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PENSIONARY AWARDS : JCOs/ OR

Reference

- (a) Pension Regulations for the Army 2008 (Part I).
- (b) Special Army Instruction 8/S/70.
- (c) Special Army Instruction 1/S/08.
- (d) Government of India, Ministry of Defence letter No 1(2)/97/D (PEN-C) dt 31 Jan 2001.
- (e) IHQ of MoD (Army) letter No B/40122/MA/ (P)/AG/PS-5 dt 20 Jul 2006.
- (f) Government of India, Ministry of Defence letter No 17(4)/2008(2)/D (Pen)/Pol dt 12 Nov 2008.
- (g) Government of India, Ministry of Defence letter No 16(6)/2008(2)/2008/D (Pen/Policy) dt 05 May 2009.
- (h) Government of India, Ministry of Defence letter No 17(4)/2008(2)/D (Pen/Policy) dt 05 Jun 2009.
- (j) IHQ of MoD (Army) letter No B/38207/Ex-g/AG/PS-5 dt 03 Nov 2009.
- (k) Government of India, Ministry of Defence letter No 1(3)/2002/Vol-III/D (Pen/Pol) dt 18 Jan 2010.
- (l) Government of India, Ministry of Defence letter No 17(4)/2008(2)/D (Pen/Pol) dt 18 Aug 2010.
- (m) Govt of India, Min of Def vide their letter No16(01)/2009-D(Pen/Pol) dt 10 Nov 2010.
- (n) IHQ of MoD (Army) letter No A/60092/Rel/P/Inf-6(Pers) dt 11 Dec 2013.
- (o) Govt of India, Min of Def letter No 7(01)/2017(01)/D (Pen/Policy) dt 23 Jan 2018.
- (p) IHQ of MoD (Army) letter No B/40502/Misc/2022/AG/PS-4 (First Appeal) dt 20 Mar 2022.
- (q) IHQ of MoD (Army) letter No B/38046A/Misc/2022/AG/PS-4 (2nd Appeal) dt 04 Feb 2022

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(r) Government of India, Ministry of Defence letter No 17(2)/2017/D (Pen/Policy) dt 27 Dec 2023.

(s) Entitlement Rules for Casualty Pension and Disability compensation awards to Armed Forces Personnel (ER) 2023 and Guide to Medical Officers (Military Pensions) 2023.

Types of Pensionary Awards

1521. The following pensionary awards are admissible to the JCOs/ OR and their families as applicable:-

- (a) Service Pension.
- (b) Impairment / Invalid Pension/ Gratuity.
- (c) **Family Pension:-**
 - (i) Liberalised Family Pension.
 - (ii) Special Family Pension.
 - (iii) Ordinary Family Pension.
- (d) Death-Cum -Retirement Gratuity.

Reckonable Service for Pensionary Awards

1522. **Non Reckonable Service.** All service from the date of appointment or enrolment/ transfer to man's service to the date of discharge shall qualify for pension or gratuity with the exception of:-

- (a) Any period of service on a temporary establishment for which a special rate of pay is granted on the understanding that no pension is admissible.
- (b) Any period of unauthorised absence unless pay and allowances are admitted for the period of absence.
- (c) Any period of absence as a prisoner of war, unless pay and allowances are admitted for the period of absence.
- (d) Any period of detention in civil custody before being sentenced to imprisonment or fine unless the President, in a special case issues the orders reducing the period that shall not count.
- (e) Any period of imprisonment by sentence of a Civil Court or of a Court Martial.
- (f) Any period of service rendered after the date on which the proceedings of the Medical Board which found the individual unfit for military service.

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(g) An individual who is convicted by Court Martial under Army Act Section 38 and 43 (a) shall forfeit the whole of his previous service towards pension or gratuity. The service so forfeited shall be restored if an individual serves continuously for three years with exemplary conduct and without any red ink entry {Ref Para 22 of Pension Regulations for the Army 2008 (Part I)}.

