CHHATTISGARH

- 1. Financial assistance of Rs.15,000/- for purchase / repair of artificial limbs to disabled ESM.
- 2. Maintenance grant to disabled ESM for Rs.900/- PM who are undergoing Resettlement Training course at Queen Mary's Technical Institutions recognized by the Govt. of India/ Govt. of Chhattisgarh.
- 3. Benefits for War Widows / Dependents of those killed / disabled in War including casualties of op Pawan and op Meghdoot.
- (a) Marriage grant for daughter / dependent sister Rs. 10,000/-
- (b) Cash grant to Armed Forces Personnel Disabled in action:
 - (i) 100% disability Rs. 10,00,000/-
 - (ii) 50% disability Rs. 5,00,000/-
 - (iii) 25% disability Rs. 2,50,000/-
- (c) Free medical treatment to the Armed Forces Personnel Disabled in action.

DELHI

1. Children Education (War Widows & Disabled) -

Free Tuition fee, Books, & Transport or financial assistance per year.

(a) Upto 10 + 2 - Rs.8000/-

(b) Graduation - Rs.10,000/-

(c) PG including BTech/BDS/Medical/MCS/MCA - Rs.20,000/-

2. Disabled in war / ops

(a) 60% and above disability - Rs.5,00,000/-

(b) Upto 59% disability - Rs.3,00,000/-

GOA

Special package of Concessions / facilities is provided to dependents of defence personnel who are killed / disabled in action as under

- 1. Ex-gratia grant of Rs.7,00,000/-to the next of kin of deceased and 2,00,000/- to the disabled soldiers during enemy action in International War or Border skirmishes and action against militants, terrorist, extremists, insurgents etc.
- Rs.5,00,000/- to the next of kin of the deceased and Rs.1,00,000/- to the disabled or death / disability occurring due to accidents in case of performance of duties which are attributable to the military service.

GUJARAT

- 1. Monthly assistance of disability minimum Rs.1200/- and maximum Rs.3600/- PM to disabled due to war / Cl/ ops to Ex servicemen.
- 2. Direct recruitment to class III and IV for upto two members of the family of defence Personnel killed or severely disabled in action without registration at employment exchange.
- 3. Ex-gratia grants Rs.5000/- to Ex serviceman who are permanently disabled / dependents of those killed in action and Rs.2500/- to Ex serviceman with partial disability.

HARYANA

War Disabled Benefits

- 1. Employment on priority basis upto two dependants
- 2. Priority allotment of soft coke / slack coke depot in Haryana.
- 3. Priority allotment of stall, (PCO) booth in transport deptt.
- 4. Disabled soldiers (boarded out/ invalided out due to disabilities and classified as battle casualties in operational area.)
- (a) Disabled ESM 70% and above Rs.1,00,000/-
- (b) Disabled ESM 50% and above less than 70% Rs.75,000/-
- (c) Disabled ESM 20% to less than 50% Rs.50,000/-
- Financial assistance for construction / repair of house to war widows / 100% disabled Ex serviceman Rs.40,000/-
- 6. Free travel facilities to war widows and disabled Ex serviceman (25% and above) in Haryana Roadways Buses in Haryana, Chandigarh and Delhi.

HIMACHAL PRADESH

Facilities to war disabled and their dependants.

- 1. Preference is given for employment of children in civil jobs.
- 2. Training of dependants of those disabled.
- 3. Ex-gratia grants to disabled soldiers.
- Soldiers having disability of 50% and above Rs. 1,00,000/-
- 5. Soldiers having disability below 50% Rs. 50,000/-

JAMMU & KASHMIR

Financial relief for disabled

(a) 50% to 100% disability - Rs. 75,000/-

(b) Upto 49% disability - Rs. 10,000/-

IHARKHAND

Payment of recurring or non-recurring grants to war disabled.

KARNATAKA

Benefits for war disabled and their dependants.

- 1. Spouse and children of the family of the battle casualties are provided employment within the 10% extra reserved for Ex serviceman.
- 2. Ex-gratia grant of Rs.50,000/-
- 3. Marriage grant for daughters of battle casualties Rs.20,000/-
- 4. Cash in lieu of free built house for battle casualties officers / JCO Rs.6,00,000/- and or Rs.4,50,000/-
- 5. House repair grant of Rs.20,000/- (once in 15 years)

KERALA

- 1. House building grant to disabled ex-serviceman boarded out for Rs.1,00,000/- (Annual income limit Rs.1,50,000/-)
- 2. ESM disabled / wounded in action are given grant which varies from Rs.25,000/- to Rs.50,000/- in accordance with the percentage of disability.
- 3. Financial assistance from Chief Minister Sainik Welfare fund upto maximum of Rs.10,00,000/- is provided to ESM disabled in action.
- 4. Dependants of soldiers disabled in action are given employment assistance in state service.

MADHYA PRADESH

- 1. Employment priority to war disabled A1
- 2. Financial assistance for purchase / repair of artificial limbs to disabled ESM Rs.3100/-(if not issued by Army)

MAHARASHTRA

- 1. Financial assistance of Rs.1Lakh (20% to 49% disability) and Rs.3Lakh (50% and above disability) to the disabled soldiers in any operation w.e.f. 01May, 1999. (Attn. Govt. of Maharshtra resolution No Maxm 1099/1661/pk126/99/28 dated 04 Oct.2000)
- 2. Free education facilities are available for dependants of wounded in action excluding professional colleges or technical institutions.

MANIPUR

Ex-gratia grant of Rs.5000/- is given to war disabled ESM.

MEGHALAYA

Rs. 1 Lakh paid as ex-gratia to disabled soldier.

MIZORAM

Priority -I for employment of disabled ESM and priority -III for ESM

Ex-gratia grant of Rs.2Lakh to disabled soldier (75% and above) Rs.1Lakh (50% to 75%) and Rs.0.50Lakh (25% to 50%) vide Govt. of Mizoram notification No-38017/1/99-HM(SB)L-II(a) dated 06 Jan, 2010.

PUNJAB

Reservation of seats in professional colleges for children of disabled personnel.

RAJASTHAN

Benefits - OP VIJAY

For permanently incapacitated battle casualties, employment would be provided to himself or a dependant Rs.25000/- + 25 bighas of land or 4 Lakh in lieu of land to disabled soldier.

