

No.1(1)/81/D(PEN-C),
Government of India,
Ministry of Defence,

New Delhi, the 21st June, 1996.

C O R R I G E N D U M

The following amendments are made in Rules 17 and 27 of the Entitlement Rules, 1982 issued vide Appendix to this Ministry's letter No.1(1)/81/D(Pen-C) dated 22.11.83.

Rule-17

For: Existing entry.

Read: Medical Opinion and Competent Medical Authorities

17(a). For the purpose of these rules, the following authorities shall be the Appropriate/Competent Medical Authorities for giving medical opinion on the aspects of assessment of disability and acceptance of death/disablement due to causes attributable to/aggravated by military service:-

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| (i) In respect of initial claims of Commissioned Officers. | Medical Advisor (Pension)/ Jt. Dir. AFMS (Pension) in the Office of the Dir. General, Armed Forces Medical Services (DGAEMS). |
| (ii) In respect of initial claims of personnel below Officer rank. | Medical Advisor (Pension)/ Jt. Dir. AFMS (Pension) attached to the Office of Chief CDA (Pensions). |
| (iii) At the First Appeal stage. | Dy. DGAEMS (Pension) in the Office of DGAEMS. |
| (iv) At the Second Appeal stage. | Dir. General Armed Forces Medical Services (DGAEMS). |

(b). At the time of invalidment/release of a service personnel medical views on attributability/aggravation and degree of disability shall be given by the Invaliding Medical Board (IMB)/Release Medical Board (RMB). The findings of the IMB/RMB/RSMB which are recommendatory in nature, shall be reviewed by the Competent Medical Authority at the time of consideration of Initial claim/Appeal for grant of disability pension. The Competent Medical Authority may for reasons to be recorded in writing, alter or modify the recommendations of IMB/RMB/RSMB/Lower Medical Authorities.

contd/-

(c) The Competent Medical Authorities after review of the IMB/RMB/RSMB proceedings/findings of the lower Medical Authorities, study of related medical/service documents, the clinical profile recorded and keeping in mind the aetiology and nature of disease, shall evaluate the role played by service factors in the onset/progress of the disability. The recommendations of the Competent Medical Authority as accepted by the Pension Sanctioning Authorities i.e., Chief CDA(Pension)/Ministry of Defence shall be final with regard to the entitlement and assessment of disability for the purpose of grant of disability pension.

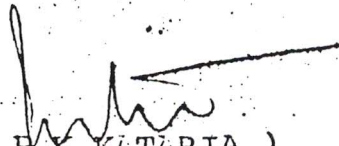
Rule-27(c).

For: Existing entry.

Read: Medical Authority - Assessment of disablement and acceptance of attributability/aggravation in cases of disabilities other than injuries are medical issues. Views on such medical issues shall be given by the Competent Medical Authorities defined under Rule 17.

4. The provisions of this corrigendum will be effective from the date of promulgation of the Entitlement Rules-1982. The pending cases shall, be decided as per these provisions.

5. This issues with the concurrence of Ministry of Defence(Finance/Pension) vide their U.O.No.1104/Pen of 1996.


(P.K.KATARIA)

Deputy Secretary to the Government of India.

The Chief of the Army Staff,

The Chief of the Naval Staff,

The Chief of the Air Staff.

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