.

Detailed scrutiny of claims

34 The various checks to be observed in conducting the detailed scrutiny of the claims are set out in the succeeding paras:-

It should be seen that:

- (a) the documents mentioned in the forwarding memo, have been received.
- (b) the claim has been submitted within 12 months of the date on which it fell due and if not, the explanation for the cause of the delay in its submission has been furnished by the Record Officer, and is satisfactory vide Regn. 83, PRA Part-II (1961).

Note: If claim for pension and gratuity submitted after 12 months from due date where pension sanctioning authority is not satisfied for reasons for delay, sanction of Service HQrs. will be necessary vide GOI, MOD ID No. 4684/DIR/PEN/2001 dt. 14-8-2001

- (c) the individual was enrolled on regular terms of engagement and if the enrolment was not on regular terms, he was subsequently brought on regular terms vide Regn. 112 PRA Part-I (1961).

Checking of documents: -

35 The following documents attached with service pension claim should be checked in detail in the manner indicated as under: -

- (a) Discharge Roll
- (b) Sheet Roll and Enrolment form
- (c) Last pay certificate / LPC Cum Data Sheet
- (d) Supply Officer Incharge Naval Pay Office certificate / OCAF - CAO certificate.

(A) Discharge Roll (IAFY-1948-A/AFMSF-16)

It should be seen that:

- (i) all the items are completed and the particulars of the individual recorded viz. Regimental No. Rank, Name, Regiment/Corps, date of birth/age on enrolment, date of enrolment, date of promotion, date of discharge, etc., are correct with reference to the relevant entries in the Sheet Roll/Service certificate and Enrolment Form;

- (ii) the discharge roll has been signed by the appropriate authorities in the space provided for the purpose;
- (iii) the individual's specimen signatures or left hand thumb and fingers impressions have been obtained in the space provided for the purpose and have been attested by a Commissioned Officer;
- (iv) the station from which the individual is desirous of drawing pension is correctly given. The list of Pension Disbursing Authorities from which pension can be drawn is given Appendix I P.R.A. Part-II (1961).
- (v) the individual has been discharged under the Army/Navy/Air-Force Act and the rules made there under.

Note An individual dismissed from service is ineligible for pension/gratuity unless specifically sanctioned by the Service HQrs. as per GOI, MOD No. 4684/DIR/PEN/2001 dt. 14-8-2001.

- (vi) the certificate regarding quantum of pension has been correctly completed by scoring the inapplicable alternative and if the pension recommended is at a reduced rate, the claim is supported by the certificate of the competent authority under Reg. 3 P.R.A. Part-I(1961).
- (vii) the total service up to date of discharge, period(s) of service not counting as qualifying for pension and any previous service counting towards pension or gratuity as verified by the Defence Accounts Department, have been correctly worked out on the basis of the entries in the Enrolment Form IAFF-958 and the Sheet Roll.
- (viii) if cash allowance attached to any gallantry decoration is claimed, an entry to that effect indicating, inter alia, the No. and date of the order/Gazette of India Notification exists in the Sheet Roll and the rate claimed agrees with the rate shown in the L.P.C./LPC-cum-datasheet.

Note: Where L.P.C. received is from an agency other than D.A.D., the order/Gazette Notification will be verified and the correctness of the cash allowance will also be confirmed with reference to the relevant order on the subject viz Regulations.235 & 242 and Appendix III of Pay and Allowances Regulations-(ORs) (1979 Edition).

(B) Sheet Roll and Enrolment Form

It should be seen that: -

- (i) the Sheet Roll and Enrolment form are original copies; or, where duplicate copies have been submitted, sanction of the Govt. of India for re-construction of the documents and a certificate in terms of Rule 43 F.R. Part-II has been obtained.

It may be noted that the officer in charge Air Force Records is authorized to reconstruct record copies of Sheet Rolls from unit copies, in case of loss or mutilation of original record copies of Sheet Rolls.

The certificate under Rule 43 F.R. Part-II(1968) and the certificate of the Air Force Record Office to be endorsed on the cover of reconstructed Sheet Roll should be on the following lines:

Certificate under Rule 43 F.R. Part-II (1968)

“Certified that (here enter the missing document) has been lost, and to avoid the possibility of a double charge being made a note has been made in (here enter in which document) on record in my office.”

- (ii) the following entries exist and are correct:
 - (a) date of Enrolment.
 - (b) terms of engagement.
 - (c) (i) date of transfer to man-service in the case of individuals recruited as "BOYS".
 - (ii) date of transfer to regular Service in the case of individuals enrolled on non-regular/war engagement terms.
 - (d) date of promotion to the Paid Acting/Substantive ranks held and particularly for the rank actually held regardless of whether in substantive or paid acting capacity during the last 10 months of service qualifying for pension as given in the L.P.C. (A.O. 65/70)/LPC-cum-data sheet.
 - (e) lowest pay group for which paid during the last 10 months of service qualifying for pension as given in the LPC-cum-Data Sheet.
 - (f) period of P/A/Rank last held where pension for that rank has been claimed and a certificate has been furnished by the P.A.O. (ORs).
 - (g) red ink entries affecting qualifying service viz. period for which pay and allowances have been forfeited and are non-qualifying for pension.
 - (h) secondment/deputation for service to others formation which are administered centrally but the expenditure is debitable to other than Defence Services Estimates for which Government letters have been issued laying down the manner of allocation of pensionary charges. The notification should not, however, be held up pending allocation.
 - (i) length of former service allowed to count by the PAO (ORs) towards pension/gratuity and its review by him under New Pension Code, where necessary vide Reg. 126 P.R.A. Pt. I, as endorsed on the Sheet Roll.
 - (j) restoration of service rendered prior to desertion in cases where a individual has been tried and convicted by summary Court Martial on a charge of desertion vide Sec. 38 Army Act. An endorsement to this effect should be looked for in the Sheet Roll (Reg. 123 P.R.A. Part-I (1961)).

(C) Last Pay Certificate

It should be seen that:

- (a) Regimental No., Rank and Name of the individual agree with the entries in the service documents.
- (b) the L.P.C. is in original, is signed, embossed with L.P.C. Seal and cuttings/over writings in the entries made therein are attested.
- (c) the lowest substantive rank held and pay group for which paid during the last 10 months of service qualifying for pension, the rank and pay group actually held at the time of discharge and the date of promotion to the rank actually held are correct with reference to the entries in the Sheet Roll.
- (d) the date up to which paid is shown both in figures as well as in words and agrees with the date of discharge recorded in the Sheet Roll.
- (e) the certificate regarding paid acting rank last held, if any, showing the period with dates has been completed and the particulars given therein agree with the entries in the Sheet Roll.

- (f) if any demand for recovery is noted on the L.P.C., the Code Head to which it is to be compiled is also indicated.
- (g) if there are any special remarks on the L.P.C. (or the certificate submitted in lieu thereof in the case of Navy and Air Force personnel) regarding withholding of pay and allowances for any period, the said period will be treated as non-qualifying service.

Note: Cases arising on or after 01.11.85 in respect of Air Force/Navy personnel are dealt with by CDA (Air Force) New Delhi and CDA(Navy) Mumbai respectively.

Retirement Gratuity (DCRG)

- 36** Under A.I 8/S/70, Death-Cum-retirement gratuity (now termed as Retirement gratuity on discharge and death gratuity in the event of death while in service wef 1.1.86) came into operation wef 10.9.70 i.e. for those who were discharged from service on or after that date with 5 years or more of qualifying service. In the beginning, two months emoluments in respect of married personnel were deducted from D.C.R.G. as contribution for ordinary family pension. However, deduction of two months emoluments was done away wef 22.9.77 under A.I. 25/S/77.

Retirement gratuity is calculated at 1/4th of the "emoluments" for each completed six monthly period of qualifying service subject to maximum of 16 1/2 times of reckonable emoluments but limited to maximum ceiling as shown below whichever is less with reference to date of discharge.

Sl. No.	Date of discharge	Max. ceiling of retirement gratuity	Authority
(i)	10.9.70 to 31.12.72	Rs.24,000/= only	AI 8/S/70
(ii)	1.1.73 to 31.1.82	Rs.30,000/= only	AI 2/S/75
(iii)	1.2.82 to 31.3.85	Rs.36,000/= only	GOI, MOD No. 13/ 38055 / AG /PS-4(a)/2574/C/ D (Pen /Sers) dated 18.12.82 (Group order No. 1139)
(iv)	1.4.85 to 31.12.85	Rs.50,000/= only	GOI, MOD No. 5(3)-85/D (Pen / Sers) dated 11.06.85 (Group order No. 1202)
(v)	1.1.86 to 31.3.95	Rs.1,00,000/= only	GOI, MOD No. 1(5)/87/D(Pen /Sers) dated 30.10.87
(vi)	1.4.95 to 31.12.95	Rs ,250,000/= only	GOI, MOD No.5(1)/95/D (Pen /Sers) dated 08.08.95
(vii)	1.1.96 to onwards	Rs.3,50,000/= only	GOI, MOD No. 1(6)/D(Pen / Sers) dated 03.02.98

Note: With effect from 01.01.1986 a weightage of 5 years is allowed in qualifying service subject to the total qualifying service including weightage not exceeding 33 years.

Detailed Scrutiny of the Retirement Gratuity claims

- 37** It should be seen that
- (i) the Regimental No., Rank, Name and particulars regarding age on enrolment, date of discharge, length of qualifying service

agree with the particulars recorded on IAFY-1948-A etc. as checked for service pension.

- (ii) the number of completed six monthly periods are double the completed years of qualifying service plus one, if the qualifying service exceeds the completed years by 180 days or more subject to maximum of 60 six monthly periods in respect of those who retired before 1.1.73 and 66 six monthly periods in respect of those who retired on or after 1.1.73.

Note: Retirement gratuity, where admissible under A.I. 8/S/70 will be paid in addition to the pension as specified in Appendix "A" to A.I. 1/S/75 as amended from time to time.

- (iii) the rank last held agrees with that shown in the LPC/Naval Pay Office or A.F. CAO's certificate.

Note: If the rank shown is higher than that shown in the LPC., etc. the Certificate of the Pay Audit Officer to the effect that the individual would have continued to hold the rank but for proceeding on leave will be looked for.

- (iv) pay of the rank last held in the concerned Pay group, classification allowance, etc. agree with those shown in the LPC and in the case of Navy/Air Force personnel, where LPC is not furnished, Part-II of the claim has been signed by the OI/C Naval Pay Office/O.C.A.F. CAO.
- (v) the amount of gratuity payable has been correctly arrived at and the amount of debit balance/demand shown in the LPC, etc. has been indicated against the item "Other deductions".

Note 1 In the event of death of the recipient before receiving the payment of retirement gratuity, the amount of retirement gratuity is to be authorized in favour of the nominee on the basis of the nomination executed by the deceased during his life time through a Corrg. PPO. Where there is no nomination or nomination is not valid or does not submit the amount of retirement gratuity is payable in equal to the surviving members of the deceased family.

Note 2 W.e.f. 01.01.1996, the gratuity is calculated on basic pay including classification allowance plus stagnation increment, if any, plus dearness allowance as defined in GOI, MOD letter No. 1(6)/98/D(Pen/Sers) dated 03.02.98.

Calculation of pensionary entitlement

38 After the pension claim has been checked in the manner stated in the foregoing paras, a working sheet (GO(2) F.1 (Serial no. 1 of Annexure - C) will be prepared.

39 It may be noted that service pension for 33 years of qualifying service is calculated at 50% of the emoluments reckonable for pension. For lesser period of qualifying service it will be reduced proportionately. With effect from 1.01.1996, the amount of service pension finally arrived at will be subject to a minimum of Rs. 1275/= p.m.

The amount of pension is admissible on the basis of the following two elements:-

- (i) Length of qualifying service inclusive of former service, if any, allowed to count vide Reg. 132 PRA Part-I.

Note 1 The term "qualifying service" for pension will mean actual qualifying service rendered by the individual plus a weightage of 5 years subject to total qualifying service including weightage not exceeding 33 years.

Note 2 There will be no weightage for personnel below officer rank who retire prematurely for permanent absorption in public sector undertakings and autonomous bodies.

Note 3 There shall be no weightage for personnel below officer rank of the Territorial Army.

Note 4 The above weightage shall not be reckoned for determining the minimum qualifying service specified for admissibility of service pension i.e. 15 years for personnel below officer rank and 20 years for NCs (E).

(ii) Rank –lowest rank actually held regardless of whether in substantive or paid acting capacity and pay group for which paid during last 10 months of service qualifying for pension (during the last 10 months of aggregate embodied service in the case of Territorial Army). Vide Reg. 133 PRA Part-I and A.O. 65/70.

Note 1 The benefit of 10 month rank is given with effect from 1.4.79 in pursuance of Supreme Court Landmark Judgement in Shri D S Nakra's case. The benefit is allowed to all past cases also with effect from the same date.

Note 2 In cases where JCOs and NCOs revert to their substantive rank on account of their proceeding on additional leave under Rule 36 (b) of Leave Rules for the services Vol. I (Army) read with A'. 84/68, the period of such reversion during additional leave though not counting as service in the higher paid active rank, will not constitute a break in that rank for the grant of pension thereof provided he is discharged or invalided from service, or is re-appointed to the higher paid acting rank, at the end of his sick leave.

Note 3 The provision of clause (ii) above is also applicable in the case of JCOs granted Hony. Commission. However, this condition will not be required to be fulfilled in case of JCOs who are granted Honorary Commission and who retire on completion of their tenure of appointment or are discharged on account of causes beyond their control.

Qualifying Service

40 In determining the qualifying service the following points should be kept in view.

Length of qualifying service

All service from the date of appointment or enrolment/transfer to man's service to the date of discharge shall qualify for pension or gratuity with the exception of:

- (i) any period of service rendered before reaching the age of 16 years (17 years for those enrolled prior to 1st March 1984). However, with the issue of GOI, MOD No. B/39027/AG/PS-4(a & c)/589/C/D(Pen/Sers) dated 27.03.2002 any period rendered before attaining the age of 17 years from the date of enrolment will qualify for pension. This provision will cover all past cases also. The benefit will be allowed to those who are still alive and applied for the same. No life time arrears on this account or any subsequent benefit of onetime increase will be admissible.
- (ii) any period of service on a temporary establishment or for which a special rate of pay is granted on the understanding that no pension is admissible.
- (iii) any period of unauthorized absence for which pay and allowances have not been admitted

- (iv) any period of absence regularized as extra ordinary leave without pay and allowances.
- (v) any period of absence as a prisoner of war, unless full pay and allowances have been admitted in that case, a certificate from the PAO (ORs) to that effect should be looked for.
- (vi) any period of detention in civil custody being convicted by Civil Court.
- (vii) any period of imprisonment by sentence of civil court or of a Court Martial.

Note: The period of close arrest preceding the period of rigorous imprisonment by Court Martial, in which an individual remains in service and carries out work and undergoes military instructions in the unit itself under the orders and supervision of military authorities, will be treated as qualifying for pension.

- (viii) any period of absence without leave and period between dismissal/discharge and its cancellation to the extent it is regularized as E.O.L. without pay and allowances.
- (ix) any period of service rendered before the date of desertion/fraudulent enlistment if the individual has been tried and convicted by a Court Martial on a charge of offence under section 38/43 (a) of the Army Act unless restored [Reg. 123 PRA Part-I (1961)].

Note: 1 An individual charged with an offence of desertion will invariably be tried by a Court Martial.

Note: 2 The date on which a deserter is arrested will be treated as the date on which such deserter rejoined from desertion and taken on strength accordingly vide Army Head Quarter letter No. 72026/AG/ORG 3(10 GR) dated the 4th July 59 as amended.

Benefit Of Half Year's Service

- 41** If the total period of qualifying service exceeds completed years by 180 days or more, the amount of pension/gratuity will be increased by half the difference between the pension/gratuity admissible for completed years of qualifying service and the one admissible for the next consecutive number of completed years vide Reg. 9 P.R.A. Part-I (1961). This benefit is admissible to personnel who are discharged on or after 22.4.60.

While calculating the length of qualifying service for the purpose of pensionary benefits w.e.f. 28.06.83 a fraction of a year equal to three months and above shall be treated as a completed one half year and nine months or more but less than year shall be treated as a completed one year. The above benefit is admissible in cases where the individual has rendered minimum qualifying service to earn service/invalid pension and retirement gratuity.

Tenure/Service Limits

- 42** In the case of JCOs, see that tenure/service limits are not exceeded unless extended under orders of the competent authority or separate Govt. orders have been issued for retention beyond these limits vide Paras 163 and 165, Regulation for the Army, 1987. The tenure/service limits are as follows:-
- (i) Sub/Risaldar Major 5 years as such or 32 years pensionable service whichever is earlier.
 - (ii) Sub/Risaldar 28 years pensionable service.

(iii) Naib Subedar- 24 years pensionable service.

Note: 1 With effect from 1.12.76, terms of service/tenure and age limits for retirement have been revised vide GOI MOD letter No. A/16909/Policy/AG/P 52(c)/2085/S/D(AG) dt. 16.12.76 as under.

(i) Risaldar Major/ Subedar Major- 32 years of pensionable service or 4 years tenure or 52 years of age, whichever is earlier.

(ii) Risaldar/Subedar- 28 years of pensionable service or 50 years of age whichever is earlier.

(iii) NaibRisaldar/Naib Subedar - 26 years of pensionable service or 50 years of age, whichever is earlier.

Note 2 The above revised limits are applicable to Pre-1965 entrant Nb.Ris/Nb Sub of GD categories only and to Post – 1965 entrant Nb Ris/Nb Sub governed by AI 9/S/65. Pre-1965 entrant Nb/Ris/Nb Sub (Clerks) and other allied categories mentioned in Para 163 (b) (ii) of the Regs. for the Army (1987) are exempted from the purview of the above provision as they are already governed for retirement by 28 years service limit.

The revised limits are subject to screening 3 years in advance of the date of superannuation by a screening Board and found suitable for retention. However, w.e.f 30.5.1998, the period of service has been extended by two years vide GOI. MOD No. F.14(3)/98-D(AG) dt. 3.9.98, which is also subject to screening.

Condonation of deficiency in service

43 Where deficiency in length of service qualifying for pension has been condoned the sanction of the competent authority should be seen vide Reg. 125 P.R.A. Part-I (1961).

It may be noted that condonation is not permissible to an individual discharged at his own request or who is entitled to special pension under Reg. 164 or on Invalidment with less than 15 years service. Condonation is also not permissible in respect of L.M.C. personnel who are discharged before completion of their engagement vide Army Head Quarters letter No. A/07099/AG/PS 4 (b) dt.20.9.65.

Note: - Deficiency in service upto 6 months may be condoned by the competent authority viz. Officer in Charge, Records and beyond six months and upto 12 months by Service HQrs. to make individual eligible for a minimum pension vide GOI, MOD, Nos. A/24055/AG/PS-4(b)/1753/A/D(Pe/Sers) dated 21.05.1986, Order No. 684/DIR(PEN) / 2001 dated 14.08.2001 as clarified vode ID No. even dated 10.09.2002 received under CGDA letter No. 5189/AT-P/VCPC/PC dated 03.10.2002 respectively.

Former service

Necessary entries in this regard will be seen in the Sheet Roll. It may be noted that the responsibility for audit and counting of previous service to reckon towards pension/gratuity devolves on the Pay Accounts Officers concerned.

Rank/Pay Group

44 For lowest substantive/Paid Acting rank, held and pay group for which paid during the last 10 months before retirement the requisite entries in the LPC-Cum-Data Sheet should be seen.

Note: Pay groups of all ranks of PBOR was introduced in New Pay Code vide AI 33/S/47. There were 8 Pay Groups as under:-

A, B, C, D, E, F, G & H

With effect from. 1.01.73,. the 8 Pay groups were reduced to 5 pay groups i.e. A, B, C, D & E. vide AI 3/S/74. PBOR pensioner discharged prior to 01.01.1973 in pay groups D,E,F and Gunner GD of Group G were equated to new group D and those in Group G (excluding Gunner GD) and Group H to new Group E.

On rationalization of trade, pay group structure was further streamlined and the existing 5 groups were reduced to the following 3 groups w.e.f. 10.10.97 viz 'X', 'Y' and 'Z'.

In the case of JCOs granted honorary commission as ICOs it should be seen that the grant of honorary commission has been made on the active list vide Para 177 Regulation for the Army (1987). Sepoy granted honorary rank of Naik, Time Scale Naik and Naik granted honorary rank of Dafadar/Havilder will be eligible for pensionary benefits as available to substantive Naik and Dafadar/Havildar respectively with equivalent services less rupee one.

Additional Pension for Hony Rank of Nb/ Sub.

- 45** The NCOs granted honorary rank of Naib Subedar on retirement are eligible to additional pension of Rs. 12/= p.m. vide Reg. 137 P.R.A. Part-I. In this context necessary gazette notification regarding the grant of honorary rank should be seen. It may be noted that this allowance is payable only in the case of NCOs who retire and are not invalidated out of service except where the individual has completed the maximum service limit for a Havildar/Dafadar i.e. 21 years-24 years w.e.f. 1.12.1976 and the service element of his disability pension is maximum service pension for his rank and group. Individuals who became/will become non-effecting on or after Ist January, 1973, the additional pension has been increased to Rs. 30/= p.m. This amount has further been increased to Rs. 36/=, Rs.45/= and Rs. 100/= p.m. w.e.f. 1.3.78, 1.4.79 and 1.10.91 respectively i.e. in respect of personnel discharged on or after these dates.

Note: 1 Additional pension for Hony rank of Naib Subedar is a pension and may be commuted .

Note: 2 Dearness Relief is also payable on additional pension.

Condonation of Deficiency in Rank Service

- 46** It may be noted that condonation of deficiency in rank service upto 3 months is permissible vide Reg. 134, P.R.A. Part-I. The power to condone deficiency has been delegated to OI/C Records.

Rates of pension/gratuity.

- 47** The rates of pension of these personnel are laid down in Pension Regulation, MOD letters, Army, Navy and Air Force instructions, etc. The rates prevalent at the time of discharge will be adopted for the purpose unless there is provision for option in which case the rates opted for by the individual will be applicable. Where applicable, the rate of pension, is not in whole rupees will be rounded off to the next higher rupee vide Govt. of India, Min. of Def. Letter No. 1(3)/66/2624-D (Pension/Services) dated 12.4.66. The reduction in pension, if any, recommended by the competent authority will also be effected in whole rupees vide Govt. of India, Min. of Def. Letter No.

A/10112/AG/PS 4 (c)/-7495-A/D (Pensions/Services) dt. 5th October 1967.

Note-1: The dates on which rates of service pensions in respect of Regular Army personnel (other than DSC) revised are indicated in **Appendices-3 and 5** indicating the relevant authority under which the rates were revised.

Note-2: Evolution of pensionary structure of PBOR is given at **Appendix 18**.

**Notification And Documentation For Arranging Payment
Of Pensionary Awards.**

48 The following procedure will be followed in the context of notification of the award of pension: -

- (i) The draft pension payment order on IAF(CDA)-222 will be prepared. The other columns of the PPO will be completed with reference to the audited discharge roll and LPC/Certificate. The date of commencement of pension shall be the date following the date of discharge and in the case of individuals transferred to reserve after earning service pension, the date following that of transfer. The period of grant shall be "for life".
- (ii) The payment of retirement gratuity and commuted value of pension if applied, will also be authorized along with service pension. If there is any debit balance/ demand against the individual shown in the LPC, the recovery of the same is to be made lump-sum from retirement gratuity / Capitalised value.
- (iii) Payment of allowance attached to gallantry decorations, if any, will be authorized through a guide Note on the PPO as per rates given in **Appendix-14**.

Minimum Pension

- (iv) If the rate of pension is less than the minimum level of pension of Rs 1275/- pm the pension to be raised to minimum level and will be authorized.
- (v) If the pension sanctioned is anticipatory/ provisional vide Regulation. 26 PRA. Part II, the draft PPO will be suitably endorsed at the top and a suitable entry will also be made in the relevant register for watching the finalisation of the case.
- (vi) A pension certificate on IAFA-373 will be prepared on the basis of the draft PPO and the discharge roll. Care should be taken that all the guide/ foot notes appearing on the draft PPO are also transcribed on the pension certificate.
- (vii) Suitable endorsements regarding the grant of pension should be made on the discharge roll in the space provided therein for the purpose.

Note: The service pension claims will be sent by Record offices to the PAO(ORS) concerned 5 to 6 months in advance of retirement/discharge and would be accepted by the PAO(ORs) for processing as per prescribed procedure. The PCDA.(P). will sanction service pension, retirement gratuity and CVP not later than one month prior to release of the individual.

(viii) While preparing the draft PPO it should be ensured that:-

- (a) a separate draft PPO is used for each pensioner.
- (b) The name of the pensioner is written in capital letters;
- (c) The amount of pension is specified in figure as well as in words

- (d) The place of payment of pension is that on which the individual has desired to draw pension and is also a station at which pension is disbursed;
 - (e) The channel of payment i.e. Treasury/Post Office/ Defence Pension Disbursement Offices /. PSBs is one laid down in Appendix I to PRA Part II (1961) as amended from time to time and if the pensioner has also given the name of the sub treasury/sub Post office/ sub Station, it should be verified that the pension is payable at the sub Treasury, etc and the name of sub Treasury etc should be indicated within brackets;
 - (f) The proper designation and correct and complete address of each of the parties , to whom the copies of the PPOs are required to be sent, are endorsed on the draft PPO.
 - (g) Abbreviations of all kinds should be avoided and
 - (h) The draft PPO is signed in full by the officer approving it.
- (ix) Simultaneously with the preparation of the draft notification whether the case is one of the original grant or revision an endorsement showing the particulars of awards and the number of pension payment order in which the award would appear should be made on the documents on which the sanction is based viz, the Discharge Roll, Govt. sanction, etc., the sheet Roll of the individual should be similarly endorsed. Such endorsement should be attested by the Accounts officer. In cases of re-employed/ re-enrolled pensioners original draft Pension Payment order should also be linked.

Simultaneous Notification Of Commutation Of A Portion Of Pension

49 Armed forces personnel below officer rank who apply for commutation of pension along with their pension claims, the capitalized value payable to them will be notified in the service pension PPO itself in the following cases: -

- (a) where the individuals have retired/discharged on attaining the normal ages of retirement or on fulfilling the terms of regular engagement.
- (b) And also where individuals placed in low medical category who have retired/discharged on attaining the normal age of retirement or after completion of their terms of engagement.

Note: For detailed procedures see Chapter - IX.

Simultaneous Notification Of Ordinary Family Pension

50 The amount of normal and enhanced rates of ordinary family pension that would be admissible to the wife after death of the pensioner who retired/ discharged/ released/ invalided out of service will be notified simultaneously in the original pension payment order sanctioning service/disability/ invalid pension in respect of Armed forces personnel below officer rank (including JCOs granted Hony. Commission as ICOs of Army and DSC). However, where entitlement to family pension was not notified simultaneously, the same may be notified through S/JN or D/JN series of PPOs, as the case may be, on receipt of application from the concerned pensioners through

Pension Disbursing Authority and Record Office. The entitlement notified through these PPOs is to be endorsed on the draft PPO notifying service or disability pensionary awards indicating the PPO No.

Note 1 For detailed procedures see Paras 191 to 207.

Note 2 This facility is only available to legally wedded wife.

Re-employed/Re-enrolled Pensioners

- 51** The procedure stated in Paras 35 and 39 above also applies to the cases of a re-enrolled/ re-employed pensioners whose pension is held in abeyance during the re-enrolment/re-employment except that the previous qualifying colour service on the basis of which he had already been granted pension will be taken into account without any further verification by the Defence Account Department. Further, in such cases the enhanced pension and death-cum-retirement gratuity now retirement gratuity will be notified through a corrigendum PPO and no fresh pension certificate will be issued. The corrigendum PPO will, interalia, indicate the period of re-enrolment/re-employment for which no pension is payable.

Note:1 In the case of a reservist who was earlier granted reservist gratuity in lieu of reservist pension, an endorsement by the PAO on the sheet Roll regarding recovery of the amount of gratuity less the amount of pension which the individual would have drawn during the period before retirement should be seen at the time of audit of Discharge Roll. In such a case the notification will be made in the usual manner.

Note:2 The procedure stated in Paras 35 and 39 also applies to the case of a re-enrolled/re-employed pensioner whose pension is held in abeyance during the re-enrolment/re-employment except that the previous qualifying colour service on the basis of which he had already been granted pension will be taken into account after verifying that the retirement gratuity received by him in respect of his previous service stands recovered and an endorsement to this effect has been made by the Pay Accounts Officer in the Sheet Roll.

Note: 3 The draft PPO for the previous award will also be suitably endorsed.

Sanction of Pensionary Awards-

- 52** After detailed scrutiny, the draft PPO alongwith pension certificate and the claim should be put up to the Accounts officer for approval of pensionary awards.
- 53** The PCDA(Pensions) Allahabad, is the competent authority to sanction the pension/gratuity claims. However, the Controller of Defence Accounts (Navy) Mumbai, and Dy. Controller of Defence Accounts (Air Force) New Delhi are the competent authorities to sanction the pension/gratuity claims in respect of personnel below officers rank of the Navy and Air Force who retire or die while in service on or after 1st November, 1985 except to the extent indicated below: PCDA(P) will continue to deal with the following types of cases:-
- (a) sanction and notification of all pensionary awards in respect of sailors of Navy and Air men of the Air Force who retire or die while in service on or before 31st ,October, 1985 as hither to fore.

- (b) revision of all types of pensionary awards in respect of sailors of the Navy and Air men of the Air Force who retired/died while in service. on or before 31st, October, 1985/
- (c) adjudication of disability and family pension claims in respect of sailors of the Navy and Airmen of the Air Force who retire or die while in service on or after 1st November, 1985, and appeals against such decisions.
- (d) in the case mentioned at (c) above notification of Invalid pension/gratuity as admissible will be done by CDA(Navy) or CDA(Air Force) New Delhi as the case may be and cases referred to PCDA(P) thereafter for adjudication of the claims. PCDA(P) Allahabad will communicate decision to CDA(Navy) or CDA(AF) as the case may be for notification of disability /continuance of disability and family pension as per the decision of the PCDA(P) Allahabad along with a Xerox copy of the decision of the MA(P) on the opening sheet.

Note-1 The powers of PCDA(P) to sanction/adjudicate matters relating to grant of liberalised family pension and special family pension to the next of kins of personnel below officers ranks of Air Force and Navy has since been delegated to CDA(Air Force) and CDA(Navy) respectively vide Govt. of India, Ministry of Defence letter No. PN/7995/NHQ/1159/D(Pen-C) dated 03.05.2002 from the date of its issue until further orders.

Note-2 The power to sanction pension/gratuity /death gratuity exercised by the PCDA(P); CDA(Navy), CDA(Air Force) is delegated to the Accounts Officer working in the Section.

- 54** After sanction of pension by the Accounts officer, a draft PPO and the claim together with pension certificate and working sheet should be passed on to group I along with pension claim register for allotment of serial number of the PPO. And for issue of fair copy of the PPO and despatch of documents to the Record office concerned under covering list **GO(2) F-2 (Sl. No. 2 of Annexure-C)**.

Note: Specimen of PPO format is appended at **Sl No. 65 of Annexure-C**.

- 55** Revision of the already sanctioned pensionary awards as a result of fresh orders or as a result of fresh facts coming to notice will be done by issue of corrigendum PPOs. Such of the corr. PPOs which are to the disadvantage of the pensioners, ie those which involve cancellation of an earlier award, reduction in the rate of pension, curtailment of the period of grant or modification of the condition of grant, etc. will be taken a special note of and an entry in respect of such a corrg. PPO will be made in the "Register for recording the particulars of corrigendum pension payment orders to the disadvantage of the pensioner"[Register **No G.O.(2) R-7 (Sl. No. 4 of Annexure B)** at the time of preparation and approval of the Draft Pension Payment order and the item No. of that register will be noted in the margin [ie disadvantage of PPO register item No.] (not to be notified) of this Draft Pension Payment order. It will be the responsibility of the supervisory staff ie. SO(A)/AAO and the officer approving the PPO to determine as to which PPO comes within these categories and to ensure that an entry in respect of such a PPO is made in the register. Apart from the other media through which acknowledgements of the PPOs are watched, the receipt of the

acknowledgements in the case of corr. PPOs to the disadvantage of the pensioners will be watched through the medium of the above mentioned register also. This register will be allotted control no. and brought on the chart of the Registers.

Numbering and Dispatch of Pension Payment Orders

- 56** After receipt of the approved draft PPOs along with claim Register PPO Numbers serially from number one onwards commencing from 1st January every year will be allotted through a separate PPO numbering register **GO(2) R-4 (Sl. No. 5 of Annexure B)**. The numbering of the PPOs for this Section will commence by prefixing with the symbol "S" e.g. PPO No. S/I/2003, etc.
- 57** At the close of each day, all the approved draft PPOs will be forwarded(with-out service documents, which will be retained in the section) to the PPO section with a list in triplicate in the proforma given in **GO(2) F 2 (Sl. No. 2 of Annexure C)**. The duplicate copy of the list will be returned by the PPO Section in token of acknowledgement of the draft PPOs by them. The return of PPOs duly typed from the PPO Section will be watched. Ordinarily the typed copies of the PPOs should be received back from the PPO section with-in a week.
- 58** On receipt of the triplicate copies of the PPO from the PPO section, duly typed, along with draft PPOs, the same along with the pension certificate IAFA-373 etc. duly embossed with a special seal (Payment Authority) and the Sheet Rolls will be sent to the Record Office from whom the pension documents were received.
- Note:** In cases where the PPOs meant for the PDAs are to be sent through the Record office, the original copy of the PPO will also be sent to the Record Office with other documents.

Watching of Acknowledgement of the PPOs.

- 59** The receipt of the acknowledgements of the PPOs from the Record Office/Pension disbursing agency will be watched through the PPO Numbering register maintained in the proforma **GO(2)R-4 (Sl. No. 5 of Annexure B)** with a view to ensuring their timely receipt as also to ensuring prompt response to the reminders, the following procedure will be followed:-
- (i) an acknowledgement card duly completed as far as possible on behalf of the Record office/pension Disbursing Agency, as the case may be, will be attached on the top left hand corner of each outgoing PPO for signature by the R.O./PDA and return to this office. The acknowledgement card will show PPO number, sender's address and this office address. The RO/PDA will be required to mention only his reference, sign it and return to this office. The acknowledgement card will be completed and attached by the auditor who prepares the draft PPO before it is given to Group I (of the section concerned) for allotting PPO number and dispatch.
 - (ii) the existing endorsement on the PPO viz "Please acknowledge receipt:" will be amended to read as "Please acknowledge receipt on the attached acknowledgement card"
 - (iii) a careful watch will be kept by the issue of periodical reminders for the receipt of acknowledgement of PPO/Corr. PPOs from the Record offices and PDAs. Monthly reminders will be issued in

duplicate on form **GO(2)/F.4 (Sl. No. 3 of Annexure C)** to the parties concerned for furnishing acknowledgement of the PPOs. Each reminder will not contain more than 10 entries so as to ensure receipt of prompt reply and where necessary, DOs/Telegrams will also be issued.

- (iv) the progress of the receipt of acknowledgements will be kept under close watch and will be ensured by the Accounts officers through monthly summaries to be prepared on 10th of each month in respect of PPO numbering register maintained in the proforma given in **GO(2) R-6 of Annexure B.**
- (v) in the case of PPOs notifying the initial grant which one left unacknowledged even after the issue of three reminders, the master set of CH Section will be consulted and if in any case it is noted that TS/HO number has since been allotted by PDO further acknowledgement need not be watched but only the TS/HO NO. noted in the records of grants section. This procedure will be followed only in the case of PPO notifying initial grant.

Loss of PPO/Pension Certificate.

- 60** If a pension certificate is reported to have been lost before drawal of pension, a duplicate pension certificate will be issued after obtaining a declaration from the pensioner in IAFA-384 and also a non-payment certificate from the PDA.

Note: If a PPO is reported to have been lost after drawal of first payment the duplicate PPO is issued by the PPO Section on receipt of a loss certificate from pension disbursing authority on prescribed form. The prescribed form is appended at **Sl. No. 83 of Annexure-C**.

Transfer of Pension

- 61** Transfer of pension account from one PDA to another after pension has been drawn is the responsibility of Audit Section concerned. PDA can transfer a pension account without intervention of PCDA(P). Where, however, a request for such a transfer is received before drawal of pension the transfer will be effected through a corrigendum PPO.

Special Pension and gratuity claim

- 62** In the case of special pension/gratuity claims in respect of individuals who were initially granted disability pension and whose disability pension is discontinued on account of re-assessment of disability at less than 20 percent or because of refusal to appear before the resurvey medical board, it should be seen that an endorsement regarding discontinuance of disability pension has been made in the sheet Roll. In such cases the LPC submitted at the time of initial grant of disability pension will be consulted and an endorsement regarding grant of special pension will also be made in the draft PPO for the initial grant of disability pension, care should be taken that if there is any note regarding non-recovery of certain dues because of the earlier award being disability pension, the same shall be noted for recovery from the award of special pension. In such of the cases where special pension is granted, no fresh pension certificate will be prepared.

- 63** It may be noted that special pension/gratuity is admissible in the following cases:-

- (i) individuals discharged in large numbers in pursuance of Government policy vide Regn. 164 P.R.A I (1961) look for the Govt. sanction under which the claim has been prepared.
- (ii) in the case of individuals granted disability pension when the accepted degree of disablement is assessed at less than 20 percent vide Regn. 186 Part I.

Note: The title of the individual is to a special pension if the date of discharge was prior to 1st March, 1968 and the individual had not less than 10 years qualifying service[15 years in the case of NCs(E)] and the title is to a special gratuity, of individual had less than 10 years[15 years in the case of NCs(e)] qualifying service. In cases of discharge on or after 1st March, 1968 where qualifying service is less than 5 years, the title of the individual is to a special gratuity vide Govt of India, Min. of Defence letter NO 1(4)/8/1035-A/S/D(Pen/Sers) dated 30.10.1968.

In the case of individuals who became/become non-effective on or after 1.01.1973 and were/are granted disability pension and where degree of disablement is reassessed at less than 20 % the title of the individual is service element which is already notified alongwith disability pension.

- (iii) for scales of pension/gratuity see Regn. 165 to 167 PRA Part I . in the case of individuals who became/become non-effective on or after 15th June, 1968 the special gratuity will be assessed on the basis of the pay of the rank actually held at the time of discharge vide Govt. of India, Ministry of Defence letter No. A/28262 /AG /PS4 (a)/2993/D(Pen/Sers) dated 24.04.1970.

Note: In the case of individuals who became/become non-effective on or after 01.01.1986 and 1-1-96, the scales of special pension or gratuity shall be admissible as per the rate prescribed in the Govt. of India, Min. of Def. Letter No. 1(5)/87 /D(Pen/Ser) dated 30.10.1987 and 1(6)/98 / (D) (Pen/Sers) dt. 3-2-98 respectively.

Scrutiny of Special Gratuity Claims

64 It may be noted that service gratuity claims are dealt with by Pay and Accounts Officer. (ORs). This Section deals with claims relating to special gratuity:

A claim for special gratuity in respect of an individual initially granted disability pension will be received on IAFA- 370 and is supported by

- (a) Discharge Roll.
- (b) Sheet Roll/Service Certificate
- (c) Enrolment form

Audit of Special Gratuity Claim

65 The discharge Roll will be checked in the manner as laid down in Para 35 in the scrutiny of service pension claim (IAFA-370), it should be seen that:

- (i) the length of qualifying service agrees with that worked out on the discharge roll;
- (ii) PAO has completed the certificate regarding pay;
- (iii) amount of gratuity has been correctly worked out on the basis of length of qualifying service and pay; as laid down in para 37.

- (iv) if the disability has been reassessed temporarily less than 20 percent, the amount claimed is half the amount of gratuity due. The other half shall be paid only in a fresh claim when the reassessment of less than 20 % is regarded as permanent.

Note: In the case of individuals who became/ become non-effective on or after 1.01.1973 and were /are granted disability pension which is attributable to or aggravated by military service and re-assessed at less than 20 percent at the time of subsequent RSMB, the service element would be permanent irrespective of the length of service.

- (v) any demand for recovery has been taken into account.
 (vi) the amount of money order commission is on the net amount of gratuity payable.

Authorisation of special Gratuity

- 66** After scrutiny of the claim, the authorization of special gratuity will be made in the following manner;-
- (i) the claim should be passed for payment by completing the column provided thereon.
 - (ii) s a punching medium should be prepared in triplicate for the amount of the claim passed
 - (iii) the cheque slip should be prepared in duplicate in favour of the specified Bank for credit to the Public Fund Account of the Unit/ RO as stated by the claimant
 - (iv) a memo for returning the documents to the RO should be prepared.
 - (v) necessary endorsement in the discharge roll, Sheet Roll/- Service Certificate, the draft PPO for initial grant of disability pension and the IAFY-1948/ AFMSF-16 attached with the disability pension draft PPO should be made.
- 67** After detailed scrutiny, the claim should be submitted to the Accounts Officer for sanction and after sanction by the Accounts Officer necessary entry should be made in the claim register regarding finalisation of the claim. The service documents and the memo will be dispatched to the Record Officer.