SIKKIM

Financial assistance of Rs.900/- p a to disabled ESM for purchase / repair of artificial limbs.

TAMILNADU

Benefits for battle casualties

- 1. Employment to a dependant on compassionate grounds.
- 2. Scholarship to children of defence personnel killed or disabled in action, studying in academic/ Technical/professional/vocational courses beyond Higher Secondary stage.
- Ex-gratia grant of Rs.5 Lakh to NOK of those killed, Rs.2 Lakh to those totally disabled / double amputee and totally blind. Rs.1 Lakh to those single amputee/one eye blind/loss of / fingers precluding employment and Rs.50,000/-for burns / gunshot wounds / battle accidents / multiple compound fracture for our government of Tamilnadu
- 4. Annual maintenance grant of Rs.12000/- to the NOK of defence personnel killed and to the personnel disabled war / war like operations for life time.

ASSISTANCE RENDERED FROM KARGIL DEFENCE PERSONNEL RELIEF FUND

1. Disability – Totally disabled / Double amputee / Totally blind Rs. 7Lakh

2. Single amputee / one eye blind Rs.5 Lakh

TELENGANA

Benefits for disabled in action (War Disabled/ Battle Casualties)

1. Totally Disabled, Double amputee, and totally blind Rs. 3,00,000/-

2. Single amputee, one eyed blind, Deaf, Loss of toes & fingers,
Precluding employment Rs. 2,00,000/-

Burns, Guns shot wounds, Battle accidents & multiple compounds
 Fracture

Rs. 1.00.000/-

TRIPURA

- 1. Allotment of Agricultural land/cash in lieu.
- 2. Allotment of semi pucca building/cash in lieu.
- 3. Immediate relief of widows/Next of Kin amounting to Rs. 2,500/- from Amalgamated Special Fund.
- 4. Priority for employment Government job to one member of the family of battle casualty.

OP VIJAY

1. Ex-gratia of Rs. 1 lakh to the disabled and rendered unfit for Military Service due to disability attributable to Military service are given a permanent job under the State Govt.

UTTAR PRADESH

- 1. Priority in allotment of Fair Price Shops to personnel disabled in action.
- 2. Priority in allotment of gram sabha land by the Land Management Committee to service personnel killed (1st priority) disabled in war (2nd priority) and landless ex-servicemen (6th priority).
- 3. Special financial assistance of Rs.15,000/- to families of service personnel killed and Rs.10,000/- to those disabled in OP Pawan and OP Meghdoot.

UTTARAKHAND

Housing Grant – Housing grant of Rs.1,00,000/- is being paid to NOK of battle casualty / disabled ESM.

UTTARAKHAND POLICE & ARMED FORCES SAHAYATA SANSTHAN

- 1. Financial Assistance
- (a) Ex-gratia to battle casualty (non-fatal) and those medically boarded out, Rs.75,000/- for officers and Rs.55,000/-for JCO s/OR.
- (b) Grant of Rs.50,000/- for daughter's marriage to War Disabled Soldiers / Battle Casualties.

FACILITIES/CONCESSIONS EXTENDED BY THE STATE GOVT TO KARGIL WAR DISABLED SOLDIERS

- (a) Ex-gratia of Rs.1Lakh, if disability is less than 50%
- (b) Ex-gratia of Rs.2Lakh, if disability is above 50%
- (c) 2% reservation for employment in state Govt.
- (d) Green card to widows and disabled soldiers.

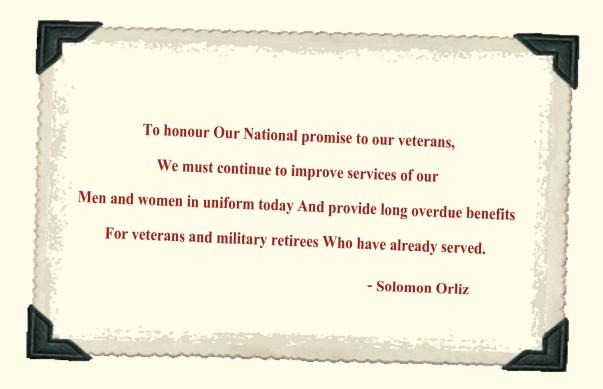
WEST BENGAL

Ex-gratia grants of officers, JCOs and OR are as under:

- (a) For personnel killed or disabled with 60% or above disability in action are granted ex-gratia of Rs.3,00,000/- for officers, Rs.2,00,000/- for JCOs and Rs.1,50,000/- for ORs
- (b) Officers –Rs.1,50,000/- JCOs Rs.1,00,000/- ORs 75,000/- (in each case personnel disabled with 40% disability or reported missing in action or taken pow.

CHANDIGARH (UTI)

- Grant of Rail Travel Concession.
- 2. Complete exemption from tuition fee, hostel charges cost of books/stationery and uniform.
 - 100 percent fare concession in CTU buses in all over India with one attendant.



IMPORTANT AND USEFUL CIRCULARS / LETTERS

ORDERS & CIRCULARS

- Railway List For Concessions And Certificates Required (Download Concession Certufucate)
- Cricular No. 570: Implementation of Government's decision on the recommendations of the Seventh Central Pay Commission- Revision of Pension of Pre-2016 Defence Forces Pensioners/Family Pensioners.
- 3. **Cricular No. 568**: Revision of pension of Pre-2006 pensioners (JCOs/ ORs and Commissioned Officers)- delinking of qualifying service of 33 years for revised pension
- 4. **Circular No. 567**: Revision of Enhanced Rate of Ordinary Family Pension in respect of Pre-2006 Armed Forces Pensioners.
- 5. Circular No 566: Revision of pension under 'One Rank One Pension'.
- 6. **Circular No 565**: Revision of Casualty Pensionary awards in respect of Pre-2006 Armed Forced Officer and JCOs/ ORs Pensioners/ Family pensioners.
- 7. **Circular No 560**: Revision of Casualty Pensionary awards in respect of Pre-2006 Armed Forced Officer and JCOs/ ORs Pensioners/ Family pensioners.
- 8. Circular No. 555: PCDA (P) Circular 555 on OROP
- 9. Circular No. 549: PCDA CIRCULAR
- Circular No. 548: Revision of pension of pre-2006 Commissioned Officer pensioners/Family pensioners.
- 11. **Circular No. 547**: Revision of pension in r/o pre-2006 JCOs/ORs pensioners/ Family pensioners
- 12. **Circular No. 542**: Minimum Guaranteed Pension for Disability War Injury Element as per CSC-2012 recommendation
- 13. **Circular No. 529**: Rationalization of casualty Pensionary Awards for the Armed Forces Officers and Personnel below Officer Rank (PBOR) invalided out from service prior to 1.1.1996: Extension of benefit of broad banding of percentage of disability/ war injury.

