

CONFIDENTIAL

MINISTRY OF DEFENCE
D(Pens/Sers)

Subject:- Criteria for premature retirement/resignation of Defence Services Officers.

Criteria for acceptance of requests from Defence Services Officers for premature retirement/resignation were laid down and circulated under this Ministry's u.o.No. 3(3)71/D(N-II)/D(Pen/Sers) dated the 5th July 1973 and modified under u.o.No. 1(1)/76/D(Pen/Sers) dated 23rd December 1976.

2. It has been decided that, in future, requests for premature retirement/resignation from Defence Services Officers will continue to be considered on individual merits on the recommendation of Chief of Staff concerned who will keep in view the manpower situation and the operational requirements of the Services. The grounds on which applications should normally be recommended to the Government for consideration will be as under :-

- (a) Supersession : Requests on grounds of supersession to the substantive rank of Lt.Col. (and equivalent) and above, promotions to which are made by selection, will be considered, ~~if the officers submit their applications within a year after they are informed that they have not been selected for promotion.~~ Requests from officers not finally superseded, in whose cases it is indicated by Service Headquarters concerned that on present reckoning they do not stand a reasonable chance of promotion in future, on the basis of their record of service, will also be considered favourably subject to duration of service.

amended
note
corrigendum
M. 23(1)/75
(Part II)
dt 15 Nov 8

- (b) Extreme compassionate grounds : Requests on extreme compassionate grounds will be considered after the facts represented by the officer are verified, to the extent possible, by the Service Headquarters. Such verification is necessary to ensure that the grounds are genuine. Domestic problems such as need to look after ailing parents, inheritance problems, need to look after family business, serious illness of wife requiring Officer's presence at home, possibility of break-up of conjugal life if the officer continues in service etc. would be treated as compassionate grounds depending on the circumstances of each case.

- (c) Low Medical category : Requests from service officers whose permanent medical category is not so low as to justify their invalidment will be favourably considered on merits.
- (d) Better employment in civil life : If a Service Officer applies for premature retirement within a period of one year before the due date of normal retirement for obtaining employment in Private Sector, the request will normally be acceded to. For employment under Public Sector, Government controlled Corporations, Municipal Corporations, etc., requests within a period of two years of the due date of retirement will be considered as a measure of rehabilitation assistance to the officers. All application for employment outside will, however, be submitted through proper channels so that Service Headquarters have sufficient notice of the intentions of their officers in this regard.
- (e) Participation in political activities : Applications for premature retirement/resignation on this ground will not be accepted.
- (f) Lack of career prospects : A person seeking a career in the Armed Forces is expected to be aware of his career prospects at the time of his entry into the service. As such it would not serve the interests of service to allow officers to seek retirement on this ground. However, Army officers of 1965 seniority, other than those belonging to Engineers, Signals and FME, whose career prospects are blocked, may be permitted to seek premature retirement/resignation for lack of career prospects, on individual merits subject to exigencies of service. Cases of officers of technical Arms/Services of 1965 seniority having expertise/specialisation in certain specific fields, should be dealt with, with circumspection.
- (g) Failure to acquire technical qualifications : Requests of Army Officers belonging to the technical Arms/Services who, even after due effort, fail to acquire the minimum technical qualifications prescribed for promotion to the rank of Lt Col by selection will be considered favourably on individual merits, Army officers who fail to pass part 'D' promotion

examination within 20 years of service and are required to be retired/removed from service under Army Rule 13 A, may be permitted to retire prematurely if they apply for the same.

(h) Evincing lack of interest in service : This will not be a good and sufficient reason for premature retirement/resignation.

(i) Officers trained in specialised courses : Application for premature retirement/resignation of officers who have been trained in specialised courses at Government expense, will not be considered before the expiry of the minimum period indicated below:-

- (i) Courses abroad upto 6 months' duration ... 3 years
- (ii) Courses abroad of over 6 months' duration ... 5 years
- (iii) Study leave in India and abroad ... 5 years
- (iv) Courses in India of over 6 months' duration .. 5 years

Non-effective benefits:

3. In accordance with the Pension Regulations, the minimum period of qualifying service required to be rendered by Permanent Commissioned Officers for obtaining a retiring pension is 20 years and pension is granted at the appropriate rate, subject to the service rendered being satisfactory. For those who have rendered service for 10 years or more but less than 20 years, and have become eligible for gratuity, the full gratuity or a percentage thereof is granted in accordance with certain working Principles which were evolved earlier. The pattern of non-effective benefits for premature retirement will remain unchanged.

Sd/-
(J. S. CHUGH)
DEPUTY SECRETARY(PENS)
20-1-1979

S(G)/JS(A)/JS(N)/JS(E)
BAFMS
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