Group I will prepare DP sheet giving full particulars of each payment and make entries in Audit Payment Register (IAFA-514). DP sheet supported by the claims and other documents will then be put up to the Officer in Charge for approval. After approval it will be sent to Grants/ Coord Section for allotting D.V. No. and onward transmission to 'D' Section for issue of cheques. Group I will also watch the return of documents viz. Claim(IAFA-370) IAF-1948/AFMSF-16 and one copy of the Punching Media from Grants Coord Section after issue of the cheque. The vouchers will be got bound in convenient batches for record in 'R' Section

Note In the case of Navy and Air force personnel as also in the case of Gorkhas of the Army residing in Nepal the payment of special gratuity will be authorized on IAFA-468. In such case the pay order on IAFA-370 will be suitably modified.

Jagir Allowance

- 68** The Jagir Allowance under Paras 13 and 14 of Appendix-V of P&A Regulation (ORs) 1955 is sanctioned for JCOs on the effective list

and on the pension establishment. The award of those if any who are on the effective list will be paid monthly in arrears through the IRLA. If a recipient is subsequently transferred to the pension establishment award will be notified along with his pension with reference to the particulars given in the pension claim in which the No. and date of the Army Order and the authority sanctioning the award for the first life should be quoted. The Jagir Allowance sanctioned for the JCOs on the pension establishment would be similarly notified in the Pension Payment Order on receipt of or after ascertaining from the Record Officer concerned, information as to the No and date of the Pension Circular/ Pension Payment Order in which the recipient's pension was notified and also the Army order in which his Jagir Allowance was sanctioned. No separate descriptive roll- and special pension certificate are thus required to be prepared for the first holder. The payment will be made by the pension paying officers at the same time as the individual's pension. The allowance is payable for three lives reducible by one half at each succession. On receipt of intimation of death of the first holder PCDA(P) will take steps for preparation of a claim on IAFA-392 (induplicate) for the second holder. On completion of the part I of the form by that officer it will be forwarded to the investigation officer for completion of the Part II thereof. On receipt back of the claim duly investigated as laid down in the printed instructions there on the continuance of the Jagir Allowance will be notified in Pension Payment Order in **GO(2) F.3 (Sl. No. 4 of Annexure C)**. The duplicate copy of the claim(IAFA-392) will be sent to the pension disbursing authority and the special pension certificate (IAFA-368) issued to the grantee, an intimation to the effect being simultaneously sent to the Record office concerned. Similar procedure will also be followed in dealing with the claim for the continuance of the Jagir Allowance to the third holder.

Consolidation of Pension where individual is in receipt of two pensions

69

Provisions for consolidation of pension are laid down in Government of India, Ministry of Personnel, PGP & PW OM No. 2/1/87-P & PW(PIC) dated 08.03.1988. According to this, w.e.f. 01.01.1986 Armed Forces pensioners who are in receipt of more than one pension, their pensions will be consolidated in terms of provisions contained in Government of India, Ministry of Defence letter No. 1(4)/87-D(Pen-C) dated 12.05.1987 and Even No. dated 27.07.1987. For example, if an Armed Forces pensioner who is in receipt of a second pension as a civilian pensioner, the pension sanctioned first will remain undisturbed at the consolidated amount as on 01.01.1986 and the pension sanctioned second will be increased by so much amount that the total of both consolidated pensions is Rs. 375/-. However, in cases where a pensioner is in receipt of pension/family pension from the State Government/Public Sector undertaking/Autonomous body shall not be taken into account for consolidation as well as for applying the minimum limit of Rs. 375/-.

However, with the issue of Government of India, Ministry of Personnel, PG & P OM No. 38/38/02-P & PW(A) dated 23.04.2003, both Military and Civil pensions will be consolidated separately under that Ministry's OM No. 45/86/97-P & PW(A) Part-II dated 27.10.1997

and Ministry of Defence letter No. 1(2)/97/D(Pen/Sers) dated 24.11.1997, if it falls short of Rs. 1275/- p.m.. The floor ceiling of Rs. 1275/- p.m. taking the two pension (Military and Civil) together will not apply.

One Time Increase (OTI)

- 70** 1. W.e.f. 01.01.1992, one time increase in pension is payable to Armed Forces pensioners who were discharged prior to 01.01.1986 at the rates prescribed in Government of India, Ministry of Defence letter No. 1(2)/92/D(Pension/Services) dated 16.03.1992 and 1(3)/93/D(Pension /Services) dated 25.02.1994.
2. The salient features of one time increase are as under: -
- (i) the amount of OTI is based on the rank, group and qualifying service and pension.
 - (ii) it is admissible as a separate element. However, dearness relief is payable on OTI.
 - (iii) the Adhoc-exgratia amount sanctioned to pre-01.01.1973 with effect from 01.09.1984 will continue to be paid as a separate element in addition to pension and the OTI but no dearness relief is, however, payable on that adhoc-exgratia amount.
 - (iv) personal pension sanctioned to personnel who retired on or after 31.03.1985 but before 01.01.1986 will be absorbed in the OTI. Where the OTI is less than Personal Pension, the unabsorbed portion of Personal Pension will continue to be paid as unadjusted personal pension w.e.f. 01.01.1992 but no dearness relief is payable on this amount.
 - (v) no part of OTI is commutable.
 - (vi) the provisions of OTI shall not be applicable to the categories of pensioners mentioned in Para 4.1 of MOD letter dated 16.03.1992 as amended vide that Ministry's letter dated 25.02.1994.
 - (vii) the pension disbursing authorities are authorised to pay the OTI without any further authorisation from pension sanctioning authorities. In cases, where obtaining authorisation of the correct amount of OTI becomes necessary due to non-matching/on availability of basic information, the same may be obtained from the Principal CDA (Pensions) through the concerned Record Offices.
 - (viii) pensioners who are entitled for OTI are to apply to their respective pension disbursing authority in the prescribed Application Form appended to Government letter of 16.03.1992.
3. The payment of one time increase has been discontinued with effect from 01.01.1996 under Vth CPC Orders since existing pension including OTI has been consolidated under Govt. of India, Ministry of Defence letter o. 1(2)/97/D(Pen/Sers) dated 24.11.1997.

Limitation of grant of pension / gratuity

- 71** Claims of the above subject preferred by the personnel below officer rank and their families after twelve months (in the case of gratuity after 12 months but within 3 years) from the date on which they fell due may be admitted with full arrears, if otherwise in order provided the claimants explanation is found satisfactory. Where claimants explanation is not found satisfactory pension will be notified from the

date of application and the case for admittance of arrears shall be submitted to the Government for orders. In case of gratuity, if the cause of the delay is unsatisfactory such cases will be referred to Government. if it is preferred after 3 years. Claims involving delay upto 5 years, more than 5 years but less than 10 years and more than 10 years will be submitted to AO/SAO, GO and Jt.CDA/CDA(P)PCDA(P) respectively for waiving the time bar provided the explanation is found satisfactory.

CHAPTER – IV
GRANTS 3 SECTION
Disability Pensionary Awards
FUNCTIONS

- 72** The following categories of pension/gratuity claims of service personnel below officer rank are dealt with in this Section.
- (a) the claims for disability pension, invalid pension, invalid gratuity, war injury pension and retirement gratuity claim connected there with and compensation in lieu of war injury element and disability element
 - (b) the claims for terminal gratuity in respect of personnel of Territorial Army
 - (c) the claims for Special Road Mileage Allowance in respect of Gorkha disabled pensioners.
 - (d) special pension to blinded Soldiers.
 - (e) claims for substantial increase.
 - (f) appeals against rejection of disability.

Computerisation of notification of disability pension/ invalid pension/ disability element.

- 73** The notification of disability pension, invalid pension and disability element has since been computerized w.e.f. 31-3-90 and the Pension Payment Order in respect of JCOs/ORs notifying disability pension/invalid pension/disability element (where service pension has already been notified on computer) is generated on computer. These claims are processed through LPC-cum Data Sheet except in the cases of following categories:
- (i) reservists
 - (ii) battle casualty cases i.e. War Injury Pension cases.
 - (iii) cases where individual is involved in disciplinary case.
 - (iv) disability pension cases of T.A. personnel where service pension is not admissible due to less than minimum required qualifying service.
 - (v) disability pension cases of DSC personnel where service pension is not admissible due to less than minimum required qualifying service.
 - (vi) disability element cases of T.A., DSC & all other personnel where service pension has been notified through manual process.
 - (vii) revision claims of War Injury Pension in pursuance of GOI, MOD letter No. 1(6)/95/D(Pen-C) dt. 29-2-2000.
 - (viii) claims of Army Postal Service Deputationists.
 - (ix) reassessment cases where disability was initially accepted at less than 20% but on subsequent RSMB accepted at 20% or more.
 - (x) all corrigendum PPOs.

Computerized Processing Of Disability Pension Claim

- 74** The detailed procedure to be followed in G3 Section for notification of awards through computer are explained in succeeding paras: -
 In the computerized system, the following two types of data sheet have been designed:
- (i) **LPC-Cum Data Sheet (DIS)**-The existing format of LPC-cum data Sheet (final) for grant of regular service pensionary awards

have been redesigned to provide for filling of data required for grant of disability/invalid pension (**See Sl.No. 52 of Annexure-C**). The data Sheet contains 61 columns, showing relevant service pension/disability pension data and adjudication data. Columns 1 to 42 are required to be filled by the RO/PAO (ORs) and columns 43 to 61 are to be filled by the office of the PCDA (P) after adjudication.

- (ii) **Data Sheet for disability element:-** This data Sheet will be used for grant of disability element where regular service pensionary awards have already been notified on computer (**See Sl.No. 52 of Annexure-C**). This data sheet contains 29 columns and is divided into two cages. Cage I contains columns 1 to 4 relating to R.O. Code, Original PPO No., Regimental number and Name of the individual. These columns are required to be filled by R.O., Cage -II contains Columns 5 to 29 relating to adjudication of invaliding disease (s) and are required to be filled by the office of the PCDA (P) after adjudication.

Note The specimen of LPC-cum-data sheet (DIS) and Data Sheet for disability element are given at **Sl. Nos 52 and 53 respectively of Annexure - C**.

Organization of disability pension work

- 75** The work of disability pension has been restructured on functional basis as under :
- (a) Receipt and adjudication Group (s).
 - (b) Computer support Group (s).

Receipt and adjudication Group

- 76** The claims will be received centrally by the Receipt and Adjudication group from various Record Offices. The claims will be entered in the claim register which will be maintained R.O.-wise. While making entry in the claim register, a Control number consisting of R.O's. Code and serial number will be prominently written on the top right of each data sheet. For example, Control number for the claim at serial number 1 of R.O. 51 will be written as 51/1.
- 77** After allotment of control no., injury cases sorted out for transmission to Computer Support Group for action in terms of GOI MOD letter No. 1(2)/97/D(Pen-C) dt. 7-2-2001. Opening Sheet **GO(3) F-3 (Serial No. 7 of Annexure-C)** will be prepared for the cases of disease as also the cases of disease plus injury. After the opening sheet has been prepared, it will be submitted to the Award Panel Officer (to be known as APO hereinafter) who in consultation with the Medical Advisers (Pensions) (to be known as MA(P) hereinafter) adjudicate the disability pension claims. The cases received back from the Award Panel fall into the following categories:
- (i) cases where entitlement decision has not been given but additional information/documents have been called for.
 - (ii) cases where disability is rejected or accepted at less than 20%.
 - (iii) cases where disability is accepted either attributable to or aggravated by service and is assessed at 20 % or more.

While the cases mentioned at the serial No (i) will be referred back to R.O. in the form **GO(3) F-12 (Sl. No. 16 of Annexure C)** for submitting alongwith requisite documents/information, the cases

mentioned at serial nos. (ii) and (iii) will be passed on to the computer support Group (s) for further processing of the claims.

The claims resubmitted by the R.O. alongwith requisite documents/information will be linked with relevant case file and submitted to Award Panel for adjudication and for a decision on entitlement. These cases will also be passed on to the computer support group after adjudication.

Note W.e.f. 1.1.96 disability pension claim pertaining to disease cases only will be submitted to Award Panel/MA (P) for adjudication. The cases of injury will be dealt with in term of provisions contained in GOI,MOD. Letter No. 1 (2)/97/D (Pen-C) dt. 7-2-2001.

Computer support Group (s)

- 78** After adjudication made by the APOs/MA(P)s, this group will complete the adjudication columns of the data sheet as per entitlement decision in the manner as indicated below and scrutinise the correctness of service data filled and checked by R.O. and PAO respectively with reference to supporting documents.

Filling up the adjudication columns of the LPC –cum data sheet (DIS)

- (a) In this data sheet, columns 43,46,49,52,55 (Name of ID) and columns 45,48,51, 54 and 57 (attributability/ aggravation of IDs) are to be filled with reference to the case adjudication sheet (opening sheet). In case of any doubt, AFMSF-16 (Medical Board Proceedings) may be consulted. Columns 44,47,50,53,56 (percentage of assessment of ID), columns 58 (composite assessment) column 59 (period of assessment) and Col. 60 (CAA) are to be filled with reference to the particulars given in the case adjudication sheet (opening sheet) approved by APO/MA (P). Column 61 is to be filled with reference to the pending adjudication award PPO, if any, otherwise be left blank.

Name of the ID (Columns 43, 46,49)

- (b) The name of IDs should be filled with left most columns and one alpha should be filled in each box. If name of ID exceeds more than its character, it may be suitably abbreviated and filled in the requisite column.
- (c) Percentage of assessment and composite assessment(Col. 44, 47,50, 53, 56, & 58.)

(i)	Accepted	20% or above upto 90% should be filled as 0 2 0 And for 100% should be filled as 1 0 0
(ii)	Accepted	Less than 20% if any percent between 1 to 19 should be filled as 0 1 9
(iii)	Accepted	Nil Percent should be filled as NIL
(iv)	Rejected	Should be filled as 0 0 0

Filling up of the PAA PPO No. Col. 61.

- (d) The PPO number is an alphanumeric data and consists of 11 characters to be accommodated in 11 boxes. The first box from left hand side should be filled with the alphabet 'D'. The remaining 10 boxes should be filled with numeric character. Out of 10 boxes, right, most four boxes are earmarked for year of the issue of PPO and the

remaining 6 boxes are for actual number of PPO. For example. PPO No. D/000503/2001 should be filled as under.

D	-	0	0	0	5	0	3	-	2	0	0	1
---	---	---	---	---	---	---	---	---	---	---	---	---

Filling up of Data Sheet for Disability Element Award

- (e) In this data Sheet columns 5,7,8,9, 11,12,13,15, 16,17,19,20,21,23,24, 25,26,27 in Cage-II of the data sheet are to be filled as per instruction given above.

For filling up to the rank and onset of ID (Col. 6,10,14,18 and 22). The date of origin of IDs (on set of IDs) should be first ascertained from case adjudication sheet (opening sheet) and AFMSF -16 (Medical Board Proceedings). After having ascertained the date of onset of ID, the rank held on such dates should be verified from the Sheet Roll and rank code filled in the data sheet accordingly. Col. 28 (Date of M.B. approved) is to be filled from AFMSF -16 (Medical Board Proceedings). The date of receipt of the claim in PCDA (P) shall also be filled in the Col. 29 (date of receipt).

Name of IDs and percentage of assessment/composite assessment should be filled in as per above guidelines prescribed in the case of LPC-cum-data sheet (DIS) above.

In cases where Pending Enquiry Award has been sanctioned, the total amount of PEA paid to the individual is to be got verified from PEA group and PEA amount is to be shown in column 40 of LPC Cum Data Sheet.

Batch Numbering

- (f) The data sheet of the above two categories will be processed separately. The claims will be batched together in convenient batches of about 50 each. Each batch will be allotted a serial number starting from 1 (one) onwards in every processing month. A batch thus prepared will be passed on to EDP center under top sheet.

Action by EDP Centre

- 79 The EDP Centre, on receipt of the batch, will check the number of cases actually received with that indicated in the top sheet Thereafter, data entry of these cases will be carried out and validation list printed out showing all the cases.

CHECKING OF VALIDATION LISTING:

- 80 The EDP Centre will forward the batch along with validation list and correction format to the Computer Support Group for checking the validation listing with reference to Data Sheets. This checking will be done 100%.

Where any error is reported in the listings from validation run and/or there is any variation between the data as contained in data sheet and listings, suitable corrections in the format provided by the EDP Centre will be proposed by the Computer Support Group.

After above action, the relevant portion of the top sheet will be completed. The corrections and top sheet will be sent to the E.D.P. Centre for updation of data.

The EDP Centre will incorporate corrections proposed, generate fresh listing and sent it to the Computer Support Group to check and intimate whether corrections have been correctly incorporated. This

process will be repeated till the data shown in the data sheets completely tallies with the validation/updation listing.

At this stage, the cases in a batch may fall under following two categories: -

- (a) Cases which are valid.
- (b) Cases which are invalid

PRINTING OF PPOs:

- 81** Order for generating the PPOs will be placed by computer support group to EDP Centre after all the items in a batch are error free. EDP Centre will now generate six copies of PPOs on preprinted stationery in respect of valid cases. Invalid items will be deleted from the edit lists Print.

CASES REQUIRING REFERENCE BACK

- 82.** Number of cases requiring reference back to ROs may be very small if the instructions/procedure (s) are properly followed. Such cases may fall under following categories:

- (a) Master missing cases where either the original PPO number quoted in the Column 2 or the basic particulars in Columns 1,3,4 (RO Code, Regimental Number, Name respectively) of data sheet for grant of Disability Element are incorrect.
- (b) Erroneous cases where incorrect data have been filled in data sheet which were segregated during validation run (s).

Cases requiring reference back to ROs will be segregated Record office-wise and claim register marked suitably. Such cases will be returned to concerned ROs under a covering memo with suitable remarks.

DESPATCH OF PPOs

On receipt of PPOs and other documents mentioned above, Computer Support Group will take following action: -

Check that all data sheets, PPOs and validation listings have been received.

Six copies of PPOs earmarked for distribution will be segregated as under: -

- (i) Original copy for PDA through RO
- (ii) Duplicate for CH Section
- (iii) Triplicate copy for RO
- (iv) Quadruplicate copy for draft/office copy
- (v) Quintuplicate copy (spare for EDP)
- (vi) Sixtuplicate copy for pasting in PC

Original copy and duplicate (C.H. Section) copy will be signed by the PPO signing officer authorized specially for the purpose and office copy by AO/SAOs of the G3 Section and facsimile signature put on remaining copies. Original PPO copy and Pension Certificate will be embossed and date of dispatch marked on the PPO.

Claim register in regard to disposal of the case will be marked suitably.

The original and R.O. copies of the PPO will be kept together R.O. wise for dispatch to RO/handing over to the couriers. In Disability/Invalid Pension cases, P.C copy will be pasted on pensioner's pension certificate and kept with PPOs copies meant for dispatch to R.O. The C.H. Section copies will be maintained PPO

number-wise and passed on to C.H. Section periodically. The office copies will be kept with data sheets and other documents and got bound in convenient batches to be maintained in Old Records. EDP copies of PPOs will be retained separately PPO number-wise and got bound.

PPO NUMBERING REGISTER

- 83** The E.D.P. Centre will print out PPO Register in triplicate at fortnightly intervals for the PPOs generated in each fortnight in ascending order of PPO. Numbers.

The EDP Centre will also generate RO-wise lists in duplicate for the PPOs generated in each fortnight. One copy of such list will serve the purpose of top sheet for forwarding PPOs to ROs and other copy will be retained as office copy by the control task.

EXTENT OF COMPARISION/CHECK BY CONTROL & OPERATIVE TASK-I

- 84** Control and operational task I- will be required to do two fold actions viz, checking of the data sheets and completion of the adjudication columns in the data sheets.

Adjudication columns will be completed by the task holder with reference to case file/case adjudication sheet (opening sheet). Information/data furnished by the ROs will be checked 100% by the task holder (s) with reference to the information contained in accompanying documents. Adjudication columns, as applicable, will be completed by the same task holder (s) with reference to adjudication made in the opening sheet in the Form No. **GO(3) F.3 at Sl. No. 7 of Annexure C** by the APOs/MA(P)s in the office of the PCDA (Pensions). The auditor will initial in the cage, at bottom right, provided for this purpose.

The SO (A)/AAO will check 10% claims cent percent and following columns in remaining claims. Such a check will include all adjudication columns.

- (a) LPC-CUM-DATA SHEET (DIS) : Columns 6,7, 8,9,10,11,13,14, 15, 16, 17, 18, 40,41, 43, to 61.
- (b) DATA SHEET FOR DISABILITY ELEMENT: Columns 2,5 to 29.
The SO/(A)/AAO will initial in the cage, at bottom right, provided for this purpose in all cases.

The A.O./SAO will check 5% claims cent percent which should include at least two claims already test checked by the SO (A)/AAO. Of the remaining cases, following columns including all adjudication columns be checked cent percent by Accounts officer/Sr. Accounts officer.

- (a) LPC-Cum-Data Sheet (DIS): Columns 6,7, 8, 13, 14,17, 40, 41, 43 to 61.
- (b) Data Sheet For Disability Element: Columns 5 to 29.

He will sign at the bottom cage provided for this purpose. Claims rejected on manual scrutiny will be returned to couriers of ROs with an observation memo.

Extent of check by operative task-II

On receipt of the batch of data sheets and edit lists, 100% comparison of the edit lists with the data sheet be carried out by the task holder

(s). He will initial the first page of the edit list thereby indicating that 100% checking of the edit list has been made.

At SO (A)/AAO level 10% of the valid records have to be test checked 100% with data sheets. In addition, all erroneous records will have to be checked by him 100% -SO (A)/AAO will check the following columns of remaining valid records invariably.

- (a) LPC-CUM-DATA SHEET (DIS): Columns 2,6,7,8,9, 10, 11, 12,13,14, 15, 16, 17, 18, 33, 34, 38, 39, 40, 41, 43, to 61.
- (b) DATA SHEET FOR DISABILITY ELEMENT: Columns 2,5 to 29.

He will initial against the columns checked by him on the top of the edit lists.

The A.O./SAO will check 5% cases cent percent.

This will include 2 cases earlier test checked by the SO (A)/AAO. In addition, the following columns will be checked by him in remaining records.

LPC-CUM-DATA SHEET (DIS) : Columns 6, 7, 8, 11,12, 13, 14, 17, 33, 34, 40, 41,44, 47, 50, 53, 54, 58, 59, 60, 61.

DATA SHEET FOR DISABILITY ELEMENT: Columns 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 25, 26, 27, 28.

Extent of check by operative task -III

The draft PPOs will be compared with Data sheet 100% at the task holder (s) level for common information. 10% of the PPOs will be compared 100% by the SO(A)/AAO and 5% will be compared 100% at A.O./SAO level. The data sheet will be duly endorsed by the Auditor, SO (A)/AAO and AO/SAO on the reverse.

In cases where any discrepancy is reported on comparison of the PPOs at the stage of approval of the draft PPO. Such PPOs will be enfaced with "CANCELLED" on all 6 copies and PPO. register and such cases will be processed afresh.

Necessary endorsement indicating Disability Pension awards in Sheet Roll and AFMSF-16 (Medical Board Proceedings) will also be made by the dealing task holder before dispatch.

Note: 1. General instruction for preparation and completion of data sheet by R.O. and its checking by PAO (ORs) are given in **Appendix-7**

Note: 2. Specimen form of LPC-cum-data sheet (DIS), data sheet for disability element and PPO formats are given in **Sl. Nos 52, 53, 66 & 68 respectively of Annexure-C.**

Manual Processing of Disability Pension Claim

85 The disability pension/disability element claim which can not be processed through LPC-cum-data sheet are processed manually by the ROs in the claim form AFMSF-16 and submitted to this office along with service documents for manual notification of pensionary awards. These claims mainly include cases of the following categories:-

- (i) disability pension cases
- (ii) war injury pension cases
- (iii) compensation in lieu of disability element
- (iv) disability pension cases of DSC.

- (v) appeal cases in respect of Pre-96 retirees.
- (vi) court cases
- (vii) state Force cases
- (viii) all re-assessment cases where disability was accepted initially less than 20% but on subsequent RSMB disability is accepted at 20% or more
- (ix) all corrigendum cases
- (x) disability pension cases of T.A. personnel.
- (xi) disability element cases of TA,DSC and others where service pension has been notified through manual process.
- (xii) all cases of Pre-96 retirees.
- (xiii) revision cases of WIP
- (xiv) cases of APS deputationist.
- (xv) special pension to blind soldiers
- (xvi) special RMA for Gorkha pensioners

The procedure followed for processing of such claims manually are explained in succeeding paras: -

Preparation and submission of Disability pension claims.

- 86** The claims on account of disability pensions are prepared by Record office on the prescribed form on AFMSF-16.
- 87** The pension claims with necessary documents are forwarded by the Record office to this office as soon as the individual is discharged on account of disablement.

Preliminary action on receipt of the pension claim

- 88** On receipt, the claim number will be allotted in serial order commencing from number one from the beginning of a calendar year. The claim will be placed in a file cover and the file number will be transcribed on the cover of the case file and at the top of data sheet / LPC Cum Data Sheet. The claims will be entered in a central claim diary register. Thereafter, the claims will be distributed amongst the respective groups who will enter the claims in claim registers which are maintained R.O. wise.

Preliminary Scrutiny

- 89** It will be ensured that the claim is prima facie tenable by verifying the cause of discharge from service and medical documents of the individual. It may be noted that a claim for disability pension arises only if an individual is invalided out of service on account of disability or is discharged because of his being permanently in a medical category lower than "A" or is found to be suffering from a disability at the time of discharge on completion of tenure/service limits/age limits/period of engagement which is accepted as attributable to or aggravated by military service and is assessed at 20% or above except in the case of invalidment, where the claim for disability pension will arise even if the accepted percentage of disability is less than 20% as provided in Para 7.2 to GOI. MOD letter No. 1(2)/97/D (Pen-C) dated 31-1-2001

Note: 1 An Armed Forces Personnel who retires voluntarily or seek discharge on request shall not be eligible for any award on account of disability. Provided that Armed Forces Personnel who is due for retirement/discharge on completion of tenure, or on

completion of service limits or on completion of the terms of engagement or on attaining the prescribed age of retirement, and who seeks pre-mature retirement/ discharge on request for the purpose of getting higher commutation value of pension, shall remain eligible for disability element.

Note: 2 As per A.O. 3/89 all personnel below officer rank are required to be medically examined by a Medical Officer prior to release, retirement or discharge, completion of tenure or service limit or release/discharge at their own request.

The individuals who are in SHAPE -I /Category 'A' will be required to under go only a Release Medical Examination whereas those who are in low medical category will under go a Release Medical Board. The proceedings of the Medical Board will be recorded on form AFMSF-16 in addition to Release Medical Examination Report (AFMSF-18) in quintuplicate

Categorization of disability

- 90** For determining the pensionary benefits for disability under different circumstances due to attributable/aggravated causes, the cases of disability pension arising on or after 1.01.1996 will be broadly categorized in terms of GOI, MOD letter No. 1 (2)/-97/D (Pen-C) dt. 31-01-2001 as follows:-

Category "A"

Disability due to natural causes neither attributable to nor aggravated by military service as determined by the competent medical authorities. Examples would be ailments of nature of constitutional diseases as assessed by medical authorities, chronic ailments like heart and renal diseases, prolonged illness, accidents while not on duty.

Category "B"

Disability due to causes which are accepted as attributable to or aggravated by military service as determined by the competent medical authorities. Diseases contracted because of continued exposure to a hostile work environment subject to extreme weather conditions or occupational hazards resulting in disability would be examples.

Category "C"

Disability due to accidents in the performance of duties such as: -

- (i) accidents while travelling on duty in Govt. vehicles or public/private transport.
- (ii) accidents during air journeys.
- (iii) mishap at sea while on duty.
- (iv) electrocution while on duty, etc.
- (v) accidents during participation in organised sports events/adventure activities/expeditions/ training.

Category "D"

Disability due to acts of violence/attack by terrorists, antisocial elements, etc. Whether on duty other than operational duty or even

when not on duty. Bomb blasts in public places or transport, indiscriminate shooting incidents in public, etc. would be covered under this category, besides disability occurring while employed in the aid of civil power in dealing with natural calamities.

Category “E”

Disability arising as a result of: -

- (a) enemy action in international war.
- (b) action during deployment with a peace keeping mission abroad.
- (c) border Skirmishes.
- (d) during laying or clearance of mines including enemy mines as also mines sweeping operations.
- (e) on account of accidental explosions of mines while laying operationally oriented mine field or lifting or negotiating mine field laid by the enemy or own forces in operational areas near international borders or the line of control.
- (f) war like situations, including cases which are attributable to /aggravated by:-
 - (i) extremists acts, exploding mines etc., while on way to an operational area.
 - (ii) battle inoculation training exercises or demonstration with live ammunitions.
 - (iii) kidnapping by extremists while on operational duty.
- (g) an act of violence/attack by extremists, antisocial elements, etc. while on operational duty.
- (h) action against-extremists, anti-social elements, etc., disability while employed in the aid of civil power in quelling agitation, riots, or revolt by demonstrators will be covered under this category.

- (i) operations specially notified by the Govt. from time to time.

Note1 Cases covered under category “A” would be dealt with in accordance with the provisions contained in the Paras 13 to 22 and Paras 79 to 89 respectively.

Note2 The illustrations given in each category are not exhaustive. Cases not covered under these categories will be dealt with as per Entitlement Rules to casualty pensionary awards in vogue

Note3 The question whether a disability is attributable to or aggravated by military service will be determined as per provisions of the Pension Regulations for the Armed Forces and the Entitlement Rules in vogue as amended from time to time but see para 98 also.

Note4 Where an Armed Force personnel is invalided out of service due to non-attributable/non-aggravated causes. Invalid pension/gratuity shall be paid.

Documents required in support of the disability pension claims

- 91.** It should be seen that the following documents have been received: -
- (a) invaliding Medical Board proceedings on AFMSF –16.
 - (b) sheet Roll (including recruits progress card and A.F.B. 122 –M).
 - (c) enrolment Form (IAFK- 1162/1165)
 - (d) service and Casualty Form (IAFF-958)
 - (e) LPC-cum Data sheet or LPC (IAFF-447)
 - (f) Medical History Envelope (AFMSF-1)
 - (g) Medical History Sheet (AFMSF-2).

- (h) Field Medical Card (AFMSF-20 AND 21 (A)
 - (i) period of service in field area
 - (ii) period of service in high altitude/snow bound area.
- (i) In the case of disease, the following documents in addition
 - (i) Report of the OC unit and Medical officer (AFMSF-81)
 - (ii) Medical Case Sheet (AFMSF-71/AFI-1237) All hospitalization documents including Board proceedings during entire service.
 - (iii) Temperature Chart (AFMSF-14/AFB-181)
 - (iv) Specialist Report (AFMSF -9/IAFM-1278)
 - (v) Venereal Disease Card (AFMSF-6/IAFM/1272).
 - (vi) (a) Details of service in FD/HAA/OPAREA during six months prior to onset of disease/I.D.
 - (b) Whether the individual was in receipt of any compensatory allowance and nature of duty.
 - (c) Altitude of stations and their names with living conditions i.e. whether lived in Barracks/Tents/Bashas/Bunkers.
 - (vii) For Ihd/Angina/Cerebral Stroke Cases Myocardial Infection Cases
14 days charter of duties performed prior to onset of disease day to day and hour to hour basis.
 - (viii) State of health of the individual prior to proceeding on CL/AL/Temporary duty or journey time. If the individual was on LMC, state whether medical categorization was BEE/CEE and what are the disabilities.
 - (ix) In case of Para Troopers details of para jump performed with dates and year prior to onset of disabilities.
- (j) In the case of injury/injuries, the following documents in addition:-
 - (i) Injury reports on IAFY-2006 or other documentary evidence relating to this injury.
 - (ii) Proceedings of the Court of Inquiry on IAFD-931, where held.
 - (iii) In case of Injury report/Court of inquiry not available or court of inquiry not held, individual's statement regarding the events in which sustained injury/injuries duly witnessed by two eye witnesses duly countersigned by the O.C. unit.
 - (iv) In case of injury/injuries sustained during journey while travelling, specify nature of move (Ty. duty, posting. Leave/ whether travelling by authorized routes on Railway warrants/concession vouchers/ own expense.
- (k) In case of "battle casualties" and "Battle accidents" extract from Part-II orders or from the casualty list.
- (l) In leprosy cases, a nominal roll together with AFMSF-16 of persons invalidated out of service on account of leprosy from the units with which the individual served during the last 10 years of his service.
- (m) Where the individual has refused treatment or operation, individual's refusal certificate.
- (n) In post discharge case
- (1) Application of the individual.

- (2) Medical certificate in support of the disability showing sign symptom and duration thereof.
- (3) All medical documents for hospitalization during service.
- (4) Medical report at the time of discharge (AFW – 3149 /AFMSF-18.).
- (o) An explanation of the OC Regt. Centre/R.O./claimant where submission of the claim has been delayed.
- (p) Where a claim for gratuity is preferred (i) A gratuity claim on IAFA-370 (ii) a certificate from the PAO (ORs) showing the pay and allowances drawn on the date of discharge.

92 A disability pension claim is processed in two stages viz. (i) adjudication of the entitlement and (ii) determination of pensionary awards. The adjudication of the entitlement will be determined on the basis of the following documents:-

- (a) Medicals Board proceedings (AFMSF-16)
- (b) Sheet Roll in the case of Army and Air Force personnel and Service Certificate in the case of Navy personnel.
- (c) Enrolment Form
- (d) Primary Medical Examination Report-AFMSF-2A.
- (e) IAFF-958 in the case of Army personnel.
- (f) OC unit and Medical officers report (AFMSF-81)
- (g) Other relevant medical documents.

Note: The processing of the claim for adjudication of entitlement will not be held up for want of documents mentioned at (c), (d), (e), (f) and (g).

The determination of the pensionary awards will be carried out on the basis of the following additional documents.

- (i) LPC or Supply Officer-in Charge, Naval Pay office Certificate in the case of Naval personnel and officer commanding Air Force Central Accounts officer certificate in the case of Air Force personnel, in lieu of last pay certificate for the purpose of admitting provisional/anticipatory pension/gratuity.
- (ii) Claim for retirement gratuity if the Record office has certified that the individual has opted to be governed by the provisions of A.I./8/S/70 or A.I. 48/72 and the individual has completed 5 years or more of qualifying service.
- (iii) Claim for invalid gratuity on IAFA-370 if the individual has got less than 10 years of qualifying service.

Detailed Scrutiny of the claim

93 The various checks to be observed in conducting the detailed scrutiny are set out in the succeeding Paras: -

The claim has been submitted within 12 months of the date on which it fell due and if not, the explanation for the cause of delay in its submission has been furnished by the Record officer.

It should also be seen that: -

- (a) all the documents mentioned in the forwarding memo have been received.
- (b) the Sheet Roll/Service certificate, Enrolment Form and LPC-cum data sheet are in original. In case original documents are lost, it should be seen that sanction of the appropriate authority for the

preparation of duplicate copies have been obtained and submitted with the claim

Checking of documents

94 (A) Medical Board Proceedings (AFMSF-16) and Sheet Roll

It should be seen that.

- (i) all the items of Medical Board proceedings are complete and the particulars of the individual recorded viz. Regt. No. Rank, name are correct as per the Sheet Roll.
- (ii) the proceedings have been signed by the individual as well as by the members of the medical board and have been approved by the ADMS/DDMS of the Area concerned and the date of approval is prior to the date of discharge.

Note1 Cases in which the proceedings of the medical board have been approved by the ADMS/DDMS after the individual's date of discharge will not be processed further but will be submitted to the Pension Sanctioning Authority for regularization of the same if the delay is upto one year from the date of discharge. The PCDA (P) has authorized the Group officers of Grants (ORs) to exercise above power of regularization. If the delay involved is beyond one year, the case will be submitted to Min. of Def. for regularization alongwith an audit report from the concerned CDA.

Note2 In the cases of individuals found to be suffering from a disability at the time of discharge on completion of tenure/service limits, etc. as also in the case of individuals suffering from T.B. and given sanatorium treatment the medical board proceedings need not necessarily be approved by the A.D.M.S./DDMS before the date of discharge

Note3 In the case of individuals who are found to be insane and are invalidated out of service, the signature of the individual on medical board proceedings will be dispensed with. In such cases, if disability or invalid pension is granted, a guide note as under will be given on the PPO: -

“If and when the pensioner on regaining sanity comes to draw his pension he will be required to produce to the PDA, a certificate from a magistrate to the effect that he has regained sanity. His signature/thumb and finger impressions will then be obtained by the Pension Disbursing authority on the Descriptive Roll.”

- (iii) in the case of disorder (including insanity) resulting from indulgence in drugs or drink; the proceedings have been routed through the competent authority and his certificate indicating whether the disorder is for reasons beyond /within the control of the individual is furnished. In case where the individual's disorder is for reasons within his control, the recommendation of the competent authority under Regn. 3 PRA Part-I for the quantum of pension /gratuity will also be looked for.
- (iv) in the case of ID requiring operation/treatment and where the individual has refused to undergo operation/ treatment the relevant columns have been properly completed and the refusal certificate from the individual attached.
- (v) the OC's opinion or the opinion of the medical board as the case may be (showing reasons) as to the “reasonableness” or

otherwise of the individual's refusal has been duly recorded at the appropriate space provided for the purpose on page 6/4 of the invaliding roll.

- (vi) in the case of IDs due to accident; the requisite certificate by the OC unit/R.O. has been furnished in the appropriate space on page 6 of the invaliding roll.
- (vii) in the case of IDs due to individual's own negligence/misconduct, the relevant columns have been completed.

Note: Cases involving serious negligence/mis-conduct will be referred to Min, of Def. for orders regarding reduction of disability pension, if any, vide Regn. 175, P.R.A. Pt. I.

- (viii) in the case of 100% disablement: the relevant columns regarding grant of C.A.A has been duly completed.
- (ix) the information regarding rank (substantive/paid acting) held on the following dates is recorded in service document.
 - (a) the date of invaliding from service.
 - (b) the date on which wound or injury was sustained or in the case of disease the date of first removal from duty.
 - (c) if the individual has rendered further service and suffered aggravation thereby: the date of later removal from duty.
 Besides the above checks, the checks prescribed for the scrutiny of discharge roll vide Para 35 will apply mutatis mutandis to the scrutiny of Part IV of AFMSF -16.

(B) **L.P.C. Cum -data sheet and Retirement Gratuity Claim.**

The checks prescribed in Paras 35 and 36 will equally apply.

(C) **Claims for Invalid Gratuity and Terminal Gratuity in respect of Territorial Army personnel.**

The checks prescribed in Para 63 apply mutatis mutandis.

95 Procedure for adjudication of entitlement of disability pension claim (modified from 1.01.1996)

Findings of Medical Board, attributability/aggravation and adjudication of case for disability pension due to injury,/disease will be regulated as per GOI,MOD letter No. 1 (2) /97/D/(Pen-C) dt. 7.2.2001 as modified by DGAFMS Note bearing file No. 16036/DGAFMS / MA (Pen) dt. 2-3-2001.which is explained as under :-

I Injury cases

(i) Attributability: Decision regarding attributability in injury cases would be taken by the authority next higher to the Commanding Officer which in no case shall be lower than a Brigade/Sub Area Commander or equivalent (and not by Award Panel Officer in consultation with MA (P) as hither to fore.)

(ii) Assessment: The assessment with regard to the percentage of disability as recommended by the invaliding Medical Board/Release Medical Board as approved by the next higher medical authority would be treated as final unless the individual himself requests for a review.

Note: The word "final" should be construed "for life" both in respect of percentage of disability as well as its duration in Injury cases unless the individual himself requests for review.

Approving authority for Medical Boards

Medical Board proceedings in respect of the personnel of the three Services will be approved by the next higher medical authority than the one which constituted the Board as hitherto-fore. Hence approving authority will judiciously examine the percentage of disability recommended by Medical Boards before approval. In case, approving authority feels that the assessment is abnormally high or low, approving authority will refer the proceedings back to the Medical Boards for necessary rectification. If required, approving authority may physically examine the individual or get him re-examined to ascertain the correct position.

Note: 1 The next higher medical authority as stated in clauses (ii) and (iii) above, as clarified by Ministry of Defence vide their ID No. B/10139/AG/PS-4(d)/528/D(Pen-C) dated 23.07.2001 would be as follows: -

JCO/ORs

(a) Release Medical Board (RMB)

Medical Board held at Hospital Under	Next Higher Authority	Confirming Authority	Remarks
DIV	ADMS (DIV)	DDMS	
Area/Corps	DDMS (Area Corps)	DDMS (Command)	
Command	ADMS (Command)	DDMS (Command)	

(b) Invaliding Medical Board (IMB)

Medical Board held at Hospital Under	Next Higher Authority	Confirming by	Remarks
DIV	ADMS (DIV)		The IMB proceedings are sent to respective Record Office.
Area/Corps	DDMS (Area Corps)		
Command	ADMS (Command)		

Airmen

Category of personnel	Type of Board	Approving Authority
Airmen	IMB	DGMS(Air)
Airmen Aircrew NC(E)	RMB	PMO Command HQrs., Air HQ for personel posted to Air HQ and units under Air HQ.
Recruits enrolled for Airmen/NC(E)	IMB	PMO HQ TC

Sailors

Category of personnel	Type of Board	Approving Authority
Sailors	IMB	DGMS(N)
	RMB	CMO of respective Command

Note: 2 The decision of rejection of disability pension claims in respect of Injury cases in case of PBOR, the individual is informed directly by the Record Offices.