- 14. Circular No. 508: Implementation of Government decision on the recommendations of the Committee Secretaries Committee- 2012 on the issues related to Defence Service Personnel and Ex-Servicemen- Improvement in Casualty Pensionary Awards for pre- 2006 Armed Forces Officers and JCO/ ORs and equivalents.
- 15. Circular No. 502: Implementation of Government decision on the recommendations of the Committee of Secretaries - 2012 on the issues related to Defence Service Personnel and Ex-Servicemen- Enhancement of Ordinary Family Pension in respect of Pre-2006 JCOs/ORs Family Pensioners.
- 16. Circular No. 501: Implementation of Government decision on the recommendations of the Committee of Secretaries 2012 on the issues related to Defence Services Personnel and Ex Servicemen - Improvement in pension of JCOs/ORs of Armed Forces retired / discharged /invalided out of service prior to 01.01.2006.
- 17. **Circular No. 456**: Implementation of Govt. decision on recommendations of VICPC Special benefits in cases of death and disability in service prior to 01.01.2006 regarding
- 18. Circular No. 433: Implementation of Governments decision on the recommendations of the Sixth Central Pay Commission Revision of provisions regulating Pensionary awards relating to Disability/ War Injury Pension etc. for the Armed Forces officers and PBOR on voluntary retirement/ discharge on own request on or after 1.1.2006.
- 19. **Circular No. 429**: Revision of Disability/War Injury Element of Pension in respect of Armed Forces Officers and PBOR Pensioners Cabinet Secretary Committee Report.
- 20. Circular No. 428: Implementation of Governments decision on the recommendations of the Sixth Central Pay Commission Revision of Pension in respect of Pre -2006 Lt. Generals and equivalents
- 21. CIVIL APPEAL NO. 418: In The Supreme Court Of India Civil Apprellate Jurisdiction
- 22. Circular No. 412: Implementation of Government decision on the recommendations of the Sixth Central Pay Commission Revision of Pension of Pre 2006 Military Nursing Service (MNS) Officers retiree pensioners / Family Pensioners Armed Forces Pensioners / Family Pensioners.
- 23. Circular No. 403: Corrigendum Pension Pre-2006 dated 02-02-2009
- 24. Circular No. 401: Corrigendum Pension Pre-2006 dated 18-12-2008
- 25. **Circular No. 397**: Implementation of Governments decision on the recommendations of the Sixth Central Pay Commission Consolidation of Pension of Pre 2006 Armed Forces Pensioners/Family Pensioners

No200847/Pen-C/71, Government of India, BHARAT SARKAR Ministry of Defence, RAKSHA MANTRALAYA New Delhi,

The 24th February, 1972

To
The Chief of Army Staff
The Chief of Naval Staff
The Chief of Air Staff

Subject: Liberalized pensionary awards for War widows and War disabled service man

Sir

In partial modification of the existing rule 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 annexure. I and II to this letter, in the case officer and personnel, as well as NCsE of the armed forces (including the army postal service and the embodied units of the editorial army and officers and personnel of the defence security corps, killed in action or disabled on account of injury sustained in the recent operation against Pakistan commencing from 3rd December 1971. The awards sanctioned in this letter will be admissible also in the case of above categories of personnel killed in action or disabled on account of injury sustained-

- 1. in the international war of 1965 (Kutch and Kargil operation), 1962 and 1947-48 (Kashmir operation), as well as the Goa and Hyderabad operations;
- 2. (a) as a result of fighting in war-like operations or border skirmishes either with Pakistan on The Cease-fire lines 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..... dated 16th September, 1966.
- 3. During laying or clearance of mine including enemy mine, as also mine-sweeping Operation between one month before the commencement and three month after the conclusion of the operation; as per ministry of defence letter no. A/14670/VII/AG/PD 4(D)/142-S/pen-c, dated the 2nd September 1970;
- 4. 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.
- 5. Payment already made on account of pensionary awards only in respect of any period following the above dates otherwise that in accordance with this letter will be adjusted against payment admissible hereunder.

- 6. The awards sanctioned in this letter are in the nature of a special dispensation and will not be subject to alteration as a respect of any revision of the pay and pension structure as may be sanctioned in future, Temporary and / or ad-hoc increase 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 and the difference will allowed as ad-hoc grant. Payment of these increase or relieves were allowed to be admissible w e f 1st January 1981 vide Ministry of Defence letter no B/39206/AG/PS4 (d)/2417/ pen-c dated 23 April 1981 (copy attached).
- 7. This issues with the occurrence of Ministry of Finance (Defence) vide their u.o. No.565/Addl FA (D) of 1972.

Yours faithfully, Sd/-Under secretary to the Government of India

ANNEXURE

1. **SPECIAL FAMILY PENSION:**

(a) FOR OFFICERS

- 1. 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 3/4 ths 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.
- 2. 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 up to 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 year will be payable in addition, subject to the special family pension, together with the children allowance and education allowance for children, not exceeding \(^3\)4 ths of basic pay.

(b) FOR JCOs and ORs

1. 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, and rank/appointment pay, good service pay, dearness pay and home saving element. Children and education allowances will not be payable in addition.

ANNEXURE

WAR INJURY PAY

1. Officers and personnel below officer rank who are invalided out of service will be paid, instead of a disability pension, a war injury pay, which will consist of element will be equal in amount to the normal retiring pension of the rank held at the time of disablement, for 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 serviceman 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 payplus an amount of Rs.60/- for rations, but will not include the home saving element.



F. NO. 34/3/GB-IT (I)

Government of India Central Board of Direct New Delhi, the 14th Jan 1970.

From: Shri S.R. Nautial

Secretary, Central Board of Taxes.

