

No. 16(6)/2008(2)/2008/D(Pension/Policy)
Government of India,
Ministry of Defence,
Deptt. of Ex-Servicemen Welfare,
New Delhi 110011
Dated 5th May 2009

To

The Chief of the Army Staff,
The Chief of the Naval Staff,
The Chief of the Air Staff,

SUBJECT: Implementation of Govt. decision on the recommendations of the Sixth Central Pay Commission – Revision of provisions regulating Pensionary Awards relating to Disability pension/ War injury pension/Special family pension/Liberalised family pension/Dependent pension (Special)/Dependent pension (Liberalised)/Special pension/ Invalid pension for the Armed Forces Officers and Personnel below Officer Rank (PBOR) retiring/discharged/invalidated out from service or dying in harness on or after 01.01.2006.

Sir,

The undersigned is directed to state that in pursuance of Government decisions on the recommendations of the Sixth Central Pay Commission, sanction of the President is hereby accorded to the modification, to the extent specified in this letter, in the rules/regulations concerning above mentioned pensionary benefits of the Commissioned Officers (including MNS, Territorial Army Officers, Emergency Commissioned Officers, Short Service Commissioned Officers) and Personnel Below Officer Rank (PBOR) of three Services including NCs (E) of Air Force, Defence Security Corps and the Territorial Army (hereinafter collectively referred to as Armed Forces Personnel).

1.2 The provisions of the Pension Regulations for the three Services and various Service instructions/Government orders, which are not affected by the provisions of this letter, will remain unchanged.

2. Date of effect

2.1 The provisions of this letter shall apply to the Armed Forces personnel who were in service on 1.1.2006 or joined/join service thereafter unless otherwise specified in this letter.

2.2 Where pension has already been sanctioned provisionally or otherwise in cases occurring on or after 1.1.2006, the same would be revised in terms of these orders. In cases where pension has been finally sanctioned under the pre revised orders and if it happens to be more beneficial than the pension becoming due under these orders, the pension already sanctioned shall not be revised to the disadvantage of the pensioners.

DEFINITIONS

3. Reckonable Emoluments

3.1 Unless otherwise specified in this letter, the term 'Reckonable Emoluments' shall mean:

- (a) **For Officers:** Pay means pay in the pay band, grade pay, military service pay and Non-practicing Allowance where applicable, last drawn by the officer (Ref - SAI 2/S/08, SNI 2/S/08 and SAFI 2/S/08).
- (b) **For Personnel Below Officer Rank (PBOR):** Pay means pay in the pay band, grade pay, military service pay, 'X' Group pay where applicable and Classification allowance, if any, last drawn by the individual. (Ref - SAI 1/S/08, SNI 1/S/08 and SAFI 1/S/08).

3.2 In the case of individuals who opt/opted to continue to draw pay in the pre-revised scales beyond 31.12.2005 and remain/remained in that scale till retirement / discharge / invalidment / death in harness, pension/family pension and retirement/death gratuity shall be regulated in terms of Para 3.4 of Ministry of Defence letter No. 17(4)/2008(2)/D(Pen/Policy) dt 12.11.2008.

4. War Injury Pension/Liberalised Family Pension shall also be admissible to such Armed Forces Personnel who die or are invalided out of service on sustaining injury during trials of indigenously developed weapon system and ammunition.

5. SPECIAL/INVALID PENSION

5.1 Special Pension to PBOR

The minimum service required for grant of special pension shall continue to be 10 years in the case of Combatants and 15 years in the case of NCs(Enrolled). Where the service is less than 10 years in the case of Combatants and less than 15 years in the case of NCs(E), special gratuity will continue to be admissible.

5.2 Invalid Pension to Officers and PBOR

The minimum service required for grant of Invalid pension will continue to be 10 years and shall be computed as per Para 6 of this Ministry's letter dated 12.11.2008. Where service is less than 10 years, invalid gratuity will be admissible.

6. DISABILITY/WAR INJURY/LIBERALIZED DISABILITY PENSION ON INVALIDMENT

6.1 As hithertofore, Disability/War Injury/Liberalized Disability Pension in invalidment cases will continue to consist of service element and disability/war injury element and shall continue to be admissible under the provisions laid down in Para 7, 10 and 12 of this Ministry's letter No. 1(2)/97/D(Pen-C) dated 31.1.2001 respectively, subject to the amount to be arrived at in the manner and at the rates specified in the succeeding paras.

6.2 Service Element of Disability/Liberalized Disability/War Injury Pension

The amount of service element shall be equal to retiring/service pension determined as per Para 6 of this Ministry's letter No. 17(4)/2008(2)/D(Pension/Policy) dated 12.11.2008 subject to minimum of Rs. 3,500/- per month. There shall be no condition of minimum qualifying service having been actually rendered for earning this element, if otherwise admissible.

6.3 Disability Element of Disability Pension/Liberalized Disability Pension

The rates of disability element for 100% disability for the various ranks shall be 30% of emoluments last drawn subject to minimum of Rs. 3,100/- per month for 100% disability. For disability less than 100%, it shall be reduced proportionately. In cases of disability pension 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 subject to a minimum of Rs. 7,000/- per month.

