

## War Injury Pension

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### Definition:

This may be defined as a pension which is sanctioned to an Armed Forces Personnel who is injured in a war or specified war like situations. This is a compensation which is payable monthly to a war injured for the functional incapacity which he may have sustained during war, specified war like situations or situations analogous thereto is detailed in below. When it is Sanctioned Where an Armed Forces personnel is invalided out of service or discharged from service on account of disabilities sustained under the following circumstances: -

- a. Enemy action in international war
- b. Action during deployment with a Peace Keeping mission abroad
- c. Border skirmishes
- d. During laying or clearance of mines including enemy mines as also minesweeping operations.
- e. On account of accidental explosions of mines while laying operationally oriented minefield or lifting or negotiating minefield laid by enemy or own forces in operational areas near international borders or line of control
- f. War like situations, including cases which are attributable to/aggravated by
  - i. Extremist acts, exploding mines etc. while on way to an operational area
  - ii. Battle inoculation training exercises or demonstration with live ammunition
  - iii. Kidnapping by extremists while on operational duty
- g. An act of violence/attack by extremists, antisocial elements etc while on operational duty
- h. Action against extremists, antisocial elements etc. Disability while employed in aid of civil person in quelling agitation, riots or revolts by demonstrators
- i. Injured during operations notified by Govt. from time to time.

### Elements of War Injury Pension

War Injury Pension consists of the following two elements

- Service Element
- War Injury Element

### Types of War Injury Pension

- War Injury Pension on invalidment
- War Injury Pension after discharge/retirement on retention in service

### War Injury Pension on Invalidment

- i. Service Element It is equal to service pension to which he/she would have been entitled on the basis of his/her pay on the date of invalidment i.e. 50% of last drawn.
- ii. War Injury Element It will be equal to reckonable emoluments last drawn for 100% disablement. However, in no case the aggregate of Service Element and War Injury Element should exceed the last pay drawn. However this cap has been removed wef 01.07.2009. For lower percentage of disablement, War Injury Element shall be proportionately reduced

If an individual is invalidated out of service War Injury Element will be computed as under: -

<b>Percentage of Disability as assessed by Invaliding Medical Board</b>	<b>Percentage to be reckoned for computing War Injury Element</b>
Less than 50	50
Between 50 and 75	75
Between 76 and 100	100

#### **War Injury Pension on Retention in Service**

Those who are retained in service despite the disability due to War Injury sustained under the above circumstances and retire subsequently will have as option as follows to be exercised within a period as prescribed by the Govt. from time to time: -

- a. To draw lump-sum compensation on lieu of War Injury Element foregoing War Injury Element at the time of subsequent discharge; or
- b. To draw War Injury Element at the time of discharge in addition to service pension admissible, foregoing lump-sum compensation

#### **Lump-sum compensation in lieu of War Injury Element**

If a service personnel is found to have a disability which is sustained in circumstances mentioned above which is assessed at 20% or more for life but the individual is retained in service despite such disability and opts for lump-sum compensation he shall be paid the lump-sum compensation in lieu of War Injury Element. The rates for calculation of lump-sum compensation in lieu of War Injury Element, equal to capitalized value of WIE. Once the compensation is paid in lieu of WIE, there shall be no further Entitlement to the WIE for the same disability after his discharge.

#### **War Injury Element on subsequent Retirement**

If an individual is retained in service despite injury/disability under the above circumstances and does not opt for lump-sum compensation in lieu of War Injury Element, he/she shall be entitled to the payment of War Injury Element on a monthly basis at the above rates as the case may be on subsequent discharge on completion of term of engagement.

For disabilities less than 100% but not less than 20% the above rates shall be proportionately reduced. No War Injury Element shall be payable for the disabilities less than 20%. For computing War Injury Element actual percentage actually assessed by the approved RMB/IMA taken into account. Rounding off percentage benefit as applicable in invalidment cases will not be admissible. In addition to War Injury Element service/retiring pension will be admissible with reference to rank, group, and qualifying service.