То

All Commissioners of Income-tax.

Sir,

Sub: Exemption- Service and disability element of disability Pension granted to A disabled officer of the Indian Army- whether exemption from income-tax.

- 1. Reference is invited to the Board's letter F. NO. 42/9/59- IT (AI), dated the 5th September, 1960 on the above subject where in it was mentioned that in the falling under (29) of Finance Department Notification NO. 878-P (Income-Tax) dated 21-3-1922, the 'disability element of the disability pension received by an officer of the Army will only be exempted from tax and that the Service element 'will be Subjected to tax.
- On reconsideration of the matter, in consultation with the ministry of Law, the Board is advised that 29 of the Notification do not differentiate between types of pensions. Accordingly in the cases following under item No. 29 of the above Notification entire disability pension will be exempted from income-Tax.
- 3. The above instructions may be brought to the notice of officers in your charge.

Yours faithfully Sd/- (S.N. NAUTIAL) Secretary, Central Board of Direct Tax

Copy to:

(Original copy of this Letter is available in the Min of Def. File No- 199037/69/Pen-C)

War injury pay to exempt from income tax.

F. NO. 200/51/99-ITA-1 GOVERNMENT OF INDIA MINISTRY OF FINANCE DEPARTMENT OF REVENUE CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 6th May 2000

To.

Shri Suchakar Shukh Director (Pens) Ministry of Defence Department of Defence New Delhi

Subject: Maintenance of status on regarding exemption of the total disability pension admissible to the Armed Forces Personnel from IT-reg.

Sir,

I am director to refer to your D. O. letter No. 1001/99/D (Pen-C) dated December 21, 1999 seeking clarifications regarding exemption form IT of the entire disability pension admissible to the Armed Forces Personnel

The matter has been re-examined. The entire disability pension i.e. disability element and service element will be exempted from Income-Tex. This letter will supersede all earlier clarifications issued on this subject.

Yours faithfully.

Sd/-

(SAMAR BHADRA)
UNDER SECRETARY TO THE GOVERMENT OF INDIA

F.No.200/51/99-ITA.I
Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes

New Delhi, the 2nd July, 2001.

To
All the Chief Commissioners of Income – tax,
All the Directors General of Income – tax,

SUBJECT: Exemption from income-tax to disability pension ie "disability element" and "service element" of a disabled officer of the Indian Armed Forces – Instructions regarding.

Sir,

- 1. References have been received in the Board regarding exemption from income-tax to disability pension ie "disability element" and "service element" of a disabled officer of the Indian Armed Forces.
- 2. It appears that field formations in certain cases are not uniformly allowing disability pension in spite of Board's Instruction No.136 dated 14th January, 1970 [F.No.34/3/68-It(A.I)]
- 3. The matter has been re-examined in the Board and it has been decided to reiterate that the entire disability pension ie "disability element" and "service element" of a disabled officer of the Indian Armed Forces continues to be exempt from income tax.
- 4. This may be brought to the notice of all officers working under you.

Yours faithfully, Sd/-OFFICER ON SPECIAL DUTY (ITA.I) Tele: 23093258

16307/14(d)/DGAFMS/DG-3A May 2013

MINISTRY OF DEFENCE OFFICE OF THE DGAFMS/DG-3A

CARE AND PRIORITY TO WAR WOUNDED/BATTLE CASUALITY VETERANS

- 1. War wounded and battle casualties from a very distinguished class of veterans. Owing to their special disposition, they have rightfully earned certain privileges attributable to their status and disability.
- 2. Registered bodies like the Disabled War Veterans (India) Regd and the Rehabilitation Council of India have these veterans as members. The President of the Disabled War Veterans (India) has given a valuable input that majority of our AFMS hospitals are not "War Veterans/ Battle casualty friendly".
- 3. The DGAFMS has desired that this input should serve as a catalyst for introspection assimilation and action to achieve standards, to arrive to an environment which displays our concern for this special class of veterans.
- 4. In view of the above, it is to be ensured that our Health Care Establishments adopt the following modalities:-
- (a) Special counters/ outlets / queues for War wounded/Battle causality veterans in OPDs, Dispensaries etc.
- (b) In case special counters / outlets / queues are not possible due to procedural / technical constraints, the war wounded/battle casualty veterans will be seen out of turn. Appropriate signages to this effect are required to be displayed prominently.
- 5. Besides implementation of the above modalities extension of extreme courteousness and empathy to all disabled and veterans must be ensured in letter and spirit.
- 6. This has the approval of DGAFMS

(V S Grewal) Lt Col Jt Dir AFMS (H)

DGMS (Army)/DG-5B DGMS (Navy)/Med-II DGMS (Air)/Med-5

MRTICLES

Disclaimer: Views expressed and suggestions made in the articles are made by authors in their personal capacity and do not have any endorsement of publishers and editors



SOLDIERs can SERVE COUNTRY & COUNTRYMEN BOTH ALIVE & DEAD

ALIVE

SACRIFICES TO PROTECT COUNTRYMEN & BORDERS

AFTER
DEATH/BRAIN DEATH
PLEDGE
TO
DONATE ORGANS
(Please keep your fanily informed about your visites)

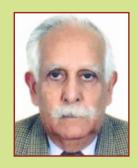
FOR SRIVAL OF THOSE SRIGGING FOR LIFE

THE AFTERMATH

COL Hari N Handa

Stupendous as the effort of the armed forces has been to evict the intruders from Kargil, equally magnificent was the response from the Government. And The entire country to look after its own. Honoring the dead and taking the bodies to the villages / homes, was a master stroke of genius, in uniting the nation and making the nation proud of their armed forces. It was a real morale booster to the troops in action.

Conflicts result in considerable loss of human lives. The dependents of those killed and the disabled need a helping hand to begin life anew. Some adjust and some get depressed. The soldier does his duty by the country without seeking rewards. Our duty is to look after him and his family. The disabled only want to live a life of dignity! They do not want to live on the charity of others but would like to join the mainstream of life. The road to rehabilitation is aimed at fitting the person suitably for the life ahead. They need financial security in terms of work. We forget that ours is not a conscripted army but a volunteer one.



The author, Colonel H N Handa, served in the 2/9 Gorkha Rifles, and was invalided out of service in 1965 due to injuries sustained in war.

