

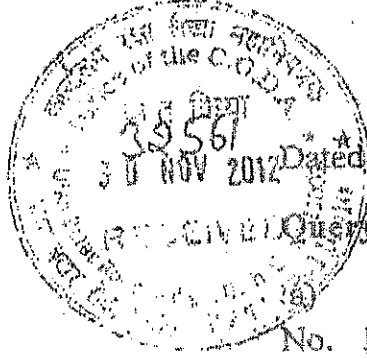
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Government of India
Ministry of Defence
Department of Ex-servicemen Welfare
ID (Pen/Pol)

Subject:- Clarification on adjudicating disability claims following govt letter dtd.29.09.09 -- reg.

This has reference to CGDA I.D.No. 5698/AT-P/6TH CPC/De/Vol.11 Dated 25.10.12 on the above subject. The clarification sought is as under:



Query of CGDA:

In the cases which fall under category B & C of para 4.1 of MOD Letter No. 1(2)/97-D(Pen-C) dated 31.01.01, the Defence personnel have to mandatorily be paid lump sum compensation in lieu of disability if they are retained in service despite disability and no option is available to them for forgoing lump sum compensation.

Clarification of MoD: Yes. Category B & C were to be mandatorily paid lump-sum compensation in lieu of disability, if they were retained in service despite disability and no option was available with them for foregoing lump-sum compensation prior to 6th CPC.

Query of CGDA:

b) The cases falling under category B. & C shall be covered under the purview of MoD Letter No. 16(5)/08-D(Pen/Pol) dated 29.09.09 or not.

Clarification of MoD: Post 1.1.06 personnel who were assessed with disability of 20% or above prior to 1.1.06 but retained in service and proceeded on voluntary retirement on or after 1.1.06 are entitled to disability / war injury element under the provisions of Govt.letter dated 29.09.09. Cat. B&C cases have now the option to avail or not to avail lump sum compensation at the time the disability occurs, so that by foregoing the lump sum compensation they can avail disability pension at the time of superannuation or even if they go on voluntary retirement prior to superannuation.

2. This has the approval of JS(ESW).

M. Narayanan
Malathi Narayanan
Under Secretary (Pen/Pol)

Dy. CGDA (AT-P), O/o CGDA

MOD ID No. PC-16(5)/08/D(P/F)

dated 22.11.2012