

Mark BL
No. E.210795/74/Pen-C

Government of India

Ministry of Defence

New Delhi, the 30th November 1977

To

The Chief of the Army Staff,
The Chief of the Naval Staff,
New Delhi.

Subject:- Grant of disability pension in respect of non-regular officers released in low medical category.

Sir,

I am directed to say that the President is pleased to decide that non-regular officers viz. Emergency Commissioned, Short Service Regular Commissioned and Short Service Commissioned officers who are found in lower medical category at the time of release than the one in which they were recruited and whose disability is accepted as attributable to military service, will be entitled to a disability pension as admissible to them at the time of sustaining the disability, even though they are retained in service and are subsequently released under the phased release programme. The officers will have the option either 1-

(a) to get the disability pension admissible to them immediately after sustaining the disability (viz. the service element of disability pension will be determined with reference to the service rendered till the date of getting the injury/disability only and the disability element will also be determined likewise) ;

OR

(b) to get the disability element alone as in (a) above plus gratuity which is admissible to them at the end of their service in the Army, whichever they consider to be more beneficial to them.

△Navy

2. The disability pension admissible as at 1(a) above or the disability element as indicated at 1(b) above will be given only from the date from which an officer is discharged or released from the Army/Navy.

3. In all such cases where an officer exercises the choice in favour of clause (a) above, disability pension will be payable from the date of release and the gratuity already received by him will have to be refunded in one lump sum. However, where an officer is unable to refund the gratuity in one lump sum, this may be recovered from the arrears of disability pension (both Service Element and disability element) in one lump sum and till then the payment of full disability pension may be withheld.

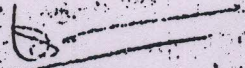
P.T.O.

4. In cases accepted on the basis of service aggravation, the officers will be entitled only to disability element plus gratuity which is admissible to them at the end of their service.

5. The above provisions will also be applicable to all past cases. This Ministry's letter No. 213412/74/Pen-C, dated the 7th July 1975, as amended from time to time, may be treated as cancelled.

6. This issues with the concurrence of the Ministry of Finance (Defence) vide their u.o. No. 4867-Pen of 1977.

Yours faithfully,


(V. Y. Narayan)
Under Secretary to the Govt. of India
Tele.No.375021

Copy to :-

1. D.F.A. (P) (with 5 copies)
2. The Director of Audit, Defence Services, New Delhi.
3. The Dy. Director of Audit, Defence Services (Pens), Allahabad.
4. The Controller of Defence Accounts (Pens), Allahabad.
5. The Controller of Defence Accounts (Officers), Pune.
6. Army HQrs/MS Branch/MS4(b) and MS-7
7. AG's Branch/RS4(d) and (e) (10 copies each)
8. ADG (Pens).
9. AG/Org.3 (b).
10. MFRS (O)/NE.
11. The Controller of Defence Accounts (Navy), Bombay.
12. The Controller General of Defence Accounts, New Delhi.
13. Naval HQrs/PR&A (10 copies)
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Copy signed in ink to be sent to :-

- egd. The Controller of Defence Accounts (Pens), Allahabad.
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Khurana
30/11/1977