People from all walks of life volunteer to serve in the armed forces not only to earn a livelihood but also to foster their love of adventure. Once their means of livelihood is taken away from them, their morale plunges to a low ebb. Can we not assist them in this? Some industries have shown the way.

In 1965, lying in hospital, my leg being amputated, and classified as a battle casualty, we had a number of politicians visiting us. Amongst these, was our most formidable Prime Minister Mrs Indira Gandhi. The question that still echo's from the portals of Military Hospitals was put to her and those that accompanied her." WHAT IS OUR FUTURE". There was stoic silence. That silence has not gone away! You can imagine the plight of the disabled lying in the hospitals awaiting their rehabilitation by the doctors not knowing what would happen to them on discharge from hospital. The soldiers worries were genuine, for when they reached their regimental centres, orders were awaiting for their immediate discharge from service. Length of service varied from one year to 19 years. The army shed its trained but incapacitated soldiers and the nation lost on trained and disciplined personnel.

For the officer class, orders were issued that further promotions were stopped unless they fulfilled certain criteria. The criteria were absurd and full of contradictions.

It was only with the Intervention of Field Marshal Manekshaw, based on the written application of the writer of this article that the orders were rescinded. The author brought out the anomalies of the order and seeing its justification, there was no hesitation on his part to order its withdrawal. The writer was immediately promoted there and then by the Field Marshal himself by fixing the epaulettes of a lieutenant colonel on his shoulders in his office. This paved the way for other war disabled officers in subsequent wars to receive promotions on merit and some rose to exalted heights of the ranks of Lieutenant General as a precedent had been created.

Why should the soldiers also not be employed in a similar manner and prove the mettle they are made of? There are so many static peace formations of the Army like ordnance depots, ordnance factories, ASC depots, Sub Areas, Areas etc that these soldiers could have been employed in so that they could have attained pensionable service and felt that they had been looked after. Surely, place could also have been found for some in tehsils or districts under civil administration or in public sectors. They would have served the nation quite happily in any job entrusted to them. If jobs could be offered to war widows then why not them?

The author, a war casualty of the 1965 Indo Pak conflict, was boarded out of service on completion of medical treatment at the age of 32 with two small children to support. Promises made to him to rehabilitate him as under, were not kept.

- Promised a small grant of Rs.5000/-, the same was denied as the Medical Directorate, on a inquiry from the State Government regarding disability, denied that the author was to be considered as disabled.
- Promised a plot of land through the resettlement directorate, the same was denied as he failed to pay Rs.200/- as bribe.
- Promised a gas agency as placed number one on the waiting list was denied this as the file was conveniently lost and allotted to others.

The trials and tribulations of the period were further aggravated by not receiving due pension for a considerable period until the personal intervention of the then Defence Minister Shri Choudhry Bansi Lal. The author proceeded to rehabilitate himself and his family taking the assistance of friends and seniors but receiving no help at all from the Government or Army Headquarters. In this he succeeded but the scars remain. There are many, in the same boat especially from the villages.

These travails seem far from over. After a gap of 29 years, of disablement, the author suddenly lost his disability pension as some archiac law permitted the CDA to stop it. Presumably the CDA thought that enough time had elapsed and the leg should have grown naturally by itself in 29 years!! This was remedied on representation to the Adjutant General. Similarly, the Income Tax suddenly felt that the author had been disabled too long and required fresh disability certificates as those issued by hospitals, both civil and military were too old! It is the plea of the disabled to permit them, in an otherwise disabled unfriendly society, to live on a "level playing field" enabling them to work without fear or favour.

Disability allowance is not what it seems as CGDA tunes it down to length of service and thus a 100% casualty need not get Rs.1500/- granted for a 100% disabled category of soldier. Rules stipulate that it must not be more than the service element of pension. Service element is scaled down to years of service rendered. I wish injuries could be scaled down in a similar manner!

There seem to have been instances where cash grants awarded, to the next of kin, especially in villages, were extracted from the beneficiaries on one excuse or the other leaving them destitute once again. Some of these tales have been heard by the author from the disabled on his visits to the Artificial Limb Centre at Pune for refit of limbs. This should not happen again. With the present awards, magnificent compared to the earlier conflicts, the need to assist in husbanding the resources and preventing exploitation by the unscrupulous is definitely the need of the hour.

The imparting of training in accordance with today's requirements would enable proper rehabilitation. Coordination and proper consideration before spelling out the polices of rehabilitation is a necessity. A proper policy covering war widows, dependents of those killed and the war wounded need to be considered very carefully in the context of their backgrounds and present requirements so that the trials and tribulations faced by the author or the war disabled / war widows in their villages are not repeated. Money received from various sources and invested by a Central Authority wisely, could form the Corpus for rehabilitation of the war wounded/war widows and dependents ensuring the security they now need The illiterate war disabled soldier or war widow do not understand how to use their resources wisely. Together with pension and a monthly vield from their other dues would greatly enhance their capacity to lead comfortable lives.

It would be beneficial for the Government and the Ministry of Defence to take advantage of regimental fervor, esprit de corps, and camaraderie to look after its own. A nucleus needs to be created under the Adjutant Generals Branch to collate and disseminate the various promises by the centre and states and ensure them being passed on to those promised the same

Links between the regiments and this nucleus would probably go a long way to alleviate further suffering to the gallant personnel whose only fault was that they did their duty to the nation without expecting any rewards!

In bygone days, the interaction between the District Commissioner, Superintendent of Police and other district police and defence personnel was personified by immediate action to alleviate any problems the defence personnel had and allow him to attend to his duties without any fear or worry. With time this has eroded. This has mainly occurred due to inter service rivalry, suspicion and criticism in not understanding the others point of view and political interference at the lowest level. This needs to be rectified for it would go a long way in resettling not only the incapacitated but others as well.

Since 1965, the Adjutant General's Branch and similar branches of the other services, learning from the problems of the incapacitated soldiers and officers have addressed themselves to the vexing problems of soldier rehabilitation. Introducing Group Insurance being one of them. Education and training, preparing dependents during peace time, thereby creating self confidence could be another. "Charity begins at home". Absorbing war wounded and incapacitated personnel and kin of those killed within the PSU's under the Defence Ministry, would encourage others to do likewise. Terms and conditions of service could be reconsidered, if necessary. Scholarships in Schools for the dependent children should be availed off. A separate quota for children of service personnel should be created in RIMC Dehra-Dun and Sainak Schools.

