

No. F.12(1)/72/556/S/D(Pensions/Services)
Government of India/Bharat Sarkar,
Ministry of Defence/Raksha Mantralaya,
New Delhi, the 20th July 1974.

To

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

Subject: GRANT OF PROVISIONAL PENSION.

Sir,

I am directed to say that the President is pleased to decide that a Service personnel (including a Commissioned Officer) against whom any departmental or judicial proceedings are pending or instituted after retirement in respect of an event which took place not more than 4 years before such institution, may on his retirement on attaining the age of Superannuation or otherwise, be authorised a payment of provisional pension not exceeding the maximum pension which would have been admissible to him on the basis of the qualifying service upto the date of retirement or if he was under suspension on the date of retirement, upto the date immediately preceding the date on which he was placed under suspension.

2. The provisional pension may be authorised during the period commencing from the date of retirement to the date on which, upon conclusion of the departmental or judicial proceedings, final orders are passed by the competent authority.
3. No gratuity (including death-cum-retirement gratuity) shall be authorised until the conclusion of such proceedings and issue of final orders thereon.
4. No commutation of the provisional pension shall be permitted.
5. Payment of provisional pension as mentioned in para 1 above shall be adjusted against the final retirement benefits sanctioned to such Service personnel upon conclusion of such proceedings but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or where final pension is reduced or withheld either permanently or for a specified period.
6. Nothing contained in this letter shall prejudice the operation of Regulation 3 when final pension and/or gratuity (including death-cum-retirement gratuity) is sanctioned upon the conclusion of the departmental or judicial proceedings.
7. The competent authority to grant provisional pension under this letter in the case of Commissioned Officers will be the President. In the case of Service personnel below officer rank, the provisional pension may be granted by the COC-in-C.

(of the Command where departmental or judicial proceedings are being processed) and equivalent authorities on Air Force and Navy side in consultation with the Controller of Defence Accounts (Pensions).

8. A show cause notice is not required to be given to individual even if the amount of provisional pension is less than the maximum.

9. The Pension Regulations will be amended in due course.

10. This issues with the concurrence of the Ministry of Finance (Defence) vide their u.o.No.4093/Pen, of 1974.

Yours faithfully,

P. S. Vimal

(P.S. VIMAL)

Under Secretary to the Government of India

Copy of the above forwarded to:-

- The Controller General of Defence Accounts, New Delhi
- The Director of Audit, Defence Services, New Delhi
- The Assistant Director of Audit, Defence Services, Allahabad
- The Deputy Director of Audit, Defence Services, Allahabad
- The Deputy Director of Audit, Defence Services, Poona
- The Assistant Director of Audit, Defence Services, Dibrugarh
- The Deputy Director of Audit, Defence Services, Meerut
- The Assistant Director of Audit, Defence Services, Meerut
- The Deputy Director of Audit, Defence Services, Madras
- The Assistant Director of Audit, Defence Services, Bombay
- The Controller of Defence Accounts (Pensions), Allahabad
- The Controller of Defence Accounts (Southern Command), Bangalore
- The Controller of Defence Accounts (Eastern Command), Patna
- The Controller of Defence Accounts (Central Command), Meerut
- The Controller of Defence Accounts (Western Command), Meerut
- The Controller of Defence Accounts (Air Force), Dehra Dun
- The Controller of Defence Accounts (Navy), Bombay
- The Controller of Defence Accounts (Other Ranks), North
- The Controller of Defence Accounts (Other Ranks) South, Bangalore
- The Deputy Financial Adviser (Pensions)2 copi
- The Adjutant General's Branch/PS4(b)100 copi
- Naval Headquarters/FF&A 25 copi
- Air Headquarters/PP&R 25 copi

D.M.R. & F Pen- A Pen-C Pen (App.)

and in ink to be sent to:-

Controller of Defence Accounts (Pensions), Allahabad