

No. 4(24)/2015/D(Pen/Legal)  
Government of India  
Ministry of Defence  
Department of Ex-Servicemen Welfare

18

New Delhi, dated 1<sup>st</sup> Sep, 2016

ORDER

The Administrative power for 'pensionary award' to officers dismissed from service otherwise than with disgrace/cashiered and 'grant of pension to PBOR dismissed from service' has been delegated to Service HQrs vide Para 1 (a) (viii) & (ix) respectively of the MoD letter No. 4684/Dir(PEN)/2001 dated 14.08.2001.

2. The provision to decide 'pensionary award' in respect of personnel who are cashiered/dismissed are made in Regulations 16 & 113 of PRA Part-I (1961) read with MoD letter No. 12(6)95/D(Pen/Ser) dated 09.06.1999 as modified vide MoD letter No. 12(6)/95/D(Pen/Ser) dated 10.08.2000. Accordingly, all appeals to the Competent Authority in this regard may be preferred within two years of the date of cashiering/dismissal/removal of the personnel from Service. The Competent Authority to exercise the power is President for both Commissioned Officers and PBORs.

3. Service Headquarters have been referring cases of Mercy Appeals preferred beyond two years from the date of dismissal/cashiers/removal of the individual concerned for approval to this Department. Since, there was no clarity with regard to the level at which such powers of Competent Authority are to be exercised in this Department, the matter has been considered and it has been decided with the approval of Hon'ble Raksha Mantri that the executive powers of the Competent Authority vested in the President to decide Mercy Appeals for grant of pension which are received beyond the period of two years from the date of cashiering/dismissal/removal from service, shall be exercised by Secretary, Department of Ex-Servicemen Welfare.

4. These orders will take effect from the date of issue.



(R K Arora)

Under Secretary to the Government of India

To:-

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|--|-----------------------------|-----------------------------|
| 1. Chief of the Army Staff               | 8. CGDA                     | 14. Dy CDA(AF), N.Delhi     |
| 2. Chief of the Air Staff                | 9. PCDA(P), Allahabad       | 15. CDA(PD)                 |
| 3. Chief of the Naval Staff              | 10. CDA(Air Force), N.Delhi | 16. Dte of PA               |
| 4. Dte of PS                             | 11. CDA(O), Pune            | 17. Dte of PO               |
| 5. Def(Fin/Pen)                          | 12. CDA(Navy)               | 18. DPA/Naval HQrs          |
| 6. AG/PS-4 (Imp-I), AHQrs                | 13. CDA(PD)                 | 19. JAG(Air),(Army)&(Naval) |
| 7. OIC (Legal)- As per distribution list |                             |                             |

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