To be able to assess this gigantic task of rehabilitation, it would be necessary to analyse the requirements of each of the categories respectively.

ELDERLY DEPENDENTS

Some of the soldiers/officers killed may not have been married. It is likely that they were looking after their elderly parents. In case they left behind a younger brother or sister, employment would be a good way besides the pension that the parents would receive. Regimental centres could be a great help in assisting them in overcoming their loss.

WAR DISABI FD / BATTI F CASUALTIES

Besides the war widows, this is the category of war disabled soldiers/officers who would be requiring the maximum attention. Careers cut short abruptly, families to support and changing their attitude to life in an environment that shuns disabled persons. This is clearly evident as there is no special parking for the disabled, priority for standing in queues or seats in buses, or disabled friendly public utilities.

The process begins in the hospitals itself. Prosthesis fitted must be modern and light and create mobility for the user, cumbersome and heavy prosthesis compared to the prosthesis available in other parts of the world, should be provided by ALIMCO or the Artificial Limb Centre, Pune. Claiming high industrial capability, we cannot even make the rubber required for the various prosthesis. Ours is the only country in the world charging customs duty on its import of limbs/parts for rehabilitating the disabled. We have experienced manpower for research and development but do we have the inclination?

The War disabled soldier/officer needs useful employment to be able to look after his family allowing him to retain his pride and dignity. Lateral employment in other services like in the past where officers were transferred to the Indian Foreign Service or the administrative service should be considered.

As far as the soldiers are concerned, appropriate employment or retention should be considered.

In conclusion, the following may be considered:

- Insurance cover should be available freely for all for replacing/fitting of artificial limbs.
- Customs duty on import of artificial limbs/spare parts should be exempted.
- The original Income Tax waiver given to industry on employing war disabled personnel be restored and industry facilitated to employ such personnel.
- Training for employment based on disability be imparted to ensure the war disabled personnel retain their pride and do not become pariahs on society or their family.
- Jobs should be made available according to qualifications of the disabled/dependants.
- Funds available should be suitably invested on behalf of the beneficiary and paid monthly after looking after his/her immediate needs. Regimental Centres be asked to take active measures for proper supervision.

"THE ESPRIT DE CORPS PREVAILING IN THE ARMY ASSURES
THE CONFIDENCE OF THE CASUALTY
BEING LOOKED AFTER AS HE IS FAMILY."

BROAD BANDING OF DISABILITY PERCENTAGE

LT COL ANIL BEHL

"On the battlefield, the military pledges to leave no soldier behind – whether dead or wounded. As a nation, let it be our pledge that when they return home – dead is given a ceremonial funeral and wounded his legitimate dues including medical aid to make him live rest of his life with dignity"

The concept of broad-banding was introduced by fifth pay commission to minimize medical subjectivity and rationalize the proceeding of medical board by providing that those below 50% disability would be granted disability element by treating it as 50%, those with above 50% to 75% disability would be granted the benefits of 75% and 76% and above cases would be considered as that of 100% disability. This concept was introduced in respect of those Armed Forces officers and personnel below officers rank who were invalided out of service on or after 1 Jan 1996 on account of disability / war injury accepted as attributable to or aggravated by Military service. By rounding of, this disability percentage enhances, which means higher pension and that was the prime reason that MoD acted smart and while implementing this concept, it was granted only to the personnel who were invalided out on medical grounds post 1996. The rounding off benefits



Lt Col Anil Behl was commissioned in June 1969 in the Brigade of the Guards and actively participated in Indo-Pak War 1971. The officer suffered a mine blast during the Course of an operation against enemy in Western Sector and lost his leg. He thereafter, having fitted with Prosthesis continued serving in Army till finally superannuated after 38 years of service in the Indian Army.

denied to pre 1996 cases or those released with disability pension on superannuation or completion of terms, though all categories were afflicted equally with the problem of medical subjectivity.

Consequent upon receipt of number of representations from Various Pensioners Association for extending the provisions regarding broad banding of percentage of disability to pre-1996 Armed Forces personnel and series of litigations later, various benches of Armed Forces Tribunal, High Courts and Supreme Court held that pre-1996 disability cases and those released on completion of terms or superannuation could not be deprived of broad banding, the government decided to extend the benefits broad banding of percentage of disability / war injury Armed Forces officers and PBOR pensioners who were invalided out of service prior to 1 Jan 1996 and were in receipt of disability element as on 1 Jan 1996 but refused to extend such benefits to disabled veterans who were released on completion of term or superannuation.

This again resulted in number of litigations by the Armed Forces officers and PBOR released with disability pension on superannuation or completion of term. One of the lead such cases was of former army vice chief Lieutenant General Vijay Oberoi, who had lost a leg in 1965 war with Pakistan.

In 2011, inspite of a decision of the then chief of Army staff, to refuse to file appeal against judgement in favour of disabled soldiers, the MoD insisted on filing appeals in all matters, stating that decision were "against the government policy" and instructed the government lawyers to file appeals in thousands of these cases in the supreme court. During 2014, the three judge bench of appear court had more than 800 clubbed cases and dismissed all appeals bringing relief to disabled and war disabled soldiers. All ex-servicemen organization welcomed the decision.

The rationale behind the broad banding is to neutralized subjectivity while quantifying disability in percentage terms. It was often seen that there was a wide variation in assessment of the same disability by different board medical boards and that was the basic factor that fifth pay commission recommended that disability should be assessed in three broad bands instead of rigid mathematical formula. It has nothing to do with the manner of getting released from service – invalided out, discharged or superannuation after retention in the service. It is also not connected in any manner with the circumstances under which disability was incurred – in war or war like conditions, peace time accident, constitutional disorder or anything else. So long a defence personnel is entitled to disability pension, he will also be entitled to the benefits of broad banding of disability person. The supreme court judgement of 10 Dec 2014,is very clear that broad banding provision will universally apply to all veterans with disability, irrespective of their manner of exit from the service.