1523. **Reckonable Service.** The period referred to here under is reckonable service for pensionary awards:-

(a) Punishment of fine awarded upto 14 days pay in any one month by an Officer exercising powers under AA Section 80.

(b) Period of sickness in hospital certified by the Medical Officer concerned to have not been caused by an offence committed by an individual under Army Act vide Rule 51 (h) of Pay and Allowances Regulations JCOs/ OR (Revised Edition) 1979.

(c) Period of imprisonment summarily awarded by a Commanding Officer exercising power under Army Act Section 80.

(d) Former qualifying service if allowed to count towards pensionary awards by PAO (OR)/ PCDA (P).

(e) Half of the qualifying service rendered as a Non-combatant (Enrolled) will count towards service as an OR. However, in the case of NCs(E) who accepted combatisation under the terms and conditions of Ministry of Defence letter No 19173/IX/Org 2 (MP) (c) 1810-S/D(AG-II) dt 31 Dec 1971, all service rendered as non-combatant (Enrolled) will be treated as qualifying service for pension.

(f) Reservists recalled to colour where it is more favourable be allowed to count half of their qualifying service with their total colour service for pensionary awards (Special Army Instruction 13/S/62 refers).

Reckonable Emoluments for Pension and Gratuity

1524. The term reckonable emoluments for calculation of pensionary benefits in respect of personnel below officer rank including JCOs granted honorary commission on active list shall mean:-

Emolument Reckonable for		
Service/ Invalid Pension	Family Pension	All Types of Gratuities

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Pay in Pay Band, Military Service Pay, 'X' Group Pay and whole of Classification Allowance if any, last drawn.	Pay in Pay Band, Military Service Pay, 'X' Group Pay and whole of Classification Allowance if any, last drawn.	Pay in Pay Band, Military Service Pay, 'X' Group Pay and whole of Classification Allowance if any, last drawn plus Dearness Allowance admissible on the date of retirement/ invalidment/ death.
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Minimum Qualifying Service to Earn Service Pension/ Gratuity

1525. **Service Pension.** The minimum period of qualifying service actually rendered and required for earning service pension will continue to be 15 Years.

1526. **Gratuity.** The term "Qualifying Service" (QS) for computation of all kinds of gratuity will mean:-

Qualifying Service Reckonable for		
Retirement Gratuity	Death Gratuity	Retiring/ Service/ Invalid/ Terminal Gratuity
Actual qualifying service plus a weightage of five years subject to the total qualifying service including weightage not exceeding 33 years.	Actual qualifying service rendered plus a weightage of five years subject to total qualifying service not exceeding 33 years. In case actual service is less than five years no weightage will be given.	Actual qualifying service rendered.

Note:- In case of TA personnel aggregate of qualifying embodied service shall count for service pension. Aggregate qualifying embodied service may be continuous or rendered in broken spells. For calculating the total embodied service the breaks in embodied service due to disembodiment will be treated as condoned but the period of breaks itself will not be treated as qualifying service for pension. Where qualifying embodied service has been rendered in broken spells, five percent cut will be imposed on the pension of those JCOs/ OR who have completed 15 years or more of aggregate embodied service, but have not completed 20 years of aggregate embodied service.

Full pre-commissioned service rendered under the Central Government whether in a civil department or in the Armed Forces, will be taken into account for working out the qualifying service for earning pensionary benefits subject to fulfillment of other conditions. This will be counted for determining the minimum qualifying service.

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In calculating the length of qualifying service, fractions of a year equal to three months and above but less than six months will be treated as completed one & half year and reckoned as qualifying service. This will, however, not be applicable for computing minimum qualifying service for pension.

All leave including study leave will count as qualifying service for pension provided that service for at least a period specified by the Government has been rendered from the date of return from the study leave last availed of. Any period of leave without pay shall not qualify unless specifically authorised by the Government.