

No. 200847/Pen-C/72
Government of India,
Ministry of Defence,

BHARAT SARKAR
RAKSHA
MANTEALAYA

New Delhi, the 24th February, 1972.

To

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

Subject :- Liberalised pensionary awards for war widows
and war disabled servicemen.

Sir,

In partial modification of the existing rules and orders relating to the grant of special family pensionary awards and disability pension, I am directed to convey the sanction of the President to payments being made, as indicated in Annexures I and II to this letter, in the case of officers and personnel, as well as NCSE, of the armed forces (including the Army Postal Service and the embodied units of the Territorial Army) and officers and personnel of the Defence Security Corps, killed in action or disabled on account of injuries sustained in the recent operations against Pakistan commencing from 3rd December, 1971. The awards sanctioned in this letter will be admissible also in the case of the above categories of personnel killed in action or disabled on account of injuries sustained -

- (i) in the international wars of 1965 (including Kutch and Kargil operations); 1962 and 1947-48 (Kashmir operations), as well as the Goa and Hyderabad operations; as
- (ii) (a) a result of fighting in war-like operations or border skirmishes either with Pakistan on the cease-fire line or any other country,
- (b) while fighting against armed hostiles, like Nagas and Mizos;
- (c) during fighting in service with peace-keeping Missions abroad,

as per Ministry of Defence letter No. 195163/Pen-C, dated the 16th September, 1966;

- (iii) during laying or clearance of mines including enemy mines, as also mine-sweeping operations, between one month before the commencement and three months after the conclusion of the operations, as per Ministry of Defence letter No. A/14670/VII/AG/PS-4(d)/142...S/Pen-C, dated the 2nd September, 1970; and

P. TO.

*vide amended
AG/PS 4(d)
1372/Pen-C
dt. 27 Feb 1986*

in operation 'Cactus Lily' beginning from 25th March, 1971, and the associated Naval operations beginning from 15th August, 1971, as per Ministry of Defence letters No. A/42128/AG/PS-3(a)/1047/S/D(Pay/Services), dated 30th November, 1971, and No. PA/3819/NHQ/1101/S/D(Pay/Services), dated the 10th December, 1971.

2. The benefits will be admissible with effect from 1st February, 1972, or the date of death or disablement of the serviceman, as the case may be, whichever is later.

3. Payments already made on account of pensionary awards only in respect of any period following the casualties otherwise than in accordance with this letter, will be adjusted against payments admissible hereunder.

4. The awards sanctioned in this letter are in the nature of a special dispensation and will not be subject to alteration as a result of any revision of the pay and pension structure as may be sanctioned in future. Temporary and/or ad-hoc increases in addition to these special awards. However, where and for so long as awards admissible under the existing rules and orders happen to be more favourable than those sanctioned hereunder, the higher entitlements will be payable.

5. This issues with the concurrence of the Ministry of Finance (Def) vide their u.o. No. 565/Addl. F.A. (D) of 1972.

Yours faithfully,

Sd.

(N.S.S. RAJAN)

Deputy Secretary to the Govt. of India.
UP SACHIVA

Copy to :--

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* * in pension, sanctioned from time to time, will not be admissible *

ANNEXURE I TO THE MINISTRY OF DEFENCE LETTER
No. 200847/Pen-C/71, DATED 24TH FEBRUARY, 1972.

SPECIAL FAMILY PENSIONARY AWARDS.

A. SPECIAL FAMILY PENSION

(a) For Officers

(i) Upto the deemed date of retirement of the deceased, i.e., the age of 55 years in the case of Colonels and above, and 50 years for other commissioned officers (including Short Service Commissioned Officers), or for a period of 7 years, whichever is later, special family pension will be payable ~~at the rate of 3/4th of basic pay of rank held at the time of death.~~ Children and education allowances will not be payable in addition. The period of 7 years will count from the date of the casualty in all cases.