Since the government was cornered from all sides and pressure was mounting as number of litigations were increasing day by day and decision was being given in favour of disabled veterans, message was circulated that the case for applicability of broad banding universally to all disabled soldiers under active consideration and adviced veterans to desist from filing court cases as the same may delay the issuance of government letter. Accordingly DIWAVE adviced all war disabled veterans in particular and other disabled veterans in general not to resort to litigation till the decision of government is communicated. It is now more than a year that government is dilly-dally on this issue on some pretext or the other. No clear picture is emerging. When there is no option with the government but to grant benefits of broad banding to all disabled veterans, then why so much delay in issuing the letter. The government should gracefully accept the verdict given by the Supreme Court and implement the same in the interest of disabled soldiers. It is now giving a feeling that government intentionally delaying the implementation of broad banding to disabled veterans.

Recently PCDA pension vide then circular 561 dated 10 Jan 2016 has given approval of competent Authority for implementation of court / AFTS orders for granting broad banding benefits of disability element to Armed Forces Personnel retired or discharged on completion of term of engagement but nothing has been mentioned regarding other disabled soldiers who were adviced

not to file court case in this regards. This further clears the intention of government that implementation of broad banding to other disabled soldiers can wait and no seriousness is shown on this issue without realizing the fact that this will not only damage financially to disabled soldiers but also effect the morale of serving soldiers who may feel that they would also be left high and dry on getting wounded and would be at the mercy of the government which has least consideration for disabled veteran, what to talk of other veterans who are also running pillar to post for their legitimate dues. It is unfortunate that government is playing with the sentiments of disabled soldiers. The only course open to the disabled soldiers is to approach the court because the government is totally insensitive towards the cause of disabled veterans. Rather than resolving pension anomalies the MoD forces disabled and war disabled soldiers to litigate unnecessarily till the supreme court, causing heart burn and burden on tax payers money.

It is regrettable that our nation is the only nation in the entire world where Disabled veterans are considered as burden on the nation and given a second class treatment where as in other countries veterans are given a status of first citizen of their nation. Please rise to the cause of your legitimate right and file your cases in the court to ensure that courts are flooded with such cases. Since the numbers of such cases have already been decided by honorable courts and AFTs in favour of disabled veterans, the verdict will definitely be in your favour. Please act immediately before it is too late for you and the government takes you for a ride.



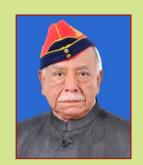
WAR DISABLED / BATTLE CASUALTIES DESERVE BETTER TREATMENT

CAPT N K MAHAJAN

Indian army has fought three wars against Pakistan, in 1948, 1965,1971 and also in limited operation in Kargil. It also fought a war against China in 1962, carried out military operations in Hyderabad, Goa and went as Peace Keeping Force to Sri Lanka. In these operations many Officers and Jawans, were killed and wounded, some permanently or severely.

Till 1965 battle casualties and families of those killed in wars and war like situations had no special rehabilitation measures nor were there any financial packages to compensate them for their physical or mental sufferings. The invalided out battle casualties and war disabled soldiers and families of those killed in action were given normal pension as per the prevalent rules. There was no provision of family pension.

In February 1972, after the Bangladesh War, the Ministry of Defence formulated policy vide letter No. 200847/ Pen-



Capt N K Mahajan was posted in 56 mountain regiment (Artillery). In 1971 participated in Indo-Pak War and was badly wounded. He was hospitalized for more than 3 years. He was boarded out from Army with 100% composite disability.

C/ 71 dated 24 Feb; 1972, catering for special pensionary benefits for battle casualties and families of those killed in war. These orders still remain relevant, though often ignored.

In October 1987, the Government decided in favour of retention of battle casualties in service subject to their accepting lump sum disability element for injuries sustained and forgoing disability element of their pension retirement. Those who wanted to be retained had to accept a fixed amount as disability compensation.

The Kargil conflict took place in1999. The battle casualties and the families of those killed were granted special concessions, including ex-gratia lump sums. Many of the benefits were not extended to those affected by Op Vijay in Sri Lanka or in earlier conflicts. Thus an invidious distinction was created giving rise to a number of anomalies in regard to disability pension.

Until the 5th Central Pay Commission, the maximum pension of a war veteran even with 100% disability was not allowed to exceed reckonable emoluments for his rank. This placed veterans with higher degree of disability to a disadvantage. DIWAVE raised this issue before the Cabinet Secretary's Committee constituted to examine 6th CPC recommendations. The cap on the total pension was removed w.e.f. July 2009 instead of 01 Jan; 2006.

In January 2013, minimum guaranteed pension for all ranks was revised as per Fitment Tables. However, the revision did not cover disability and war injury pensions. With a great deal of efforts and struggle for more than 3 years DIWAVE succeeded in getting the revised order also applicable to disability pension that too with an anomaly. The Anomaly occurred because of ignoring the letter 200847 / Pen- C/71, which was again sorted out after months of efforts by DIWAVE.

Whenever disability pension and war injury pension are revised, PCDA(P) insists on pensioners to furnish information as per a prescribed Annexure. This step delayed payments considerably. Many pensioners in remote areas were not even aware of this requirement and were deprived of the benefit. DIWAVE persistently took up this issue with the Ministry and the CGDA. Finally, the requirement for Annexure has now been withdrawn.

Broad banding was introduced by 5th CPC for disabled soldiers and disabled civilians in 2001. Only the civilians received this facility. MoD had ignored their own disabled. Taking up the Cudgels with MoD, DIWAVE, finally after 13 years received the acceptance of Broad Banding for those disabled invalided out of service. The case for the benefit to those retained in service went up to the Supreme Court and after 13 years it was decided in favour of veterans in December 2014. The benefit so far has been extended to all those (800 plus cases) who had filed petitions in AFT. The case of extending the benefit to all disabled pensioners irrespective of the manner of their exit is still pending. DIWAVE is making efforts for expediting the decision for those retained in service and is hopeful that broad banding will be accorded to them soon. However, any disabled veteran who follows the path of litigation approaches AFT by filling case; gets it

The OROP Tables announced in February 2016 had serious anomalies affecting war disabled invalided out of service. The tables concerning them were prepared taking actual service as qualifying service despite the fact that all along, according to 1972 and 2001 orders, both the service element and war injury element should have been maximum service of the rank and the pension should be given for the service ended till invalidment. were based on full service of rank taken as a qualifying service. The worst sufferers are Jawans, NCOs, Lieutenants, Captains & Majors, Battle Casualties, who mostly have very little service. It is again due to ignoring the letter No.200847/pen-c/71 dated 24 Feb, 1972. DIWAVE has strongly represented against it. It is hoped that the One Man Judicial Commission (OMJC) would rectify the situation.

