

No. PC. 16(5)08-D (Pen/Pol)  
Government of India  
Ministry of Defence  
Department of Ex-servicemen Welfare  
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Sena Bhavan, B wing  
New Delhi, Dated 20.09.2012

To

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

Subject : Clarification regarding adjudicating disability claims of Defence personnel who have been retained in service despite disability and seek voluntary retirement - reg.

Sir,

In pursuance of Government letter No. 16(5)08-D(Pen/Policy), dated 29.09.09, it has been brought to the notice of this Ministry that the disability pension claims of Armed Forces personnel going on voluntary retirement are not being processed uniformly by the three Services. The matter has been considered carefully. It is clarified that the Government letter of 29.09.09 is not to be invoked in case of voluntary retirement cases per se. This letter requires that a Defence personnel who is retained in service despite disability assessed at 20% or more which is attributable to or aggravated by service and foregoes lump-sum compensation in lieu of disability shall be eligible for disability element, if he goes on voluntary retirement even before superannuation. Thus, the documentation regarding retention of the Defence personnel despite disability, the option of the individual foregoing lumpsum compensation in lieu of disability element have to be produced for admitting the claim.

2. The above may be implemented uniformly by all the three services.
3. This has the approval of Secretary (ESW) and also the concurrence of MoD(Fin/Pen) vide I.D.No.7(3)2010/Fin/Pen dated 19.09.12.

*M. Narayanan*  
(Malathi Narayanan)

Under Secretary to the Government of India

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w.r.t. UO No. 5698/AT-P/6<sup>th</sup> CPC/Def/Vol. VII, dated 12.12.2011-  
They are requested to clear the pending cases of disability pension in retained cases of the services, as a one-time measure, as it is observed that uniform procedure is not being followed by the 3 Services. Henceforth, the procedure clarified in this letter may be impressed upon.