Injury cases will not be reviewed / adjudicated by MA (P) but the award will be notified straight way based on the decision of attributable by the Brigade Commander and assessment made by the Medical Board.

II Disease Cases

(a) Attributability/aggravation: Attributability/aggravation in respect of cases pertaining to invalidment owing to various diseases/retirement with various diseases shall continue to be reviewed and adjudicated by MA (P) in respect of personnel below officer rank as hitherto. For this purpose opening sheet in **Form GO (3) F.3** will be prepared for adjudication of the disability pension claim by the Award Panel and put up for approval of the S.O. (A)/AAO.

(b) Assessment

(i) Disabilities permanent in nature: The recommendation of IMB / RMB regarding percentage of disability as adjudicated by MA (P) and assessment made by MA (P) would be treated as final and for life unless the individual himself requests for review.

(ii) Disability not permanent in nature: Initial assessment will be made for 2 years. The individual will be asked to report for a review after 2 years. Necessary endorsement to this effect will be made in IMB /RMB proceedings. Assessment made during this review will be final and for life unless the individual himself seeks for review. This review will be carried out by Review Medical Board and percentage of disability assessed by Review Medical Board will be final.

Review Medical Board – In case of substantial difference of opinion between the initial award recommended by Medical Boards and MA (P), the case will be referred to a Review Medical Board. The opinion of the Review Medical Board which will be constituted by DGAFMS will be final.

Note1 The above provision will be applicable to service personnel who were in service on or after 1-1-96. The cases which have been finalized prior to issue of above Govt. letter will not be reopened.

Note2 If service pension /invalid pension/service gratuity have been sanctioned, the fact will be prominently mentioned on the top of the opening sheet.

- 96** An opening sheet **GO (3) F-9** as per specimen given in **Sl. No. 8 of Annexure - C**, pertaining to disease cases will be put up to SO(A)/AAO for approval and the case will be transmitted through the transit book to Award Panel Cell for adjudication by the Award Panel Officer. The Award Panel Officer will adjudicate the case in consultation with MA(P) and take decision regarding entitlement of the disability and returned the case to Officer –in-Charge G-3 Section. Thereafter, a working sheet in the Form GO(3) F-2(append at **Sl. No. 10 of Annexure C**) may be prepared and put up for approval of the Accounts Officer.

Action after adjudication by Award Panel

- 97** The cases received back from the Award Panel fall into the following categories: -
- (i) cases where entitlement decision is not given but additional information/documents have been called for
 - (ii) cases where disability rejected or accepted at less than 20% i.e. pensionable degree.

(iii) cases where disability is accepted either attributable to or aggravated by service and is assessed at 20% or above. In the accepted cases the decision of the Award Panel would show the basis of acceptance, the accepted degree of disablement as also the period of award.

98 In cases mentioned at Para 97 (i) if the information/document are not available, the same will be obtained from the Record Officer concerned. However, it will be ensured that if an interim award if admissible was not granted at earlier stage, the same will be granted in the usual manner before making a reference to the R.O. On receipt of the requisite information/documents the case will be resubmitted to the Award Panel for a decision on entitlement.

99 The cases mentioned at Para 97 (ii) fall into the following categories: -

- (a) cases where service/invalid pension or service gratuity would have already been granted;
- (b) cases where the interim award of invalid pension had not been granted.

In the above categories of cases the decision to reject the disability pension claim will be communicated to the Record Office on the **GO (3) F.4 Sl. No. 9 of Annexure C** alongwith xerox copy of the MA(P) decision and an endorsement to this effect will be made in the Central Claim Register and in the case mentioned at (b) above, action to notify invalid pension or to grant invalid gratuity, etc. will be taken simultaneously. If the award admitted is invalid pension the same will be notified in a PPO in the usual manner. If the award admitted is for invalid gratuity arrangement for payment of the same will be made by cheque alongwith the amount of retirement gratuity in the usual manner. However, in the case of sailors and airmen payment of both the invalid gratuity and retirement gratuity will be authorized through a payment authority (IAFA-468)

100 Cases of category mentioned at Para 97 (iii) may be further subdivided into the following types: -

- (a) cases where service pension would have already been sanctioned
- (b) cases where invalid pension would have already been sanctioned.
- (c) cases where none of the above awards would have been sanctioned.

101 If in any of these cases the individual has refused to undergo operation/ medical treatment or the accepted disability, it should be seen that:

- (a) the medical board/OC unit has viewed the refusal as reasonable or unreasonable in accordance with the criteria laid down in Regulations, and.
- (b) the Award Panel has commented upon this aspect of the case.

It however, the reasons adduced by the medical board / OC unit are not in accordance with the criteria, the matter should be referred to Area HQrs / Naval HQrs / Air HQrs. for deciding whether the individuals refusal to undergo medical treatment / operation is reasonable or unreasonable as required vide Regn. 177(c) PRA. Part I. If the refusal is considered unreasonable and the Award Panel has not already given the degree of assessment to which the disability would be reduced on operation, the case again be sent to them for

giving the award which would form the basis for grant of disability pension or invalid Pension/Gratuity, as may be admissible.

Final award of Disability pension

102 On receipt of the cases from the Award Panel accepting the disability as attributable to or aggravated by service and assessed at 20% or more and where a further reference to other parties is not necessary action will be initiated to grant final award of disability pension.

Note:-Armed Force personnel below officer rank who apply for commutation of pension alongwith their pension claim, the capitalized value will be payable to them will be notified in service pension PPO itself in the following cases.

(a) where the individual have retired / discharged on attaining the normal ages of retirement or on fulfilling the terms of regular engagement.

(b) where individual in LMC who have retired / discharged on attaining the normal ages of retirement or after completion of their term of engagement.

103 It may be noted that disability pension consists of two elements viz:-

(i) service element

(ii) disability element and is awarded either for life or for a specified period. The service element and disability element in case of invalidment and normal discharge are assessed in the manner stated in paras 107 and 108 respectively.

In case of Invalidment

104 (a) Service element: Service element in case of invalidment is to be determined in terms of para 7 of GOI, MOD letter dt. 31/1/2001 in the manner as indicated below.

Length of actual qualifying service rendered without weightage	Entitlement of service element.
15 Years or more [20 years or more in the cases of NCs (E)]	Equal to normal service pension relevant to the length of qualifying service actually rendered plus weightage as admissible in Paras 5 & 6 of Min of Def. letter dated 3-2-98.
Less than 15 years (20 years in case of NCs (E))	Equal to service pension as determined as per Para 6.2 (b) of Min of Def. letter dated 3-2-98 but it shall in no case be less than 2/3 rd of the minimum service pension admissible to the rank/pay group.

Note1 The existing provisions regarding grant of service element equal to minimum service pension appropriate to the rank and pay group in case where service is less than 15 years [(20 years in case of NCs (E))] and the disability is sustained in flying / parachute jumping duty or while being carried on duty in air craft under proper authority shall continue.

Note2 Where the award of disability pension is for a specified period, the service element for life is payable if the individual has completed ten years or more of qualifying service prior to 1.03.1968 and 5 years or more after this date but before 1.01.1973. Similarly, w.e.f. 1.1.1973 in case of temporary disability pension or where disability is accepted as attributable to or aggravated by military service but initially disability is assessed at less than 20 % , the award of service element is payable for life irrespective of the length service rendered.

- (b) Disability Element:-** The amount of disability element depends on the assessed degree of disablement by Invaliding Medical Board and approved by next higher authority and rank of the individual. The rates of disability element for 100% disability for various ranks will be admissible as per para 7-1(II) (a) Min. of Def. Letter No. 1 (2)/97/D (Pen-C) dt. 31-1-2001 which shall be as follows: -

(i)

Hony commissioned officers of the three Services, TA and DSC	Rs.2600/-pm
JCOs and equivalent ranks of the three Services, TA and DSC.	Rs.1900/-p.m.
Other ranks of the three Services, TA and DSC	Rs.1550/-p.m.

Disability lower than 100% shall be reduced with reference to percentages as laid down below but rounding off benefit is not admissible where disability is assessed at Nil percent by the IMB /RMB in invalidment cases.

(ii)

Percentage of disability as assessed by invaliding Medical Board	Percentages to be reckoned for computing of disability element
Less than 50	50
Between 50 and 75	75
Between 76 and 100	100

Provided that where permanent disability is not less than 60%, the disability pension (i.e. total of service element plus disability element) shall not be less than 60% of the reckonable emoluments last drawn.

105 In case of normal discharge on completion of terms of engagement.

(a) Service element: The service element is assessed on (i) length of qualifying service and (ii) rank and pay group of the individual.

(b) Disability element: Where an Armed forces personnel is retained in service despite disability and is subsequently retired/discharged on attaining age of retirement or on completion of tenure, he shall be entitled to disability element at the rates prescribed at Para 104 above for 100% disablement. For disabilities less than 100% but not less than 20% the above rates shall be proportionately reduced. No disability element shall be payable for disabilities less than 20%. The disability element will be assessed on the basis of the accepted degree of disablement at the time of retirement and rank held on the date on which the wound /injury was sustained or in the case of disease on the date of first removal from duty on account of disease. However, in cases of composite disabilities whose onsets were of different ranks and the rates of disability element are different, the amount of disability element will be worked out with reference to the percentage of disability in each rank e.g. ID No. 1 at the rank of Sepoy and ID No. 2 at rank of Naib/Sub. and total amount notified should not exceed 100%.

Note: Rounding off benefit of disability element as admissible in Para 104(ii) above will not be admissible in discharge/released cases. In post discharge cases, the disability element will be assessed on the

substantive rank/paid acting last held vide Regn. 178 PRA Part I (1961)

Disability element admissible under Regn. 179 PRA Part I will be notified as a separate element in addition to service pension already granted. The amount so payable will be notified in the PPO after rounding off the same to the next higher rupee.

Note: 1 Recruits and young soldiers will be treated as Sepoy of the lowest group vide Regn. 181, PRA Part I (1961).

Note: 2 Boys do not have any rank and are sanctioned disability pension at a consolidated rate as given in Regn. 183-A, PRA Part I.

Note: 3 The rates of disability element for 100% disablement sanctioned from time to time for different rank prior to 1-1-96 are indicated in **Appendix -8**

106 The various types of cases mentioned in Para 100 will be processed for finalisation in the following manner:-

(a) cases where service pension would have already been sanctioned.

The disability element alone will be notified. However, the PPO number under which service element is notified will be indicated,

(b) cases where invalid pension would have already been sanctioned.

The disability pension or war injury pension as the case may be notified in super-session of invalid pension

(c) cases where service gratuity would have already been admitted
The disability element of disability pension will be notified.

(d) cases where none of the above awards have been sanctioned.
The disability pension or war injury pension as the case may be will be notified.

Note 1 In case of an individual already granted service pension, the service pension becomes the service element.

Note 2 In case of individual discharged with service gratuity or in the case of an individual who has got permanent lien on a civil appointment, only disability element of disability pension is payable.

Note 3 In case an individual is in receipt of civil pension (Central or state), the amount of disability pension will be abated by the amount of civil pension.

Period of grant of Disability Pension

107 The period for which disability pension is granted depends upon the capability or otherwise of improvement of the disability but in the case of a disability incapable of improvement the period will be for life only if the disability is loss of a limb, total loss of sight, amputation, etc. The period for the grant of disability pension will be shown in the decision given by the Award Panel on the opening sheet i.e. entitlement notes. It should be noted that where the disability pension is sanctioned for a specified period, the period will count from the date on which the medical board was held or the date of discharge, whichever is earlier. The pension will, however, be payable from the date following that of discharge except in post discharge

disability pension cases in which cases the date of commencement would be decided by the APO.

In case of temporary disability pensioners where accepted degree of disability has been assessed at the same percentage on the basis of three successive medical boards irrespective of the date on which the individual became non-effective, the disability pension/disability element for a period of 10 years will be sanctioned in the first instance. However, the award for a period of 10 years will be sanctioned only on the basis of third or subsequent medical board held on or after 30.08.76. But w.e.f. 01.01.1996 in cases of disabilities which are not of a permanent nature, there will be only one review of the percentage by the re-assessment Medical Board. The percentage of disability assessed/recommended by RSMB shall be final and for life unless the individual himself requests for a review.

Commencement of Disability Pension.

- 108** Payment of disability pension normally commences from the date following that of discharge except in the following circumstances.
- (i) In post discharge cases.
The date of commencement of disability element will be decided by the Award Panel Officer in consultation with Medical Adviser (Pension) where necessary.
 - (ii) In cases where substantial increase in the degree of disability has been claimed.
The increased pension will be granted with effect from the date on which the medical board was held.
 - (iii) Where claims have been submitted more than twelve months after the date of discharge, this will be regulated in accordance with Regulation 88 PRA Part II.
- 109** On completion of the scrutiny of the claim, a draft PPO for the grant of disability pension should be prepared on IAF-306 or IAFA- 307 according to whether the award is for life or for a specified period. In preparation of the PPOs the instruction contained in Para 48 (VIII) will be observed.
- 110** The endorsement on the PPO meant for the Record office will also show the name of disability, the basis of acceptance viz attributability or aggravation, the period for which accepted and the percentage of disability.
- 111** Simultaneously a pension certificate on IFA-373 will be prepared on the basis of the draft PPO and AFMSF -16 . Suitable endorsements will also be made on the Sheet Roll and Medical Board Proceedings (AFMSF -16) in the space provided for the purpose. Care should be taken that all guide notes appearing on the draft PPO are transcribed on the pension certificate.
- Note:-**No pension certificate will be prepared if the disability is granted in supersession of service/invalid pension.
- 112** An intimation to the Record Office on Form No. **GO (3) F.6** (appended at **Sl. No. 11 of Annexure C**) should also be prepared and in cases where PEA has been notified for recovery a copy of this intimation will be endorsed to PEA Section as well.

Procedure for recovery of public claims, regimental debts

- 113** The following procedure will, however, be followed in cases involving recovery of public claims, regimental debts and regimental claims

from service pension which is subsequently converted into disability pension with retrospective effect vide GOI,MOD letter No. 198662/68/Pen-C dt. 30-08-71.

- (a) As soon as it is decided to convert the service pension into disability pension in a case where recovery of public claims, etc, was effected or was being effected, this office will immediately refer the case to Ministry of Defence for obtaining the orders of the President regarding continuance or refund of recovery, simultaneously endorsing a copy of the reference to Army Head quarters (AG's Branch) and to the Min, of Finance (Defence). The reference to Min. of Def. will interalia, show.
 - (i) The total amount of recovery intimated to the PDA (ii) the monthly rate or mode of recovery. (iii) The date of issue of orders for recovery to the PDA and (iv) the date of issue of instructions to the PDA suspending further recovery (see clause (b) below).
- (b) Further recovery will be pending until the President's orders are obtained and communicated to this office. Necessary instructions for not effecting recovery will be issued to the PDA through a guide note in the PPO for disability pension.
- (c) As soon as possible after the receipt of the reference from this office, representatives of Min. of Def., Min. of Finance (Def.) and AG's Branch will meet and finalise the decision. The orders of the President will then be communicated to this office urgently and in any case within three months of the reference from this office.
- (d) On receipt of the Govt. order: -
 - (i) The guide note inserted in the disability pension PPO will be suitably modified, through a Corr. PPO in the light of the decision of the Govt.
 - (ii) If the Govt. orders are for refund of recovery, the party who intimated the demand will be suitably informed.

Note : A public claim/Regt. debt even if noted for recovery in LPC shall not be recovered from the disability pension except under the special order of the President vide Regn. 93 (b) P.R.A. Part II which will be obtained by the PAO (ORs).

Sanction and dispatch of PPO of disability pensionary awards.

- 114** After the relevant documents for the grant of disability pension have been scrutinized and draft PPO and pension certificate prepared, the claim together with working sheet should be put to the Accounts Officer for sanction of disability pension.
- 115** Thereafter the claim will be processed further in the manner indicated in Para 46 et seq. It may, however be noted that numbering of PPOs for this section will be done by pre fixing with under mentioned symbols.
 - (a) Disability Pension/Invalid Pension: 'D'
 - (b) Disability Element : 'D/ E'
 - (c) War Injury Pension : 'D/BC'

Note: 1 The receipt of acknowledgement of the PPO, will be watched in the manner laid down in Para - 58

Note: 2 Specimen of PPO formats for the above series which are notified manually are given at serial **Nos. 67,68, 69 and 70 respectively of Annexure - C.**

Constant Attendance Allowance.

- 116** It may be noted that a Constant Attendance Allowance is admissible to an individual who is granted a disability pension as for 100 percent disablement if in the opinion of the APO he needs the services of a constant attendant for at least a period of 3 months and the need arises only from the conditions of the accepted disability.

It should be ensured that Constant Attendance Allowance is granted only if the following conditions are fulfilled:-

- (i) the individual should have 100 percent disability for not less than 3 months.
- (ii) he needs an attendant as certified by the Medical Board.

Note: The allowance may be granted if the accepted degree of disablement is 100% but reduced award is made for serious negligence/misconduct.

Constant attendance allowance at uniform rate of Rs. 300/- p.m. irrespective of rank is payable w.e.f 1.1.86. However, w.e.f. 1.1.96, CAA in all eligible battle/non-battle cases has been revised to Rs. 600/- pm vide GOI MOD letter No. 1(2)/97/D (Pen-C) dt. 31.1.2001 subject to fulfillment of other conditions the award of constant attendance allowance will be allowed for the period, as recommended by the Award Panel.

The payment of constant attendance allowance will be authorised through the following guide note on PPO for the grant of disability pension.

"In addition, he will draw Constant Attendance Allowance @ Rs.....(Rupees..... only) for the period fromto on production of a certificate appended to this PPO."

Constant attendance Allowance will not be payable: -

- (i) For any period during which the pensioner was an inmate or an inpatient of a Govt. Institution or hospital; (ii) for any period for which a constant and paid attendant was not actually employed to look after him; and (iii) for the period of re-employment of the pensioner."

The certificate alluded to in sub-para 1 of the guide note and which should be sent with the PPO will be on **Form G.O. (3) F-7 (Sl. No. 12 of Annexure C)**.

Disability Pension claim of the individuals suffering from Pulmonary Tuberculosis/Leprosy:

- 117** (a) Individuals (except-recruits) suffering from PULMONARY TUBERCULOSIS will be transferred to Military Hospital, Pune/M.H. Namkum/L.L.S. Kasauli and those suffering from Leprosy to Armed Forces hospitals where beds for treatment of Leprosy are located. After required investigation, definite diagnosis of Pulmonary Tuberculosis/Leprosy will be made within 60 days of such transfer. From the date of definite diagnosis which should be confirmed by a duly constituted medical board other than one suffering from Lepromatous Leprosy will be entitled to a maximum of 12 months. treatment with full pay and allowances. However, cases in which medical or surgical finality is reached prior to the expiry of this period, will be invalidated out of service immediately.

Note: Lepromatous cases of Leprosy will be invalided out from service immediately on confirmation of the disease by the medical board.

- (b) In the cases falling under sub Para (a) above, if at any time during the period of 12 months treatment the disease is arrested, the individual would be brought before a duly constituted medical board to determine his fitness for retention in service. Those who are found fit for retention in service will be dealt with as under:-
- (i) If an individual is found fit for retention in service he will be placed in medical category "C" (CEE) and sent back to his unit/ship/establishment/Regt Centre provided he can be given sheltered employment for a period of one year. During the period of sheltered employment he will be governed by the conditions mentioned in sub-para (ii) below. If he cannot at all be provided sheltered employment he will be invalided out of service in which case also, the procedure detailed in sub-para (ii) will be followed.
 - (ii) If at the end of one year's sheltered employment the medical category of the individual cannot be upgraded on account of the disability or in the event of relapse of the disease at any time during the period of five years after rejoining the duty, he will be invalided out of service.

Note:-The term upgraded used in (ii) above implies that medical category of individual is raised from "C" to even "B" within the specified. period it indicates an improvement in the clinical state of the individual.

- (c) The medical boards held under clauses (a) & (b) above will also express an opinion as to attributability to or aggravation of the disease by service conditions.
- (d) The individuals who complete their age/tenure/colour or extended colour service/engagement/or re-engagement with the Armed Forces during the 12 months entitlement period of treatment will be invalided out of service on due date but will be afforded treatment as pensioners until medical/Surgical finality is reached or they are fit for discharge from the hospital or complete the remainder of the 12 months period, whichever is earlier. Maintenance allowance of Rs. 40.00 p.m. will be admissible to these patients during the period of treatment after invalidment so long as they do not receive or are not entitled to disability/service/invalid pension.

Note: The term invalided out of service will be used only in the case where finality of invaliding medical board is reached prior to the due date of completion of terms of service of the individual otherwise, the individuals will be discharged from service on the due date, in the latter case personnel will be deemed to have been invalided out of service for purpose of grant of disability pension on the basis of the recommendation of the invaliding medical board even though such a board is either held or its proceedings confirmed by the competent authority after the due date of discharge of the individual.

- (e) Cases of individuals suffering from Pulmonary TB/Leprosy who refuse to take further treatment and are consequently invalided out of service and discharge from hospital will be regulated in accordance with provision of Reg. 177 of P.R. for the Army Pt I (1961)
- (f) Patients who do not cooperate with hospital authorities and do not abide by the rules and orders laid down by those authorities may be invalided out and discharged from the hospitals by the Officer

Commanding of the Hospital or Superintendent of the Sanitorium as the case may be with the approval of Sub-Area or equivalent Commander.

- (g) During the period of their treatment as T.B. patients after having been invalided out of service, the individuals may be paid monthly advance by the Officer Commanding at the specified rates. The advance is not payable to an individual to whom a PEA/Pension/Gratuity has been sanctioned or intimation has been received from this Office that the disease has not been accepted as attributable to or aggravated by service. The total amount of advance is recoverable from the pension/gratuity that would ultimately be sanctioned, for which a declaration is obtained by the Officer Commanding Hospital from the individual before starting payment.
- (h) In T.B. cases these hospital authorities forward the provisional medical board proceedings to the concerned R.O. for initiating the action for processing the disability pension claims of the individuals. The R.O. forwards the following documents to this office: -
- (1) Medical Board proceedings (AFMSF-16)
 - (2) Service documents
 - (3) PAO's certificate regarding rank and group.

After scrutiny of the documents in usual manner an opening sheet will be prepared and case forwarded to the Award Panel for adjudication. In adjudicating upon the case where the disease is held as capable of improvement, the degree of disablement will be regarded as 100 per cent for one year and in cases where it is held as incapable of improvement, the degree of disablement will be regarded as 100 per cent for two years.

Authorisation of Pending Enquiry Award

The proceeding of the provisional medical board will be recorded on AFMSF-16 to enable attributability question to be decided. On receipt back of the case from the APO, PEA will be sanctioned for one year from the date of discharge on the basis of provisional medical board proceedings and its payment will be authorised in **Form No. GO (3) F. 8 (Sl. No. 13 of Annexure C)** a copy of which will be endorsed to. -:

The O.C. Hospital where the individual is under treatment with a request to stop further payment of advance and also to intimate the total amount paid and the PEA Section for noting the sanction of PEA.

The Sheet Roll and provisional medical board proceedings should be endorsed suitably.

It will be the responsibility of the R.O. to determine the date of discharge in consultation with hospital authorities. The disability pension will, however, be sanctioned on receipt of the final medical board proceedings and L.P.C.

On receipt of the final medical board proceedings and other relevant documents from the R.O. the claim for final award should be subjected to scrutiny in the usual manner and the claim resubmitted to the Award Panel for final adjudication.

On receipt back of the claim form the Award Panel if the claim is accepted following action should be taken.

- (i) The R.O. should be asked to stop payment of PEA. On receipt of the information, the same should be got verified from the PEA Section.
 - (ii) The amount of advance should be ascertained from the hospital concerned.
 - (iii) The amount of disability pension should be calculated in the usual manner and notified in a PPO with suitable guide notes for recovery of the advance and PEA.
- (i) Individuals retained in service on being found fit after treatment, if invalidated out of service on the expiry of the period of sheltered employment or as a result of relapse of the disease within 5 years of rejoining duty will be entitled to disability pension as under provided the disease is regarded as attributable to or aggravated by the individual's service rendered prior to the date he rejoined duty:-
- (a) **Service Element** - Service Element will be assessed on the basis of the service rendered upto the date preceding the date of rejoining duty but if an individual has earned a service pension under the applicable rules for the total length of qualifying service assessed at the time of invalidment, the service element will be equal to the service pension thus earned, if it is more favourable to him.
 - (b) **Disability Element**- Disability Element will be appropriate to the accepted degree of disablement as on the date the individual was found fit for retention in service.
- (j) After the expiry of the total period of 5 years service from the date of resuming duty (on being declared, medically fit for retention) the individual will be governed by the normal terms and conditions of service in their entirety. The period of medical surveillance itself will count for pension.
- (k) If the claim is not accepted a communication will be sent to the **R.O. in GO (3) F.4. at Sl. No. 9 of Annexure C.**

Post discharge claims

118 It may be noted that an individual who is retired/discharged from service (otherwise than at his own request) with a pension or gratuity but who within a period of 10 years from the date of retirement/discharge is found to be suffering from a disease which is accepted as attributable to/aggravated by military service, may be granted a disability element appropriate to the substantive rank last held and degree of disablement in addition to his pension /gratuity.

If the individual is discharged with gratuity only and subsequently his disability is accepted as attributable to military service with 20% or more, he will be entitled to disability pension and gratuity already paid will be recovered.

Note- The date from which the disability element will commence will be decided by the Award Panel Officer.

It should be seen that the following documents have been received from the R.O.

- (a) Application of the individual.
- (b) Medical certificate showing sign, symptoms and duration of the disability.
- (c) All medical documents for hospitalisation during service.
- (d) AFW -3149.

(e) Service documents,

It should be verified that :-

- (i) The individual was not initially discharged from service due to a disease.
- (ii) The disease arose within 10 years from the date of discharge.
- (iii) The individual was retired/discharged otherwise than at his own request.
- (iv) He retired/discharged with a pension/gratuity.

After scrutiny of the claim, the case will be sent to Award Panel Officer for advice.

On receipt back of the case from Award Panel Officer, the following action should be taken:-

- (a) In cases where Award Panel Officer has advised that the individual should not be brought before a board. The R.O. should be informed accordingly and the service documents should be endorsed.

- (b) In cases where Award Panel Officer has advised for holding a medical board on the individual.

The claim should be returned to R.O. with a request to bring the individual before a medical board and re-submit the claim along with medical board proceedings duly supported by the requisite documents. The claim when received should be processed in the usual manner as for a disability pension claim.

Increase in degree of disability (Substantial Increase)

- 119** In cases where disability pension is granted for life or where no disability pension was granted for the reasons that the accepted degree of disablement was less than 20 per cent, claim for increase in degree of disability is received in the Section. Such a claim comprises of service documents of the individual and the medical board proceedings on AFMSF-17.

Based on the earlier entitlement notes and the Medical Board proceedings on AFMSF-17, an opening sheet should be prepared on **GO (3) F-9 Sl.No. 8 of Annexure C** and the case along with the previous file/draft PPO submitted to the Award Panel Officer for adjudication.

On receipt back of the case, action should be taken as under: -

- (i) If the Award Panel have not conceded any increase, the Record Office should be informed accordingly and the Sheet Roll duly endorsed and other service documents should also be returned.
- (ii) If the Award Panel have conceded increase in degree of disablement, further action would depend upon whether disability pension is already in issue or not. In the former case the rate of disability pension will be granted at a higher rate from the date of the medical board (AFMSF-17) through a Corrigendum P.P.O.

In the latter case i.e. where no disability pension is in issue, the award of disability pension which will be payable from the date of the medical board (AFMSF-17) will be notified and.

- (a) If the individual had earlier been granted invalid pension, the period of grant of invalid pension will be restricted upto the date or preceding the date from which disability pension is commenced.

- (b) If the individual had earlier been granted invalid Gratuity, the amount thereof will be shown on the P.P.O. for disability pension for recovery against service element of disability pension as under :

"A sum of Rs.....(Rs.....) paid on account of invalid gratuity is recoverable from the individual. The recovery will be effected at the rate of Rs.----- (Rs.-----) p.m. till the whole amount is adjusted;"

Grant of Invalid Pension/ Gratuity

- 120** When an individual is invalided out of service with a disability neither attributable to nor aggravated by service, he will be entitled to invalid pension, if the qualifying service actually rendered is 10 years or more, and invalid gratuity if it is less than 10 years, at the rates indicated below: -

- (i) Invalid Pension - an amount equal to the service element of disability pension that would have been admissible in case the causes were attributable to or aggravated by service and should not be less than ordinary family pension at normal rates of 30%.
- (ii) Invalid Gratuity- @ at half a month's reckonable emoluments i.e. Pay including classification allowance plus stagnation increment, if any, plus dearness allowance last drawn by the individual for each six monthly period of qualifying service. Specimen of rejection memo **GO(3) F-13** is given at Sl. No. 17 of Annexure C.

Note: 1 The provision for invalid pension and invalid gratuity has been made w.e.f. 1.4.64. vide A.I. 12/S/64.

Note: 2 The minimum amount of invalid pension admissible from time to time is as under :-

Rs. 25/-pm.wef 1.4.64 Army Instruction 3/S/64 read with AI 12/S/64

Rs. 40/-pm. w.e.f. 1.3.70 Army Instruction 2/S/70

Rs. 150/-pm. w.e.f. 1-4-82 GOI, Min. of Personnel OM No.F/1(6)-EV/82 dated 30.06.82

Rs. 160/-pm. w.e.f. 1-4-83 GOI, MOD letter No. 1(3)/82/D(Pen/Ser) dated 04.05.83

Rs. 375/-pm. w.e.f. 1.1.86 GOI, MOD No. 1(5)/87/D(Pen/Sers) dt. 30.10.87

Rs. 1275/-pm. w.e.f. 1-1-96 GOI, MOD No. 1(6)/98/D(Pen/Sers) dt. 03.02.98

- 121** The procedure for determination and notification of service pension as laid down in Para 39 et. seq. will apply mutatis mutandis in case of invalid pension also.

War Injury Pension on Invalidment.

- 122** Where an Armed Forces Personnel is invalided out of service on account of disabilities sustained under circumstances mentioned in Category 'E' of Para 90 above he shall be entitled to war injury pension consisting of service element and war injury element vide GOI MOD letter No. 1 (2)/97/-D (Pen-C) dt. 31-1-2001 War Injury Pension shall be calculated as under:-

- (a) **Service element:** Equal to service pension to which he would have been entitled on the basis of his pay on the date of invalidment but counting service upto the date on which he

would have retired in that rank in normal course including weightage of 5 years for calculating service pension. There shall be no condition of minimum qualifying service for earning this element.

- (b) War injury element:** Equal to reckonable emoluments for 100% disablement. However, in no case, the aggregate of service element and war injury element should exceed last pay drawn. For lower percentage of disablement, war injury element shall be proportionately reduced and will be computed as under:-

Percentage of disability as assessed by Invaliding Medical Board	Percentage to be reckoned for computing of disability element.
Less than 50	50
Between 50 and 75	75
Between 76 and 100	100

Retirement gratuity admissible on invalidment due to war injury shall be calculated on the basis of reckonable emoluments on the date of invalidment but counting service upto the date on which he would have normally retired in that rank plus weightage as applicable (total not exceeding 33 years).

Note1 The provision of War Injury Pay was made vide GOI, MOD, letter No. 200847/Pen-C/71 dated 24-2-72 to cover all past cases and also cases of disablement occurred on or after this date. According to the above Govt. letter, War injury pay consist of a service element and a disability element. The service element in invalidment cases will be equal in amount to the normal service pension including retirement gratuity to which individual would have been entitled on the basis of his emoluments as defined from time to time for maximum service of the rank and pay group held at the time of disablement. For this purpose paid acting rank will be counted irrespective of the period for which it was held. The disability element for 100% disability will be equal in amounts to the emoluments last drawn minus the service element, the amount being limited to Rs. 500. For lower percentage of disability, the disability element will be proportionately reduced. Emoluments will comprise basic pay, rank/appointment pay, dearness allowance, interim relief, Good Service pay, dearness pay plus and an amount of Rs. 60/- for ration w.e.f. 01.01.1986, the limit of Disability Element has been raised to Rs. 1000/-.

Note2 wef. 1-1-73, emoluments will comprise of the following elements:-

- (i) Pay (Revised)
- (ii) Appointment Pay.
- (iii) Good Service Pay
- (iv) Classification Pay.
- (v) Dearness Allowance (introduced wef; 1-5-73)
- (vi) Rs. 60/- for rations.

Note3 The service element in retained cases will be calculated with reference to rank held at of the time of retirement and length of service while the disability element will be calculated at the percentage of disability assessed at the time of retirement but with reference to the rank held at the time of disability was incurred.

Note 4 w.e.f. 1-1-86 War Injury Pay is known as War Injury Pension which will be consolidated amount as per GOI, MOD letter No. 1 (5)/87-D (Pen/Sers) dt. 30-10-87. War Injury pension on invalidment for 100% disability shall be equal to the reckonable emoluments last drawn. Where disability is less than 100%, the amount of war injury pension shall be proportionately reduced but in no case the amount of War injury pension shall be less than 80% of the reckonable emoluments last drawn. Emoluments includes pay plus classification pay as defined in Para 3-1 of above Govt. letter.

Note:5 A working sheet as per specimen **GO(3)F-14 at Sl. No. 18 of Annexure C** will be prepared.

Note:6 Specimen of LPC-cum-datasheet for revision of War Injury Pension is given at **Sl. No. 58 of Annexure C**.

123 War injury Pension on retention in service.

Armed forces personnel who are retained in service despite the disability due to war injury sustained under circumstances mentioned in category 'E' of Para 90 above and retire subsequently will have an option as follows to be exercised within the period as prescribed by Govt. from time to time: -

- (i) To draw lump sum compensation in lieu of war injury element foregoing war injury element at the time of subsequent discharge; or.
- (ii) To draw war injury element at the time of retirement in addition to service pension admissible on discharge foregoing lump sum compensation.

Option once exercised will be final.

124 Lump sum compensation in lieu of war injury element.

In case an Armed forces personnel is found to have a disability which is sustained in circumstances mentioned in category 'E' of Para 90 above which is assessed at 20% or more for life but the individual is retained in service despite such disability and opts for lump sum compensation, he shall be paid lump sum compensation in lieu of war injury element.

The rate for calculation of lump sum compensation in lieu of war injury element for 100% disability for life will be as under:-

- (i) Hony commissioned officer of the three services, TA and DSC – Rs.5200/- (w.e.f. 01.01.1996) & Rs. 1500/- (w.e.f. 01.01.1986)
- (ii) JCOs and equivalent ranks of the Air force/ Navy, TA and DSC –Rs.3800/- (w.e.f. 01.01.1996) & Rs. 1100/- (w.e.f. 01.01.1986)
- (iii) O.Rs/NC (E) and equivalent ranks of Air Force/ Navy, TA and DSC-Rs.3100/- (w.e.f. 01.01.1996) & Rs. 900/- (w.e.f. 01.01.1986)

For disability due to war injury of less than 100% the rates shall be proportionately reduced. The one time compensation in lump sum in lieu of war injury element will be equal to the capitalised value of war injury element which shall be calculated in accordance with Regulation 344 of the Pension Regulations for the Army Part-I and will be equal to the capitalised value of war injury element for the actual percentage of the disability at the appropriate rate mentioned

above. For this purpose, the rank shall be the rank at the time of injury sustained by the individual due to war. Age next birth day will be reckoned with reference to the date of onset of disability with loading to age: if any, recommended by the compensation Medical Board. Compensation in lieu of war injury element will be payable provided the degree of disablement is equal to or more than 20%. Once the compensation in lieu of war injury element due to disability for life has been paid, there shall be no further entitlement on account of such a disability at the time of discharge from the Armed Forces. Since this is one time payment on account of compensation, no restoration will be permitted.

Note 1. The provisions of above para shall also apply to Armed Forces personnel who were in service as on 1-1-86 or joined/join service thereafter.

Note: 2. The procedure to be followed for grant of such compensation as laid down in Para 127 (b) will apply mutatis mutandis for this purpose also.

125 War injury element on subsequent retirement

Where an Armed Forces personnel is retained in service despite injury/disability sustained on or after 1-1-96 under the circumstances mentioned in category 'E' of Para 90 above does not opt for lump sum compensation in lieu of War injury, he shall be entitled to the payment of war injury element on a monthly basis at the rates prescribed in Para 124 above on subsequent discharge or on completion of terms of engagement. For disabilities less than 100% but not less than 20%, the above rates shall be proportionately reduced. No war injury element shall be payable for disabilities less than 20%. Provisions contained in Para 122 for commuting percentage of disability shall not be applicable in this case. Disability actually assessed by the duly approved Release Medical Board shall reckon for computing war injury element.

W.e.f. 1-1-96, rates of disability element on account of war injury for 100% disability will be as under:-

- (i) Hon'ble commissioned officers of three services, TA and DSC Rs. 5200/- pm.
- (ii) JCOs and equivalent ranks of Air Force Navy, TA DSC. 3800/- pm.
- (iii) Other Ranks/NCs (E) and equivalent ranks of AF/Navy, TA and DSC 3100/-pm .

Note 1 Rank for this purpose shall be the rank held at the time of injury sustained by the individual due to war/ war like conditions.

Note 2. Service pension or service gratuity as admissible as per Min. of Def. letter No. 1 (6)/98/D (Pen/Sers) dt. 3.2.98 shall be payable in addition to war injury element from the date of discharge.

126 Liberalised disability pension

W.e.f., 1-1-96, Armed Force personnel sustaining disability under the circumstances mentioned in category 'D' of Para 90 above shall be entitled to same pensionary benefits as admissible to war injury cases on invalidment/ discharge including lump sum compensation in lieu of disability element as mentioned in Paras 123 and 124. However, on invalidment they shall be entitled to disability element instead of war injury element in addition to service element. The service element will

be equal to service pension to which he would have been entitled on the basis of his pay on the date of invalidment but counting service upto the date on which he would have retired in that rank in the normal course including weightage admissible. Provision of Para 6 of Ministry of Defence letter No. 1 (6)/98/D(Pen/Sers) dt. 3.2.98 shall apply for calculation service pension. There shall be no condition of minimum qualifying service for earning this element. The disability element for 100% disability would be admissible as under: -

- (i) Hony commissioned officers of the three Services TA and DSC Rs. 2600/- p.m.
- (ii) JCOs and equivalent ranks of the three Services, TA and DSC Rs. 1900/-p.m.
- (iii) Other Ranks of the three services, TA and DSC Rs. 1550/-pm
For lower percentage of disablement, this amount shall be proportionately reduced. However, in no case aggregate of service element and disability element shall be less than 80% of reckonable emoluments last drawn.

Note: -Armed forces personnel sustaining disability under the circumstances mentioned in category 'D' of Para 90 above shall not be treated as war disabled. Hence they will not be entitled to any special concession/dispensation otherwise available to war disabled.

Compensation in lieu of disability Element

- 127 (a)** In case a person belonging to the Armed Forces is found to have a disability which is sustained under the circumstances mentioned under category 'B' and 'C' in Para 90 above which is assessed at 20% or more for life but the individual is retained in service despite such disability he shall be paid compensation in lump sum (in lieu of disability element) equal to the capitalized value of disability element on the basis of disability actually assessed. Rounding off benefit is not admissible. The rate of disability element shall be as laid down in Para 104 which shall be proportionally reduced for lesser percentage of disability. The age next birth day will be reckoned with reference to the date of onset of disability with loading to age, if any, recommended by the disability Compensation Medical Board. Once compensation has been paid in lieu of the disability element for the same disability, such disability shall also not qualify for grant of any pensionary benefit or relief subsequently.
- (b) The payment of compensation in lieu of disability element will be made through individual running ledger account on the basis of the payment authority issued by this office. Accordingly, Record Office while preferring claim will submit Part I & II of AFMSF – 16 (Medical Board Proceedings except discharge roll) and a contingent bill duly completed and signed by the individual and countersigned by the Record Office. A payment authority letter will be issued to the concerned PAO(ORs) after proper adjudication of the case in consultation with MA(P). Sheet Roll will be en faced at the time of issue of payment authority. The PAO(ORs) will keep a note of such payment authority in the individual's ledger account for subsequent noting in LPC Cum Data Sheet. A copy of the payment authority will also be

endorsed to the concerned Record Office for their information and making endorsement in the individual's Sheet Roll.