7th CPC has been announced for civilians and civilian defence employees, most of them have already been paid and balance shall be paid shortly. There no confirmed news regarding implementation for soldiers. The War Disabled Soldiers are awaiting the implementation which will go long way in solving many financial problems.

The Soldiers serve the nation selflessly. They are always ready to serve in times of floods, earthquakes, and times of unrest. They don't think twice before facing the enemies. Their first priority is their nation & family comes later. With their zeal & commitment it is the nation duty to take care of them as well as their families so that any personnel on duty does not have to worry about his family or himself if he gets injured. These people are pride for the nation. The Government should have separate department / section in Ministry of Defense, office of Controller General Defense Accounts and Principal Controller of Defense Accounts (Pensions) formulating the compensation/rehabilitation/facilities along with their disbursement system so that it reaches every person affected. This will not only boost the morale of serving soldiers but shall motivate the people to join the forces.

The Government along with the citizens should take the onus to take care of these Soldiers who have taken care of the nation every moment

WAR DISABLED / BATTLE CASUALTIES DESERVE BETTER TREATMENT

Bhagyashree Pancholy

My father was a war hero. He fought in the 1971 war when he was 24 years old. As a newly commissioned officer in the Army, with brilliant hopes for a brighter future, all he wanted to do was serve his motherland.

But, life had other plans. On the fateful night in May, at the peak of 1971 Indo Pak war, he got seriously injured in a grenade blast in the present POK's Lipa Valley (Some of you may now know this area owing to the recent surgical strikes by India).

Found after three days of unconsciousness, buried under thick cover of snow, he was rescued by two brave men of his regiment. My father always said that a Sikh never opens his turban, but the brave hearts of my father's unit, the mighty 9 Sikh, did the other way. They opened up their turbans to make a stretcher to ferry my father.

What followed was five years of hospitalization, innumerable surgeries and a discharge from the service with several vital organs cut into half.

When you are disabled at an age of 27, the future appears bleak, especially when you are unmarried.

He met my mother and decided to marry her. Post marriage when my mother visited her in laws house, there was an inevitable question pending for her to answer.



Daughter of a brave 1971 war disabled officer from 9 Sikh and married to an army officer, I have recently quit a lucrative career as a lawyer with an investment bank to join the cause of veteran welfare.

Currently working with my mother's NGO, MHERI, I am involved in a project based on war disabled soldiers of Rajasthan and their problems.

In a very soft tone, her sister in law asked my mother, 'Why did you marry a disabled person?' The question rang a bell in my mother's mind- a bell of how uncompassionate people are. Because she was an Indian bahu and could not answer back angrily, she replied, 'Because I love him, not his past.'

That was the first encounter my mother had because of my father's decision to serve his motherland. As a disabled officer's children, my sister and I had to face such questions many a times. There were people who thought my father was mad to join the forces, there were some who said that he "went for it" and then there were some who appeared to be indifferent to it.

Thankfully, my father was a brave man who was able to look past these silly comments and made all efforts to bring us up in a disciplined manner.

Today, when I read comments of a very prominent and mature Bollywood actor, I found myself sailing into the past once again. The same statement of "he went for it" kept flashing in front of my eyes. Then, there were the earlier comments of Bollywood "heroes" and politicians who say that the men in uniform get free ration. Married to an army officer myself, I eat free ration and let me tell you about the roti that I eat.

I eat that roti with a fear that my husband is standing on the border, battling with snow and dodging bullets for us. I eat that roti with a hope that his men and he will return safely to us to enjoy that ration in the comfort of our home. I eat that roti with a prayer that there should not be any conflict. I eat that roti in uncertainty.

Yes, they are mad- to such an extent that they live for their nation and its sovereignty. Yes they went for it- because there was no one else who opted for it. Yes they deserve free ration- it is the least a nation can do for them.

The sad truth is that we think of our soldiers only when there is war. The fear of losing own life or that of a loved one is so prominent that we start thanking our soldiers. But, who will think of a soldier's life? Apparently, no one.

When a soldier is martyred, a family dies. There is no monetary benefit that can glue that family together. When a soldier becomes disabled, a family dies every day. Each day, someone will scratch upon the wound of disability and kill the hopes of the family.

A martyr makes the ultimate sacrifice and gets instant recognition, but a disabled soldier lives a life of anonymity. He becomes a face of the real effect of the war and a face of how society treats its soldiers. Does a life of anonymity means that he was any less heroic on the battlefield? Should he bear the brunt of every soldier's decision to serve his motherland?

For many years I saw my father ignoring the silent stares and soft comments on his disability. He had no physical disability, but more than the war, the society has scarred him.

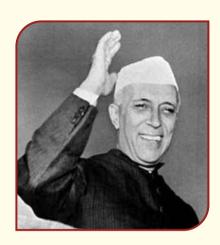
Life for a disabled soldier in our orthodox society is tough. The societal stigma paves way for immense emotional and psychological frustration. Unfortunately, there is no act or procedure in the Army which provides counseling to disabled soldiers before and after they are discharged from the services.

Our nation lacks solidarity and passion. We are happy to celebrate when India wins against Pakistan in a cricket match and shower the cricketers with cars and truck loads of money, but when a soldier demands his rights, we make them remember that they eat free ration. If free ration is such a lucrative incentive, then why don't the ministers and their children join the forces?

Why don't we see any of these actors visiting Siachen and staying there for a week? Why don't we see them crawling in the dense jungles to counter the insurgency? The answer is that they are not mentally fit to do that. Military training provides physical fitness, but mental fitness is what you are born with.

So next time when you see a soldier, please walk upto him/her and thank them for their contribution. They need our blessings, more than anyone else.

Pandit Jawaharlal Nehru said:



A scout from other country while meeting the then
Prime Minister Pt. Jawaharlal Nehru asked:
What will happen of India after your death?
Nehruji smilingly replied: Good is ruling Better & Best
still to come. This is a chain.