*equal to pay
ent drawn
at the time of
death. Pay for
this purpose
shall include
basic pay, (ii)
Dearness
Pay &
interim
relief.*

(ii) Thereafter, special family pension will be payable at the rate of the normal retiring pension of the rank held by the deceased at the time of death, reckoning service upto the deemed date of retirement. For this purpose, paid acting rank will be counted, irrespective of the period for which it has been held. Children allowance at the rate of Rs. 100/- per month per child upto the age of 23 years will be payable in addition, subject to the special family pension, together with the children allowance and education allowance for children, not exceeding ~~3/4th of basic pay~~ *the ent pay drawn as defined in rule para (i) above*

(b) For CCOs and ORS

(i) To the nominated heir of the deceased serviceman, special family pension will be payable, till death or disqualification, at the rate of the pay drawn by the deceased at the time of death. For this purpose, pay will comprise basic pay, increments, rank/appointment pay, good service pay, dearness pay and home saving element. Children and education allowances will not be payable in addition.

(ii) Separate orders will issue as regards the pension of second life awardees.

Note: 1 In the case of officers, the widow, on remarriage, will forfeit her right to the

*See Letter No
0792/Pen-C,
dt 26.7.75*

special family pensionary awards, but will be given a pension equal in amount to the ordinary family pension as though the officer had died in normal circumstances. In the case of JCOs and ORs, if a widow remarries her deceased husband's brother and continues to live a communal life with and/or contributes to the support of the other eligible heir, she will continue to be eligible to the special family pension. In other cases, on remarriage the widow will forfeit her right to the special family pension, but will be given a pension equal in amount to the ordinary family pension as though the serviceman had died in normal circumstances.

Note 2, if a serviceman, having sustained an injury in war, is invalided out of service with a disability pension and subsequently dies as a result of the same injury, he will be deemed to have been killed in action for grant of special family pensionary awards.

B. DEPENDANT PENSION

- (a) In the case of officers who die as bachelors or as widowers without children, a dependant pension will be admissible to the parents regardless of the means limit.
- (b) The rate of dependant pension will be 2/3rds of the enhanced rate of Special Family Pension for both parents and 2/3rds of this rate for a single parent. On the death of one parent, a dependant pension at the latter rate will be admissible to the surviving parent.

C. CHILDREN ALLOWANCE

- (a) Children allowance, when payable in addition to special family pension, will be at the rate of Rs. 100/- per month per child for officers and Rs. 60/- per month per child for JCOs and ORs subject to the limits prescribed under A above.
- (b) On the remarriage of the widow, children allowance will be payable at the rates and subject to the limits mentioned in (a) above.
- (c) For motherless children, the rates will be Rs. 150/- per month per child for officers and Rs. 90/- per month per child for JCOs and ORs subject to the total amount payable not exceeding 3/4ths of basic pay in the case of officers and

pay last drawn as in A(b) above in the case of JCCs and ORs.

(d) Except to the extent indicative above, the other conditions for the grant of the children allowance will continue to remain applicable.

D. EDUCATION ALLOWANCE FOR CHILDREN

The grant of education allowance will continue to be regulated under the existing rules until further orders, except in respect of children of officers and men killed or disabled during the recent Indo-Pakistan conflict, in receipt of educational concessions sanctioned by the Ministry of Education and Social Welfare, Deptt. of Education (vide letter No. F. 17-19/71-Schools II dated 24.1.72, copy attached); in whose case the allowance will not be payable.

E. FAMILY GRATUITY

Family gratuity will be payable, in addition to the death gratuity admissible under the Death-Cum-Retirement Gratuity Scheme, according to the following rates :-

<u>Rank</u>	<u>Rates</u>
General	Rs. 19,000/-
Lieutenant General	Rs. 17,500/-
Major General	Rs. 16,000/-
Brigadier	Rs. 14,000/-
Colonel	Rs. 12,500/-
Lieutenant Colonel	Rs. 11,000/-
Major	Rs. 9,500/-
Captain	Rs. 7,500/-
Lieutenant	Rs. 6,000/-
2nd Lieutenant	Rs. 5,000/-
Honorary Captain	0 10 months' pay subject to a minimum of Rs. 2000/- (For this purpose, pay will comprise basic pay, increments, rank/ appointment pay, good service pay, dearness pay and home saving element)
Honorary Lieutenant	
Subedar Major	
Subedar	
Naib Subedar	
Havildar	
Naik	
Sepoy	
NCS(E)	

The enhanced rates of family gratuity will be admissible in cases pertaining to the 1971 conflict only.