PAO(ORs) while issuing the LPC at the time of retirement/discharge from service will endorse the fact of such payment suitably in the LPC-cum-data Sheet. Similarly, Record officers while processing the claim for disability pension will also certify whether any compensation for any disability has been paid or not. Record office will also keep a record of such payment authorities in the Sheet Roll.

Note1 A register specimen given in **GO(2)R-9 (Sl. No. 8 of Annexure B)** in G3 Group I will be maintained centrally and kept under proper safe custody. Each file on which compensation has been authorised will be got bound in convenient size periodically in order of entries made in the register under the dated signature of the AO/SAO concerned. These files and register will be the basis of checking the LPC-cum-data-sheet/Claim submitted by the ROs and operative groups will see the claim preferred by the RO is not on of that disability for which compensation has been paid.

Note2 In case the compensation has been paid for any disability and a disability pension claim has been preferred for another disability, the opening sheet of the individual will be prominently marked as "compensation case" so that the APO/ MA (P) may see while adjudication that the benefit of earlier disability has not been claimed for which compensation has been paid.

Note3 Each claim of disability pension and disability element hereafter will be only allowed to be processed when it is verified from the compensation register and no entry exist.

Cases involving reference to Govt.

- 128** Some times cases may arise where the Award Panel Officer is unable to give their decision as to the individual's entitlement or in the opinion of the Award Panel the disability was caused due to serious negligence of the individual. Such cases should be referred to Govt. of India Ministry of Defence for orders. On receipt of Govt. orders the cases should be put up to the Award Panel Officer for perusal and for indicating period of Award etc. if disability pension is admissible and the Govt. sanction is silent on the subject. Thereafter the cases will be dealt with in usual manner.

APPEALS

- 129** An individual may submit two appeals against rejection of disability pension or against the decision regarding assessment of degree of disablement within 6 months from the date of rejection memo.. Any representation made by a claimant against the decision on his claim will be treated as the first appeal. The first appeal is to be considered by the PCDA (P) on behalf of the Govt. if the case was decided by this office. The case with the first appeal will be submitted to the Award panel for review in consultation with the M.A. (P). If on review, the Award Panel Officer gives a favourable decision, the disability pension, if in issue will be granted at a higher rate or if the disability pension was not in issue, the same should be granted treating the award earlier sanctioned on rejection of the claim as interim awards. In such

cases an intimation regarding acceptance of the appeal will be sent to the Record Office under advice to the appellant.

Cases of first appeal where the disability pension case was finalised on the basis of the Services HQrs. decision or where even on review the APO in consultation with the M.A. (P) maintains his earlier decision or accepts the claim partially, will be referred to the Director (PS-4), AHQ alongwith an audit report in the Form **GO(3) F-15** appended at **Sl. No. 19 of Annexure C** as per Govt. of India, Ministry of Defence ID No. 21684/DIR (PEN)/2001 dated 14.08.2001 as clarified vide that Ministry's ID of even No. dated 10.09.2002 for order under intimation to Record Office in the Form **GO(3) F-16** appended at **Sl. No. 20 of Annexure C**. If the appeal is accepted by the Service HQrs. the disability pension already in issue should be appropriately increased or if the disability pension is not in issue it should be granted treating the award earlier sanctioned on rejection of disability pension as interim award. The 2nd appeal will be considered by the Govt. (Defence Minister's Appellate committee headed by RM/RRM). In so far as this office is concerned the action on Govt. order on the 2nd appeal will be the same as in the case of first appeal except that when the 2nd appeal is rejected, the Sheet Roll of the individual will be suitably endorsed before returning it to Record office alongwith the documents received in connection with the appeal. The decision of the Government on the appeal as and when received should be acknowledged in the Form **GO(3) F-17** appended at **Sl. No. 21 of Annexure C**. The cases, which have been accepted by the Service HQrs./Ministry of Defence, will be shown to APO/MA(P).

On receipt of the appeal, it should be entered in the Register as per specimen given in the form **GO(2) R-1 (Serial No. 2 of Annexure - B)** which is maintained in each group RO-wise for watching the progress of the clearance of appeal cases.

Special Pension to Blind Soldiers

- 130** It may be noted that the special pension to blind soldiers is admissible vide GOI, MOD letter No. 12-SB (8)/- 57-69/665/D(AG-I) dt. 3-2-69 read with their letter no. 12- SB (8)52075/2632/D (Res.) dt. 17-4-75 and A.O. 318/73 who is precluded from earning his livelihood on account of total or partial blindness caused as a result of his military service subject to fulfillment of the following conditions: -
- (i) The individual has been invalided out of service on account of total or partial blindness.
 - (ii) He is not already in receipt of special pension, due to blindness.
 - (iii) He is in receipt of disability pension.
 - (iv) The blindness of the soldier has been accepted as attributable to military service and is assessed at 40% and above.
 - (v) He is not gainfully employed.

On receipt of the claim, after its scrutiny, an audit report will be rendered to Govt. of India, (Ministry of Defence D(Resettlement) (Indian Soldiers, Sailors; and Airman's Board) for consideration. On receipt of Govt. Sanction, the award will be notified through a corrigendum PPO on **G.O. (3) F.10 (Sl. No. 14 of Annexure C)**.

The rates of special pension admissible from time to time are as under:

Rs. 5/- pm. w.e.f. 27-2-42. vide GOI, MOD No. (1)/1474/A/D/5/866-Rel/15 B) dt. 27-2-42.

Rs. 10/pm w.e.f. 1-06- 50 vide GOI, MOD letter No. 12-SB (.) /50/-7210-D/6 (a) dt. 21-7-50.

Rs. 15/pm w.e.f. 1-4-69 vide GOI MOD letter No.12-SB (8)/52-69/665/D(A.G-I) dt. 3-2-69.

Rs.30/pm w.e.f.1-1-73 vide GOI MOD letter No.12-SB (8)/5-75/2632/D- (Res) dt. 17-4-75.

Rs. 50/pm w.e.f. 3-7-82 vide GOI MOD letter No. 12-SB (8)52-82/795/DA (Res) 26-3-83.

Rs. 500/ p.m. Wef. 1-10-2001 vide GOI MOD letter No. 12-SB / (8)/52-2001/958/D(Res) dt. 16-11-2001

Special Road Mileage Allowance.

- 131** It may be noted that a Special Road Mileage Allowance @ Rs. 6/- per diem is admissible to disabled Gorkha pensioners residing in Nepal whose I.D. has been accepted at 40 per cent or above for journeys from their home to pension disbursing centers and back to draw the annual pension vide GOI, MOD letter No. B/29331.QMOVD/-5931/D (MOV) dt. 27-6-60. The allowance will be notified through a corrigendum PPO in **GO (3) F.11 (Sl. No. 15 of Annexure C).**

Note: 1 In cases where the distance between the pensioner's village and the paying centres falls within two days each way, the claims will be accompanied by distance verification report from the authority competent to investigate the family pension claim of IMPs residing in Nepal.

Note2 If the pensioner's residential address changes or districts in Nepal are re-organised, the distance between the home and the paying centre will be computed afresh with reference to the revised address of the individual, whether or not there has been any physical change in the residence.

Note3 The allowance is payable only if the pensioner appears himself and is not payable to his agent.

Note4 Residential address of the Gorkha pensioners (including name of Zila/Tehsil) residing in Nepal will be notified in the P.P.O.

Note5 Unlike ordinary R.M.A. there is no condition for eligibility to special R.M.A. that the journey period must extend over two days : each way.

Note6 The distance between different paying centers and Tahsil Zila of Nepal in No. of days, where the journey exceeds two days each way may be verified from the relevant Army Instructions.

On receipt of the claim it will be entered in the claim Register centrally in **GO(2)R-1 Serial No. 2 of Annexure B.**

It may be seen that:

- (i) The claim has been supported by service documents and duplicate copy of Medical Board proceedings.
- (ii) The I.D. of the pensioner is 40 per cent or more.
- (iii) The address of the pensioner is the same as shown in the Sheet Roll/Invaliding Roll.

(iv) The distance from the pensioner's home to the pension paying centre is correct.

(v) The amount of S.R.M.A. claimed is correct.

After the scrutiny of the claim in the manner stated above, a Corrigendum P.P.O. on **GO (3) F-11 Sl. No. 15 of Annexure C** will be prepared for approval.

The draft P.P.O., Medical Board Proceedings and Sheet Roll will be suitably endorsed.

Defence Security Corps (D.S.C.)

132 It may be noted that the grant of pensionary awards to D.S.C. personnel are governed by the same general rules as are applicable to combatants of the Army, except where they are inconsistent with the provisions of the Regulations contained in Chapter IV of P.R.A. Part I (1961). However in dealing with cases of D.S.C. personnel, it should be seen that the provisions of Government orders issued in respect of combatants of the Army have been made specifically applicable to D.S.C. personnel or separate Government orders extending similar benefits to D.S.C. personnel have been issued.

In case of re-enrolment in DSC, Service Pension for former service of an individual held in abeyance under Regulation 267(d) of Pension Regulations for the Army Part-I (1961), shall be restored as service element of disability pension on termination of re-employment in DSC, if it is more than the service pension admissible under Regulation 271 for the service in DSC as per Government of India, Ministry of Defence letter No. 1(2)/84/D(Pen-C) dated 29.05.1986.

Note 1 DSC personnel who were in service on 31-12-72 or those who died on that date as well as those who joined / join thereafter and become/became non-effective on or after 1-1-1973 will be granted pensionary award as revised with effect from 1-1-73

Note 2 The relevant authority under-which rates of service pension admissible from time to time to DSC personnel are given in **Appendices 4 and 6.**

Territorial Army (T.A.) Personnel:

133 It may be noted that the grant of disability pensionary awards to members of the T.A. will be subject to the conditions governing the grant of disability pensionary awards to personnel of the corresponding ranks of the Army except where they are inconsistent with the provisions of the Regulations in Sub-Section II of Chapter V Pension Regulations for the Army Part I.

N.C.C./A.C.C Personnel:

134 It may be noted that an Ex-JCO/OR re-employed/re-enrolled in N.C.C. who is invalided out of service on account of disability considered as attributable to or aggravated by service in N.C.C./A.C.C. will be eligible for compensation for functional incapacity due to such service at the rates laid down in A.I. 71/58 and A.I. 72/58 as amended from time to time.

An Ex-Hony. Lt., Captain who were in medical category 'A' at the time of their appointment in N.C.C./A.C.C. will be eligible for grant of disability element at appropriate rate laid down in Government of India, Ministry of Defence letter No. 76642/AG/PS2(c)/676-S/D)AG-II) dated 16-4-64 in addition to their

service pension in the event of their invalidment from N.C.C./A.C.C. service.

Those appointed in Medical Category 'B' will not, however, be eligible for disability pension.

Regular Army personnel serving on extra Regimental duty on secondment to N.C.C./A.C.C. will remain eligible for disability pensionary awards admissible to other personnel of Regular Army.

The disability pension claim in respect of the above mentioned individuals will be processed in the same manner as for a disability pension.

**Civilian Govt. Servants Deputed for Service in Military Capacity
with Military Force**

135 The sanctioning authority for disability awards in respect of civilian government servants for service in a Military capacity with a Military force (and for ex-gratia awards) whether, under civil or military rules or made ex-gratia will be: -

- (a) PCDA (P) in the case of those personnel whose pay accounts etc. are maintained by the Defence Accounts Department authorities.
- (b) Director General, Posts and Telegraphs/Railway Board in consultation, where necessary, with the Ministry of Defence in the case of personnel of the Posts and Telegraphs and Railway Departments respectively whose pay accounts etc. are maintained by the Post and Telegraphs/Railway Department and their Accounts and Audit Officers. When cases concerning Post & Telegraphs/Railway personnel are dealt with under military rules, the Posts and Telegraphs/Railway Audit officers will, where necessary, consult the PCDA(P), Allahabad concerning the application of the military rules.

However, w.e.f. 1-1-1991, PCDA (P) has been authorized to adjudicate the claims for disability element (including CAA) of the disability pension in respect of those civilians Govt. servants of the Post & Telegraph Department who are employed/ deputed for service in a military capacity (as JCOs/NCOs/ORs) in the Army Postal Service Corps. The individual claims shall be regulated in accordance with procedure laid down in A.I. 64/76 and continuance of awards in respect of cases where claims have been adjudicated by the Govt. in the past shall be reviewed by the Pr. CDA (P) from time to time as the case of regular army personnel.

CHAPTER V

GRANTS -3/RA (Re-Assessment) SECTION RESURVEY MEDICAL BOARD AWARD CASES Functions

- 136** This section deals with the claims of personnel below officer rank for reassessment awards of disability pension in cases where disability pension was granted for a specified period and not for life.

Preparation and Submission of Re-assessment claims

- 137** The claims on account of re-assessment of disability pension are prepared and initiated by R.Os. on the Form AFMSF-17. The pension claim with necessary service documents are forwarded by the R.Os. to this office 2 months before the due date of expiry of the current award of disability pension. The action as indicated in Para 88 will be taken for numbering of the claim and recording it in the Claim Register.

However, w.e.f. 1-7-94, the award of continuance of disability pension is to be notified on computer in those cases in which the initial award of Disability pension/Disability element was notified through computer. For this purpose, a Data Sheet (G3-RA) has been designed. The **Data Sheet (G3-RA)** has been divided into three parts viz:-

- (i) Basic particulars
- (ii) PDA particulars
- (iii) Reassessment particulars

The first and second parts covering column 1 to 17 are required to be completed/checked by R.Os. and the third part i.e. col. 18 to 38 the adjudication columns will be completed in the office of PCDA (P). The column provided below cage No 3 should be signed by the R.O. and the space provided for PCDA (P) will be completed by this office.

The cases of continuance award of disability pension will be initiated by the R.Os. in the same manner as in the manual system. The only change being made in the existing procedure of initiation of these claims is that copies of Data Sheet (G3-RA) duly completed/checked will also be attached with the continuance of Disability pension claims. The data Sheet will be prepared in duplicate. The original copy of Data Sheet (G3-RA) will be submitted alongwith the claim for use in the office of PCDA (P), and the duplicate copy will be retained in the Record office.

In cases where an amendment relating to change in place and channel of payment is proposed to be processed through LPC cum Data Sheet (Rev.) Cage II Viz. column for the PDA particulars should invariably be filled in the Data Sheet (G3-RA).

The Specimen form of Data Sheet (G3-RA) and PPO formats both computerised and manual are at **Sl. No. 60, 71 and 72 respectively of Annexure -C.**

Detailed instructions for filling/checking of LPC-cum data Sheet (DIS) and Data Sheet for Disability Element will by and large be applicable for filling/ checking of **Data Sheet (G3-RA)** for reassessment of disability pensionary award also. However, important guidelines to complete various columns of Data Sheet (G3-RA) are given in **Appendix- 9** to this Manual.

Preliminary action on receipt of the claim

- 138** It will be ensured that the claim is prima facie tenable by verifying from the service and medical documents of the individual that he was granted a disability pension for a limited period.

Note: Claim for increase in the accepted degree of disablement in the I.D. during the currency of initial award will, however, be received and dealt with in G3 Section.

Documents in support of re-assessment claim

- 139** It should be seen that the following documents have been received:

- (i) Re-survey medical board proceedings (AFMSF-17).
- (ii) Sheet Roll/Service Certificate.

Note: The name of the Bank /Treasury/Post Office/DPDO from where the individual is drawing pension and SBA/C NO/ Treasury Serial/Head Office No. allotted to him is shown by the R.O. in the forwarding memo to facilitate linking.

Processing of the claim and its detailed Scrutiny.

- 140** After preliminary scrutiny of the claim the number and year of this office P.C/P.P.O. under which the initial grant of disability pension was notified should be ascertained from the enfacement already recorded in the Sheet Roll as also from the particulars given under item 16 on page 1 of AFMSF-17.
- 141** The P.Cs./P.P.Os. notifying the initial award of disability pension will be indented for from the Old Record Section.
- 142** On receipt of the P.C./P.P.O. the claim should be taken up for detailed scrutiny. The various checks to be observed in conducting the detailed scrutiny of RSMB Proceeding (AFMSF-17) are as follows: -
- (i) All the columns of AFMSF-17 have properly been completed.
 - (ii) It has been signed by all the members of the RSMB.
 - (iii) The RSMB Proceedings have been approved by the prescribed competent authority viz. DDMS/ADMS.
 - (iv) The individual has been examined by the RSMB. for the I.D. originally accepted.
 - (v) The claim has been preferred within one year from the date of the expiry of the previous award or within one year from the date of the P.P.O. notifying the previous award as the case may be.
 - (vi) If the R.A claim has not been preferred within the time limit stipulated at (v) above, it should be seen that the delay in submission of the R.A. claim is fully explained by the R.O. as well as by the individual i.e. if the delay in any way is attributable to failure of the individual i.e. shifting of the residence without informing the R.O., non-appearance before the R.S.M.B. on the due date and taking no initiative for the

continuation of disability pension after cessation of the previous award etc.

In case any information/documents referred to at (i) to (vi) above is wanting, the same will be called for from the R.O. by issuing a communication in **GO (RA) F-1 (Sl. No. 23 of Annexure C)**.

Adjudication of R.A. claim

143 After detailed scrutiny of the claim as above an opening sheet in **GO (RA) F-2(Sl. No. 24 of Annexure C)** should be prepared for adjudication of the claim by the Award Panel Officers. Various items of the opening sheet will be completed in the manner indicated below and it will be put up for approval of the SO (A)/AAO.

- (i) Items 1 to 4 from the AFMSF -17.
- (ii) Items 5 to 6 and 7 (i) from the Entitlement Notes bound with the draft P.P.O. for initial grant of disability pension.
- (iii) Item 7 (ii), 9 and 10 from the enfacement regarding last Re-assessment award made in the Sheet Roll as also on the draft P.P.O. for initial grant of disability pension.

Note If there has been any break in the continuation award of disability pension, the fact and the reason for which it was discontinued should be specifically mentioned. For example "no disability pension was payable fromto as the individual's disablement was less than 20 percent."

- (iv) Item 8- This item is applicable in cases where the RSMB has been held after the expiry of the current award. The interim period to be shown would be from the date following the date upto which current award was payable to the date preceding the date of the RSMB. It may, however, be noted that reduction/increase in award will take effect from the date of RSMB only in cases where RSMB is held before expiry of the current award.

Note1 In cases of interim award, it should be seen that the claim is accompanied by delay explanation, certificate of re-employment and non-conviction certificate duly countersigned by Police Authorities.

Example: If the current award expired on 23-1-2001 and the RSMB has been held in 19-4-2001 the interim period will be from 24-1-2001 to 18-4-2001.

Note 2 Any office note for obtaining sanction for waiving delay by the competent authority should also be put up.

- (v) Item 11 from RSMB Proceedings (AFMSF-17).

Note:1 It should be ensured that the opening sheet also exhibits information regarding the employment of the pensioner, if any, in a note form for information and proper adjudication of the case by APO/MA (P).

Note:2 In case of a claim for Substantial Increase (S.I.) in the I.D. substantial in-crease in cases where last assessment was less than 20 percent it should be seen that the case file where the I.D. was accepted at less than 20 percent is also submitted alongwith the case under adjudication.

Note:3 W.e.f. 1-1-96, there will be no periodical reviews by the Resurvey Medical Boards for re-assessment of disabilities as per para 7 of GOI, MOD letter No. 1 (2)/97/D (Pen-C) dt. 7-2-2001. In cases of

disabilities adjudicated as being of a permanent nature, the decision once arrived at will be final and for life unless the individual himself requests for a review. In cases of disabilities which are not of a permanent nature, there will be only one review of the percentage by a Reassessment Medical Board to be carried out later within a specified time frame. The percentage of disability assessed/ recommended by the Resurvey Medical Board will be final and for life unless the individual himself asks for a review. The review will be carried out by Review Medical Board constituted by DGAFMS. The percentage of disability assessed by the Review Medical Board will be final and RSMB cases need not to be floated to APO/MA(P) for adjudication.

Note:4 Claims preferred after 10 years based on aggravation need not be entertained.

As regards, Pre-96 disability pensioners, the procedure stated above will be followed in cases of assessment made by the Reassessment Medical Board held on or after the date of issue of the above Government letter.

- 144** After approval of the opening sheet by the S.O.(A)/AAO the case will be put up for adjudication by the Award Panel.

Action after adjudication by Award Panel and notification

- 145** The cases received back from the Award Panel fall into the following categories: -

- (i) Cases where the degree of disablement including that for interim period, if any, is assessed at a pensionable degree i.e. at 20 percent or above.
- (ii) Cases where the degree of disablement for interim period is assessed at a pensionable degree and thereafter below pensionable degree.
- (iii) Cases where the degree of disablement is assessed below pensionable degree i.e. below 20 percent.

- 146** In the case mentioned at Para 145 (i), where the degree of disablement has been assessed at 20 per cent or above, a draft P.P.O. for re-assessment award of disability pension should be prepared on IAF CDA-6. Irrespective of the period to which the grant relates, the rate of disability pension should be determined under that set of rates which was adopted for the purpose of initial grant of disability pension. If the set of rates provides for the grant of disability pension at consolidated rate e.g. under Old Pension Code, the rate of reassessment award should be determined independently with reference to the rank of the individual and the accepted degree of disablement. If the applicable set of rates provides for separate calculation of service element and disability element, the service element will be the same that was included in the initial grant and the disability element will be calculated independently according to the accepted percentage of disablement and rank and in accordance with the table of rates as was prevalent at the time of individual's invalidment. The column 'Place and Channel of payment' will be completed as per information furnished by the R.O. in the forwarding memo.

The date of commencement of re-assessment award will be the date following that upto which the current award is payable and the period

for which the award will be payable, will reckon from the date of RSMB. Where RSMB has been held after the date of expiry of the current award the A.P.O. will give the assessment of degree of disablement for the interim period also and the award for this period will be for that accepted percentage.

- 147** In cases where the P.P.O. for the initial award of disability pension was a “no payment” P.P.O., a pension certificate on IAFA- 373 will also be prepared. In such cases the original copy of “No. payment” P.P.O. will also be sent to the P.D.A. with the P.P.O. for R.A Award.

Sanction and dispatch of R. A. Award of disability Pension.

- 148** After all the relevant documents for the grant of Reassessment Award of disability pension has been scrutinised and prepared the claim should be put up to the Accounts Officer for sanction of pension.

Thereafter, the claim will be processed further in the manner indicated in Para 52 et seq. It may, however, be noted that the numbering of P.P.Os. for this section will commence by prefixing the symbol ‘D/RA;

Note: The receipt of acknowledgement of the PPO from the PDAs concerned will be watched in the manner laid down in Para 59.

- 149** In cases mentioned in Para 145 (ii) the award for the interim period should be notified in the manner stated in Para 146. However, in such cases the entry made under the column “the rate and period for which continued” of the PPO will be amplified by addition of the words “No disability pension is payable from.....”

- 150** In cases mentioned at Para 145 (iii) i.e. in cases where the degree of disablement is assessed at less than pensionable degree as also in cases where the re-assessment award is payable for interim period only a rejection memo in **GO (RA) F-4(Sl. No. 25 of Annexure C)** will be issued to the R.O. alongwith xerox copy of the decision of MA(P).

Note 1 The inapplicable portion in Paras 3 and 4 of the form **G.O.(R.A) F-4** as also that of the endorsements in the form below will be scored through.

Note 2 In such of the cases which are accepted on the basis of aggravation where the Award Panel advises that effects of aggravation have passed off, Para 1 of the memo will be amplified by adding the following sentence.

“It has also been decided that the effects of aggravation have passed off”

- 151** In the case of an individual who dies after the expiry of current award and could not be brought before the R.S.M.B. the case will be processed on the basis of the death certificate and will be submitted for advice to the Medical Adviser (Pension) on **GO (RA) F-5(Sl. No. 26 of Annexure C)** over the signature of the Award Panel Officer. On receipt of MA (P)’s advice the Award Panel Officer will give his decision in cases where the assessment of degree of disablement is 20 percent or above, action as in Para 155 et seq. will be taken for notification of the award. However, in such cases the period of award will be only upto the date of death.

Special Road Mileage. Allowance

- 152** It will be noted that if disability of a Gorkha pensioner residing in Nepal who had earlier been granted Special Road Mileage Allowance @ 6.00 per day is reassessed at 40 per cent or above, he will be authorized to draw the Special Road Mileage Allowance at the rate as originally sanctioned provided there is no change in his residential address and the place and channel of payment.
- 153** The payment of the road mileage allowance should be authorized through a specific guide note on the PPO (IAF-CDA-6).

Increase in degree of disability (S.I. Claims)

- 154** The cases of individuals claiming increase in the degree of disability will be submitted to the A.P.O. for adjudication in the same manner as the claims for reassessment award. An indication should, however, be given on the top of the opening sheet that the claim is for increase in the degree of disablement. If the claim for increase is conceded, the A.P.O. will give revised assessment of degree of disablement and period thereof and in other cases the Award Panel will reject the claim for increase. In the latter case the R.O. will be informed through a memo and the draft P.P.O. for initial award of disability pension and the Sheet Roll etc. will be suitably en faced. In the former case, the disability pension already in issue will be appropriately increased through a Corrigendum. P.P.O. from the date of R.S.M.B. (AFMSF-17). If, however disability pension originally sanctioned had been discontinued, a draft P.P.O. on IAF CDA 6 for its continuance at the appropriate rate from the date of the RSMB will be prepared indicating, inter-alia, the manner of adjustment of the grant, if any, made to the individual on discontinuance of the disability pension.

Note No claim for increase in the degree of disablement is entertainable in cases accepted on the basis of aggravation where the disability pension had been discontinued and the effects of aggravation had passed off.

- 155** The procedure for dealing with the following type of cases will be the same as laid down for disability pension vide Chapter IV.
- (i) Cases involving refusal to undergo operation/medical treatment.
 - (ii) Cases involving grant of Constant Attendance Allowance.
 - (iii) Cases involving reference to Service HQrs/MOD for orders on entitlement.
 - (iv) Appeals, and
 - (v) Cases regarding grant of special pension to blind soldiers.

Note 1 The cases will submitted to APO/MA(P) on **GO(RA)F-6 at Sl. No. 27 of Annexure C** for their review and decision.

Note 2 Cases for Government sanction in appeal cases will be sent on form **GO(RA)F-7 at Sl. No. 28 of Annexure C**

Note 3 On receipt of Government decision the same will be acknowledged by this office with copy to RO on form No. **GO(RA)F-8 at Sl. No. 29 of Annexure C**.

CHAPTER-VI
GRANT 4 SECTION
FAMILY PENSIONARY AWARDS
Functions

- 156** The family pension claims of the following nature in respect of personnel below officer rank are dealt with in this section:-
- (a) All types of Family Pension including exgratia lumpsum compensation.
 - (b) Death gratuity claims of the individuals who die while in service.
 - (c) Residual gratuity claims of the individuals who die after discharge and in whose case the pensionary benefits, at the time of discharge, were granted by this office
 - (d) Claims to monetary allowance attached to gallantry decorations.
 - (e) Jangi Inam claims relating to second life of second world war only.

Types of Family Pension claims:

- 157** It may be noted that family pension claims are of the following types:-
- (i) Claims for initial grant of special family pension.
 - (ii) Claims for division of Special Family Pension.
 - (iii) Claims for transfer of Special Family Pension to widow.
 - (iv) Claims for restoration of Special Family Pension on second widowhood.
 - (v) Claims for continuance of Special Family Pension as a second life award to Parents/Brothers/Sisters.
 - (vi) Claims of Special Family Pension on re-marriage of widow.
 - (vii) Claims for ex-gratia awards of special family pension.
 - (viii) Claims for initial grant of ordinary family pension.
 - (ix) Claims for division of ordinary family pension.
 - (x) Claims for re-grant of ordinary family pension.
 - (xi) Claims for grant of ordinary family pension in respect of missing personnel/pensioners.
 - (xii) Claims for grant of family pension in addition to Family Pension sanctioned under Employees Family Pension Scheme 1995 and Family Pension Scheme 1971.
 - (xiii) Claims for initial grant of liberalised family pension.
 - (xiv) Claims for Jangi Inam.
 - (xv) Claims for transfer of liberalised family pension.
 - (xvi) Claims for division of liberalised family pension.
 - (xvii) Claims for second life award of liberalised family pension.
 - (xviii) Claims of liberalised family pension on remarriage of widow.
 - (xix) Claims for grant of ex-gratia lump sum compensation.
 - (xx) Claims for ex-gratia awards who died in Air Craft Accidents.
 - (xxi) Claims for family gratuity
 - (xxii) Claims for Death Gratuity.
 - (xxiii) Claims for Residual Gratuity
 - (xxiv) Claims for monetary allowances attached to Gallantry Decorations.

Claims for initial grant of special family pension.

Circumstances in which a claim for special family pension arises

- 158** The claim on account of special family pension benefits arises if the death of the individual whether during service or after discharge is

caused due to injury or disease and is accepted as attributable to or aggravated by military service.

Note 1 Cases in which a disease did not actually lead to the member's discharge from service, but death took place as a result of a disease which arose within 10 years thereafter, may be recognized as due to service if it can be established medically that the disease is a delayed manifestation of a pathological process set in motion by service conditions obtaining prior to discharge vide para 5 of Post March – 1948 Entitlement Rules (reproduced in Appx II, PRA Pt. I)

Note 2 No special family pension claim lies in the following circumstances and should be rejected as untenable.

- (a) If the individual outlived the normal span of life i.e. he died at the age of 60 years or above vide clause (a) Note 1 below Table IV, Regn.-20, PRA Part. II.
- (b) If the individual was on reserve (except when he is called up for service or training) or was discharged on other than medical grounds with a service pension/gratuity and the cause of death is other than a disease.
- (c) If the individual was discharged in medical category AYE and his death occurs after 10 years from the date of his discharge.
 - (d) In suicide cases.
 - (e) In missing cases.

To whom the original grant of special family pension payable

159

(a) When there is a nomination.

- (i) The pension will be granted to the nominated heir if on the date the draft P.P.O. is approved, he is alive and eligible vide Reg. 220 PRA Part I (for eligibility see Para 160).
- (ii) If the nominated heir (other than the widow) has waived his/her claim in favour of the widow by a written declaration, the pension will be granted to the widow.
- (iii) If on this date the nominated heir is dead or disqualified, pension will be granted to the next highest living and eligible heir.
- (iv) Where the nominated heir or the highest eligible heir is missing, the question of grant of ex-gratia awards or family pension to the next highest eligible heir will be referred to Government for orders.
- (v) A nominated heir for special family pension cannot be denied pension so long as he/she remains qualified therefor and his/her pecuniary circumstances cannot be regarded as disqualification.
- (vi) If the nominated heir is father, who is below 50 years on the date of sanction of pension and there is/are widow and/or mother living, who will be deemed to be eligible for the original grant of pension as a first life award. On his death or disqualification the pension shall be transferred to the widow or continued to the mother as the case may be.

Note 1 In case father is below 50 and only minor children (son/daughter) are living, pension will be granted to the son or daughter (as the case may be) as first life award, which will be transferred to the father on his attaining the age of 50 years and the grant will be treated as a second life award.

Note 2 If father is below 50 years and there is no other heir living, no pension will be granted to the father till he attains the age of 50, however, see Notes below Para 160.

Note 3 It may be noted that an individual need not make any nomination unless he intentionally wants to change the order of eligibility as indicated in Para 160.

An individual, if he wants to make a nomination during his life time may nominate any, but only one, of the relatives specified in para 160 as heir to the family pension. A Gorkha residing in Nepal may, however, nominate in addition, another relative from those specified in para 160 below, as a second heir, who will be treated as a nominated heir only if the first heir is dead, or disqualified on the date on which this office decides that the claim to family pension is admissible (i.e. the date on which the draft PPO is approved vide Reg. 218, PRA Part I).

(b) When there is no nomination but eligible heirs are living:

The pension will be granted to the highest living heir in the list shown in Para 160 provided he/she is eligible on the date of sanction of the pension, otherwise to the next highest living and eligible heir vide Reg. 220 (b) PRA Part I. Where special family pension is to be granted to a son/daughter, the same shall be granted to the eligible child in the order of their birth irrespective of the sex of the child.

160 Eligible members of family for special family pension and conditions of eligibility governing the grant.

It may be noted that the following members of the family will be eligible in order of priority as indicated below for grant of special family pension, if otherwise qualified vide Regn. 216 PRA Part-I (1961). The order of priority will only apply in those cases where no nomination is made or the nominated person is dead or disqualified.

(a) Widow, law fully married/judicially separated wife, such separation not being granted on the ground of adultery and the person surviving was not held guilty of committing adultery.

Remarriage of the widow will constitute a disqualification but this condition shall, however, not apply to a widow who remarried with the real brother of her deceased husband and continues to live a communal life with and/or contributes to the support of other living eligible heir.

Note 1 W.e.f. 1.1.96, the grant of special family pension will not be discontinued on re-marriage of the widow but will be regulated as per provisions contained in Govt. of India, Min. of Defence, letter No. 1(2)/97/D(Pen-C) dt. 31.1.2001 as explained in Para 188.

Note 2 Marriage after discharge/invalidment will not make the widow in eligible for special family pension vide Note 1 below Regn.216 PRA Part-I.

Note 3 In cases, where there are more than one wife, the first married wife will be regarded as the widow under the above rules. Junior widow will be eligible if she is nominated heir or the only surviving widow on the date of death of the soldier vide CGDA's No. 3079/AT-I dt. 5/6-1-1953.

Note 4 Change of religion by widow does not divest her of estate or of her legal rights as the widow of her deceased husband, vide MAG's No. 10169/AT dt. 26.7.51.

(b) **Son**, actual and legitimate (including validly adopted) below 25 years.

(c) Unmarried **daughter**, actual and legitimate (including validly adopted) below 25 years.

Note 1 The term 'child' include a child born posthumously as well as a step child.

Note 2 If son or 'daughter' is suffering from any disorder or disability of mind or physically crippled or disabled so as to render him/her unable to earn a living even after attaining the age of 25 years, the special family pension shall be payable to such 'son' or 'daughter' for life as per the date of birth irrespective of the sex subject to fulfillment of the conditions laid down in GOI, MOD letter No. A/49601/AG/PS 4 ©/-3363/B/D/(Pen/Sers) dt. 27.8.87.

These orders shall apply in respect of those who retired/died on or after 30.9.74.

However, the benefit of family pension to such sons or daughters of Armed Forces personnel who retired or died before 30.9.74 has been extended for life also but in their cases the financial benefit will take effect from 20.5.87 vide that Ministry's letter No A/49601/AG/PS-4(e)/3363/B/D(Pen/Sers) dt. 7.10.87.

(d)**Father**- To be eligible for special family pension, a father should be 50 years of age or above vide Reg. 219 (iv) PRA Part-I.

Note 1 A father below 50 years will be eligible, if he is incapable of self support by reason of a physical or mental infirmity. A medical certificate signed by the M O I/C of the Civil Hospital where the claimant is residing, showing that he is cripple or the nature of infirmity, should be looked for.

Note 2 A father below 50 years of age will also remain eligible for special family pension provided he is nominated heir and the widow/and/or mother of the decease soldier is/are alive vide Regn. 219 PRA Part-I.

(e) **Mother**- A mother who is a widow at the time of her son's death or who becomes a widow thereafter and has not re-married. If the widowed mother had re-married before her son's death, she shall remain eligible for special family pension, unless and until she again becomes a widow and re-marries.

Note The terms 'father' and 'mother' used above will also include such putative parents as had not contracted a lawful marriage but were living as husband and wife at the time of, or got lawfully married subsequent to the conception of the deceased soldier vide Notes below Reg. 216 PRA Part-I

Documents Required in Support of Special Family Pension Claim

161 It should be seen that the following documents have been received:-

(I) Death while in service:

- (a) Sheet Roll.
- (b) Enrolment Form.
- (c) IAFF-958 (Service & Causality form).
- (d) AFMSF: 1 (Medical History envelope).

- (e) AFMSF: 2 Medical History Sheet).
- (f) AFMSF: 20 and 21 (Field Medical Card).
- (g) Death certificate/IAFA 393, Part I
- (h) In the case of disease the following documents in addition:
 - (i) AFMSF-81 Report of the O.C. unit.
 - (ii) IAFA-393 Part II (attributability certificate)
 - (iii) AFMSF-71 Medical case sheet.
 - (iv) AFMSF-14 (Old IAFB-181) Temperature Chart.
 - (v) AFMSF-9 (Old IAFM Specialist Report).
 - (vi) AFMSF-6 Venereal disease card.
 - (vii) IAFM -1265 D and IAF (Med) -70
- (i) In the case of injuries/accidents, the following documents in place of the documents at (h).
 - (a) Injury report on IAFY-2006 or such other documentary evidence relating to the injury.
 - (b) Proceedings of the Court of Inquiry (IFD-931)/Court of Inquest, Post-mortem report or Police Inquest report, where applicable.
- (j) Family Pension claim (Annexures I & II).
- (k) An explanation of the R.O. or the claimant where submission of the claim has been delayed.
- (l) L.P.C./P.A.O's certificate.
- (II) Death after discharge.**
 - (a) Documents mentioned at (a) to (f) and at (k) & (i).
 - (b) A death certificate signed by a qualified medical practitioner who may have treated the deceased prior to his death, showing the date of death, signs, symptoms and duration of the disease or failing that,
 - (c) An extract from the village or Municipal Death Register showing the date and cause of death; or failing both (b) and (c).
 - (d) Statement of the claimant and two reliable and disinterested witnesses (not related to the claimant) as to the date of death and date of onset of the fatal disease, nature, symptoms of the disease, and the duration thereof and medical treatment, if any, received by the deceased after his discharge from service.
 - (e) All medical documents for hospitalisation during service.
 - (f) AFW-3149/AFMSF-18 (Medical report about state of health before leaving unit)

Preparation and submission of special family pension claims.

- 162** The claims on account of special family pension/gratuity are prepared by the Record Office in the prescribed claims forms. The pension claim with necessary documents is forwarded to this office by the R.O. as soon as the casualty occurs. However, w.e.f. 01.01.2003, special family pension claims in respect of individuals who died in harness or after discharge on or after 01.01.1996 will be notified on computer. The detailed instructions for completion of LPC - cum-data-sheet by the ROs and its checking by PAO(ORs) are given in **Appendix 12.**

Preliminary action on receipt of the claims

- 163** The action as indicated in Para 88 will be taken for the numbering of the claim and recording it in the claim register.

Preliminary scrutiny

- 164** It will be ensured that the claim is prima-facie tenable by verifying that the conditions stipulated in Para 158 are fulfilled. For this purpose, it should be seen that the entries in the sheet roll regarding the date of discharge/invalidment and the age of enrolment agree with the corresponding entries in the Sheet Roll.

Detailed scrutiny of the claims

- 165** The various audit checks to be observed in conducting the detailed scrutiny are set out in the succeeding paras.

It should also be seen that:

- (i) All the documents mentioned in the forwarding memo have been received.
- (ii) The Sheet Roll/Certificate of Service, Enrolment Form and L.P.C. are original copies. Where duplicate copies have been submitted sanction has been accorded by the appropriate authority for the preparation of duplicate copies and/or requisite certificates have been furnished.
- (iii) The claim has been submitted within 12 months of the date on which it fell due and if not, the explanation for the cause of delay in its submission has been furnished by the Record Office.

Checking of Documents

- 166 (A) Sheet Roll**

It should be seen that Sheet Roll and Enrolment form are original

- (B) Death Certificate**

- (I) Death while in service.

It should be seen that it is in the prescribed form (IAFA-393, Part-I) and signed by the competent authority viz O.C. Hospital/Field Medical Unit.

- (II) Death after discharge

It should be seen that:

- (i) It has been signed by a medical practitioner where a medical certificate has been given.
- (ii) In case an extract from the Village/ Municipal Death Register has been furnished; it bears the stamp and seal of the issuing authority and duly signed by him.
- (iii) Where the statement of the claimant has been furnished, it is witnessed by two responsible and disinterested persons not related to the claimant.

- (C) Court of Inquiry Proceedings.**

It should be seen that the competent authority viz. Brigade Commander, has recorded his opinion regarding the attributability or otherwise of the cause of death to military service.

Audit of Annexure I & II of pension claims

- 167 (A) Audit of the Annexure I of the pension claim.**

It should be seen that:

- (i) the relevant columns have been correctly completed and signed by the R.O.
- (ii) the relevant particulars shown against various sub-items of item 1(e) of the Annexure have been certified as correct by the PAO(ORs) under his signature.

- (iii) the No., Rank and Name of the deceased and date and cause of death agree with that recorded in service/medical documents.
- (iv) the date upto which pay & allowances has been shown to have been credited, is the date of death (in cases of death while in service).
- (v) the substantive rank/paid acting rank/pay group shown against items 1(e) (ii), (iii) and (iv) agree with that recorded in the service documents.
- (vi) IAFA-393 Part-I is signed by the competent authority.
- (vii) the details regarding claimant to family pension agree with the entries in the Kindred Roll portion of the Sheet Roll.