6.4 War Injury Element of War Injury Pension

The rates of War Injury Element for 100% disability for the various ranks shall be equal to the reckonable emoluments last drawn, which would be proportionately reduced where disability is less than 100%. However, in no case aggregate of service element and war injury element should exceed the emoluments last drawn.

6.5 The provisions of Para 7.2 of this Ministry's letter No. 1(2)/97/D (Pen-C) dated 31.1.2001 for reckoning of disability or functional incapacity shall continue for the purpose of computing disability element/war injury element.

7. DISABILITY/LIBERALISED DISABILITY/WAR INJURY ELEMENT ON RETIREMENT/ DISCHARGE

7.1 Disability Element/War Injury Element/Liberalised Disability Element on retirement/ discharge from service shall continue to be regulated under the provisions of Para 8, 11 & 12 respectively of this Ministry's letter No. 1(2)/97/D (Pen-C) dated 31.01.2001 at the rates given below:

- (a) Disability Element/Liberalized Disability Element shall be admissible at the rate mentioned in Para 6.3 above; and
- (b) War Injury Element shall be admissible @60% of reckonable emoluments last drawn subject to minimum of Rs. 6,200/- per month for 100% disability. For disability of less than 100%, the war injury element shall be proportionately reduced.

7.2 Retiring/Service Pension or Retiring/Service Gratuity, as admissible, will be paid in addition to disability element/War Injury Element from the date of retirement/ discharge.

7.3 The aggregate of service element and liberalized disability element shall not be less than 80% of the reckonable emoluments last drawn.

7.4 However, in no case the aggregate of service element and war injury element should exceed emoluments last drawn.

8. CONSTANT ATTENDANCE ALLOWANCE

Constant Attendance Allowance shall continue to be admissible under the conditions as hithertofore. However, it shall be admissible at a uniform rate of Rs. 3,000/- per month, irrespective of the rank. Further this rate be increased by 25% every time the dearness allowance payable on revised pay band goes up by 50%.

9. SPECIAL/LIBERALIZED FAMILY PENSION/DEPENDENT PENSION (SPECIAL)/DEPENDENT PENSION (LIBERALIZED)

9.1 Special Family Pension, Liberalized Family Pension, Dependant Pension (Special), Dependent Pension (Liberalized)/2nd Life award (in respect of PBOR including NCs(E), shall continue to be regulated at the rates and under the conditions laid down in this Ministry's letter No. 1(2)/97/D (Pen-C) dated 31.01.2001 subject to the reckonable emoluments as defined under Para 3 of this Ministry's letter No. 17(4)/2008(2)/D (Pen/Policy) dated 12.11.2008.

9.2 The amount of special family pension, admissible to the families of Armed Forces personnel under the circumstances prescribed under category 'B' & 'C' of Para 4.1 of this Ministry's letter No. 1(2)/97/D (Pen-C) dated 31.01.2001, will be subject to a minimum of Rs. 7,000/- per month.

9.3 The amount of liberalized family pension, admissible to the child/children of Armed Forces personnel under the circumstances prescribed under category 'D' & 'E' of Para 4.1 and 6.2 of this Ministry's letter dated 31.1.2001, will be subject to a minimum of Rs. 7,000/- per month.

GENERAL

10. Rounding off of Pensionary Awards

The amount of various pensionary awards admissible as per this letter shall be rounded off to the next higher rupee by the Pension Sanctioning Authorities.

11. Minimum/Maximum Pension

If the amount of any monthly pension (excluding Constant Attendance Allowance) admissible under the provisions of this letter works out to less than Rs. 3,500/ pm, it shall be stepped up to Rs. 3500/- pm and authorized for payment at this rate. Disability element shall not be taken into account for the purposes of stepping up of service element to the minimum level of Rs. 3,500/- pm. There will be no maximum ceiling on the amount of pension determined under these orders.

12. Dearness Relief

Dearness Relief shall be admissible only beyond average AICPI 536 (Base year 1982 = 100) on the revised pattern introduced vide Ministry of Personnel, Public Grievances and Pension, Department of Pension and Pensioners' Welfare Office Memorandum No. 42/2/2008-P&PW(G) dated 12.09.2008 on various types of pension/family pension admissible under the provisions of this letter.

13. Procedure for sanction of Revised Pension in respect of those already retired

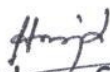
The procedure for revision of pensionary awards as per provisions of this letter, in respect of Armed Forces personnel who have already retired/discharged/invalidated out/died on or after 1.1.2006 and in whose cases pensionary benefits at pre-revised rates have already been notified, the Record Offices concerned in case of PBOR and CDA(O), Pune/Naval Pay Office Mumbai/ AFCAO New Delhi, as the case may be in respect of commissioned officers, will initiate and forward revised LPC-cum-data sheet as prescribed by PCDA(Pensions) Allahabad to their respective Pension Sanctioning Authorities (PSAs) for issue of corrigendum PPOs notifying the revised pensionary awards. Further implementation instructions to all concerned will be issued by PCDA(Pensions) Allahabad immediately on receipt of these orders.

14. Pension Regulations of the three Services will be amended in due course.

15. This issue with the concurrence of the Finance Division of this Ministry vide their UO No 1527/09/D(Fin/Pen) dated 27.4.2009.

16. Hindi version will follow.

Yours faithfully


[Harbans Singh]
Director (Pension/Policy)

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