NOTE : References to ranks in the Army will include equivalent ranks in the other two Services.

Annexure II to the Ministry of Defence letter
No. 200847/Pen-C/71, dated the 24th February, 1972.

A. WAR INJURY PAY

1. Officers and personnel below officer rank who are invalidated out of service will be paid, instead of a disability pension, a war injury pay, which will consist of a service element and a disability element. The service element will be equal in amount to the normal retiring pension of the rank held at the time of disablement, or maximum service of rank, and in the case of JCOs, ORs and NCs(E) pay group also. For this purpose, paid acting rank will be counted, irrespective of the period for which it was held. The disability element for 100% disability will be equal in amount to the emoluments last drawn by the serviceman minus the service element, the amount being limited to Rs. 500/-. For lower percentages of disability the disability element will be proportionately reduced. Emoluments will comprise, in the case of officers, basic pay, dearness allowance and interim relief; and in the case of JCOs/ORs, basic pay, including increments earned appropriate to the length of service, rank/appointment pay, dearness allowance, interim relief, good service pay, dearness pay plus an amount of Rs. 60/- for rations, but will not include the home saving element.

2. If a serviceman, whose disability due to war injury is assessed at 20% or more, is retained in service and retires subsequently, his service element will be calculated with reference to the rank held at the time of retirement and the length of service rendered up to that time, while the disability element will be calculated at the percentage of disability assessed at the time of retirement, but with reference to the rank held at the time the disability was incurred. The disability element on account of any disability other than due to war injury, if admissible, will be calculated in accordance with the normal rules.

B. CONSTANT ATTENDANCE ALLOWANCE

Constant attendance allowance, where admissible, will be paid at the rate of Rs. 75/- per month for officers as well as JCOs and ORs.

NOTE : Reference to ranks in the Army will include equivalent ranks in the other two Services.

Copy of Ministry of Education & Social Welfare (Deptt. of Education) letter No. F.17-19/71-Schools II dated 24.1.72

Subject :- Educational concessions to the children of the Officers and men of the Armed Forces killed or disabled during the current hostilities.

Sir,

In pursuance of the statement made by the Prime Minister in the Lok Sabha on December 18, 1971 the Government of India have decided to sanction the following educational concessions to all children of officers and Jawans, killed or disabled in action during the recent hostilities, who are studying or admitted to educational institutions under the Department of Education or financed by the Department of Education.

2. Children of the categories mentioned in para 1 above will be entitled to :-

- (1) Complete exemption from tuition and other fees levied by educational institutions concerned;
- (2) Grants to meet hostel charges in full for those studying in boarding schools and colleges;
- (3) Full cost of books and stationery; and
- (4) Full cost of uniform where this is compulsory.

The concessions would be available up to and inclusive of the first degree course. However, if any entitled children are already studying in post-graduate course, the concessions would be admissible in respect of post-graduate courses also.

3. The concessions are also applicable to children of officers and Jawans who have been declared missing for a period of six months or till the date of return of the missing officer or the Jawan, whichever is earlier. The concession is admissible to children of prisoners of war on the same terms.

4. To facilitate the identification of the children eligible for these concessions, the Record Offices of the Armed Forces are issuing an entitlement card to the concerned children. The entitled children will produce these cards to the respective educational institutions.

5. The Educational institution concerned should not charge any fees or collect any money in respect of the four items mentioned in para 2 above from the child

concerned or its guardian or parent. They should instead send the bill of cost to the Department of Education, Union Ministry of Education and Social Welfare in respect of the charges normally levied quoting the entitlement card number and other particulars of such students as are entitled to those concessions.

6. The issue of entitlement card may take some time, in the meanwhile, on the basis of facts as verified by the institution a claim may be made to the Department of Education giving full particulars (Except the entitlement card number) of the students entitled.

7. The intention is that the students should get the benefit immediately and procedural and other requirements should not delay the grant of concessions.

8. All communications in this regard may be addressed to Schools II Section, Department of Education.

The receipt of this letter may kindly be acknowledged.

Yours faithfully,

Sd/- R.P. Malaviya
Assistant Education Adviser.