(B) Audit of Annexure II of the pension claim

It should be seen that:

- (a) the No., Name and Rank of the deceased soldier agree with those given in annexure I and the service documents.
- (b) the claimant is the heir nominated to family pension as recorded in the Kindred Roll portion of the Sheet Roll and is one of the relations mentioned in Para 160.
- (c) if the nominated heir is other than the widow but the claimant is the widow; either a declaration of the nominated heir duly attested and countersigned by the R.O. waiving his/her claim in favour of the widow or a report duly attested and countersigned by the R.O. showing the disqualification of the nominated heir has been received.
- (d) the mark of identification are permanent. Tattoo marks are not acceptable.
- (e) if there is no nomination; the claimant is the highest living heir in the relationship shown in Para 175.
- (f) the date of birth of the claimant agrees with that recorded in the Kindred Roll portion of the Sheet Roll and in the case of wide variation if the claimant is a son or a father, below 50 years of age, the claim is supported by documentary evidence.
- (g) there is no dispute among the claimants and no application for the division of pension has been received.

Note If an application for division has been received the claim should be dealt with in accordance with the instructions governing division of family pension.

- (h) If widow is the claimant: she is eligible according to the rules in Para 160.
- (i) If father/mother or a son/daughter is the claimant: he/she is eligible according to rules in Para 160.
- (j) The place at which pension has been desired is a station where pension is disbursed.
- (k) The thumb finger impressions of the claimant (Right hand in the case of female pensioners/C.A. holders) have been obtained in the places provided for the purpose.
- (l) The names and addresses of the witnesses have been recorded in the appropriate place and their signatures/thumb impressions have been obtained.
- (m) The attestation portion of the claim has been properly completed by one of the authorities mentioned on page 8 of the form.

Note 1 In the case of Gorkha pensioners whose homes are in Nepal, the claim is to be investigated and attested by Gorkha Record

Officer/R.O. C/O Military/and Air Attache, Embassy of India, Kathmandu, Nepal vide Govt. of India Ministry of Defence letter No. A/00968/AG/12749/Pen C dated the 20th October, 1965.

Note 2 In the case of insane claimants, claim forms will be completed by the person in whose custody the claimant is held. A certificate from the Magistrate that the claimant is insane, will be looked for vide Govt. of India, Ministry of Defence letter No. A/01323/AG/PS-4(a)/6186/Pen-C dated the 20th June. 1965

(n) The claim has been countersigned by the Record Officer.

Processing of Special Family Pension claims.

168 A special family pension claim is processed in two stages viz. (i) adjudication of entitlement, and (ii) determination of pensionary awards.

(I) The adjudication of entitlement will be determined on the basis of the following documents:-

- (a) Death Certificate
- (b) Sheet Roll in the case of Army and Air Force personnel and certificate of service in the case of Navy personnel.
- (c) Enrolment Form
- (d) Primary Medical Examination Report (AFMSF-2A).
- (e) IAFF-958 in the case of Army personnel.
- (f) OC unit and Medical officers Report (AFMSF-81) and
- (g) In case of death at home, while on leave or after discharge. Medical practitioner's certificate or statement of relatives showing signs, symptoms of the fatal disease.
- (h) Court of Injury proceedings where death is due to accident.
- (i) Other relevant medical documents.

(II) The determination of pensionary award will be carried out on the basis of the following documents:

- (a) Pension claim from the eligible heir duly completed and countersigned by the Record Office.
- (b) Proforma showing particulars of the deceased and the eligible heirs for special family pension i.e. Part I of the family pension claim duly completed by the Record Office.
- (c) Last pay certificate.
- (d) Death gratuity claims in cases of death while in service and where the scheme is applicable alongwith-
 - (i) Nomination for death gratuity or if there is no nomination or the nomination does not subsist list of eligible heirs.
 - (ii) Descriptive Roll in respect of each heir to whom a share of death gratuity is payable.
- (e) Residual gratuity claim, where applicable.

Note If the death certificate showing the date and cause of death and the service documents have been received, action to submit the case to APO for adjudication of the attributability will not be held up for want of some or other documents mentioned above.

Preparation of opening sheet

169 After completing the action as stated above, an opening sheet in the proforma **GO(4) F-6(Sl. No. 30 of Annexure C)** should be prepared

for adjudication of the special family pension claim by Award Panel Officer.

The various items of the opening sheet in respect of the death due to disease or accident while in service will be completed on the basis of relevant entries/documents received from the Record Office alongwith the claim. In case of death after discharge the draft PPO for service/disability pension or G-3 section case file in which the disability pension claim of the individual was dealt with and rejected should be called for from the R.O/G-3 section. In such cases, the opening sheet will be prepared with reference to the relevant entries in the draft PPOs/G3 section file and the documents received from the R.O. The opening sheet with the claim and other relevant documents will be put up for approval of the S.O.(A)/AAO.

Note Opening sheet in respect of death due to injury occurring on or after 1-1-96 shall not be prepared and submitted to APO for adjudication but decision regarding attributability would be taken by the authority next higher to the commanding officer which in no case shall be lower than a brigade/sub area commander or equivalent in term of Paras 9 and 2 of MOD letter No. 1(2)/97/D(Pen-C) dated 07.02.2001.

170 After approval of the opening sheet by the SO(A)/AAO, the case will be transmitted, through transit book, to APO for adjudication in the manner laid down in Para 96.

171 Action after adjudication.

The cases received back from the Award Panel fall into the following categories:-

- (i) Cases where entitlement decision is not given but additional information/documents have been called for.
- (ii) Cases where the claim to special family pension is rejected
- (iii) Cases where the claim for special family pension is accepted.

172 In case mentioned in Para 171 (i) above, the information/documents, if not available in this office will be obtained from the Record Office concerned. On receipt of the requisite information/documents, the case will be resubmitted to the Award Panel for a decision on entitlement.

173 In cases mentioned in Para 171 (ii) above, the decision to reject the special family pension claim will be communicated to the R.O. on **GO(4) F.7(Sl. No. 31 of Annexure C)** xerox copy of the decision of the MA(P) may also be enclosed with the intimation memo. If however ordinary family pension is admissible and a claim for the same has been received, action to audit it and notify the award will be taken in accordance with Para. 201 et seq.

174 In cases mentioned as Para 171 (iii) above action will be taken as under:-

if duly completed family pension claim in favour of the eligible heir is awaited, a memo intimating the decision regarding the acceptance of the claim for family pension is sent to R.O. on **G.O.(4) F-8(Sl. No. 32 of Annexure C)**

Note If family pension claim has been received duly completed, a working sheet in **GO (4) F.3(Sl. No. 33 of Annexure C)** will be prepared simultaneously with the processing of the family pension claim.

Adjustment of PEA

- 175** As soon as a family pension case is ready for notification and if pending enquiry award, if any, has been granted to the family by the Record office concerned, the operative group of G-4 section ascertains the total amount paid from PEA group of Grants (ORs) Section on **GO(4)F-11 and 12 at Sl. 35 & 36 of Annexure C** in cases of acceptance and rejection of special family pension respectively. On receipt of the details of total amount paid on account of PEA, the R.O. will be intimated to stop payment of PEA with effect from a prospective date which will be after 3 months after the month of the issue of the intimation memo from PCDA(P). The total amount paid or to be paid will also be intimated to the R.O. for recovery through the PPO. In case, the recovered amount so intimated is more than what actually been paid as per R.O's records, the difference be paid by R.O. on his own. Where, however, the amount so intimated is less than the amount actually paid, the difference will be adjusted against the PEA under remittance failing which the matter will be specifically intimated to Gts/PEA Section.

The amount of PEA is to be shown in the PPO through a guide Note for adjusting against the family pension due before making first payment.

176 Rank and pay group for assessment of Special family pension

The amount of special family pension will be assessed on the substantive/paid acting rank held by the individual on the date of death, if death occurs in service. If death takes place after invalidment the special family pension will be assessed on the rank and pay group in which he was granted disability pension. In other cases of death after discharge, the rank and the pay group held by the deceased at the time of discharge vide Regulation 223 PRA. Part I

Note: In the event of death of an individual on account of Tuberculosis / Leprosy the rank for the purpose of special family pensionary award will be assessed as laid down in para 5 of Govt. of India Min. of Def. letter No. 22679/DGAFMS/DG3A/2721/D (Med.) dt. 18 July 1974.

In the case of individuals suffering from Pulmonary Tuberculosis/Leprosy and who on being found fit after treatment are retained in service and if death takes place on account of Tuberculosis/Leprosy before the expiry of 5 years from the date of rejoining duty, the award of special family pension will be regulated on the basis of rank as also pay in manner laid down in para 5 ((ii) (b) of Government of India Min. Def. letter No. . 22679/DGAFMS/DG3A/ 2721/D (Med.) dt. 18 July 1974.

Date of commencement of special family pension.

- 177** The original grant of commencement of special family pension shall be made as first life award from the date following that of casualty which created the claim to the nominated heir and in the absence of the nomination, to the highest living heir on the date referred to in Para 159 above, If on the date of casualty referred to above, all the eligible

members are dead or disqualified, the arrears of special family pension may only be paid at the discretion of the President.

In no case claims preferred after disqualification be entertained.

Period of Grant.

- 178** Period of the grant depends on the relationship of the pensioner with the deceased soldier and is as under: -

SL No.	Eligible Heir	Period
(a)	Widow	During widowhood
(b)	Widow who has remarried with the real brother of the deceased.	Till such time she becomes widow again and also thereafter during widowhood.
(c)	Father 50 years of age and above.	For life
(d)	Father below 50 years (i) Where he is not the sole surviving heir. (ii) Where he is the sole surviving heir	(i) Upto the date on which he attains 50 years of age provided widow/mother of the deceased is alive and thereafter for life. (ii) From the date on which 50 years of age is attained for life.
(e)	(i) Mother, if widow (ii) Mother, if not widow.	(i) During widow hood. (ii) Till such time she becomes a widow again and thereafter during widowhood.
(f)	Son	Till the date preceding that on which he attains the age of 25 years or upto the date of his marriage whichever is earlier
(g)	Son, if crippled	For life.
(h)	Daughter	Till marriage or till the date preceding that on which she attains the age of 25 years whichever is earlier.
(i)	Daughter, if crippled	For life.

Rates of special family pension

- 179** W.e.f. 1.1.96, the special family pension calculated at the uniform rate of 60% of reckonable emoluments subject to a minimum of Rs. 2550/= irrespective of whether widow has child(ren) or not vide GOI, MOD letter No. 1(2)/97/D(Pen-C) dt. 31.1.2001. There shall be no maximum ceiling on special family pension.

In case the children become the beneficiary, the special family pension at the same rate (i.e 60% of reckonable emoluments) shall be admissible to the senior most eligible child till he/she attains the age of 25 years or upto the date of his/her marriage whichever is earlier. Thereafter special family pension shall pass on to next eligible child.

Note 1 The reckonable emoluments for this purpose will be pay including classification allowance, stagnation increment, if any, last drawn by the individual. In the case of Pre-96 pensioners in receipt of special family pension as on 01. 01. 96, their pension will be consolidated in terms of Min. of Def. Letter No. 1(2)/97/D(Pen/sers) dt. 24.11.97 in the first instance. The special family pension, so consolidated, irrespective of the date of award, shall not be less than 60% of the minimum pay in the revised scale of pay introduced w.e.f. 1.1.96 of the rank and group held by the deceased personnel at the time of death subject to a minimum of Rs. 2550/= p.m.

Note 2 The rates of special family pension admissible from time to time are given in **Appendix-10**.

Sanction and despatch of documents regarding special family pensionary awards.

180 After all the relevant documents for grant of special family pension have been scrutinized and entitlement, etc, worked out, a draft PPO on IAF(CDA)-308 is prepared and put up to the Account Officer alongwith working sheet, pension certificate (IAFA-373) and portion of Annexure II (F.P. claim) for sanction of pension.

181 Thereafter the claim will be processed further in the manner indicated in Para 54. etc seq. It may be noted that numbering of the PPOs for this section will commence by prefixing the symbol "F" for special family pension.

Note 1 The receipt of acknowledgement of the PPO from the PDOs concerned will be watched in the manner laid down in Para. 59.

Note 2 Specimen of PPO format for Special Family Pension is given at **Sl. No. 73 of Annexure C**.

Division of Special Family Pension.

182 The award of special family pension is for the benefit of entire family. If the recipient of special family pension refuses to contribute proportionately towards the support of other eligible heirs in the family who were dependent on the deceased, the competent authority may, on the basis of verification/investigation report rendered by the Zila Sainik Board/Recruiting organisation and supported by the statement of any one of the local civil authorities mentioned in Reg. 228 PRA Part I, divide at his discretion, the special family pension among the eligible heir of the deceased.

The competent authority may order similar division of special family pension at the time of initial grant, if at the time of initial investigation of a claim, it is found that the nominated heir is not living a communal life with other eligible heirs or he/she is not willing to contribute proportionately towards their support.

Procedure for division of special family pension.

183 (i) On receipt of the claim for division, it should be entered in the claim register and the claim number will be allotted to it as in the case of fresh claim.

(ii) It should be checked that the claim is complete and supported with the investigation report of the Recruiting Organisation/Zila Sainik Board and all other necessary documents in support of the claim.

(iii) It should be ensured that the investigating agency has taken into consideration the facts submitted by both the parties in support of their arguments and the investigating agency has recommended the case for division in a judicious way without any partiality. If the demand for division is considered justified an office Note is put up for approval of the Group Officer Grants(ORs) who is the competent authority, to decide the division of special family pension. The Group Officer after examining the case may accord his approval for division, if he is satisfied that the division is justified indicating the ratio of

division between nominated heir/highest eligible heir and other eligible heir. After according approval for division, a draft Corr. PPO reducing the pension of the original recipient and a draft PPO on IAF (CDA)-308 should be prepared for notification of the division of pension in favour of the other heir on the pension disbursing agency as desired by him/her. The date of commencement of the divided share will be the date from which reduction has been made in the case of original recipient and the period of the grant will be as for special family pension amplified by adding of the following (except in the case of widow).

"but for so long as the original recipient viz.....is alive and eligible for his/her share of pension".

Both the Corr. PPO and the PPO for division of special family pension will be linked through guide notes. A Pension certificate for the heir granted division of special family pension should be prepared and the portion on the claim form meant for use by Defence Accounts Department should also be completed.

Similarly, two PPOs in case of initial division of special family pension i.e one for nominated/highest eligible heir and the other PPO for other eligible heir shall be prepared. Thereafter action to be taken will be the same as in the case of initial grant of special family pension.

Note In the event of division of special family pension, the widow's share shall not be less than the normal rate of ordinary family pension that would have been admissible to her had the death not been held as attributable to service.

Claim for transfer of special family pension.

- 184** When for any cause a special family pension ceases to be payable to an heir other than a widow, it shall be transferred to the widow provided she is not disqualified vide Reg. 229 P.R.A. Part-I. The claim of widow should be audited with a view to checking its completeness/correctness and the eligibility of the widow. After audit of the claim a draft P.P.O. on IAF(CDA)-308 marked on the top "Transfer of family Pension" should be prepared. The rate of pension will be the same as was in issue to the original recipient and allocation etc, will also be the same. Besides, a guide note to the effect that "the pension was originally sanctioned to.....vide PPO No....." will also be given. The date of commencement will be the date following the date of death or the date of disqualification of the original recipient unless the claim has been received after 12 months from the date on which it fell due in which case the date of commencement will be fixed under Reg. 88 P.R.A. Part II. The period of grant will be the same as for special family pension. A pension certificate on IAFA-373 should be prepared and the portion meant for use by the Defence Accounts Department should also be completed. Thereafter action will be taken as in the case of special family pension.

Note If the widow was in receipt of division of special family pension, the transfer will be effected through a Corr. PPO and no fresh pension certificate will be prepared.

Claims for grant of continuance of special family pension as a second life award to parents/brothers/sisters

- 185** On cessation of special family pension to the original recipient and if there is no case for transfer of family pension either because the original recipient was widow or the soldier was bachelor or the widow is not alive and eligible, the whole or portion of the pension may be continued to a parent(s) of the deceased irrespective of single or both and in their absence to the eligible brothers and sisters at a rate equal to 50% of notional special family pension that would have been admissible as per Para 179.

When both the parents are alive, second life award will be payable to the father if he is otherwise eligible. It shall be payable to the mother only when father is not alive. In the case of brothers/sisters, second life award shall be payable to the senior most eligible brother/sister at a time till he/she attains the age of 25 years or up to the date of his/her marriage whichever is earlier .

The continuance of special family pension shall be granted from the date of application of the claimant.

- 186 Rates of continuance of award (second life award) of special family pension to Parents/Brothers/Sisters.**

The rate of continuance award of special family pension admissible to parents/brothers/sisters/shall be equal to 50% of notional special family pension that would have been admissible as per Para 179.

Procedure for grant of continuance award.

- 187** For this purpose, either of the parents/eligible brother/sister may prefer a claim for continuance of special family pension on the form prescribed for the purpose. On receipt of the claim, the claim form submitted by the claimant should be audited with a view to checking its completeness and also the eligibility of the parent i.e. the claimant parent is real parent and if a mother, she has not married after the death of the individual. Similarly, in case of brothers and sister, it should be seen that they are below the age of 25 years and not married.

The date of commencement will be the date of application wherein the parent applied for the award.(and which the Record Office is required to send alongwith the claim) and the period of award will be as for the grant of special family pension. The allocation will be the same as was in the case of original recipient. Besides, as also a guide note indicating that the payment will be made only if the pensioner is alive and eligible on.....(here will be entered the date of approval of the PPO)" will also be given. A pension certificate on IAFA-373 should be prepared and the pension on the claim form meant for use by Defence Accounts Department also completed. Thereafter action should be taken as in the case special family pension.

Note Continuance of a special family pension beyond the second life shall not be permissible vide Regulation 230 (d), PRA Part-I (1961).

Claim of special family pension on remarriage of widow

- 188** W.e.f. 1.1.96, special family pension claim on re-marriage of widow shall be regulated in term of GOI, MOD letter No. 1(2)/97/D(Pen-C) dt. 31.1.2001, in the manner as indicated below.

I If special family pension is sanctioned to the widow.

(i)	If she has child(ren)	
(a)	If she continues to support children after re-marriage	Full special family pension to continue to widow.
(b)	If she does not support children after re-marriage.	Ordinary family pension equal to 30% of emoluments last drawn to the re-married widow. 50% of the special family pension to the eligible children.
(ii)	If widow has no children	Full special family pension to continue to widow.

II Where First life award is sanctioned to parents:-

(a)	If widow continues to support child(ren) after re-marriage or has no issues	50% of special family pension to parents. 50% of special family pension to widow.
(b)	If widow does not support children after re-marriage but the children are supported by the parents.	Full special family pension to parents ordinary family pension to widow.
(c)	If children are not supported either by the re-married widow or the parents.	50% of special family pension to parents. 50% of special family pension to eligible children. Ordinary family pension to widow.
(d)	On death or disqualification of parents and the widow supports the children or has no issues.	Full special family pension to widow.
(e)	On death or disqualification of parents and the widow does not support the children.	Full special family pension to eligible children. Ordinary family pension to widow.

Claims for restoration of special family pension.

- 189** The special family pension of a widow, which was discontinued on her re-marriage with a person other than real brother of the deceased may be restored in the event of her again becoming a widow or such marriage being annulled by divorce or desertion by the second husband, if she is otherwise qualified, and provided her pecuniary circumstances are such as in the opinion of the President to justify restoration of the pension.

However, wef 1.1.96, the grant of special family pension on re-marriage of widow other than the real brother will not be discontinued but will be regulated in the manner as explained in Para. 188 above.

Claims for ex-gratia awards of special family pension.

- 190** In cases where cause of death is accepted due to service and there is no heir within the degree of relationship to receive special family pension, an ex-gratia award may be made at the discretion of the President to a foster parent or a step child or a minor brother/sister of the deceased. Separate claim form is prescribed for the purpose and a

pension claim when received will be audited with a view to checking its completeness/correctness and verifying the eligibility of the claimant. If the claim is in favour of a major brother/sister in his(her) capacity as a foster parent it will be entertained. After check the claim will be referred to the Govt. of India, Ministry of Defence with an audit report for orders. On receipt of Govt. sanction, the grant of ex-gratia award, at the rate specified in the Govt. sanction will be notified on IAF(CDA)-308 and a pension certificate will also be issued as in the case of award for special family pension.

The question of grant of an ex-gratia award of special family pension may also arise in cases where the nominated/highest eligible heir is missing or has refused to submit his/her claim and another eligible heir claims the award. In such cases the claim will be on the form prescribed for the special family pension. After audit the claim will be referred with an audit report, to the GOI, MOD for orders,. On receipt of Govt. sanction action will be taken as above to notify the award in a P.P.O.

Grant of ordinary family pension

- 191** Personnel below officer rank, for the grant of ordinary family pension, are governed by the provisions of "Family pension scheme, 1964." which was introduced w.e.f. 1-1-64 vide Army instruction No. 2/S/64 (replaced vide A.I. No. 51/80).

Under this scheme, ordinary family pension is payable when death of an individual is for causes neither attributable to nor aggravated by military service.

Conditions governing the grant of ordinary family pension

- 192** **(i)** The title to ordinary family pension under "Family Pension Scheme, 1964" arises, if the deceased in whose respect family pension is claimed was in service on 1-1-64 and to an individual who was in service on 31-12-63 and opted to be governed by the provision of this Scheme."
- (ii)** In the cases governed by the "Family Pension Scheme, 1964, ordinary family pension is granted to the family of a deceased soldier who dies while in service or after retirement on or after 1-1-1964, if at the time of death/invalidment while in service, he had rendered continuous service for one year or in case of death after retirement, he was in receipt of service pension/ disability or invalid pension/special pension.

Note w.e.f. 27-1-79, the condition of 1year continuous active service at the time of death/invalidment of service personnel has been waived vide A.I. 51/80. Ordinary family will be admissible to the family provided the person immediately before his recruitment was found fit after medical examination for enrolment.

(iii) The benefits of "Family Pension Scheme, 1964" have also been extended from 22-9-77 to the families of Armed Forces personnel of those Who retired/died before 31-12-63 and also to those who were alive on 31-12-63, but had opted out of the above Scheme vide Govt. of India, Min of Def. Letter No. Govt. of India, Min. of Def. letter No. F.6 (2)/85/1689/B/D (Pension/Service) dt. 8-8-85.

Eligible members of family for ordinary family pension

193 (A) It may be noted that the following members of the family will be eligible in order of priority as indicated below for grant of ordinary family pension

- (i) **Wife** lawfully married and also judicially separated wife subject to the condition that such separation has not been granted on the ground of adultery and the person surviving was not held guilty of committing adultery.
- (ii) **Unmarried Son/Unmarried Daughter** below the age of 25 years (including those illegitimate and adopted legally before or after retirement) or till the date of earning livelihood i.e. not more than Rs. 2550/- p.m. whichever is earlier.

Note 1 Eligible Son / daughter includes a posthumous child as well as step child.

Note 2 The financial benefit of the ordinary family pension in r/o children adopted legally after retirement will be available wef. 18-1-93 only vide Govt. of India Min of Def. Letter No. B / 40015/AG/PS-4(d) /300/B/D (Pen / Sers) dt. 26-3-98 but all cases arising even before 18-1-93 will be covered.

- (iii) **widowed / divorced daughter** till she attains the age of 25 years or upto the date of her remarriage and their earning is not more than Rs. 2550/p.m.whichever is earlier.

- (iv) **Parents** who were wholly dependant on Armed Forces personnel when he was alive and Armed Forces personnel has not left behind a widow, widower, eligible son or daughter or a widowed divorced daughter who will have a prior claim and the earning of the parents is not more than Rs. 2550/-. p.m. It will be the responsibility of the PSA concerned to satisfy them selves based on a scrutiny of the service records and other relevant documents that the parents were, infact, wholly dependant on the deceased Armed Forces Personnel when he was alive and that he has not left behind any of the other specified beneficiaries who have a prior claim to the family pension. An affidavit sworn before a Magistrate as per specimen annexed in GOI MOD letter No. 241/B/D/Pen / Sers/ 2001 dt. 28-8-2001 or a succession certificate from a court may be furnished, which may be treated as sufficient proof in the matter for the claim.

Note 1The specimen form of the affidavit is given **at Sl. No. 84 of Annexure C.**

Note 2 The financial benefits of ordinary family pension to dependant parents and widowed /divorced daughter is admissible with effect from 01.01.1998 or the date following the date of death whichever is later but cases, where death occurred prior to 01.01.1998 will also be included subject to following.

- (a) The family pension wherever admissible to parents, the mother will receive the pension first and after her death the father will receive the family pension.
- (b) The beneficiary is required to produce Income Certificate. In case, they are self employed or are in receipt of income from sources other than employment, Income Certificate furnished by the concerned beneficiaries themselves may be accepted for the purpose.

- (c) Income criterion will be taken into account for both the parents when both are alive and it will be taken for single parent when only one of them is alive.
- (d) Eligible sons / daughters will also be required to furnish half yearly certificate in regard to their marital status.
- (B)** In addition to family members as listed above, the following members of the family who are placed in peculiar situations shall also be eligible for ordinary family pension under the provisions of "Family Pension Scheme, 1964."
- (i) Handicapped children:-** If the son or daughter of service personnel is suffering from any disorder or disability of mind or physically crippled or disabled so as to render him or her to earn a living even after attaining the age of 25 years, the ordinary family pension shall be payable to such son or daughter for life subject to conditions laid down vide Govt. of India, Min. of Def. letter No.A/49601/AG/PS4(E)/3363/B/D(Pen/ Sers) dated 27.08.1987 as amended vide that Min.'s letter dated 21.12.1989

The benefit of family pension to such son or daughter of Armed Forces personnel shall be admissible to those who retired/ died on or after 30.09.1974. However, with effect from 20.05.87, the above benefits has been extended to such sons/daughters of those Armed Forces personnel who retired/ died before 30.09.1974.

- (ii) Post Retiral Spouses:-** The benefit of family pension scheme, 1964 has been extended to post retrial spouses of the Armed forces pensioners vide Govt. of India, Min. of Def. letter No 6(7)/87/D(Pen/Sers) dated 5.04.1991.
- (iii) Missing personnel/pensioners:** - The benefits of ordinary family pension shall also be admissible to the families of the Armed Forces personnel /pensioners who are declared missing and whose whereabouts are not known vide Govt. of India, Min. of Def. letter No. 12(16)/86/D(Pen/Sers) dated 3.06.1988 and 20.03.1990.

Note The benefit of the family pension shall be sanctioned and paid to the eligible member of the family one year after the date of lodging FIR with the Police. The family pension will, however, accrue from the date of lodging FIR or expiry of leave of the service personnel who has disappeared which-ever is later . vide Govt. of India, Min. of Def. letter No 12(16)/86/D(Pens/Sers) dated 26.08.1993.

(iv) Children born out of void or voidable marriages.

Child/children born out of voidable marriages or marriage, which are held void under Sec. 11 of Hindu Marriage Act, 1955 shall be entitled to share family pension, if otherwise in order, though their mother would not have been eligible for the same had she been alive at the time of death of her husband vide corrg. No 3 of A.I. 51/80.

(v) Children from divorced wife

When the deceased soldier or pensioner is survived by a widow but has left behind eligible child/children from a divorced wife or wives the eligible child/children shall be entitled to share the family pension which the mother would have received at the

time of the death of the service personnel or pensioner had she not been divorced.

(vi) Minor Child/children

The minor child/children of the deceased Govt. servant are also entitled to the award of ordinary family pension in the order of their birth and the younger of them will not be eligible for family pension unless the elder next above him/ her has become ineligible for the grant of family pension

(vii) Twin Children

In case of twin children, the family pension admissible to them on their turn will be divided in equal share.

Processing of ordinary family pension claim

Computerized system

194 Ordinary family pension in respect of personnel below officer rank of the following categories has been computerized with effect from 1.12.1994 and **LPC-Cum- Data Sheet-family pension (ORs) Post-1/86** will be used for the purpose:-

- (a) Where the individual died during service on or after 1.01.1986, and also in those cases where the individual has been discharged from service on or after 1.01.1986 with a service/disability/invalid/special pension but family pension was not notified jointly alongwith pension.
- (b) Further this data-sheet will be used only in those cases where both family pension and death gratuity is payable to the spouse of the deceased based on the nomination available.

However, w.e.f. 01.01.2003 ordinary family pension of all the categories who died or discharge on or after 01.01.1996 and where joint notification of family pension was not done alongwith service/disability/invalid/special pension will be notified on computer. The detailed instructions for completion of LPC-cum-data sheet by the ROs and its checking by PAO(ORs) are given in Appendices 11 and 12 in respect of Post-86 and Post-2003 cases respectively.

195 The cases of family pensionary awards in respect of above categories of deceased personnel will be initiated by the ROs in the same manner as is being done in the manual system. The only change made in the existing procedure of initiation of these claim is that copies of data Sheet duly completed/ checked will also be attached with the family pension claim.

Submission of ordinary family pension claim through Data -Sheet

196 Where the claim is processed through data sheet, three copies of the data sheet shall be prepared. The original copy of the data sheet will be submitted along with the claim for use in the office of PCDA (P) and duplicate and triplicate copies thereof will be retained in the Record Office and PAO (ORs) respectively as office copies.

Note: Specimen of the LPC-cum-data sheet is given at **Sl. No. 51 of Annexure C.**

Documents required

197 The documents required for notification of the award of the special family pension as mentioned in para 161 above, are also the documents required for the grant of ordinary family pension in addition to LPC-Cum-Data-Sheet Family pension (ORs) of Pre-86 and

Post 1.1.86 (specimen of LPC-cum-datasheet at **Sl. No. 54 and 55 of Annexure C** respectively.

The following additional documents shall be looked into depending upon the nature of case:

In case of Handicapped child

- (i) **Medical Certificate:** - In the case of handicapped child, a certificate from medical officer, not below the rank of a Civil Surgeon, setting out, as far as possible, the exact mental or physical condition of the child, shall accompany the family pension claim. In the certificate, the competent medical authority should also mention that handicap is of such a nature so as to prevent him or her from earning his or her livelihood.
- (ii) **Guardianship Certificate:** - The physically crippled/disabled children who are minor are paid family pension/gratuity through guardian appointed by court of law, till they attain the age of majority. A guardianship certificate from the court would therefore be necessary in these cases vide Govt. of India, Min. of Def. letter No. A/49601/AG/PS4(e)/1372B/D/(Pen/Sers) dated 20.12.1991.

In case of Missing personnel / pensioners

Before grant of ordinary family pension or death gratuity to the families of the missing personnel/pensioner, the following additional documents will be looked for:

- (a) **FIR-** A copy of the first information report lodged by the family of the missing personnel/pensioner with the concerned Police station
- (b) **Police Report on FIR-** A copy of the report from the Police in response to the FIR that the missing personnel/pensioner has not been traced after all efforts had been made by the police.
- (c) **Indemnity bond** – An indemnity bond, duly signed by obligor and two solvent sureties should be obtained from the nominee/dependants of the personnel/pensioner that all payments will be adjusted against the payments due to the personnel/pensioner in case he reappears on the scene and makes any claim. The alterations/cuttings are attested to obliges/sureties and they are majors.

Note 1 The indemnity bond should be put up to the CDA/PCDA on an office Note for acceptance.

Note 2 The specimen of the Indemnity Bond and office note in respect of missing personnel and pensioners are reproduced at **Sl. No. 85, 86 and 87 of Annexure C**.

Note 3 The specimen of the LPC-cum-data sheet and PPO format both computerised and manual are given at **Sl. No. 59,62,74 and 75 respectively of Annexure C**

In case of post Retiral Spouse

In the case of ordinary family pension claim in respect of post retiral spouses, the following documents should be looked for in addition:-

- (a) An attested copy of the marriage certificate from the Registrar/Gram Panchayat/Magistrate in respect of post retiral marriages.
- (b) The details of child/children from previous marriage, if any, showing the date of birth, relation to the deceased personnel and their marital status.

Preliminary action on receipt of data sheet

- 198** Ordinary family pension claim processed through data sheet will be received in group I of G4 Section of Grants (ORs). On receipt of pension claim, it will be entered in the Central Pension Claim Diary Register through which a Diary serial No will be allotted to it. The diary serial number will be allotted in serial order commencing from serial No1, from the beginning of a calendar year. On allotment of serial No. from Central family pension claim diary register, the DS No will be noted down on the pension application and the cover of the case file. Thereafter, the pension claim is passed on to the operative groups concerned of the G4 Section.

Detailed scrutiny of the claim

- 199** Detailed scrutiny of family pension claim taken up for generation of computerized PPOs. involves :
- (i) Checking of documents
 - (ii) Verification of LPC- Cum-Data Sheet.

Audit of pension claim for ordinary family pension

The points to be seen in the audit of the claim are the same as for claims for special family pension except that

- (i) even if the claimant is not living communal life with other members of the family his/her title is not affected
- (ii) remarriage of a widow with the real brother of the deceased is a disqualification and if the individual married more than one and there is (are) other widow (s) or child (ren)from her then the family pension will be equally divided amongst the eligible heirs, and for this purpose separate claim in respect of each such heir will be looked for.

Calling for wanting documents:- family pension claim will be returned if the application for family pension and the data sheet have not been signed by the appropriate authority. Since the family pension claims are to be processed on the basis of data recorded in the data sheet, it should be ensured that the necessary documents in support of the data are submitted by RO along with the claim.

Total amount of PEA paid by Record office, if any, may be worked out and noted for recovery in the PPO. An intimation to RO and PEA Section on Form **GO(4)F-9** at **Sl. No. 34 of Annexure C** will be sent.

Note The instructions for completion of data sheet in respect of family pension are given in **Appendix 11**.

Processing of data sheet

- 200** The procedure as laid down in Para 19 above will be followed.

Manual processing of ordinary family pension claim

- 201** The ordinary family pension claims in respect of all other categories except mentioned in Para 194 above will be processed through manual notification. The procedure as laid down in Paras 168 to 176 above for special family pension claim will be applicable mutatis mutandis for processing of ordinary family pension claims also.

Determination of entitlement of ordinary family pension

- 202** In the case of an individual who has died while in service the rate of ordinary family pension should be determined with reference to the rate prevalent at the time of death. Similarly, in the case of an individual whose death has taken place after discharge/invalidment from service the rate of ordinary family pension should be determined under that set of rates which was prevalent at the time of individual's discharge/invalidment.

Rates of Ordinary Family Pension

- 203 Normal Rate** The ordinary family pension at normal rate in respect of death occurring on or after 1-1-96 shall be calculated at a uniform rate of 30% of reckonable emoluments last drawn subject to a minimum of Rs 1275/- p.m. vide GOI,MOD, letter No. 1(6)/98/D/(Pen./Sers) dt. 03-02-98.

For this purpose, reckonable emoluments comprises pay including classification allowance, plus stagnation increment if any, last drawn by the individual.

The rates of ordinary family pension admissible from time to time prior to 1.01.1996 are given in **Appendix-13**.

Enhanced rate Where an individual who dies while in service after having rendered not less than 7 year's continuous qualifying service, or who dies after discharge/invalidment with a pension, ordinary family pension shall be granted at enhanced rate for a period of 7 years from the date following the date of death of the individual or upto the date on which the deceased would have attained the age of 65 years(67) years with effect from 13.05.1998 for those who is to retire under revised age of retirement as per notification issued by Govt. vide their No. 25012/2/97-ESTT. (A) dt. 13-5-98 had he been alive, whichever is earlier.

With effect from 1.01.1996, the amount of enhanced rate of ordinary family pension for this period shall be the lowest of the following amounts:-

- (a) 50% of the reckonable emoluments as defined above.
- (b) The amount of service/invalid pension/service element of disability pension /special pension (before commutation) admissible under govt. Of India, Min. of Def. letter No 1(6)/98/d(Pens/Sers) dated 3.02.1998, in cases where the deceased was a pensioner.

Division of ordinary family pension Payment of share (s) of

ordinary family pension to other widows / children.

- 204** Where an individual is survived by more than one eligible widow, the ordinary family pension will be paid to them in equal shares. On the death of a widow, her share of the ordinary family pension shall become payable to her eligible child. Provided that if the widow is not survived by any child, her share of ordinary family pension shall not lapse but shall be payable to the other widows in equal share, or if there is only one such other widow, in full to her.

Where a deceased is survived by a widow and has also left behind eligible/ child/ children from another wife, who is not alive, the eligible child of the deceased wife, shall be entitled to share of ordinary family pension which the mother would have received if she had been alive at the time of the death of the individual.

Provided that on the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable, such share shall not lapse but shall be payable to other widow or widows and or to other child or children otherwise eligible, in equal shares or if there is only one widow or child, in full to such widow or child.

Where the deceased is survived by a widow but has left behind eligible child/children from a divorced wife or wives, the eligible child or children shall be entitled to the share of family pension which the mother would have received at the time of death of the individual had he not been divorced.

If the share or shares of family pension payable to such a child or children or to a widow or widows ceasing to be payable such share or shares shall not lapse, but shall be payable to the other child or children otherwise eligible, in equal shares, or if there is only one widow or child, in full, to such widow or child.

Authority Govt. of India, Min. of Def. letter NO. A/6320/ Div/AG/PS4 (e) /325/B/D (Pen/Sers) dated 25.05.1992.

Claim for re-grant of ordinary family pension

- 205** When an ordinary family pension ceases to be payable to the original recipient and there is a child eligible for the same, the pension will be re-granted to the child vide Army Instructions 2/S/64. On receipt of the claim for ordinary family pension from the R.O. the same will be audited with a view to checking its completeness and the eligibility of the child. After audit a draft PPO on I.A.F (CDA)-308 marked at a top "Re-grant of ordinary family pension" should be prepared. The rate of pension will be the same as was in issue to the previous recipient, the date of commencement will be the date from which the award of original recipient was discontinued and the period of grant will be as for ordinary family pension. For propose of linking of PPO, A Guide note will be given as under:-

“The recipient of the previous Award Shri. /Smt. ----- vide PPO No.-----has expired / dis-qualified on ----- and the award has now been re-granted to ----- w.e.f.-----“

A pension certificate on I.A.F.A - 373 should be prepared and the portion on the claim form meant for use by the Defence Accounts Department should be completed. There after action will be taken as in case of grant of special family pension.

Grant of ordinary family pension under Employees Provident and Miscellaneous Provisions Act, 1952 in addition to family pension from Military side.

- 206** As per provisions of Govt. of India, Min. of Def. letter No. 10(6)/92/D(Pen/Sers) dt. 28-09-92, the families of the Armed forces pensioners who were in receipt of military pension till their death and also eligible to draw family pension from the Central Civil Ministries / Departments / state Govt. / Public Sector undertakings / Autonomous bodies for the re-employed service of the deceased, were to exercise an option to draw family pension from military, side or Civil source.

The option was to exercise within two years from the date of issue of the Govt. letter or the date following the date of death of the Armed forces pensioners, whichever is later.

Consequent on issue of Deptt. of P & PW decision in Note 71 of file No. 10801/P & PW (E) dt. 10-10-94, the benefits available to Ex Servicemen and or to their families under the Govt. Family Pension Scheme would not debar such members from the benefits under employees Provident and Miscellaneous Provisions Act, 1952 which are based on the contributions made by a Ex Servicemen during his / her reemployment in Public under takings and Autonomous bodies.

Grant of Family Pension under the Employees Family Pension Scheme 1995 and Family Pension Scheme 1971 In-addition to family pension from Military side.

- 207** As per provisions of Min. of Personnel, Public Grievances and Pensions, Deptt of P & PW OM NO. 1/19/96-P & PW (E) dt. 27-07-2001, the families of the Govt. servants, who were in receipt of family pension under the Employees Pension Scheme, 1995, and the Family Pension Scheme, 1971, shall be eligible for family pension from Central Govt. in addition. The provision of the above O.M. has also been extended mutatis / mutandis to Armed Forces personnel w.e.f. 27.07.2001 who were re-employed in the organization / establishment where employee Pension Scheme, 1995 and family pension Scheme, 1971 are in force vide GOI, MOD No. 2/CC/B/D(Pen/Sers) dated 28.08.2001. However, the above benefit will be admissible in those cases also where retirement/death of a re-employed pensioner who was covered by the Family Pension Scheme 1971 or the Employees Pension Scheme 1995 took place prior to 27.07.2001 but the benefit of second family pension in such cases will be admissible w.e.f. 27.07.2001 vide that Ministry of Defence letter of even No. dated 05.09.2002.

**Claim of initial grant of liberalized family pension
General**

- 208** The concept of liberalized family pension was introduced after 1962 (Chinese war) and 1965 (Pak aggression). It was then admissible @ 1 -1/2 times of special family pension. Subsequently after 1971 war, the concept of liberalized family pension was defined more clearly under Govt. of India, Min. of Def. Letter No. 200847/Pen-C/71 dt. 24-2-72 and the benefit of liberalized family pension was extended to all past war casualties commencing since 1948 (Kashmir Operation) but the financial benefit was given w.e.f. 1-2-72.

