

112/A

No. 1(6)/95/D(Pen-C)
Government of India
Ministry of Defence
New Delhi, the 29th February, 2000

To

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

Subject : Regulation of commutation of War Injury Pension and Rates of War Injury Pension in respect of Armed Forces personnel retained in service in spite of disability due to war injury and retiring subsequently.

Reference : Ministry of Defence letters No. (i) 1(5)/87/D(Pen/Ser) dated 30.10.87 and (ii) No. 1(6)/91/D(Pen-C) dated 7.3.91.

Sir,

1. I am directed to invite a reference to para 18.5 of the Ministry of Defence letter dated 30.10.87 and also to Ministry of Defence letter dated 7.3.91 on the above subject and to say that the President is pleased to lay down the guidelines as indicated in succeeding paragraphs on the following subjects :-

(a) Rate of War Injury Pension where the Armed Forces personnel had opted for War Injury Pension on subsequent retirement, foregoing lump sum compensation in terms of para 2 (a) of *ibid* letter dated 07 Mar 91.

(b) Commutation of War Injury Pension.

2. Rate of War Injury Pension on subsequent retirement

2.1 In cases where an Armed Forces personnel was/is retained in service in spite of disability due to war injury and retired /retires/discharged subsequently and opted to draw War Injury Pension at the time of subsequent retirement foregoing lumpsum compensation in terms of para 2

(a) of the Government letter dated 07 Mar 91, shall be entitled to the following awards subject to the conditions as laid down in para 5 of Government letter dated 07 Mar 91.

(a) Service Element. Equal to Retiring /Service pension, as admissible, depending upon length of qualifying service at the time of retirement/ discharge.

(b) Disability Element on account of War Injury. Disability element on account of war injury for 100 % disability will be as under :-

(i) Commissioned Officers and
Honorary Commissioned
Officers of the three Services, - Rs 1500/-pm
MNS, TA and DSC

(ii) Junior Commissioned officers
and equivalent Ranks of Air - Rs 1100/-pm
Force, Navy, TA and DSC

(iii) Other Ranks/NCs(E) and
equivalent Ranks of Air Force, - Rs 900/-pm
Navy, TA and DSC

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

2.2 For disability due to war injury of less than 100 %, the above rates shall be proportionately reduced. No disability element due to war injury shall be payable for disability less than 20 %.

2.3 The provisions of paras 2.1 and 2.2. above shall apply to Armed Forces personnel who were in service as on 1.1.1986 or joined/join service thereafter.

2.4 In pre 1.1.1986 cases, where War Injury Pension is admissible under para 2 of Annexure II to Ministry of Defence letter No 200847/Pen-C/71 dated 24 Feb., 72, Disability Element shall be admissible wef 1.1. 1986 at

the rates as contained in para 2.1(b) above in addition to Service Element as otherwise admissible under the rules.

3. Commutation of War Injury Pension.

3.1 The commutation of War Injury Pension would be regulated as follows

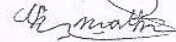
(a) Commutation of war Injury Pension granted under para 18.1 of Ministry of Defence letter No. 1(5)/87/D(Pen/Ser) dated 30.10.87, i.e, in cases where an individual is invalidated out of service and granted War Injury Pension equal to reckonable emoluments last drawn or proportionate lower pension, shall be allowed to commute War Injury Pension at the rate of 43 % in the case of Officers and 45 % in the case of PBOR, for disability of permanent nature sanctioned for life, as per relevant provision of Pension Regulations for the Army/Navy/Air Force.

(b) Where a service personnel is retained in service in spite of war injury and retires subsequently, commutation of Service Element and Disability Element on account of war injury as admissible under para 2 above shall be allowed at the rate of 43 % in the case of Officers and 45 % in the case of PBOR where the disability is of permanent nature sanctioned for life, as per relevant provision of Pension Regulations for the Army/Navy/Air Force.

3.2. The provisions of para 3.1 above shall apply to Armed Forces personnel who were in service as on 1.1.86 or joined / join service thereafter. In cases where an individual applies for commutation after one year of invalidment/discharge, commutation of War Injury Pension as per para 3.1 above shall be allowed on receipt of duly approved commutation medical board proceedings. Existing provisions/ procedure shall apply for holding commutation medical boards.

4. This issues with the concurrence of Ministry of Defence (Finance) vide their U.O. No. 592/Dir(Fin/P) dated 28.2.2000.

Yours faithfully,



(N.N.Mathur)

Under Secretary to the Government of India

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