Conditions governing the grant of liberalized family pension

- 209** (i) The title to liberalized family pension arises, if the deceased in whose respect family pension is claimed dies due to any of the circumstances mentioned in category 'D' or 'E' of Para 90 above.
- (ii) Where a service personnel is invalided out of service with a disability pension under these orders but dies subsequently as a result of same injury he will be deemed to have been killed in action for admissibility of liberalized family pensionary awards.
- (iii) Liberalised family pension shall be admissible to the nominated heir until death or disqualification.
- (iv) If the armed forces personnel is not survived by widow but survived by child / children, all children together shall be eligible for liberalized family pension at the rate equal to special family pension.
- (v) Liberalised family pension shall be payable to the child/children for the period during which they would have been eligible.
- (vi) The liberalised family pension shall be payable to the senior most eligible child at a time. On his/her disqualification/death it will pass on to next eligible child.
- (vii) Liberalised family pension on remarriage of widow either with real brother or with any other person in cases occurring on or after 01-01-96 will now be regulated in terms of para 6.6 of Min. of Defence Letter No. 1(2)/97/D (Pen-C) dt. 31-1-2001 as explained in Para 220.

Note The Provision under, (vii) above is applicable in respect of cases occurring on or after 1-1-96.

Eligible members of the family for liberalized family pension

- 210** It may be noted that the members eligible for special family pension as listed in Para 160 are also eligible for grant of liberalised family pension.

Determination of entitlement of liberalized family pension from 1-1-96

- 211** The rates of liberalized family admissible w.e.f 1-1—96 are laid down in Govt. of India Min, of Def. Letter No. 1 (2) /97/D (Pen-C) dt. 31-1-2001. According to this letter, liberalized family pension shall be equal to the reckonable emoluments last drawn.

Note For this purpose, reckonable emoluments includes Pay including classification allowance, stagnation increment, if any, last drawn by the individual.

Pre-96 pensioners.

In the case of pensioners in receipt of liberalized family pension as on 1 -1-96, pension will be consolidated in terms of Min. of Def. Letter no. 1 (2) /97/D(Pen-Sers) dt. 24-11-97. However, the liberalized family pension, so consolidated, irrespective of the date of award, shall not be less than the reckonable emoluments calculated on the minimum pay in the revised scale of pay introduced w.e.f. 1-1-96 of the rank and group held by the deceased personnel at the time of death.

Preparation and submission of liberalized family pension claim

- 212** The claim on account liberalized family pension are initiated by the Record office and submitted to this office in the same manner as laid down in Para. 162.

However, with effect from 01.01.2003, liberalised family pension claims in respect of individual who died in harness on or after 01.01.1996 will be notified on computer.

The detailed instructions for completion of LPC-cum-data sheet by the RO and its checking by PAO (ORs) for all types of family pensionary awards and PPO formats are given in **Appendix 12** and Annexure-C respectively.

Documents required

- 213** Documents as mentioned at items (a) to (c) of Para 161 above in addition to that extracts from Part-II orders or from the casualty list received will be required for liberalized family pension claims.

Detailed scrutiny and audit of pension claim

- 214** The detailed scrutiny and audit of pension claims will be done in the same manner as laid down in Paras 165 to 167 above.

Processing of liberalized family pension claim

- 215** A working sheet in order to determine the entitlement of the liberalized family pension is prepared and submitted alongwith draft PPO to SO (A) / A.A.O and AO/SAO for checking and approval.

Note- Cases of death due to battle casualties are not adjudicated upon. In such case, the cause of death is to be accepted as due to service on the basis of casualty report and a copy of Battle Casualty D.O. P+II.

Adjustment of P.E.A.

- 216** The procedure for adjustment of PEA paid, if any, by the R.O., as laid down in Para 175 above, will be followed in this case also.

Sanction and dispatch of PPO

- 217** Procedure for sanction of liberalized pensionary award and dispatch of PPO, as laid down in Para 180 above, will similarly be followed in this case.

Note Specimen of the PPO format for liberalised family pension notified manually is given at **Sl. No. 76 of Annexure-C**.

Division and transfer of liberalized family pension

- 218** The procedure of Paras 182-and 183-shall apply in cases of division and transfer of liberalized family pension.

Claim for second life award (Liberalized family)

- 219** The claim for second life award in respect of personnel below officer rank who die under the circumstances mentioned in category 'D' and 'E' of Para 90 above shall be regulated as under:-

- (a) If the first recipient (other than the parent) of the family pensionary award dies/is disqualified earlier than 7 years (counting from the date of casualty), the award will be continued at the same rate to the parents as second life award, if still alive,

for the balance of years without any reduction. After the initial period of 7 years, the second life award will be continued at the rate at 60% of the liberalized family pension.

- (b) Where the first life award was given to a parent and the widow re-marries, the liberalized family pension shall be regulated depending upon the period of widow's re-marriage as follows:-

(i) If widow continues to support the children or has no children

Widow will get family pension equal to special family pension (i.e. 60% or liberalized family pension or reckonable emoluments) from the date of remarriage and the parents will also get family pension at the rate of 60% of liberalized family pension for the balance of 7 years if the remarriage of widow takes place during 7 years of casualty. After the period of seven years or where re-marriage of widow took place after seven years, widow will get family pension @ 60% liberalized family pension and parents will get family pension at the rate of 30% of liberalized family pension. On death or disqualification of parent, widow will get family pension equal to liberalized family pension for life.

(ii) If widow does not support the children.

Widow will get ordinary family pension (i.e. 30% of reckonable emoluments) for life from the date of re-marriage and the parents will continue to get first life award at the same rate. (i.e., full liberalized family pension) for balance of seven years where remarriage takes place within 7 years of casualty, provided they support the children. Otherwise, the entitlement of parents will be equally divided between the parents and children. After the period of 7 years or where remarriage of widow takes place after seven years of casualty, parents, will get family pension at the rate of 60% liberalized family pension provided they support the children, otherwise, it will be divided equally between the parents and the children. On death/ disqualification of parents of deceased service personnel, the senior most eligible child will get family pension at the rate of 60% of liberalized family pension.

Note Wherever children become beneficiary the award will be continued for a period and subject to conditions as applicable for grant of special family pension.

Claim for liberalized family pension on re-marriage of widow

220 The claim for liberalized family pension on re-marriage of the widow will be regulated in terms of Para 6,6, (b) of the Govt. of India Min. of Def. Letter No. ^ (2)/97/D (Pen-C) dt. 31-1-2001 in the manner as indicated below.

(A) If liberalized family pension is sanctioned as first life award to the widow.

(i)	If she has children:-	
(a)	If she continues to support children after remarriage.	Full liberalized family pension to continue to widow.
(b)	If she does not support children after re-marriage	Ordinary family pension at 30% to widow.

		Special family pension at 60 % to eligible children.
(ii)	If widow has no children.	Full liberalized family pension to continue to widow.

(B) Where first life award is sanctioned to parents.

The admissibility of liberalized family pension in such cases would be regulated as mentioned in Para 6.5(b) of GOI, MOD letter No. 2(97)/D(Pen-C) dated 31.01.2001 which are explained as under: -

- (i) If Widow continues to support the children or has no children:** Widow will get family pension equal to Special Family Pension (i.e. 60% of liberalised family pension or reckonable emoluments) from the date of remarriage and the parents will also get family pension at the rate of 60% of liberalised family pension for the balance of 7 years if the remarriage of widow takes place during 7 years of casualty. After the period of seven years or where remarriage of widow took place after seven years, widow will get family pension @ 60% of liberalised family pension and parents will get family pension @ 30% of liberalised family pension. On death or disqualification of parents, widow will get family pension equal to the liberalised family pension for life.
- (ii) If Widow does not support the children:** Widow will get Ordinary Family Pension (i.e. 30% of reckonable emoluments) for life from the date of remarriage and the parents will continue to get first life award at the same rate (i.e. full liberalised family pension) for balance of seven years where remarriage takes place within 7 years of casualty, provided they support the children. Otherwise, the entitlement of parents will be equally divided between the parents and children. After the period of 7 years or where remarriage of widow takes place after seven years of casualty, parents will get family pension at the rate of 60% of liberalised family pension provided they support the children, otherwise it will be divided equally between the parents and the children. On death/disqualification of parents of deceased service personnel, the senior most eligible child will get family pension at the rate of 60% of liberalised family pension.

Procedure for grant of second life award and on re-marriage of widow

- 221** In both the above circumstances, corrigendum PPO will be prepared as and when contingency arise on receipt of the claim from the Record office and Corrg. PPOs, issued in the same manner as laid down in Para 187 above.

Ex-gratia Award in Air Crash cases

- 222** Claim on account of ex-gratia payment to the families of personnel died during Air Craft accidents.

The families of personnel below officer rank who die while travelling by Service Aircraft's in the course of performance of official

duties (excluding those who travel on leave) as a result of accidents to the aircraft shall be paid an ex-gratia award of Rs. 1 Lakh w.e.f. 1-11-77 vide Govt. of India, Min. of Def. Letter No. Air HQ /24229/71/P&PR-3/4930/Pen-C dt. 26-6-78.

Mode of payment of ex-gratia award

The mode of payment of ex-gratia award shall be as under: -
Where the deceased is survived either by widow/ children

	Cash payment	In fixed deposit
widow /Children	20,000/-	80,000/-

(B) Where the deceased is survived by the both widow/Children and parent.

	Cash payment	In fixed deposit
Widow/Children	20,000/-	55,000/-
Parents	-	25,000/-

Note 1 The amount will be deposited in any Nationalised Bank of the choice of the beneficiary for a minimum period of 63 months or longer if so desired by the beneficiary.

Note 2 The amount will normally be kept in Bank deposits for a minimum duration of 63 months unless specifically authorised to be paid in cash.

(Authority - Govt. of India Min. of Def. letter No. Ser HQrs/24229/171/ PP&R-3/2020/Pen-C dt. 21-3-79.

Note 3 During the period of long term deposit the monthly interest accrued thereon will be payable to the beneficiary vide Min. of Def. No. Air HQ/ 24229/171/PP&R-3/3393/Pen-C) dt. 20-6-81.

223 The individual claim of P.B.O.R. shall be adjudicated by the Pension Sanctioning Authority viz PCDA (P), CDA (Navy), and CDA (Air Force) vide GOI, Min of Def. letter No. 1 (4)/89-D (Pen-C) dt. 10-4-91. No. Specific Govt. sanction deciding attributability for grant of ex-gratia award will be issued.

224 The attributability for ex-gratia award in such cases will be decided on the basis of the following documents:-

- (i) A certificate from the OC of unit duly authenticated by Service HQrs. to the effect that PBOR was traveling in performance of official duty at the material time of accident.
- (ii) A detailed report on the basis of initial report/ FIR, indicating:
 - (1) Nature, date and place of casualty
 - (2) Name, rank, Regt. and unit of the individual killed in the air craft accident.
 - (3) A report containing information regarding.
 - (A) Name, and address of the widow / children
 - (B) Name of PDA from where the claimant is desirous of payment of ex-gratia.
 - (C) Nomination for the death gratuity.
 - (D) L.P.C.
 - (E) Intimation regarding family gratuity paid to the next of Kin.

Claim for grant of ex-gratia lump sum compensation who die in harness
225 Ex-gratia lump sum compensation is admissible to the families of personnel of Defence Services who are killed while performing their

duties in an encounter with or in an incident involving armed hostiles, extremist, terrorists or other anti social elements such as dacoits or smugglers and also those killed in enemy action and border skirmishes vide Govt. of India Min. of Def. Letter No. B/39902/XXII/AG/PS-4(d)/2869/D (Pay/Sers) dt. 8-10-96 as amended vide their letter dated 4-6-97, at the following. rates.

- (a) Rs. 1 lakh where the death takes place between 20.8.93 to 30.4.95.
- (b) Rs. 2 lakhs where the death takes place between 1.5.95 to 31.7.97.

Subsequently these provisions were further extended from 1-8-97 vide Govt. of India Min. of Def. letter No. 20 (1)/98/D (Pay/Sers) dt. 22-9-98 to those who die in harness in the circumstances and rates mentioned as under.

(a)	Death occurring due to accidents in the course of performance of duties.	Rs. 5 lakhs
(b)	Death occurring in the course of performance of duties attributable to acts of violence by terrorists, anti-social elements, etc.	Rs. 5 lakhs
(c)	Death occurring during (i) border skirmishes and action against militants, terrorists, extremists, etc.	Rs.7.50 lakhs
(d)	Death occurring during enemy action in international war or such war like engagements which are specifically notified by Min. of Def.	Rs.10 Lakhs

Procedure for grant of ex-gratia lump sum compensation

226 The claim for grant of ex-gratia lump sum compensation in respect of the casualties occurred while on duty or otherwise in the operational area shall be submitted by the R.O. to this office for adjudication alongwith the following documents.

- (i) Detailed statement of the case duly approved by the competent authority i.e. by the officer not below the rank of Brigadier.
- (ii) A certificate to the effect that the casualty occurred as a result of attack by or during in an action against extremists/ antisocial elements, etc.
- (iii) A special casualty report notified by the competent service authority.
- (iv) A copy of the F.I.R. lodged with the Civil Police and /or proceedings/ recommendation of the Court of Inquiry.

On receipt of the claim, the same will be entered in the Claim Register maintained R.O.-wise and a Diary Serial No. allotted to it.

The claim will be scrutinised to ensure that the criterion laid down for grant of ex-gratia compensation are fulfilled. The grant of ex-gratia lump sum compensation shall be notified in favour of the nominated heir in whose favour liberalised family pension/special family pension was notified. In case the liberalised family pension/special family pension has been divided initially, the ex-gratia lump-sum compensation shall also be divided in the same ratio in which the liberalised family pension/special family pension was divided.

Ex-gratia lump-sum compensation shall be notified in the same PPO in which liberalised family pension/special family pension is notified. However, where liberalised family pension /special family pension had already been notified, ex-gratia lump sum compensation may be sanctioned through a Corr. PPO.

Note Power to sanction ex-gratia lump-sum compensation has been delegated to PCDA (P) vide Min. of Def. letter No. 20(1)/98/D (Pen/Sers) dt. 12-4-99 in respect of service personnel of all the three Arms of Services. However, the power to sanction ex-gratia lump sum compensation in respect of service personnel of Air Force and Navy has been delegated to CDA (Air Force) and CDA (Navy) respectively vide that Ministry's letter of even no. dt. 19th May, 2000. This will be effective from the date of issue of the Government letter *ibid*.

Ex-gratia awards from Compassionate Gratuity fund.

- 227** An ex-gratia award from compassionate gratuity fund may be sanctioned to the dependants of the deceased service personnel who die while in service. But whose deaths are due to causes neither attributable to nor aggravated by service. The scheme has been introduced with effect from 1-4-1971 and the award is granted under specific Govt. Orders in each case.

The condition and the procedure for the grant of the award are laid down in Govt. of India, Ministry of Defence letter No. 200384/ Pen-C dated 10-10-71.

Family Gratuity

- 228** In battle casualty cases as also in certain other cases of death while in service, family gratuity is also payable in addition. The rates of family gratuity in battle casualty cases are given in Govt. of India, Min. of Def. Letter No. 200847/Pen.-C/71 dt. 24-2-72 and in other cases in Govt. of India, Min. of Def. Letter No. 197829/68/Pen-C.III dt. 30-10-68 and A/28436/AG/PS 4 (d)/5397/Pen-C dt. 6-8-70 (for DSC).

Title to family gratuity arises in the following circumstances only

- 229**
- (i) In cases where the individual is killed in action or dies from wound sustained in action.
 - (ii) Where the individual dies of flying accident while being carried on duty in an air craft under proper authority otherwise than through his own serious negligence/misconduct..
 - (iii) Where the individual dies of cause attributable to circumstances which are similar to those encountered on field service or in an operation, otherwise than through his own serious negligence/misconduct.
 - (iv) Where the individual suffers a violent death while employed in aid of civil power.
 - (v) Death while laying or clearing land or sea mines.
 - (vi) Death while on diving duty.
 - (vii) Death while on duty in a submarine or while being carried on duty in a submarine under proper authority.
 - (viii) Dies as a result of action in international war.

- (ix) Dies as a result of participation in war like operations or border skirmishes with other countries.
- (x) Dies during action against armed hostiles.
- (xi) Dies during action with Peace keeping mission abroad.
- (xii) Dies during laying or clearance of mines including enemy mines as also mine sweeping operations between one month before the commencement and three months after the conclusion of the operation.
- (xiii) On account of accidental explosions of mines while laying operationally oriented mine fields or lifting or negotiating mine filed laid down by enemy or own forces in operational areas near international border or line of Control.
- (xiv) Dies as a result of attack by extremists, terrorists, anti-social elements, etc, or during action against dacoits, smugglers, hostiles, etc.
- (xv) Dies as a result of operation specially notified by the Govt. from time to time.

Note Family gratuity under clause (iii) above is payable by this office under Govt. order on the basis of an audit report rendered by us. In cases, covered vide clause (i) and (iv) above, gratuity in full is payable by the PAO (ORs). In cases covered under clause (ii) and (v) to (vii) the PAO (ORs) will pay provisionally 75 percent of the gratuity and make a note to that effect on the LPC/Sheet Roll for final adjustment of the amount by this office.

Death Gratuity

- 230** If an Armed forces personnel dies while in service, his family will be entitled to death gratuity. The quantum of death gratuity will be determined on the basis of length of qualifying service and the emoluments drawn at the time of death as defined in Paras 3 and 5 of Govt. of India Min. of Def. letter No. 1(6) 98/D (Pen/Sers) dated 3.02.1998 are as under:

Length of qualifying service		Rate of Death Gratuity
Less than 1 year		2 times of emoluments
1Year or more but less than 5 years.		6times of emoluments
5 years or more but less than 20 years.		12times of emoluments
20 years or more	Half of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments or 3.5 Lakh whichever is less.	

Note 1 In respect of deaths occurring on or after 1.01.1996, the amount of death gratuity, shall, in no case exceed Rs 3.5 lakhs.

Note 2 Where the amount of death gratuity as finally calculated contains a fraction of a rupee, it shall be rounded of to the next higher rupee.

Note 3 The reckonable emoluments includes Pay including classification allowance plus stagnation increment, if any, plus dearness allowance.

Nomination for Death gratuity :

- 231** Where the nomination for death gratuity has been submitted alongwith family pension claim, it should be seen that;

- (i) The claimant was validly nominated to receive the amount of death gratuity as per A.I. 8/S/70.
- (ii) The nomination for death gratuity can be exercised in favour of any one of the following members of the family:-
 - (a) Wife or wives including judicially separated wife or wives in the case of a male.
 - (b) Husband, including judicially separated husband in the case of a female.
 - (c) Sons including step sons and legally adopted sons
 - (d) Unmarried daughters including step daughters and legally adopted daughters.
 - (e) Widowed daughters including step daughters and legally adopted daughters.
 - (f) Father: - including adopted parents in the case of individuals whose personal law permits adoption
 - (g) Mother: - Including adopted parents in the case of individuals whose personal law permits adoption.
 - (h) Brothers below the age of 18 years including step brothers
 - (i) Unmarried sisters and widowed sisters including step sisters.
 - (j) Married daughters. and
 - (k) Children of a pre-deceased son,.
- (iii) The nomination is in the prescribed form and is duly countersigned by the Record Office.
- (iv) If the individual had nominated any outside person, or persons or a body of person, corporate or incorporate, it should be ensured that he had no family as defined in (ii) above at the time of making such nomination. Such nomination becomes invalid after the individual subsequently acquires the family
- (v) If at the time of making the nomination the Govt. servant has only one member in his family the nomination shall become invalid in the event of the individual subsequently acquiring an additional member in the family
- (vi) The death gratuity in the absence of nomination is payable in equal shares to one or more surviving members of the deceased individual's family who belong to the category (a) to (d) mentioned in (ii) above. If there is no such surviving member but there are one or more members of the family who belong to categories (e) to (k) , the death gratuity is payable to all such members in equal shares.

Audit of Death Gratuity claim:

232 It should be seen that:-

- (i) The date of enrolment agrees with that given in the enrolment form and the Sheet Roll;
- (ii) The date of death agrees with supporting documents and the entry in the Sheet Roll;
- (iii) The period of non-qualifying service and the net qualifying service have been correctly worked out;
- (iv) If the net qualifying service is 24 years and 180 days or more, the number of six monthly periods have been correctly worked out;
- (v) The rank last held agrees with that shown in the LPC;

- (vi) The pay including classification allowance plus stagnation increment, if any, plus dearness allowance agree with those shown in the LPC.

Note The element of reckonable emoluments, as shown above, shall be taken in to account in cases occurring on or after 1-1-96.

- (vii) The total of emoluments has been correctly arrived at.
- (viii) The amount of gratuity admissible has been correctly worked out as shown in Para 230 above.
- (ix) The amount of gratuity payable has been correctly arrived at and the amount of debit balance/demand shown in LPC, etc. has been indicated against the item "other deductions"
- (x) The person (s) to whom the gratuity is payable is (are) the same in whose favour nomination was made by the individual. If otherwise, it should be seen that the nomination does not subsist. In such cases as also in cases where there is no nomination it should be seen that the claim is supported by a duly attested statement of the highest eligible heir giving the particulars of the living eligible heirs of the family, as also their names and relationship and their shares have been correctly shown and the descriptive roll in respect of each heir to whom gratuity is payable has been received.

Notification of death gratuity

- 233** In cases where only death gratuity is payable, a separate PPO for the same in favour of the eligible heir should be prepared on IAF(CDA) 308. since the PPO will be for a single payment, a dash should be drawn in the column "date of commencement and the period of grant". The inapplicable guide note printed on the form will be scored through and the following guide note will be endorsed:
"The amount will be paid to the awardee himself/ herself. If he/she dies before receiving the payment, the amount should not be paid to his/her heir and the matter referred to this office."

Note Outstanding public claims can not be recovered from special family pension / family gratuity vide Army Order No. 94/65. Recoveries of such claims from death gratuity is, however, permissible.

Audit of residual gratuity claim:

- 234** Claims to residual gratuity is preferred by ROs, when a service / disability pensioner dies before receiving his pension / death gratuity. The claim is audited to see that
- (i) The claim has been preferred by the individual and the R.O. on the prescribed form used for retirement/death gratuity.
- (ii) Non payment certificate of death gratuity has been obtained from the Pension Disbursement Agencies concerned and submitted with the claim.
- (iii) The amount of residual gratuity has been correctly worked out and that the person(s) to whom it has been shown payable is/ are in accordance with the nomination, etc [item x of Para...232 above refers]

Authorisation of residual gratuity claims

Residual gratuity claims wherever admissible in terms of Para 2 (b) of A.I. 8/S/70 and corresponding Navy and Air Force Instructions will be notified on the basis of relevant information available in the draft

PPOs notifying the award of service/disability/disability (service element)/disability element and commutation of pension as authorized/admissible for payment to the heirs of the deceased as under:

- (a) Where Retirement Gratuity (DCRG) has been sanctioned to the individual and amount of DCRG has not been claimed and only Residual gratuity is payable to the heirs of the deceased.

On receipt of the claim, the amount of pension, gratuity, commutation, relief, etc. authorized / admissible upto and for the date of death will be worked out and also the amount of residual gratuity. This will be notified in PPO with the following clause:

“Any over payment of pension / gratuity made to the pensioner / his family against this office PPO No(s)-----and still outstanding will be recovered from the residual gratuity now authorised.”

- (b) Where Residual Gratuity and Retirement Gratuity (DCRG) notified in favour of the individual are both payable to the heirs of the deceased i.e. where DCRG sanctioned to the individual is stated as not having been received by him and this amount is also claimed.

On receipt of the claim, the amount of death -cum-retirement gratuity already authorised to the individual will be notified in the PPO/Corr. PPO in one Guide Note and for the residual gratuity in a separate Guide Note. The Guide Note for DCRG will contain caution clause as under:-

“This amount should be paid only if no payment of death gratuity sanctioned in this office PPO No. -----has been made.-

As regards the amount of residual gratuity the caution clause as (a) will be depicted in relevant guide Note in the PPO /Corr. PPO.

Claims to monetary allowances attached to gallantry decorations.

- 235** The allowances are generally payable to a widow. Where no family pension is payable to the widow for the reason that she is not nominated heir for the same the claim for the allowance will be submitted on a form specifically designed for the purpose. In audit it should be seen that the claim is complete in all respects and the widow is otherwise eligible in accordance with the rules governing the grant of special family pension. After audit the award at the appropriate rate will be notified through corrigendum PPO by inserting a note in the original PPO notifying pension/family pension, as the case may be in the following form; if the recipient is not in receipt of any pension.

" In addition, a sum of Rs. ----- p.m. w.e.f. --
----- on account of monetary allowance in respect of gallantry decorations viz. ----- is also payable to -----
----- (Name of the payee) during his/her life time as a I/IIInd life award. The payment of allowance will cease with effect from the date following the date of his/her death and the fact of the death of the payee will be referred to Pr. CDA(P) immediately on receipt of necessary information in this respect"

On receipt of an intimation of the death of the payee, the operative group concerned will examine whether the recipient was a first life awardee and a IIInd life award is payable, the case will be processed as per procedure prescribed in the case of first award.

When the award is made posthumously to a bachelor, the monetary allowance shall be paid to his father or mother, and in the case of posthumous awardee is a widower, the allowance shall be paid to his son below 18 years or unmarried daughter, as the case may be.

Revised rates of various gallantry awards wef. 1-2-99, sanctioned by Govt. of India Min. of Def. Vide their letter No. 3 (8)/98/D (Ceremonials) dt. 18-3-99, subject to terms and conditions laid down in that Ministry of Defence Letter No. 3 (8)/93/D(Cer) dt. 31-1-95, are as under:

i	Param vir Chakra	1500/-
ii	Ashok Chakra	1400/-
iii	Mahavir Chakra	1200/-
iv	Kirti chakra	1050/-
v	Vir Chakra	850/-
vi	Shauraya Chakra	7 50/-

The monetary allowance will be paid in respect of all gallantry awards received by an individual including bar attached to gallantry decorations. Further each bar attached to Sena Medal/Nav Sena Medal/Vayu Sena Medal shall carry the same amount of monetary allowance as attached to the original grant.

Note 1 Monetary allowance of Rs. 250/- pm. shall also be payable to the Sena/Nao Sena/Vayu Sena Medal awardees (where the awards has been given for gallantry) will be payable to all the existing awardees vide GOI, MOD No. 3 (8)/98/D(Ceremonials) dated 12.10.2000. The awardees of such medal would be eligible to the monetary allowance attached to it till forfeiture of the above award by the President vide that Ministry's ID No. 1566/2002/D(Ceremonials) dated 30.04.2002. .

Note 2 The monetary allowance at enhanced rate is also payable to the family pensioners/dependant pensioners/ war injury pensioners who were/are in receipt of such awards at old rates.

Note 3 The monetary allowance will not be taken into account for computing dearness relief.

Note 4 Rate of monetary allowance attached to Post Independence Gallantry decorations prior to 1-2-99 and Pre-Independence Gallantry awards are given in **Appendix- 14**.

Jangi Inam Claims - World War - I

236 All grants to first holders have already been made and the notification of the allowance for payment alongwith pension has also been made in cases where the grantee were transferred to the pension establishment. The question of continuance of the allowance during the second life only will, therefore, arise in future.

The Jangi Inam allowance for the Second Life becomes admissible on the death or disqualification of the first holder. It is payable to the heir nominated by the first holder provided such a nomination has

been made in favour of an heir who is within the recognised degree of relationship.

In the event of the first holder not nominating an heir within the prescribed degree of relationship or the heir nominated having previously died or becoming disqualified by marriage or re-marriage and no fresh heir has been nominated by the first holder, the heir who is to receive Jangi Inam for the second life will be the one who stands highest in the degree of relationship given in Reg. 216 P.R.A. Part I. If, however, none of them is living or is eligible for the Inam, the award may be granted to the grandson or grand daughter of the deceased for receiving 2nd life Jangi Inam, such grandson or grand daughter, through the son having priority over grandson or grand daughter through the daughter.

A nominated second holder of a Jangi Inam may be allowed to waive his or her right to succeed to the Inam in favour of another heir of the deceased soldier provided the heir in whose favour the transfer is made is within the prescribed degree of relationship of the original grantee.

All changes in the nomination for the second life are to be intimated by the Pension Disbursing Authority to this office to notify the same in the pension payment order by issuing a corrigendum to the pension Circular/pension payment order in which the grant was originally notified.

On the death or disqualification of the first holder, his Jangi Inam certificate and descriptive roll will be returned by the Pension Disbursing Authority to this office. On receipt of these documents the Audit Section concerned will note date of death/disqualification in the CH copy of PPO and audit card and forward them to the Grant Section.

The descriptive roll and certificate of the first holder received from the pension paying officer will then be forwarded by this section to the Record officer together with two blank copies of claim for Jangi Inam Pension by the second holder as prescribed in Govt. of India Ministry of Defence letter No. 120-ISB/460/69/1883/D(AG-II) dated 26-3-69 for investigation and return after completion. In respect of personnel whose records are not maintained by any Record Office in India, the document will be forwarded to Sub-Area Headquarters in whose jurisdiction the claimant resides.

On receipt back of the forms duly completed it should be seen that the claim has been investigated in favour of the heir nominated by the first holder. When the claim is preferred in favour of some other individual, it should be seen that the claim has been investigated by the Recruiting Organizations and is supported by a report that the nominated heir has died or become disqualified. The checking of Part II of the form should, in general, follow the lines indicated for family pension except that if the personnel in receipt of pay or pension, it will not effect his title. The grant will be notified in the Pension Payment Order, one copy of the Descriptive Roll will be forwarded to the Pension Disbursing Authority together with the Jangi Inam certificate of the first holder. This certificate will be made over by the Disbursing Officer to the second holder.

Note The rate of Jangi Inam has been enhanced to Rs. 100/- pm wer. 25-1-95 to all categories of Jangi Inam awardees and their legal

heirs of world (War-I (two lives) and World War II (one life only) vide Govt. of India, Min, of Def. Letter No. 7 (67)/92/D (AG) dt. 18-5-95.

Cases involving reference to Govt.

- 237** Some times cases may arise when the Award panel is unable to give his decision as to whether the cause of death is related to service or in the opinion of the Award Panel the death was caused due to serious negligence/misconduct of the individual. Such cases should be referred to Govt. of India, Ministry of Defence for orders. On receipt of Govt. orders the cases should be put up to the Award Panel for perusal. Thereafter the cases should be dealt with within usual manner.

Appeals

- 238** A person may submit two appeals against rejection of special family pension within 6 months from the date of rejection memo. Any representation made by a claimant against the decision on the claim will be treated, as the first appeal and in cases decided by the PCDA (P) the first appeal is to be considered by him on behalf of the Government. The case with the first appeal will be submitted to the Award Panel for review in consultation with the MA (P). If on review the Award Panel gives a favourable decision, the special family pension should be granted treating the award earlier sanctioned on rejection of the claim as interim award. In such cases an intimation regarding acceptance of the appeal will be sent to the Record Office concerned under advice to the applicant.

Cases of first appeal which were finalized on the basis of Service HQrs. decision or where even on review, the APO in consultation with the MA (P) maintains his earlier decision should be referred to Director PS-4, AHQ alongwith an audit report on **GO(4) F-13 Serial No. 37 of Annexure-C** as per GOI MOD ID No. 4684.DIR (PEN)/-2001 dt. 14-8-2001 as clarified vide that Ministry's ID No. of even dated 10.09.2002. In cases where MA (P)/APO differs in accepting the opinion of the board, the reason for differing should be indicated in the audit report to the Services HQrs. While rendering audit reports the pensionary benefits which may be admissible to the claimant in the event of acceptance of appeal should also be mentioned therein. If the appeal is accepted by the Services HQrs the special family pension should be granted treating the award earlier sanctioned on rejection of the claim as interim award.

The second appeal will be considered by the Govt. (Defence Ministry's Appellate Committee headed by RM/RRM) and for this purpose the Ministry of Defence will retain the relevant documents while rejecting the first appeal. In so far as this office is concerned, the action on Govt. orders on the 2nd appeal will be the same as in the case of first appeal except that when the 2nd appeal is rejected, the Sheet Roll of the individual will be suitably endorsed before returning it to the R.O. along with the documents received in connection with the appeal.

Claim in Respect of Civilian Govt. Servants Deputed for Service in Military Capacity with Military Force.

- 239** The sanctioning authority for family pensionary awards in respect of civilian Government servants deputed for service in a Military

Capacity with a Military Force (and for ex-gratia awards) whether under civil and military are as under: -

- (a) PCDA (P) in the Case of those personnel whose pay accounts are maintained by the Defence Accounts authorities.
- (b) Director General, Posts and Telegraphs/Railway Board in consultance, where necessary, with the Ministry of Defence in the case of personnel of the Posts and Telegraphs and Railway Departments respectively whose pay Accounts etc. are maintained by the Posts and Telegraphs Departments/Railway Department and their Accounts and Audit officers. When cases concerning Posts and Telegraphs/Railway personnel are dealt with under Military Rules. The Posts and Telegraphs/Railway Audit officer will, where necessary, consult the PCDA (P), Allahabad concerning the application of the Military Rules.

However, w.e.f. 1-1-91, PCDA (P) has been authorized to adjudicate the claim for special family pension in respect of those civilian Govt. Servants of the Post and Telegraphs Department who are employed/deputed for service in a military capacity (as JCOs/WOs/ORs in the Army Postal service. The individual claim shall be regulated in accordance with the procedure laid down in A.I 64/76, vide Govt. of India Min of Def. Letter No. PC to MF 90100/- APS-D/8987/D (Pen-C) dt. 20.12.90

CHAPTER VII
Grants Pending Enquiry Award Section
Functions

- 240** This Section deals with
- (a) Payment of advances to the Record office for remittance of pending enquiry awards.
 - (b) Audit of monthly cash accounts received in connection therewith.
 - (c) Noting of pending enquiry awards sanctions.
 - (d) Verification of recoveries on account of pending enquiry award.
 - (e) Marking of PPO Nos. in which recoveries of PEA amounts have been notified, in the PEA Payment Register.
 - (f) Review of objections on cash accounts.
 - (g) Review of Demand Register.
 - (h) Maintenance of guard file of specimen signatures of ROs who are authorised to sign Cash requisitions.

Opening of Pending Enquiry Awards Accounts

- 241** On receipt of copies of authorities issued by Grants-3 Section in case of disability pension and Record offices in case of family pension the particulars of the individuals, the rate of award, the period of payment of Pending Enquiry Awards should be entered in the respective Pending Enquiry Award Payment Register. **GO (2)-R-5 (Sl. No. 6 of Annexure B)** which are maintained RO-wise.

Payment of Pending Enquiry Award

- 242** Based on the authorities sanctioning Pending Enquiry Award issued by this office and Record offices, the RO. forward cash requisition for advances for remittance of Pending Enquiry Awards which are received in this Section. On receipt of a cash requisition from the Record office it should be seen that.
- (i) The persons for whom the amounts have been demanded were sanctioned Pending Enquiry Awards.
 - (ii) The amount demanded in each case and the total of the requisition are correct.
 - (iii) The Amount of advance has not been already claimed for the same persons.
 - (iv) The requisition has been signed by the officer authorized to sign and tallies with specimen on our record.
 - (v) PEA authorization memo are enclosed with reference to serial no. quoted in the requisition.
 - (vi) Suitable explanations are furnished where PEA has been claimed beyond six months.
 - (vii) Total amount claimed in respect of each pensioner is correct.

After scrutinising the cash requisition in the manner as stated above, a payment order on IAF (CDA -13) should be prepared and the amount of advance noted as a demand against the R.O. in the respective demand register of the particular category viz. Pending Enquiry Award of disability pension or Pending Enquiry Award of family pension. A daily payment sheet for all the voucher i.e. IAF – (CDA)-13 will be prepared and after approval of the IAF (CDA)-13 and the daily payment sheet by the officer –in-charge the passed vouchers

and DP sheet should be sent to the Grants (ORs) Coordination Section for allotting vouchers No and onward transmission to the Disbursement Section for issue of a cheque simultaneously, an intimation on **G.O. (PEA) F-1(Sl. No. 38 of Annexure C)** should be sent to the R.O. Punching Medium should also be prepared in the manner indicated as under: -

	Receipt (+)		Charge (+)
CB	(Amount)	0/014/37	(Amount)

Cash Account

243 The R.Os. submit monthly cash accounts for the advances drawn by them. The cash accounts consist of three appendices viz:

- (a) **Appendix 'A'**: Showing the opening balance, the total of the amounts received from this office during the month, the total of the amounts received back during the month as undelivered money orders, total credit, the total of the amounts remitted during the month, the amounts credited into treasury, total debits and the balance carried over to the next month's account.
- (b) **Appendix 'B'**: Showing the particulars of individuals to whom remittances have been made, the amount remitted in each case, the No. and date of Pending Enquiry Award authority.
- (c) **Appendix 'C'**: Showing the particulars of the individuals in whose case undelivered money orders have been received back.

Audit of Cash accounts

244 The cash account should be subjected to audit keeping in view the following points:-

- (i) All the arithmetical calculation should be checked.
- (ii) The amount remitted is not in excess of the amount sanctioned.
- (iii) Payments has not been made beyond period for which the Pending Enquiry Award was sanctioned.

Note: Money order commission for remittance of Pending Enquiry Award etc. are claimed by the R.Os. from the Regional Controllers.

Action after audit of cash accounts.

- 245 (a)** The demand register should be posted as under:-
- (i) Credit will be given to the Record Office for the amounts remitted during the month and for the amounts credited into treasury.
 - (ii) The amount received back as undelivered money orders will be debited against the R.O.
 - (iii) After posting (i) & (ii) above, the balance should be struck in the demand register and it should be seen that this balance agrees with the closing balance of Appendix 'A'
- (b)** The Pending Enquiry Award registers should be posted as under:-
- (i) the amount remitted should be noted in each individual case as debit balance quoting interalia, the month of the particular cash account;
 - (ii) the amounts received back as undelivered money order should be posted as credit by drawing a ring around the entry of payment and by giving an indication that the amount has been

received back as undelivered money order quoting, *interalia* the month of the particular cash account.

- (c) The treasury receipt if any, should be adjusted by preparing a class II voucher.
- (d) An intimation to the R.O. should be prepared in **G.O. (PEA) F-2(Sl. No. 39 of Annexure C)** under intimation to the Local Audit Officer concerned.

Verification of amount of Pending Enquiry Awards etc

- 246** When payment of Pending Enquiry Award of disability pension or Pending Enquiry Awards of family pension is stopped by Grant-3 or the R.O. and the information regarding the total amount paid and the date of stoppage is received by them from the R.O. The G3 Section passes on the files along with the R.O.'s memo to this section for verification of the amount paid and noting the date of stoppage. Necessary verification should be made from the payment register and after verification a note regarding the amount paid and the date of stoppage should be made on R.O.'s memo and the same should be returned to the sections immediately. Necessary note should also be made in the register against the respective item. If in any case cash accounts upto the date of stoppage have not been received, the amount as per payment register should be verified and a note for the total amount paid should be kept for verification on receipt of the cash accounts.

Closing of Pending Enquiry Awards Account

- 247** The Grant-3 or Grant-4 section concerned will notify the total amount intimated by the R.O. and as verified by P.E.A. section for recovery through the P.P.O. and will send an intimation regarding recovery quoting, *interalia*, the P.P.O. No. to this Section. On receipt of these intimations from Grant 3/Grant-4 section the fact of the recovery of the amount as verified will be made against the relevant entry and the account in the payment register should be treated as closed. The PEA Payment Registers should be reviewed monthly in order to see whether any item which has been verified, its PPO No. should be noted in order to close the item and if one month has elapsed after verification. Section concerned should be reminded to give the PPO No. in which amount verified has been noted for recovery. The outstanding cases would be pursued with RO/Section concerned.

Review of objections on cash accounts

- 248** It may be noted that objections raised on cash accounts should be reviewed constantly and its finalisation monitored closely. All the outstanding objections may be reviewed every month and RO should be advised to take appropriate action for its settlement. In case of old/very old outstanding objections, the level may be raised and a demi-official letter at Group Office's level issued for its settlement. The progress of the review may be shown to CDA/PCDA quarterly i.e., Jan., April, July and October in first week positively with a detailed note showing opening balance, receipt during quarter, disposal and closing balance with oldest date.

Review of Demand Register

- 249** The Demand Register should be reviewed periodically and in cases where no recovery, etc. has been made against the cash requisitions should be brought to the notice of the concerned Record Offices.

CHAPTER -VIII**AWARD PANEL SECTION
ADJUDICATION OF CASUALTY PENSIONARY AWARDS****Duties**

- 250** It is a panel of officers of the Department whose duties are to adjudicate upon the disability and special family pension claims of the personnel below officer rank, the reassessment of disability pension claims of officers and other rank. And also adjudication of appeals against rejection of disability and special family pension claims. For proper discharge of their duties, Medical Advisers (Pensions) are attached by the Director General, Armed Forces Medical Service to this office. The Award Panel may seek their advice as and when necessary.
- 251** The files initiated by the sub sections of the Grants (ORs) are put up to them and a case is to be dealt with by only one officer. It is open to them to accept or reject a claim in agreement with the opinion expressed by the medical authorities on medical board proceedings or AFMSF-93 but where they differ with their opinion the advice of the MA (P) will be sought for. However, where they disagree with the advice of the M.A. (P) they will seek order of the PCDA (P) for referring the case to Govt. for orders and if approved by PCDA (P) the section will be advised to put up a reference to Govt. through the Award Panel. Cases where the Award Panel Officers feel that a disability or death has been caused due to serious negligence or misconduct of an individual are also to be referred to the Govt. for orders, if approved by the PCDA (P). All such references to Govt. are issued over the signature of the Group Officer.
- 252** In reassessment of disability pension cases accepted on the basis of aggravation it is obligatory on the part of the Award Panel to seek the advice of Medical Adviser (Pensions).
- 253** The Award Panel Officers are necessarily vested with discretionary powers and have to decide each case on its individual merits. A decision as to whether a case should be accepted or rejected or what should be the basis of acceptance or what should be the percentage of degree of disablement, in the ultimate analysis, is left to his judgment which is not open to challenge except by Govt.
For deciding the percentage of disablement, the case is submitted by APO to MA (P) for his comments as the APO has no expertise regarding this aspect.
Note The disability pension and special family pension claims caused due to injury and RSMB cases shall not be adjudicated by the Award Panel Officer/MA(P) vide Govt. of India Min. of Def. Letter No. 1 (2)/97/D (Pen-C) dt. 7-2-2001 but cases of disability pension and special family pension caused due to various diseases shall continue to be adjudicated by MA(P).
- 254** The Award Panel Officer shall adjudicate the first appeal against the rejection of disability pension and special family pension in consultation with Medical Adviser (Pensions) based on the facts and circumstances mentioned there on. It may be noted that the appeal in such cases is to be considered by another Award Panel Officer who

has not adjudicated the case earlier, to have an impartial view in the matter.

- 255** It may be noted that a daily progress report (in the proforma given below) of the cases pertaining to disability pension and special family pension showing the no of cases received and disposed off with oldest date shall be prepared and submitted to CDA/ PCDA(P). Further, details of the cases of disability pension and special family pension where MA(P) has differed with the opinion of the Medical Board shall be extracted and noted in a separate register separately for disability and family pension as per proforma given below:

DAILY PROGRESS REPORT

Dated: _____

APO	OB	Receipt	Submission	CB	OD
1	2	3	4	5	6
G-3					
G-4					
AF Cell					
Navy Cell					
RA Appeal					

No. of cases sent to MA(P) by APO	Cases already with MA(P)	Total cases with MA(P)	In hand	OD
7	8	9	10	11

PROFORMA

For Disability Pension

MA (P)				Medical Board					
Sl. No.	Case file No.	Rank	Regt. No. & Name	Invali- ding decease	Date of disch- arge	Age	Total service rend- ered	Initial case	Appeal
1	2	3	4	5	6	7	8	9	10

Attribut able	Aggravat ion	Rejecti on	Percen tage	Year	Attribut able	Aggravat ion	Percen tage	year
11	12	13	14	15	16	17	18	19

For Family Pension

Sl N.	Case File No.	Rank	Regt. No. and Name	Invaliding Disease	Date of death
1	2	3	4	5	6

Age	Initial Case	Appeal	Attributable	Aggravation	Rejection
7	8	9	10	11	12

CHAPTER -IX**Grants Commutation Section
Functions**

- 256** This Section deals with applications for commutation in respect of personnel below officer rank where initially commutation was not sanctioned at the time of grant of Service/Special/Mustering out/Disability /Invalid /War Injury pension.

General

- 257** When a pensioner is allowed to commute a portion of his pension, it is meant that-he is allowed:-
- (a) to forego the title to receive the commuted portion of pension; and
 - (b) to acquire the title to receive the capitalized value thereof subject to observance of the rules laid down in Pension Regulations.

Note Commutation of pension to PBOR was not admissible prior to 1-4-61. With effect from 1-4-61 they were also allowed to commute a portion of their pension vide A.I. 7/S/61.

Limit on commutation of pension.

- 258** Personnel below officer rank who on discharge/retirement/release or invalidment, shall be entitled to commute for a lump sum payment upto 45% of his pension which is sanctioned for life.

Note 1 In the beginning the PBOR were allowed to commute a portion not exceeding one half of their pension. However, consequent upon introduction of DCRG Scheme w.ef. 10-9-70 this has been reduced to 45% of their pension vide A.I. 8/S/70.

Note 2 If fraction of pension to be commuted resulting in fraction of a rupee shall be ignored for the purpose of commutation.

Types of pension commutable

- 259** Commutation is permissible in the case of individuals in receipt of service pension (ordinary, special, mustering out or Invalid pension, Territorial Army pension or Reservist pension) and in certain circumstances also in the case of individuals granted disability pension.
- 260**
- (a) It may be noted that if the individual is in receipt of permanent disability pension, commutation will be allowed with reference to the entire disability pension i.e. service element plus disability element. However, if disability is accepted for life at RSMB stage, the amount of disability element, so sanctioned, is not commutable.
 - (b) If the individual is in receipt of a temporary disability pension and the date of invalidment is prior to 1.3.1968, commutation will be allowed with reference to special pension, if any, which may notionally be admissible to the individual on cessation of disability pension, in the event of his disability falling below 20 percent.

- (c) If the individual is in receipt of a temporary disability pension and was invalided out of service on or after 1.3.68, commutation will be allowed with reference to the service element, if any, which is or may notionally be admissible to the individual on cessation of disability pension.
- (d) In the cases of individuals who became/become non-effective on or after 1.1.1973 and were/are granted temporary disability pension, the commutation will be allowed with reference to service element, which is or may notionally be admissible to the individual on cessation of disability pension.
- (e) In the cases of individuals who became/become non-effective on or after 1.1.1973 and the disability is accepted as attributable to or aggravated by military service but initially assessed at less than 20 percent, the award of service element will be notified for life irrespective of length of service, the commutation will be allowed with reference to service element which may be admissible to the individual.
- (f) In the cases of individual who became/become non-effective on or after 1.1.86 and were/are granted War Injury pension, commutation shall be allowed with reference to war injury pension admissible to the individuals due to invalidment.
- (g) In the cases of individual who is retained in service inspite of War injury and retires subsequently on or after 1.1.86, commutation of service element and disability element on account of War injury shall be allowed commutation where the disability is of a permanent nature and sanctioned for life.
- (h) In cases where the Hony Nb/Sub is granted additional pension of Rs. 100/-, the commutation of the same shall be allowed.

Note Amount of revised pension effective from the date of commencement of pension is commutable but revised consolidated pension (RCP) is not commutable.

When Commutation of pension becomes absolute

- 261** It may be noted that the commutation of pension shall become absolute:
- (i) In case where one applies before release/discharge/invalidment - on the date following the date of release/discharge/invalidment.
 - (ii) In case where one applies within one year after release/discharge/invalidment - on the date on which the application is received by the Pension Sanctioning Authority; and
 - (iii) In case where one applies one year after release/discharge/invalidment and where medical board for commutation is held - on the date on which the Medical Board signs the medical certificate.

Note: If the pensioner dies on or before the day on which commutation becomes absolute but before receiving the commuted value, this value will be paid to the nominee failing which to his legal heirs.

Application for commutation.

- 262** An application for commutation of pension is made by an individual in Part I of Form 'A' (IAFA-340-A) (which will be supplied by this office, if necessary) alongwith two copies of his pass port size photographs

duly attested (one copy is to be pasted on the application form itself at the place provided for the purpose and the other copy is to be loosely attached to the form) and the prescribed documentary proof of age, or in its absence, a non-availability certificate. In case the non-availability certificate is not received, the same will be called for and the date of birth will be determined with reference to service records available in this office.

Note The document for the proof of age may be either of the following: -

- (i) Matriculation or secondary school leaving certificate in original.
- (ii) Municipal birth certificate or extract from Municipal Birth Register duly certified by the proper authority .
- (iii) Certificate, in original, showing Record of admission in the registers of school, in which the applicant was educated.

- 263** The application for commutation will be made to PCDA(P) as under:-
- (i) If the applicant is still in service or has retired but his pension has not yet been sanctioned, through his Record Office.
 - (ii) If the applicant is in receipt of pension, through the Pension Disbursing Agency who will also complete the portion 'B' in Part I of Form 'A'.

If application for commutation submitted within one year of the date of discharge

- 264** A pensioner who is in receipt of pension, as referred to in Paras 259 and 260 above, shall be eligible to commute a portion of his pension without medical examination.

Note The period of one year shall reckon from the date of discharge /retirement/invalidment/release.

- 265** An applicant who applies for commutation of pension within one year of the date of his retirement but his application is received by PCDA(P) after one year of the date of his retirement, shall not be eligible to get his pension commuted, without medical examination.

Computerisation of Commutation of Service Pension

- 266** (A) Commutation of service pension, where initial award was notified through computer through "S" series of PPOs, has been computerized. This relate to the cases of the following two categories :-

- (i) commutation of pension without a fresh medical board where commutation is applied within one year of discharge.
- (ii) commutation of pension where fresh medical board is required where commutation is applied after one year of discharge.

(B) The above system will not be applicable in the following categories of computerised awards

- (i) where after notification of service pensionary awards, any amendment/revision have been carried out manually in the office of Pr.CDA(P)
- (ii) where a case for amendment/revision has been initiated/forwarded to the office of the PrCDA(P) for manual processing by the Record office

- (iii) Since the cases mentioned at sub para (A) above, the commutation application will be received by this office directly from the pensioners through PDA and the RO (in some cases), the filling up of data sheet is to be done by this office. For this purpose, a data sheet for commutation of service pension has been designed for capturing data.

The detailed instructions for completing data sheet for commutation purposes in Grants/commutation Section is reproduced in **Appendix-15**.

Specimen format of data sheet for commutation is given at **Sl. No. 61 of Annexure C**.

267 Under the computerised system, a restructuring of Commutation Section on functional basis shall be made as under:-

- (i) Receipt Group
- (ii) Beyond Control Group
- (iii) Manual Notification Group
- (iv) Computer Support Group

The function of the above groups are explained as under:-

(I) Action by Receipt Group

The claims will be received centrally by the receipt group from various Record offices/PDAs. On receipt of these claims, the receipt task holder shall enter them in a claim register which will be maintained R.O.-wise. While making entry in the claim register a serial number will be prominently written on top right corner of each claim and simultaneously a case file for each case will be opened duly marked with the file number.

The cases will then be linked/scrutinized with reference to the PPO binder. Cases received beyond one year from the date of retirement will be passed on to beyond control group for arranging medical board of the individual. Cases received within one year from the date of retirement will be segretted into two categories

- (a) where initial award has been notified through "S" series
- (b) where initial award has been notified through 'D' series or 'DE' series of PPO.

'S' series of cases will be passed on to computer support group for notification through computer, provided no manual corrigendum PPO has been issued in such cases. 'D' or 'DE' series of PPO and where manual corrigendum PPO has been issued, shall be passed on to manual notification group

(II) Action by Beyond Control Group

The reference back cases will be handled by the group. Task holder in such cases will prepare observation memos and send it to the RO./Medical authorities. They will also have a proper watch on such cases and issue periodical reminders to ensure that reference back cases are expedited. Claim register will also be marked suitably. After the case is ready for notification, the cases will be passed on to

the manual notification group or computer support group as the case may be.

(III) Manual notification group

The claims received from receipt group or beyond control group are processed manually. The detailed procedure to be followed for manual processing of the commutation of pension claims are explained in Para 269.

(IV) Action by computer support group

The cases received from receipt group and beyond control groups will be processed by the computer support groups. They will fill the data sheet with reference to the information contained in the case file and the original PPO binder, check edit lists and dispatch PPOs.

268 Detailed procedure for processing commutation of pension claim through computer to be followed are explained as under:-

Computer related processing will be carried out by the following task holders:-

- (i) Control and operative Task I
- (ii) Operative task-II
- (iii) E.D.P. Centre.

(i) Completion and checking of the data sheets.

The operative task I will receive claims from receipt Group & beyond Control Groups. They will fill the data sheet with reference to the information obtained from case file and the original PPO binders. It has to be ensured by this Group at this stage that the original award has been notified on computer & no. subsequent manual corrigendum has been notified.

The data sheets duly filled as per the instruction for filling of data sheet should be batched together on convenient batches of about 20 each. Each batch will be allotted a batch serial NO. starting from 1(one) onwards in every processing month. For example, the first batch of March will be 0301. 03 denotes third month (march) & 01 the first batch. A batch thus prepared will be passed on by the control task to the EDP Centre under a top sheet.

(ii) ACTION BY EDP CENTRE

The EDP Centre, on receipt of the batch will check the number of cases actually received with that indicated in the top sheet. Thereafter, data entry of these cases will be carried out and validation listing printed out showing all the cases serially. The batch alongwith the validation listing will then be forwarded to the operative task I.

(iii) CHECKING OF VALIDATION LISTING BY OPERATIVE TASK-I

The operative task I will check the validation listing with reference to the data sheet. This checking will be done 100%. Where any error is reported in the listing from validation run and /or there is any variation between the data as contained in data sheet & listing, the operative task I will propose suitable corrections in the formats provided by the EDP Centre.

After above action, the relevant portion of the top sheet will be completed by the Grants Commutation Section. The corrections & the top sheet will be sent to the EDP Centre for updation of data.

The EDP Centre will incorporate corrections proposed, generate fresh listing and send it to the task I with a view to check and intimate whether the corrections have been correctly incorporated. This process will be repeated till the task I confirms that the data shown in the data sheets completely tallies with the validation/ updation listing.

Note With a view to cut down transit delays at edit list stage, it has been decided that the above operative task will be attached with the EDP Centre. After generation of validation listing this task will readily check it with reference to the data sheet cent percent and propose corrections, if any. Once the data in a batch become error free. It will be submitted to AO(P) of the EDP Centre who will, in turn, check and endorse PPO printing order on the TOP LIST of the batch. PPOs will be generated and passed on to Grants/ Commutation Section for further necessary action. At this stage, the cases in batch may fall under following two categories.

- (a) Cases which are valid.
- (b) Cases which are invalid

(iv) Printing of PPOs

On receipt of PPO printing order duly signed by the AO Grants Commutation Section over the top sheet, EDP Centre will now generate PPOs in quadruplicate in respect of valid cases.

The generated PPO alongwith concerned batch & edit list will be passed on the operative task II through task I for further action.

(v) Cases requiring back references

Number of cases requiring reference back to ROs may be very small if the instructions/procedures are properly followed. Such cases may fall under following categories.

Master missing cases where either the original PPO NO. quoted in column 1 or the basic particulars in column 2,3&4 (R.O. Code, Regimental NO. & Name respectively) are wrong.

Erroneous cases where incorrect data have been filled in the data sheet which are detected during validation run(s)

(vi) Dispatch of PPOs

On receipt of PPOs and other documents Task I will take following action.

Check that all data sheets, PPOs and validation listing have been received.

Cases requiring reference back to RO's will be segregated RO wise and claim register marked suitably.

PPO will be passed on to operative task II for further action viz preparation of PPOs for dispatch, preparation of forwarding memos, etc.

Operative task I will segregate all 4 copies of PPOs earmarked for distribution as under:-

Original PDA copy
 Duplicate C.H. Sec. Copy
 Triplicate RO's copy.

Quartruplicate Spare copy/office copy.

Original copy, CH Sec. Copy & office copy will be got signed by AO (P) and facsimile signature put on ROs copy.

Claim register in regard to the disposal of the cases will be marked.

The original copy alongwith the triplicate RO copy will be despatched to the respective ROs. The Record Offices after proper scrutiny of the original PPO will forward the same to the PDA with intimation to the individual concerned. The duplicate copy ie. CH. Sec. copies will be maintained PPO NO. wise and passed on to CH Sec. periodically. The office copies will be kept with data sheets and other documents and got bound.

(vii) PPO Numbering Register

The EDP centre will generate PPO register in duplicate at monthly-intervals for the PPOs generated in each month in ascending order of PPO Numbers.

(viii) Extent of comparison/check by control & Operative task I.

Control & Operative task I will be required to do two fold actions viz filling of data sheet & checking of validation listing 100% .

The SO(A)/AAO will check, 10% claims cent percent. They will initial in the cage provided for.

The AO will check 5% of the cases cent percent

(ix) Extent of check by operative task II.

The draft PPOs will be compared with data sheet 100% at the task holder(s) level for common information. 10% of the PPOs will be compared 100% by SO(A)/AAO and 5% will be compared 100% at AO/SAO level. The data sheets will be duly endorsed by Auditor. SO(A)/AAO and AO/SAO on the reverse to this effect.

In cases where any discrepancy is reported on comparison of the PPOs at draft PPO approval stage, such PPOs will be enfaced "Cancelled" on all 4 copies and such cases will be processed afresh.

The draft PPO binder will be enfaced accordingly as usual and singed by the OI/C while approving the office copy of the PPO, etc.

Manual processing of the commutation of pension

269 Cases not covered under Para 266(A) above shall be processed manually and applications for commutation received in such cases will be scrutinized in the manner as indicated below:-

On receipt of application for commutation of pension, it shall be entered in the claim Register maintained RO-wise.

In the case of disability pensioners, where disability pension as such is not commutable, the information regarding the amount of service element granted with the disability pension, where service element is not notified separately, should be ascertained from the details available in the draft PPO of the disability pension.

Note In cases where award of service/special/service element for life is not clear, such cases will be referred to G-2/G-3 Sections on Form **GO(Com)F-1 at Sl. 40 of Annexure C** before commutation case is processed.

270 During the scrutiny of the application for commutation of pension, it will be seen that:-

- (a) Part I of the application has been completed in all respects by the individual and that it is accompanied by two copies of his passport size photographs duly attested.
- (b) if the application has been received through the pension disbursing authority, the portion 'B' in Part I has been completed by the pension disbursing authority, the Pension is in issue and has not been suspended or reduced and that it is free from encumbrances.

Note Pension held in abeyance due to re-employment/re-enrolment is commutable.

- (c) The date of birth shown in the application agrees with that recorded in the document(s) for the proof of age submitted there with. If the documentary evidence has not been furnished, irrespective of whether or not the individual has submitted the non-availability certificate, the date of birth will be assessed with reference to the apparent age given in the Enrolment Form or in its absence, in the Sheet Roll.

Note The Enrolment Form and Sheet Roll, if necessary and not received, should be obtained from the Record office.

- (d) The portion of pension to be commuted is in whole rupee.
- (e) The total of the amount of pension to be commuted together with the amount or amounts previously commuted, if any, does not exceed the limit upto which extent the commutation of pension is permissible i.e. the amount desired to be commuted together with the amount(s) already commuted, if any, does not exceed 45 percent of the pension sanctioned provided that the amount left un-commuted is not less than Rs. 240/- per annum.

Note 1 Temporary increase, Ad-hoc increase, Interim relief, Graded relief, Ad-hoc relief & Dearness relief are not commutable.

Note 2 The Additional pension sanctioned to Havildars/Dafadar granted Hony. Rank of Naib Subedars/Risaldar on retirement is commutable.

The eligibility of a pensioner to commute a portion of pension is determined with reference to the original pension (i.e. by excluding the elements e.g. extra pension', personal pension 'ad-hoc increase' where admissible) and if the original pension is Rs.20/- or less, no amount of pension is allowed to be commuted.

- (f) In case the pensioner has once been refused commutation on medical grounds or after he has once declined to accept commutation on the basis of an addition of years to his actual age, he has not applied for a second medical examination unless a year has elapsed from the date of the previous medical examination.

- 271** If after scrutiny of the application it is found that the individual is not entitled to commute any portion of his pension, the application should be returned to him informing him the reasons therefor. A suitable remark should be endorsed in the claim Register against the relevant entry
- 272** If after scrutiny of the application it is found that the same is defective in certain respects, it should be returned to the applicant/PDA for rectification of the defects. A suitable remark should be endorsed in the Claim Register against the relevant entry.
- 273** **Arrangement of Medical Examination:** - When after scrutiny, the application form is found to be in order.
- (a) The Sheet Roll and Enrolment Form, if not already received should be called for from the R.O.
 - (b) It should be verified that a certificate from Record officer indicating whether or not the individual was examined by Invaliding /Release Medical Board at the time of his discharge has been received. If the individual was so medically examined, the Medical Board proceeding, if not already received should be called for from the Record officer.
- 274** Essential particulars will be extracted from the Sheet Roll and Enrolment Form in **GO(Com)F.2 (Sl. No. 41 of Annexure C)** and endorsement as under will be recorded in the Sheet Roll by the side of the endorsement regarding grant of pension.
- "Commutation application dealt with in Pr.CDA (P).
File No.....
Sr.AO/AO(P)"
- Thereafter the Sheet Roll and Enrolment Form will be returned to the Record Office.
- 275** A working sheet to determine the commuted value of pension will be floated in **GO(Com)F-3(Sl. No. 42 of Annexure C)** . The working sheet will be carefully completed by the auditor from the available records. The capitalized value of pension to be shown against item 4 of Part II will be calculated on the basis of table of present value of commutation. For using the table of commuted value, the age next birthday should be taken. The calculation of commuted value should be made as under: - Amount of pension to be commuted x 12 x purchase value as per commutation table for the age next birth day.
- Note** The commutation table effective from 1.03.19971 is given in A.I 85/71 which is reproduced in **Appendix-16**.
- 276** Whether a Medical Board or single Medical Authority which has to conduct the medical examination should be determined keeping in view of the following factors:-
- (a) Medical examination in the following cases has to be conducted by a Medical Board:-
 - (i) If the total of the amount of pension to be commuted (including amount of pension previously commuted, if any) is more than Rs.100/- per mensem
 - (ii) when the pensioner has once been refused commutation on medical grounds or after he has once declined to accept commutation on the basis of an addition of years to his actual age and when he again applies for commutation of the pension.

Note Medical Boards convened by State Govt. for examination of Central Govt. servants for commutation of pension shall consists of 3

Medical Officers possessing qualification included in one of the Schedules to the Indian Medical Council Act, 1933,

- (b) In cases other than those mentioned in (a) above, the medical examination will be conducted by a single Medical Officer, not being of lower in status than the Civil Surgeon/District Medical officer/Presidency Surgeon.

Note In cases where it is not possible to arrange medical examination by a Civil Medical authority or when difficulty/delay is apprehended in getting the medical report of the Civil Medical Board etc. papers for medical examination will be sent to Area HQrs nearest to the applicants place of residence for arranging a Service Medical Board.

277 After determining the commuted value of pension for the two successive years and ascertaining the particular medical authority which has to conduct medical examination of the individual, the Part II of the application Form 'A' and Part I and II of the Form B'(IAFA-340-B) will be completed in the following manner.

- (a) Part II of form 'A' and Part I of Form 'B' will be completed from item 4 of part II of the working sheet.
- (b) The calculations made for two successive years of age should be shown in Form 'A' and Form 'B' If the Medical authority prescribed addition of years to his actual age the applicant should be informed forth with the revised sum payable on commutation .
- (c) The powers to sanction commutation of pension is exercised by the Pension Sanctioning Authority vide Regn 350 PRA Part I read with item 20 of Table VI referred to in Regn. 22 PRA Part II. The Principal Controller of Defence Accounts (P) who can delegate this power to subordinate officers of his office. Pursuant to this, the powers to accord administrative sanction of commutation of pension have, as standing arrangement, been delegated to the AO(P)/SAO(P). Part III of form 'A' and Part II of Form 'B' where in the administrative sanction is to be accorded should be completed by indicating (I) the designation of the authority empowered to accord administrative sanction and (II) the particulars of the medical authority which has to conduct the medical examination.

278 The Form 'A' and Form 'B' duly completed as indicated above, as also the memo for arranging medical examination of the pensioner in **GO(Com) F-5/GO(Com) F-4-A (Sl. No. 43 & 44 of Annexure C respectively)** (in case of Gorkha pensioner residing in Nepal) duly completed should be submitted to the Accounts Officer /SAO who, after due scrutiny and satisfying himself of the correct completion of the working sheet and other relevant documents, will affix his signatures in Parts II and III of Form 'A' and Parts I and II of Form 'B' and also approve the memo.

Document to be sent for medical examination

279 After approval, the fair copies should be prepared in duplicate and disposed of as follows:-

- (A) The original copy of the forwarding memo should be despatched to the medical authority alongwith the following documents:-

- (a) Application for commutation of pension (Form 'A') in original duly pasted with the attested copy of photograph of the applicant at the right hand top corner of Part I.
 - (b) A copy of Form 'C' (IAFA-340-C) duly pasted with the second attested copy of the photograph of the applicant.
 - (c) An extra copy of Part III of Form 'C' (IAFA-340-C Pt. III) for showing thereon the finding of the medical authority and handing over to the pensioner.
 - (d) A copy of Invaliding/Release Medical Board Proceedings, if any
 - (e) In case the applicant has previously commuted any portion of his pension (or declined to accept commutation on the basis of an addition of years to his age or has been refused commutation on medical grounds) copies of the previous medical reports (Form-C);
- (B) The duplicate copy of the forwarding memo should be despatched to the pensioner with the following documents:-
- (a) One copy of Form 'B'(IAFA-340-B).
 - (b) One copy of Form 'C'(IAFA-340-C), Part I of which is to be filled in by the applicant before his medical examination, and then the form is to be handed over to the medical authority.
 - (c) Original document, if any, submitted as proof of date of birth

280 After dispatch of the documents to the parties concerned as above , the relevant columns of the claim register should be completed.

281 The administrative sanction remains valid for three months. The individual should appear before the medical authority for examination within three months of the date of the administrative sanction or if he has applied for commutation in advance of the date of his retirement, within three months of that date, but in no case earlier than the actual date of retirement. If the applicant does not appear for examination before the medical authority within the prescribed period, the administrative sanction may be renewed, at the discretion of the Officer-in-charge, for a further period of three months without obtaining a fresh application for commutation of pension. PBOR including NCs(E) retiring on or after 26.12.1977 on completion of terms of their engagement shall not be subjected to medical examination for the purpose of commutation of a portion of their pension upto 45% provided they apply within one year of discharge/ release . in respect of those who are in LMC, an annotation shall be made in the form to be completed by the RMB regarding their longevity, which shall be acted upon for the purpose of commutation.

Withdrawal of application for commutation

282 It may be noted that the applicant is entitled to withdraw his application for commutation in the following circumstances:-

- (a) He may withdraw his application by written notice despatched at any time before medical examination is due to take place. This option shall expire on his appearance before a medical authority.
- (b) If the medical authority directs that his age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may withdraw his application by written notice dispatched by Regd. Post within two weeks from the date

on which he receives intimation of the findings of the medical authority. If he does not do so, he shall be assumed to have accepted the commutation money offered.

- (c) In the event of the table of present values applicable to an applicant having been modified before the date on which commutation due to become absolute, it shall be open to the applicant, if the modified table is less favourable to him than previously in force. In such an event the applicant shall be informed of the modified amount payable and he may withdraw his application by notice in writing dispatched within 14 days of the date on which he receives notice of the modification.
- (d) Failure to appear before Medical authority- If the applicant after receipt of communication from the Chief Administrative Medical Authority or the medical authority fails to appear for medical examination before the medical authority on the date and time communicated to him and there is no reasonable ground for his failure, the medical authority shall report the fact to the PCDA(P) Allahabad and return to him the documents received as mentioned in **Para 277**. With the return of documents to the PCDA(P) Allahabad, the application for commutation shall be treated as having been withdrawn.

Determination of Commuted Value of Pension

283 On receipt back of the documents from the medical authority, it should be seen that:-

- (a) The application form for commutation (Form 'A') and Form 'C' (in duplicate) duly completed have been received.
- (b) The second copy of the photograph (pasted in form 'C') has been duly attested by the Medical Officer or by a member of the Medical Board.
- (c) The medical authority has completed the certificate on Part III of Form 'C' correctly in all respects and that the certificate has been signed by all the members of the Medical Board/Medical Officer and that the signature of the applicant in Part I of Form 'C' has been attested,
- (d) The individual has been examined within three months of the date of administrative sanction or the extended date of sanction, as the case may be, or if he had applied for commutation in advance of the date of his retirement, within three/ six months of that date, but in no case earlier than the actual date of retirement. Cases where the medical examination takes place after the maximum period of administrative sanction viz. 6 months will be submitted to Group Officer for orders.

Note In the case of Gorkha Soldier whose home is in Nepal medical examination may be carried out, before he leaves his Regiment/Corps/ Centre on discharge at the Military Hospital of the station at which the Regt/Corps/Centre is located vide Reg. 119(d) P.R.A. Part II.

284 If the applicant has not been declared as unfit subject for commutation, the lump sum amount payable to him should be determined on the basis of the report of the medical authority and in accordance with the table of present value of commutation. In the case of impaired lives, the age should be fixed by adding to the age next birthday, the number of years more than the actual age, as

recommended by the medical authority. In such cases Part II of the working sheet will also be completed to determine the revised capitalised sum.

Arrangement for Payment of Commuted Value of Pension

- 285** After the amount of commutation payable to the pensioner is determined, the following action will be taken:-
- (a) An endorsement regarding the payment of commutation of a portion of pension will be made on the draft PPO for service/disability pension and IAFY- 1948-A/AFMSF-16 bound therewith. In cases where an individual initially granted service pension is granted disability pension, the endorsement will be made on both the service and disability draft PPOs and IAFY-1948-A/ AFMSF-16
 - (b) A draft PPO on **GO (Com) F.5 at Sl. No. 45 of Annexure C** to be addressed to the PDA from whom the applicant is drawing his pension will be prepared.
 - (c) Office copy of the intimation memo to the pensioner regarding the issue of the PPO for arranging payment of commutation will be prepared on **GO (Com) F-6 at Sl. No. 46 of Annexure C**.
- 286** Thereafter the draft PPO for commutation and the intimation memo will be submitted to the Accounts Officer for approval.

Numbering of PPOs

- 287** After approval by the Accounts Officer the PPO number will be allotted to draft PPO and the draft PPO so completed will be sent to the PPO Section. Commutation PPOs. Of Service/Disability pension will be numbered separately i.e. "S/Com/", D/Com/" as the case may be. Simultaneously the intimation to the pensioner and the Record Office will also be completed and dispatched.

The original typed copy when received back from the PPO Section will be forwarded to the PDA. concerned alongwith the Form 'C'; (with photograph) for arranging payment.

Note The receipt of acknowledgement of the PPO from the PDOs concerned will be watched in the manner laid down in **Para 59**.

- 288** The relevant entries in the claim register should be completed.
- 289** Every endeavor should be made to dispose off the paper relating to grant of commutation of pension within six days of its receipt in the section.

Reduction in pension due to commutation.

- 290** (a) The reduction in pension by the commuted portion of pension in the cases of discharge/invalidment where the payment of the commuted value of pension has been authorised and notified jointly in the same PPO, will be operative from the date following the date of retirement, if the payment is made in the same month. Where, however, payment of commuted value of pension could not be made within the first month after the date of discharge/invalidment, the pension will be reduced from the date of payment.

- (b) In the case of pensioner who is drawing his pension from a Treasury or Pay Accounts Officer, DPDO the reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the commuted value of pension or at the end of three months after issue of authority by Accounts Officer for the payment of commuted value of pension, whichever is earlier, and.
- (c) In the case of an applicant who is drawing pension from a branch of nationalised bank, the reduction in the amount of pension on account of commutation shall be operative from the date on which the commuted value of pension is credited by the bank to the applicant's account to which pension is being credited..

Restoration of commuted portion of pension.

291 Such Armed Forces pensioners who have commuted a portion of their pension and on 1.4.1985 or thereafter have completed or will complete 15 years from the respective dates of their retirement, will have their commuted portion of pension restored subject to following conditions without waiting application from the pensioner vide CGDA letter No. 5621/AT-P dated 05.06.2002:-

- (a) The 15 years period for restoration may reckon from the date of retirement itself only in cases where commutation of pension is simultaneous with the date of retirement. In other words, cases where payment of the commuted value of pension was/is made during the first month of retirement leading to appropriate reduction on account of commutation in the first pension itself will be deemed to be falling in this category.
- (b) In all other cases, where commutation of pension led/leads to a reduction in the second or subsequent month, the 15 year period will be reckoned from the date of commutation, i.e.. from the date on which reduction in pension on account of commutation became/becomes effective.

Commutation of War Injury pension.

292 The provision of commutation of War Injury pension is made w.e.f. 1.1.86 vide GOI, MOD letter No. 1(5)/87/D(Pen/Sers) dt. 30.10.87 and will be regulated as per guide lines prescribed vide that Ministry's letter No. 1(6)/95/D(Pen-C) dt. 29.2.2000. which are explained as under:-

(a) Commutation of War Injury on Invalidment.

In cases where an individual is invalided out of service and granted war injury pension equal to reckonable emoluments last drawn or proportionate lower pension, shall be allowed to commute war injury pension at the rate of 45% for disability of permanent nature sanctioned for life in the first instance as per relevant provision of Pension Regulation for the Army Part-I (1961). However, w.e.f. 1.1.96, war injury Pension consists of service element and war injury element and aggregate of both should not exceed last pay drawn as per GOI, MOD letter No. 1(2)/97/D(Pen-C) dt. 31.1.2001. In such cases, individual shall be allowed to commute @ 45% of service element and war injury element if disability is of permanent nature and is assessed

for life by Invaliding Medical Board but commutation will be restricted to 45% of aggregate of service element and disability element.

(b) Commutation of War Injury pension on retention in service

Where a service personnel is retained in service inspite of war injury for life and retires subsequently, commutation of service element and disability element on account of War Injury shall be allowed at the rate of 45% in the case of PBOR.. Where the disability is of a permanent nature and is sanctioned for life in the first instance as per relevant provision of Pension Regulations.

Note The provisions of above para shall apply to Armed Forces Personnel who were in service as on 01.01.1986 or joined/join service thereafter.

The rates for disability element on account of war injury pension for 100% disability sanctioned by the Govt. from time to time are as under: -

SL. No.	Category of personnel	W.e.f. 1.1.86 (GOI.MOD. No. 1 (5)/87/D(Pen/Sers) dt. 30 Oct. 87)	W.e.f. 1.1.96 (GOI, MOD No. 1(2) /97/D(Pen-C) dt. 31.1.2001).
(i)	Hony commissioned officer	Rs. 1500/- p.m.	Rs. 5200/- p.m.
(ii)	JCOs and equivalent ranks of Air Force, Navy,TA and DSC	Rs. 1100/- p.m.	Rs. 3800/- p.m.
(iii)	Other ranks/NCs(E) and equivalent ranks of Air Force/Navy TA and DSC	Rs. 900/- p.m.	Rs. 3100/- p.m.

Note 1 Rank for this purpose shall be the rank held at the time of the injury sustained by the individual due to war/war like operations.

Note 2 In cases where an individual applies for commutation after one year of invalidment/discharge, commutation of war injury pension as above shall be allowed on receipt of duly approved commutation medical board proceedings. Existing provisions/procedure shall apply for holding commutation medical board.

Note 3 Specimen of PPO format for grant of commutation of service pension and disability pension manually are given **at Sl. Nos. 77, 78 & 79 of Annexure C.**

CHAPTER X
Reservist Pension

293 Other Ranks of the Armed Forces, depending upon their terms of engagement, serve for specified number of years in 'Reserve'. The service rendered while in active service in the Armed Forces is called 'Colour' service and that in reserve is called "Reserve" Service.

While the minimum "colour" service necessary to earn a service pension is 15 years, there are individuals who retire after completing 15 years of combined colour and reserve service, the latter category of other ranks are granted pension which is called "Reservist Pension".

294 Prior to 1-4-68, the other ranks who retired after completing at least 15 years colour plus reserve service had the option to choose between 'Reservist Pension' or "lump sum Gratuity in lieu. There were four rates of pension, ranging from Rs. 10/- to Rs. 12/- and corresponding four rates of gratuity from Rs. 750/- to Rs. 1100/- depending upon the length of colour and reserve service.

295 With effect from 1-4-68, the option to choose between pension or gratuity was abolished. Instead, a uniform rate of pension of Rs. 15/- was prescribed.

296 The rates of Reservist pension revised from time to time are indicated as under:

Effective date	Rates of Reservist pension Rupees p.m.	Relevant authority under which the rates were revised.
1-4-68	15.00	Army Instruction 17/S/68
1-1-73	50.00	Army Instruction 3/S/77
1-10-77	59.00	GOI, MOD No. B/38034/AG/PS4 (a)/ 1671/A/D (Pen /Ser) dt. 28.06.84 (Group Order No 1181)
01.03.78	70.00	GOI, MOD No. B/38034/AG/PS4 (a)/ 1069/A/D (Pen /Ser) dt. 10-6-82 (Group Order No 1132)
1-4-79	79.00	GOI, MOD No. B/38034/AG/PS4 (a)/1069/A/D (Pen /Ser) dt. 10-6-82 (Group Order No 1132)
1-2-82	86.00	GOI, MOD No. B/38063/AG/PS4 (a)/1671/I/A/D (Pen /Ser) dt. 28-6-84 (Group order No. 1181)
1-7-82	91.00	GOI, MOD No. B/38063/AG/PS4 (a)/1671/I/A/D (Pen /Ser) dt. 28-6-84 (Group order No. 1181)
2-6-83	89.00 (For those who have not opted for treatment of a portion of ADA as pay for assessment of pension	GOI, MOD No. B/38082/AG/PS4 (a)/1407/I/A/D (Pen /Ser) dt. 3-5-85 as amended vide that Ministry's letter dated 30-9-85 (Group order No. 1200)
	100.00 (For those who have opted for treatment of a portion of ADA as pay for assessment of pension)	GOI, MOD No. B/38082/AG/PS4 (a)/1407/ C/D (Pen /Ser) dt. 3-5-85 as amended vide that Ministry's letter dated 30-9-85 (Group order No. 1200)
2-3-85	99.00 (For those who have not opted for treatment of a pension of ADA as pay for assessment of pension).	GOI, MOD No. B/38095/AG/PS4 (a)/3093/ C/D (Pen /Ser) dt. 4-10-85 (Group order No. 1216)

	110.00 (For those who have opted for treatment of a pension of ADA as pay for assessment of pension).	GOI, MOD No. B/38095/AG/PS4 (a)/ 3093/ C/D (Pen /Ser) dt. 4-10-85 (Group order No. 1216)
1-4-85	174.00	GOI, MOD No. B/38096/AG/PS4 (a)/ 3092 / C/D (Pen /Ser) dt. 4-10-85
1-1-86	375.00	GOI. MOD letter No.1(4)/87/ D(Pen/ Ser) dt. 12-05-87
1-1-96	1275.00	GOI. MOD letter No.1(2)/97/D(Pen/Ser) dt. 24-11-97

Ex-gratia to Reservists

297 Exgratia payment of Rs. 600/-p.m. plus dearness relief applicable from time to time to the reservists who were discharged prior to 1-4-68 and who, having rendered minimum qualifying service required for grant of pension, has opted/ accepted for lump sum amount of gratuity at the time of release from service and have not availed benefits of rehabilitation assistance granted by the Govt. and also are not in receipt of any other pension, will be payable wef. 1-11-97 vide GOI. MOD. Letter No. B/39042/AG/PS4 (a & c) / 1331/ C/D (Pension /Services) dated 29-12-2000.

Note 1 Payment of Dearness Relief involving fraction of a rupee shall be rounded off to the next higher rupee vide GOI, MOD letter No. Air/HQrs/41003/1193/PA-III/363/C/D(Pen/Sers) dated 25.02.2002.

Note 2 Such claims will be dealtwith in Grants-2 Section.

Ex-Gratia Family Pension To The Families Of The Deceased Reservists

298 Prior to 1.04.68, a Reservist on his discharge from service on completion of terms of engagement of combined colour and reserve service had an option to draw either monthly reservist pension or one time lump sum reservist Gratuity in lieu of monthly pension. The option once exercised was final. A Reservist who opted to the one time lump sum Reservist gratuity in lieu of monthly pension. was not entitled to any pension and consequently, his family was also not eligible for ordinary family pension.

Subsequently wef 1.01.92 the Widows and dependent children of the deceased Reservists who had, opted to receive one time lump –sum gratuity in lieu of pension vide Regns. 155 and 156 Pension Regulations Part-I shall be granted ex-gratia family pension of Rs.150/- p.m. or from the date following the date of death of the deceased Reservists, whichever is later.

The ex-gratia payment, as sanctioned @ Rs 150/- p.m. shall be consolidated @ Rs. 605/- p.m. wef. 1.11.1997. Dearness Relief will be admissible @ Rs. 31/- i.e. 5 % of Rs 605/- wef 1.11.1997 and thereafter at the rates notified from time to time by the Government.

The recipient of ex-gratia payment who were employed/ re-employed under the central or state Government or under a body Corporate/- Autonomous organization belonging to the Central/State Government were eligible only for pre consolidated basic ex-gratia and were not eligible for increase in dearness relief on ex-gratia payment allowed from time to time in the past during the period of their employment/re-employment. However, they will be eligible for ex-

gratia payment, as indicated in Para 3 above wef 1.11.97 during the course of their employment/re-employment. These family pensioners will not be entitled to dearness relief during the period they remain employed/ re-employed

The family members who are already in receipt of ex-gratia payment will get dearness relief on pre-consolidated amount of ex-gratia at old rate wef 1.07.97 to 31.10.97 i.e. @ 182 % . Arrears of ex-gratia payment will be payable wef 1.11.1997. LTA of ex-gratia payment will also be admissible in respect of beneficiaries who were alive on 1.11.1997 and died subsequently to that date , for the period from 1.11.1997 to the date of death

The definition of 'family' and other conditions for eligibility for exgratia family pension shall be the same as prescribed for grant of ordinary family pension.

Procedure For Grant Of Ex-gratia Family Pension.

- 299** The eligible member of the family will apply in the application form , given in the **Serial No. 89 of Annexure C**, (in-triplicate) and submit the same to the Record Office concerned. The Record Offices will scrutinize the details furnished by the claimant with reference to the documents available at their end and satisfy themselves regarding the genuine ness and eligibility of the claimant. Thereafter, the application alongwith endorsement of the Record Officer will be forwarded to G4 Section of PCDA(P) office alongwith service records viz Sheet Roll indicating date of marriage and the amount of gratuity paid to the deceased with PPO No and year NO and date of authority letter authorising the gratuity by this office

The application will be entered in the Claim Register to be maintained R.O. wise and processed in the manner as prescribed for ordinary family pension. The exgratia family pension will be notified through the PPO after verifying the eligibility of the claimant.

CHAPTER XI

Ad-hoc allowance to Burma Army Pensioners/ Family Pensioners.

- 300** Pensionary liability of the Burma Army Pensioners who are Indian Nationals living in India is that of Govt. of Burma although they are getting their pensions in India through PCDA(P) and the various treasuries in India. Their pensions have not been increased although the cost of living has increased manifold since the time of their retirement. An ex-gratia/ad-hoc allowance to these pensioners was sanctioned, on compassionate grounds, to increase the existing pension and any relief sanctioned by the Govt. of Burma, to Rs 160/- p.m. wef 13.12.1985 vide GOI, MOD, Letter No. A/31452/BAP/AG/PS4(b)/4152/C/D/Pension/ services) dated 13.12.1985.

The above amount of ad-hoc exgratia was enhanced to Rs 375/- p.m. wef 1.06.1987 vide that Ministry's letter No. 12(9)/87/D(Pens/Ser) dated 19.1.1988 . This was further enhanced to Rs 1275/- p.m. wef 1.11.1997 vide Ministry of Defence letter No. 13/3874/AG/PS4(b)/720/A/D(Pen/Ser)/98 dated 13.10.1998.

The adhoc exgratia allowance would also be admissible to the families of such pensioners in the event of their death. Where such family pensioners have not been sanctioned family pension consequent to the death of the pensioners, an exgratia allowance of Rs. 375/- will be sanctioned by PCDA(P) or the concerned Accountant General as the case may be.

The pensioners who are being sanctioned ad-hoc exgratia allowance will also be entitled to relief on pension as admissible in respect of Central Government pensioners from time to time.

The provision of GOI, MOD letter No. 6(1)/87/D(Pen/Sers) dated 05.04.1991 regarding recognition of marriage after retirement for the purpose of ordinary family pension will also apply mutatis mutandis to the migrated Burma Army family pensioners who are getting ex-gratia adhoc-allowance (Not pension) on compassionate grounds vide GOI, MOD letter No. 1(1)/96/D-(Pen/Sers) dated 17.03.2003..

Procedure for grant of ex-gratia ad-hoc allowance

- 301** The prospective Burma family pensioners may apply to PCDA (P) in form appended **at Sl. No. 90 of Annexure C** if the claimant desires payment through DPDO or Post Office. In case, the claimant desires payment through the treasuries, the application form, if received, will be transmitted to A.G. concerned under intimation to the pensioner under Regd. Post.

The application will be entered in a separate Claim Register to be maintained R.O. wise. The application will be processed in the same manner as prescribed for ordinary family pension. After scrutiny, the exgratia adhoc allowance will be sanctioned through PPO

The PPOs of the family pensioners will be issued with separate series with prefix F/NA/'P&B'.

The extra liability on account of the grant of adhoc exgratia allowance to Burma pensioners/family pensioners will be borne by the Government of India.

The expenditure on the above account will be debitable to the Head of Account under “ Major Head- 2071- Pension and Other retirement Benefits 02- Defence –101 Army” vide Ministry of Defence letter No 12(9)/87/D(Pen/Sers) dated 30.12.1988.

Adhoc exgratia allowance to the families of Armed forces pensioners migrated from Pakistan.

302 There was no family pension scheme at the time of partition of the country. Therefore, the families of retired employees who migrated to India after partition were not authorized any family pension in the event of the death of the pensioner.

Consequent on the introduction of “ Family Pension Scheme, 1964” exgratia adhoc allowance @ Rs. 375/- p.m. wef 1.06.87 was sanctioned to such families of Pakistan pensioners vide GOI MOD letter No. 12(9)/87/D(Pen/Ser) dated 20.01.1988. The above allowance has been increased to Rs 1275/-p.m. wef 1.11.1997 on compassionate grounds vide Ministry of Defence letter NO. B/38174/AG/PS-4(b)/720/A/D(Pen/Ser)/ 98 dated 13.10.1998

The pensioners who are being sanctioned ex-gratia adhoc allowance will also be entitled to dearness relief on the rates admissible to Central Government pensioners from time to time.

The extra liability on account of the grant of ex-gratia adhoc allowance will be borne by the Govt. of India and the expenditure will be debitable to the following head of Account:- “ 2235 Social Security and Welfare, 60 other Social Scrutiny and Welfare Programmes, 102 pension under Social Security Schemes.

Procedure for grant of adhoc exgratia allowance

303 Prospective family pensioners will apply to the office of the PCDA(P) in the Form appended **at Sl. No. 89 of Annexure C.**

On receipt of the application the same will be entered in a separate claim register in G4 section and the cases will be processed in the manner as for ordinary family pension. After scrutiny the adhoc exgratia allowance will be notified through PPO. The PPOs will be issued with a special series with prefix “ F/NA/P & B” by G4 Section.

CHAPTER- XII**Procedure for grant/payment of pension to Hongkong and Singapore Royal Artillery (HKSRA), J & K Militia and State Forces Pensioners****Hongkong and Singapore Royal Artillery (HKSRA):****Introduction**

- 304** The Hongkong and Singapore Royal Artillery Regiment (HKSRA) was formed in 1891 and was disbanded in 1946. Pensions were awarded to Ex-members of the HKSRA under the auspices of the British Government who took responsibility for providing the funds for payment. The Army Pension Office (APO) Glasgo London administers the scheme and pensions are paid in accordance with the Indian Army Pensions Code.

Procedure for processing claims

- 305** An ex-serviceman or eligible dependent writes to Army Pension Office (APO) Glasgo London enquiring if they are entitled to receive a pension. On receipt of such a request, the APO will check existing files for evidence of service.

If the APO is satisfied with the claimant's proof of service and eligibility and has received a valid life certificate, then authorisation is given to pay the pension at the appropriate rate.

- 306** A pension award is made by completing Annexure-C annexed with HKSRA Regularisations and guidelines and sending 5 copies of the form to the Pension Authorities in the appropriate countries by the APO, Glasgo(U.K). The authorities in India then forward a copy of the authority to the pensioners pension disbursing authority who issue the money to the pensioner.

- 307** Pensions will be awarded with affect from the date of application. Any arrears due will also be calculated from that date.

Eligibility to receive HKSRA Pension

- 308** Pension can be awarded to ex-members of the HKSRA or their dependants provided they fall into one of the 7 categories mentioned below; -
- (i) Soldiers discharged on termination of their engagement. Those soldiers who are discharged from HKSRA service and have completed a minimum of 10 years pensionable service with the regiment are entitled to receive a service pension.
 - (ii) Soldiers disabled out of service :- Soldiers who were disabled through their military service are entitled to receive a disability pension.
 - (iii) Soldier dies while on active service:- If a soldier is killed while on active service, a pension is paid to the appropriate dependant , i.e. widow, child or parent.
 - (iv) Parents of an HKSRA Soldier:- If an HKSRA soldier was killed while on active service and he had no spouse then his parents would be entitled to receive a pension.

- (v) Children of an HKSRA Soldier :- Sons and daughters are entitled to receive, upon the death of their parents, an HKSRA pension subject to the conditions below:

A son may receive a pension until he attains the age of 24 years. Payment may be continued beyond this age provided the son is incapable of self support by reason of physical or mental infirmity which arose before he attained the age of 18. Such cases would require sufficient medical evidence to support it.

Note On the death or disqualification of the original recipient, the pension rights may be claimed by the appropriate dependant, whether widow or eligible minor son until there are no more sons, and then continued to the eldest eligible minor daughter until there are no more daughters (the 24 year age rule still applies). The pension then will cease.

- (vi) Soldier dies after discharge from HKSRA widows are entitled to claim their husbands HKSRA pension upon his death. This entitlement remains only as long as the widow does not re marry, when entitlement will cease. In the case of widows who married their husbands after discharge from the HKSRA, they are also entitled to claim family pension.

Note 1 HKSRA pensions are not paid to ex-soldiers or their families if the eligible soldier after finishing service with the HKSRA Regiment then went on to serve in the Pakistan or Indian Armies and receives a pension from this service.

Note 2 Specimen of payment authority is appended at **Sl. No. 80 of Annexure C.**

Reassessment of disability pension

- 309** RSMB in respect of HKSRA pensioners will be arranged in India by HKSRA Record in the Military hospitals in India and RSMB proceedings will be sent to CHELESEA, LONDON who will authorise payment of disability pension.

Authorities

- 310** The Assistant Defence Attaché, based in New Delhi and Islamabad, act as a focal point for HKSRA Pensioners between the APO and the pension authorities in India and Pakistan respectively. They can be contacted at the following addresses: -

PCDA(P)
Draupadi ghat.
Allahabad

Office of The Controller Of Military Pension
Lahore Cantt
Pakistan

Defence Attache

- 311** Correspondence for the Defence Attache who is based in the British High commissions in New Delhi should be sent to

C/O Foreign And Common Wealth Office King Charles Street, London.

Payments

- 312** The Indian authorities are responsible for paying out pensions authorised by APO. In order to recover the money paid out to pensioners they submit 1/2 yearly reimbursement claims to the APO who are responsible for processing these claims.

J & K Militia General

- 313** J & K Militia force was raised as a para military force in April, 1948 vide Govt. of India, Ministry of Defence letter No. 16518/SD-I on 18.03.1948.
- 314** The force was re-organised from 1.04.1964 as a permanent force and rules applied to civilians viz. Liberalised Pension Rules and CCS (EOP) Rules were made applicable to the personnel of the force vide Govt. of India, Min. of Home Affairs letter NO. F. 16/19/63-K dated 16.05.1964.
- 315** J & K Militia force was brought at par with the Indian Army wef 1.12.71 vide Govt. of India Min. of Home Affairs letter No. F. 13/36/72-K dated 1.12.72 and the members of J& K Militia are deemed to have been covered for the purpose of pay, allowances and pension wef 1.12.71.
- 316** The existing personnel of the J& K Militia were to be given an option to accept the regular Army terms and conditions of service and who did not opt or who are other wise not considered fit for the regular Army would be wasted out from service under the existing terms and conditions of J & K Militia Service. Thus, the pension and gratuity claims of J& K Militia personnel who accepted the regular terms and conditions of the Army are to be dealt with under the rules and orders applicable to Indian Army personnel. However, the expenditure on these accounts is to be borne by Govt. of India, Ministry of Home Affairs and accordingly a guide note regarding incidence of pensionary charge in the PPO notifying the pensionary awards in respect of J & K Militia personnel is to be made as under.
“ Debitable to Home Ministry”
- 317** The work in regard to grant of pension to J& K Militia personnel was taken over by this office from A.G. J& K, Srinagar in August-September, 1973 and since then the work relating to grant of fresh and revised award is being done by this office
- 318** Initially, the work relating to grant of service pension, disability pension, re assessment of disability pension, special family pension

and commutation of pension was being dealt with by the respective Grants Section. But wef 17.09.73, a separate Cell named " Grants /J&K Militia Cell " was formed with a view to deal with centrally cases of the adjudication and notification of reassessment (disability) and family pension claims and notification of PPOs relating to these awards. However, claims relating to grant of service pension, initial disability pension, and liberalized family pension including ex-gratia lump sum compensation claims are dealt with in EDP(Manual), G3 and G4 Section of the Grants (ORs) Section respectively

Note Specimen of PPO format for disability reassessment and family pension are given at Serial Nos. 40 and 41 respectively of **Annexure C**.

STATE FORCES General

319 With effect from 1-4-1950, Indian State Force units had been merged with Indian Army.

320 Consequent to this, individuals were permitted to make election for service pension, and gratuity of the following alternatives:-

(i) to be governed for pension or gratuity by the normal rules for regular personnel of the Indian Army in respect of their service from the date of grant of JCO commission / enrolment in the Indian Army.

(ii) to count the following period of pension qualifying service for pension under the Indian Army rules:-

(a) Half previous qualifying service rendered in the State Force towards service pension/gratuity will count towards pension in the Indian Army except the service rendered either under the crown or the Government of India during the last war and post war period which will be deemed as service in the Indian Army and will reckon in the full towards pension under the Indian Army rules.

(b) Previous Indian Army service to count in full, subject to the conditions of Regn. 213, **PRI Part II(1940)**.

Disability pension: -These will be governed by the relevant rules in the Pension Regulations, India Part-II the service element of disability pension will be calculated as in alternative given in Para (a) & (b) above, whichever is more favourable to which will be added the disability element of pension admissible under **Pension Regulations in India Part II(1940)**. Where, however, no service element has been earned under either of the above method of calculation he will be admitted the minimum disability pension under Pension Regulations, India, Part II..

Family pensions children allowance and family gratuity:-

These will be admissible at the rates and under the conditions laid down in **Pension Regulation in India Part II(1940)**.

Procedure for sanction of disability /family pension

321. The grant of disability /family pension in respect of personnel of the State Forces arising out of their service with the Indian Army is governed by the same, Rules and Rates as are applicable to the corresponding ranks of the Indian Army. The disability and family pension claims of the above personnel are dealt with in Grant -3 and Grant -4 Sections respectively. The procedure laid down for processing the claims of disability and family pension in respect of regular Army personnel mutatis mutandis will be followed in the same manner for such claims relating to State Forces personnel.

Note Claims relating to disability pension and family pension in respect of Non - ISF personnel will be dealt with in G1/Military Section for which see **OM Part-IV Vol. III.**

CHAPTER-XIII
Grant of Relief to Pensioners/Family pensioners
GENERAL.

- 322** Prior to 1.01.1973 i.e. the date of implementation of a Govt. orders on the recommendation of IIIrd CPC, there was no regular scheme for compensating pensioners for erosion in the real value of pensions due to increase in prices. During that period the price rise was considered to be a temporary phenomenon as the prices were expected to stabilize. Accordingly, the Govt. sanctioned compensation mainly to low paid pensioners in the form of temporary relief, who were likely to be more affected by the price rise.

The issue relating to protection of pension on account of possible increase in the cost of living was for the first time examined by the IIIrd CPC with a view to having proper pension structure for pensioners. Pursuant to Govt. decision on the recommendation of IIIrd CPC, all the future pensioners (irrespective of the fact that they were low paid or highly paid) were given relief wef 1.08.1973 appropriate to their pension at the rate of 5% of their pension subject to a minimum of Rs.5 and a maximum of rupees 25/-pm for every 16 point rise in the 12 monthly average of the All India Working Class Consumer Price Index(1960-100). This scheme was modified with effect from 1.12.1980 when Govt. decided to give graded relief to pensioners for every 8 point increase in index average @ 2.5% of pension subject to a minimum of Rs.2.50 and a maximum of Rs 12.50 p.m. It has also been decided that with effect from 1.02.1981 the monthly rate of aggregate relief payable in a case will be expressed in whole rupees. For this purpose the fraction of a rupee will be rounded off to the next higher rupee. But still there remained no correlation between the DA admissible to serving employees and the scheme of Dearness Relief to pensioners.

The fourth CPC rationalized the scheme of Dearness Relief to pensioners and related the same to the scheme of DA to serving employees. It recommended adoption of slabs for regulating DR to pensioners at 50% of the slabs prescribed for regulating DA to serving employees and calculation of DA/DR at the same percentage. As recommended by the IVth CPC the DR is payable twice a year as on 1st January and 1st July. The recommendations were implemented by the Govt. wef 1.07.1986.

Since the DR admissible to pensioners was at 50% of slab prescribed for regulating DA to serving employees, the concept of cent percent neutralization against the increase in prices could not be achieved. This concept was however, recommended by the Vth CPC and has also been accepted by the Govt. to sanction DR to pensioners at a uniform rate as admissible to serving employees wef 1.07.1996.

Rates of Temporary Increase/Adhoc Increase/Adhoc Relief/Relief/Dearness Relief

- 323** The rates of TI/AHI/AHR/Relief and Dearness Relief admissible to the pensioners as sanctioned by the Govt. from time to time are indicated in succeeding paras.

324 Temporary Increase With Effect From 1.11.1943(AI 15/44)

Amount of Pension	Amount of T.I.
Pension not exceeding Rs 20/-pm	Rs.3/-p.m.
Pension exceeding 20/- but not exceeding Rs. 40/-pm	Rs 4/-pm
For pension exceeding Rs. 40/- PM but not exceeding Rs.44/- p.m.	An amount which will bring the pension upto Rs. 44/-p.m.

Note 1 These increases will have effect from 1st November,1943 i.e. on the pension due in December,1943, and will be in operation for one year.

Note 2 Children's allowances are regarded as part of family pension and do not separately earn any increases under the above scale.

Note 3 These increases will not apply in cases of service pensioners re-employed during the emergency for so long as they remain re-employed.

Temporary Increase With Effect From 1.01.1945(Army nstruction No 541/45)

Amount of Pension	Amount of T.I.
Pension not exceeding Rs 20/-p.m.	Rs.4/-p.m.
Pension exceeding 20/- but not exceeding Rs. 60/-p.m.	Rs 5/-p.m.
Exceeding Rs 60/- but not exceeding Rs 100/-pm	Rs.6/-p.m.
Pension exceeding Rs.100/- but not exceeding Rs.106/-pm	An amount which will bring the total pension to Rs.106/-pm

These revised rates of temporary increases will be subject to general conditions laid down in A.I.(I) Nos. 15 and 369 of 1944 and 421 of 1945 and any other instructions issued on the subject.

Temporary Increase With Effect From 1.04.1958(AI 6/S/60)

W.e.f. 1.0458, the existing rates of temporary increase in pension admissible under para 3 of Army Instruction NO. 172 of 1945 and the Army Instruction No 66 of 1957 to pensioners of the Indian Army (including those of DSC) will be enhanced as under:-

Amount of Pension	Amount of T.I.
Pension up to Rs 50/-pm	Rs.10/-p.m.
Pension above Rs.50/- but not above Rs. 100/-p.m.	Rs 12.50/-p.m.

Pension above Rs 100/-p.m.	Such T.I. as will bring the total pension to Rs.112.50/-p.m.
----------------------------	--

The temporary increase in pension as revised under this Instruction will continue to be regulated in accordance with the detailed provisions as amended from time to time, of the Army Instructions quoted in paragraph -1 above.

Ad-hoc Increase With Effect From 1.10.1963 and revised w.e.f. 1.09.69(AI 19/S/63 and AI 4/S/69)

325 Adhoc Increase in pensions (service, disability and family/dependants pensions including allowances for children) to the pensioners of the Indian Army (including DSC) will be allowed at the following rates: -

Amount of Pension	W.e.f. 1.10.63 rate of ad-hoc increase in pension	W.e.f. 1.09.69 rate of ad-hoc increase in pension
Pension up to Rs.30/-pm	Rs.5/-p.m.	Rs.15/-p.m.
Pension above Rs. 30 but not above Rs.75/-pm	Rs.7.50/-pm	Rs.17.50/-p.m.
Pension above Rs. 75 but not above Rs.200/-pm	Rs.10/-pm	Rs.20/-p.m.
Pension above Rs. 200 /-pm	Such <i>ad-hoc</i> increase as will bring the total pension to Rs.210/-pm	Such <i>ad-hoc</i> increase as will bring the total pension to Rs.220/-p.m.

All other order in force in regard to temporary increases in pensions will apply mutatis mutandis to these adhoc increases also.

Ad-hoc Relief To Pre-73 Retirees with effect from 1.01.73

326 Govt. of India have decided to grant adhoc relief and relief to all categories of Armed forces pensioners excluding pensioners in receipt of ordinary or special family pension who retired prior to 1.01.73, at the rates mentioned below w.e.f 1.01.1973 vide their letter No. F 11(1)/74/D(Pen/Sers) dated 09.05.1974.

Pension range	Amount of Ad-hoc relief in pension
Below Rs. 85/-	Rs.15/- pm
Rs. 85 and above but below Rs.209	Rs.21/- pm
Rs.210 and above but below Rs.499	Rs.25/- pm
Rs. 500 and above	Rs.35/- pm

Note 1 The term 'original pension' does not include either the adhoc increase, if any, granted prior to 1.01.1973 or the pension equivalent of DCRG but includes the commuted portion of pension, if any.

Note 2 The above orders will not apply to pensioners whose pension has been determined adhoc such as political pension, special pension, war risk pension, etc. and the pensioners who were in re-employment on 1.01.1973.

Ad-hoc Relief and Relief to family pensioners wef.1.10.1975

327 Govt. Of India have decided to grant Adhoc Relief/relief to the families of Armed Forces personnel (including DSC, Ex State Forces pensioners, pensioners in receipt of reservist pension and pensioners who migrated from Pakistan upto 25th March, 1971), who are in receipt of ordinary family pension, special family pension and dependents pension including children allowance, a relief to the extent of 25% of pension drawn from time to time, subject to a minimum of Rs.25/- and a maximum of Rs.125/- PM w.e.f. 1.10.75 on an adhoc basis vide Government of India , Ministry of Defence letter No. 11(1) /74/D (Pen-C) dated 27.04.1976.

2 In addition to the relief mentioned in para 1 above the President is pleased to grant to such of these pensioners who are in receipt of pension from a date prior to 1st January, 1973 an adhoc relief on the following rates w.e.f. 1.10.1975

Family Pension Range (Based on original pension or Rs.40/- PM where the original pension is less than Rs. 40/- PM	Amount of Ad-hoc relief in pension
Below Rs. 85/-	Rs.15/- pm
Rs. 85 and above but below Rs.210	Rs.21/- pm
Rs.210 and above but below Rs.500	Rs.25/- pm
Rs. 500 and above	Rs.35/- pm

3 The term 'original pension' for the purpose of calculation of *ad-hoc* relief in para 2 does not include the temporary/ ad-hoc increases in pension admissible prior to 1.01.1973.

4 The quantum of relief in Para 1 above will be calculated on the total of the elements mentioned below: -

- (i) Original pension as mentioned in Para 3 above.
- (ii) Temporary/Ad-hoc increases in pension where admissible prior to 1.01.1973.
- (iii) Ad-hoc relief as mentioned in para 2 above.

5 In the case of families who have been sanctioned liberalised awards, Temporary and / or adhoc increase in pension, sanctioned from time to time will not be admissible in addition to liberalised awards. However, where and for so long as awards admissible under the existing rule and orders happen to be more favourable than those sanctioned in Government of India, Ministry of Defence letter No. 200847/Pen-c/71 dated 24.02.1972, the higher entitlements will be payable.

AdhocEx-gratia w.e.f. 1.09.1984

- 328** Government have decided to grant on a purely ad-hoc ex-gratia basis, payments at the monthly rates to the Armed Forces pensioners who retired prior to 10.09.70 and also those who retired on or after 10.09.70 but before 1.01.1973. w.e.f. 1.0984 at the rates indicated below and no arrears are payable prior to this date vide GOI, MOD, letter No. 1(3)/84/D(Pen/Ser) dated 29.08.84 as amended vide that Ministry's letter of Even No. dated 18.09.1984.

Category	Amount of ad-hoc ex-gratia	
	Pensioners who retired before 10.09.70	Pensioners who retired on or after 10.09.70 but before 1.01.73.
OR. Reservist	Rs.10/- p.m.	Rs.10/- p.m.
Sepoy/SWR	Rs.25/- p.m.	Rs.25/- p.m.
Naik/L.Dafadar	Rs.25/- p.m.	Rs.25/- p.m.
Havildar/Dafadar	Rs.30/- p.m.	Rs.25/- p.m.
Nb/Sub/Nb Jamadar	Rs.30/- p.m.	Rs.25/- p.m.
Subedar/Risaldar	Rs.30/- p.m.	Rs.25/- p.m.
Sub. Major/Risaldar Major	Rs.35/- p.m.	Rs.25/- p.m.
Hony. Commissioned Officer	Rs.35/- p.m.	----

Note 1 The above amounts of adhoc exgratia are in addition to pension/relief as due under extent orders.

Note 2 These will not be reckoned as pension for any purpose such as relief on pension or for calculation of minimum pension under the extent orders.

Note 3 The following types of cases are not covered by the above orders:-

- (i) Widows/children of the Armed Forces pensioner granted family pension.
- (ii) Pensioner of HKSRA and pensioner in whose case the pensionary liability in that of U.K. Government or any other foreign Government including Government of Pakistan or any State government of India.
- (iii) Civilian pensioners paid from Defence Services Estimates.
- (iv) Ex-gratia pensions
- (v) Widows in receipt of compassionate allowance.
- (vi) Pensioners who are not in receipt of any pension but are drawing only Jangi Inam or any gallantry award, e.g. Victoria cross, IOM allowances, Mahavir Chakra, Vir Chakra, etc.
- (vii) Children in receipt of children allowance.
- (viii) State Forces pensioners
- (ix) Re-employed pensioners.
- (x) Cases where 10 months rank rule authorised after actual calculation and also where pensioners have opted or deemed to have opted with reference to a higher rank than the one for which they were sanctioned pension as a result of Supreme Court Judgement.

Graded Relief w.e.f. 1.08.1973

- 329** Graded relief is admissible to all then existing pensioners/family pensioners at the rates notified by Government from time to time which are indicated in the chart as under: -

**CHART FOR PAYMENT OF GRADED RELIEF ON PENSION IN RESPECT
OF THOSE WHO RETIRED FROM SERVICE ON OR AFTER 1.01.1973**

Period		Retired Before 30.9.1977		Retired Between 30.9.77& 30.01.1982 and opted for merger of DA as pay up to average CPI 272. Point for pension/ gratuity calculation.		Retired Between 31.1.82 & 30.03.1985		Between 31.03.85 & 31.12.1985	
From	To	%	Max	%	Max.	%	Max	%	Max.
1.08.73	31.12.73	5	25						
1.01.74	31.03.74	10	50						
1.04.74	30.09.75	15	75						
1.10.75	31.03.77	25	125						
1.04.77	31.08.77	30	150						
1.09.77	30.11.78	35	175	15	75				
1.12.78	31.10.79	40	200	20	100				
1.11.79	30.04.80	45	225	25	125				
1.05.80	31.08.80	50	250	30	150				
1.09.80	30.11.80	55	275	35	175				
1.12.80	31.01.81	57.5	288	37.5	188				
1.02.81	31.03.81	60	300	40	200				
1.04.81	31.05.81	62.5	313	42.5	213				
1.06.81	31.07.81	65	325	45	225				
1.08.81	30.09.81	67.5	338	47.5	238				
1.10.81	31.10.81	70	350	50	250				
1.11.81	31.01.82	72.5	363	52.5	263				
1.02.82	31.03.82	75	375	55	275	40	200		
1.04.82	31.05.82	77.5	388	57.5	288	42.5	213		
1.06.82	31.08.82	80	400	60	300	45	225		
1.09.82	30.11.82	82.5	413	62.5	313	47.5	238		
1.12.82	28.02.83	85	425	65	325	50	250		
1.03.83	30.04.83	87.5	438	67.5	338	52.5	263		
1.05.83	30.06.83	90	450	70	350	55	275		
1.07.83	31.07.83	92.5	463	72.5	363	57.5	288		
1.08.83	30.09.83	95	475	75	375	60	300		
1.10.83	31.10.83	97.5	488	77.5	388	62.5	313		
1.11.83	31.12.83	100	500	80	400	65	325		
1.01.84	31.01.84	102.5	513	82.5	413	67.5	338		

						5			
1.02.84	31.03.84	105	525	85	425	70	350		
1.04.84	31.05.84	107.5	538	87.5	438	72.5	363		
1.06.84	31.07.84	110	550	90	450	75	375		
1.08.84	31.10..84	112.5	563	92.5	463	77.5	388		
1.11.84	31.12.84	115	575	95	475	80	400		
1.01.85	30.04.85	117.5	588	97.5	488	82.5	413	2.5	13
1.05.85	31.07.85	120	600	100	500	85	425	5	25
1.08.85	31.10.85	122.5	613	.5	513	87.5	438	7.5	38
1.11.85	31.12.85	125	625	105	525	90	450	10	50
1.01.86	31.03.86	127.5	638	107.5	538	92.5	463	12.5	63
1.04.86	31.05.86	130	650	110	550	95	475	15.	75
1.06.86	31.06.86	132.5	663	112.5	563	97.5	488	17.5	88
1.07.86	xxxxxxx	135	675	115	575	100	500	20	100

Dearness Relief to pensioners/family pensioners w.ef.1.07.1986

330 In pursuance of Govt. decisions on the recommendation of the Fourth Central Pay Commission, the President is pleased to decide that dearness relief shall be paid to Central Govt. pensioners and family pensioners to compensate them for rise in cost of living beyond average CPI 608 at the following rates:

RATES OF DEARNESS RELIEF

Date	Pension Upto 1750	1750 to 3000	Subject to min. Rs.	Exceeding Rs.3000/-	Subject to min.Rs.
1.07.86	4%	3%	70	2%	90
1.01.87	8%	6%	140	5%	180
1.07.87	13%	9%	228	8%	270
1.01.88	18%	13%	315	11%	391
1.07.88	23%	17%	403	15%	510
1.01.89	29%	22%	508	19%	660
1.07.89	34%	25%	595	22%	750
1.01.90	38%	28%	665	25%	840
1.07.90	43%	32%	753	28%	960
1.01.91	51%	38%	893	33%	1140
1.07.91	60%	45%	1050	39%	1350
1.01.92	71%	53%	1243	46%	1590
1.07.92	83%	62%	1453	54%	1860
1.01.93	92%	69%	1610	59%	2070
1.07.93	97%	73%	1698	63%	2190
1.01.94	104%	78%	1820	67%	2340
1.07.94	114%	85%	1995	74%	2550
1.01.95	125%	94%	2188	81%	2820
1.07.95	136%	102%	2380	88%	3060

1.01.96	148%	111%	2590	96%	3330
1.07.96	159%	119%	2783	103%	3570
1.01.97	170%	128%	2975	110%	3840

Dearness Relief to Pensioners/Family Pensioners wef.1.07.1996

- 331** Dearness relief is payable in pursuance of Govt. decision on the recommendations of V CPC to Central Govt. Pensioners/family pensioners to compensate them for the rise in the cost of living beyond average **Consumer Price Index** 306.33(as on 1.01.1996, as against average CPI 1510) with effect from 1.07.1996 and thereafter as sanctioned by the Government from time to time at the uniform rate as indicated below: -

RATES OF DEARNESS RELIEF

Period	Rate of D.R. per month.
1.07.1996 to 31.12.1996	04%
1.01.1997 to 30.06.1997	08%
1.07.1997 to 31.12.1997	13%
1.01.1998 to 30.06.1998	16%
1.07.1998 to 31.12.1998	22%
1.01.1999 to 30.06.1999	32%
1.07.1999 to 31.12.1999	37%
1.01.2000 to 30.06.2000	38%
1.07.2000 to 31.12.2000	41%
1.01.2001 to 30.06.2001	43%
1.07.2001 to 31.12.2001	45%
1.01.2002 to 30.06.2002	49%
1.07.2002 to 31.12.2002	52%
1.01.2003 to 30.06.2003	55%
1.07.2003 to 31.12.2003	59%
1.01.2004 to 31.03.2004	61%
1.04.2004 to 30.04.2004	11%
1.07.2004 to 31.12.2004	14%
1.01.2005 to 30.06.2005	17%
1.07.2005 to 31.12.2005	21%

For the purpose of payment of dearness relief

Pension/family pension in the case of pre-1.01.1996, retirees and where family pension was sanctioned prior to 1.01.1996, means the consolidated pension or consolidated family pension as the case may be, effective from 1.01.1996, in terms of Govt. of India Ministry of Defence letter No. 1(2)/97/D (Pen/Sers) dt. 24-11-97

In the case of pensioners who retire from service on or after 1.01.1996 or where family pension is sanctioned for the first time on or after 1.01.1996, pension / family pension means the basic pension/basic family pension as the case may be in terms of Govt. of India Ministry of Defence letter No. 1(2)/97/D (Pen/Sers) dt. 24-11-97

CHAPTER-XIV
MISCELLENEOUS
Court Cases

332 Legal cases filed by the Defence pensioners and their families seeking relief on sanction and /or payment of pension, when received in the Section, should be given highest priority and be processed to its finality as quickly as possible. Promptitude of action is of paramount importance in dealing with the court cases, Court Cases, broadly speaking, comprise of the following categories;

- (i) Legal Notice under Section 80 CPC.
- (ii) Writ Petition
- (iii) Court Judgment
- (iv) Contempt Petition

The AAO/SO(A) in-charge Group-1 of all sub-section of GTS/ORs Section will maintain a Register of Court Cases on the proforma **GO(2) R-11 (Sl. No. 10 of Annexure B)** with separate folios for the above types of Court cases.

333 Legal Notice:- The legal notices are being dealt with by different sub-sections of Gts./ORs Section. On receipt of a legal notice under section 80 of CPC in Group-1 sub-section of GTS/ORs Section, it will be entered in the Register opened for the purpose (proforma given in **GO(2) R-10 (Sl. No. 9 of Annexure B)** and then passed on to the concerned operative group of the sub-Section for necessary action.

It will be the personal responsibility of the Sr. AO/AO in charge of the group concerned to ensure that a reply is promptly sent to the advocate duly approved by the GO concerned under intimation to Legal Cell. When a final reply is being sent, it should be comprehensive but at the same time, self contained, precise and supported by the relevant rules/Govt. orders. However, the brevity should not be at the cost of clarify.

The AAO/SO(A) I/C of the Group-1 will monitor the case daily by personal contacts and complete the "Register of Court Cases" relating to legal notice as soon as the reply is issued to the Advocate concerned.

334 Writ Petitions- On receipt of a writ petition it will be centrally entered in the "Register of Court Cases" maintained by the Group-1 of sub-section of GTS/ORs Section and passed on to the operative group immediately

It will be seen whether there is any indication of earlier legal notice in the writ petitions. If so the same will be cross linked. Para-wise comments will be prepared by the dealing group concerned duly supported by the relevant rules/Govt. orders, where required. Para-wise comments are given to facilitate the Senior Govt. Standing Counsel to prepare the draft counter affidavit. The para-wise comments duly approved by the SAO/AO I/C dealing Group and seen by the GO Gts/ORs will be forwarded to Record office to enable

them to finalise the draft counter affidavit in consultation with the SGSC.

The Group-1 before passing on the para wise comments to Legal Cell will complete the "Register of Court Cases."

335 Court Judgment:- All the Court Judgments will be received centrally in the Group-1 of sub-section of Gts./ORs Section, where these will be entered in the "Register of Court Cases", cross linked with the writ petition and legal notice if any already entered in the Register and passed on to the dealing group for implementation of the judgment.

A photocopy of judgment will be passed on to Technical Group of GTS/ORs to examine whether the judgment is going to affect the individual case only or is likely to embrace all the person either retired or serving in general. If the judgment is likely to affect all the effective or retired personnel, the matter will be brought to the notice of the CDA/PCDA(P).

The AAO/SO(A) I/C of the Group-1 will personally show the judgment to the GO/SAO/AO concerned who will call for the Auditor/SO(A)/AAO of the dealing Group and explain to them the operative part of the judgment and the urgency of the case. He will immediately arrange to notify the award where Government sanction is not required, otherwise immediate action to be taken to advise R.O. to obtain Government sanction/file SLP/LPA as the case warrants. This may be perused till the finality of the case to avoid contempt.

In cases where the court judgment cannot be implemented within the time stipulated by the Court for any reason such as non-receipt of pension claim etc. the case will be shown to the Pr. CDA/CDA and the matter will be reported to higher authority /Legal Cell/defending unit/formation to file an application for extension of time for implementation of the judgment.

336 Contempt Petition:- Necessary action for entering the contempt petition in the "Register of Contempt/Court Cases" will be taken centrally by group-1 of sub-section of GTS/ORs Section as in other writ cases. The contempt petition will be cross linked with the court Judgement and passed on to the dealing group.

On receipt of the contempt petition the following action will be taken by the dealing group.

- (i) In case the Court Judgment has already been implemented, a reply to this effect may be sent to Govt. Counsel /R.O along with Para-wise comments through Legal Cell during the course of the day for preparation and filing of counter affidavit.
- (ii) In case the Court Judgment has not been implemented due to some reasons, expeditious action will be taken to get the extension of time, through the legal cell, to implement the court judgment. The dealing group will prepare and send the Para-wise comments, duly seen and approved by the G.O. within the course of the day to Legal Cell to facilitate preparation of draft counter affidavit.

Action taken on all “contempt of court cases” should be shown invariably to CDA/PCDA(P).

- 337 Govt. Sanction:** - All Govt. sanctions received pursuant to Court Judgements will be centrally received by Group-1 sub-section of GTS/ORs Section and entered in the “Register of Court Cases.”

The Group-1 will pass on the Govt. sanction in original to the dealing group. A photocopy of the sanction will also be passed on simultaneously to the Technical Group for study and necessary action if, any

The Group officer will be personally responsible to ensure that the pensionary awards as sanctioned by the Govt. are notified immediately and the parties concerned are informed.

After notification of the award, the “Register of Court Cases” will be completed by the Group-1.

The register of Court cases should be submitted monthly to Group Officer.

- Note** A reference to the Ministry of Defence shall be made on the Form GO(3)F-18 (appended at Sl. No. 22 of Annexure C) for obtaining ex-post facto sanction for the payment upto the end of financial year arising as a result of court judgement as charged expenditure.

Parliament Question

- 338** The Parliament questions asked by the Hon. Members of the Parliament, are to be answered by the Minister concerned by a fixed date. It is therefore to be ensured by the G.O that the reply to parliament questions are prepared on the same day on which, the questions are received. The reply to the question should be precise, definite, self contained, to the point and supported by the relevant rules and Govt. orders. Any material found superfluous in the reply should be dropped. The relevant details may however, be given in the “Supplementary” to the reply. The answer should be based on the ground and real position after proper verification checking, counting etc. irrespective of the time available for reply.

The draft reply to the Parliament question must be shown to the CDA/PCDA (P) before issue.

The Parliament questions are of two categories i.e. starred and unstarred. The details of these categories are as under;

- (i) Starred question-** These questions are to be answered orally by the Minister concerned on the floor of the House either in the Rajya Sabha or in the Lok Sabha. Answers to the starred question may be followed by supplementary question by the Members. Starred questions are so called from the fact that they are always distinguished by an asterisk in the list of finally admitted questions.

Hence reply must always be supported by supplementary material so that any question linked to starred question asked by the Hon. M.P may be answered by the Minister on the spot.

- (ii) **Unstarred question-** An unstarred question does not carry any asterik. Answer to such question is not given orally but in a written form. Consequently, no supplementary question can be asked thereon.
- (iii) **Short Notice question** - A short notice question is one which relates to a matter of urgent public importance and can be asked with notice shorter than the normal period prescribed for an ordinary question.

Defence Pension Adalat/Ex-servicemen Rallies

- 339** The cases of Defence Pension Adalat and Ex-servicemen rallies should be settled in the light of the procedure as explained in **Para 5** above.

Complaints Received From Ministries CGDA Office/VVIPs

- 340** All complaints received from various Ministries, CGDA office and VVIPs should be entered in a separate register to be maintained by Group-1 of sub-sections of GTS/ORs Section. Thereafter, the complaints should be passed on to the concerned Officer-in-Charge of the operative group. The Officer-in-Charge shall personally call for all relevant documents and examine the case and furnish reply to the concerned parties duly approved by ;the G.O. within three days. The Officer-in-Charge of the group concerned shall in-variably inform to Officer-in-Charge AN-III cell by endorsing a copy of the reply.

Reports & Returns

- 341** Report and return rendered by Grants (Other Ranks) Section which are peculiar to this office are shown in **Annexure A**

Register and their fly leaf instructions

- 342** The registers maintained in Grants (other rank) section which are peculiar to this organisation and their fly leaf instructions are shown in **Annexure B**.

Specimen of Form

- 343** The specimen of forms LPC-cum-data sheets, PPO formats ad Miscellaneous application forms used in Grants (Other Ranks) Section which are peculiar to the work carried out in this organisation are published in **Annexure- C**

Illustrations

- 344** A few illustrations indicating the calculation of pensionary awards are published in **Annexure -D**.