

No.B/32225/AG/PS-2(a)/2849/D(AG)

Government of India

Ministry of Defence

New Delhi, 10th Aug 2001

To,

The Chief of the Army Staff

Subject : **RULES REGARDING SUBSTANTIVE PROMOTION FOR
SPECIAL LIST OF OFFICERS**

Sir,

1. I am directed to refer to this Ministry's letter No. 14(1)/98/D(AG) dated 14 Jan 2000 and to convey the sanction of the President to the following rules governing substantive promotion for Special List officers holding Permanent Commission in supersession of this Ministry's letter No. A/49453/AG/PS-2 (c)14 (5)/84/D(AG) dated 14 Jan 1985 :-

Substantive Promotion - Substantive Promotion will be by time scale as follows provided the officer is considered fit in all respects.

(a) **To Captain.** After completion of 5 years reckonable service.

(b) **To Major.** After completion of 12 years reckonable service. Officers with dates of commission between 31 Jul 1984 to 13 Jan 2000 will be permitted to pass Promotion Examination Part D within thirteen years of reckonable service. Seniority in service of such officers will be protected till

they complete thirteen years of reckonable commissioned service or the date of actual passing the examination whichever is earlier.

(c) **To Lt Col(TS).**

(i) Substantive promotion to the rank of Lieutenant Colonel of officers, not promoted by selection against the authorized establishment of Lieutenant Colonels, may be made, subject to their being considered fit in all respects, by time scale, on completion of 20 years reckonable service but not more than 25 years reckonable service provided they have not become due for retirement on the basis of the age of superannuation prescribed for the rank of time scale Lieutenant Colonel. Officers so promoted will not be reckoned against the authorized establishment of Lieutenant Colonels, but will be held in a separate 'non-selection' list. The number of officers held on the 'non-selection' list will count against the authorized establishment of officers in the rank of Major.

(ii) Officers who are granted the rank of Lt Col(TS) but have not been finally superseded for promotion to the acting rank of Lt col by selection, will continue to remain eligible for promotion to the rank of acting Lt Col by selection even after the grant of substantive rank of Lt Col(TS).

(iii) Majors granted the rank of Lt Col(TS) after completion of 20 years reckonable commissioned service, on final supersession for promotion to the acting rank of Lt Col by selection will continue to be governed by the terms and conditions as applicable to Lt Col(TS) held against the authorization of Majors.

(iv) Officers in the rank of Lt Col(TS) on promotion to the acting rank of Lt Col by selection will be governed by terms and conditions as applicable to Lt Cols(SL) by selection. Such officers will hold substantive rank of Lt Col(TS) against the authorization of Lt Col (SL). Their inter-se-seniority in the rank of Lt Col(TS) held against the authorization of Lt Col(SL) will be determined in accordance with the sequence of selection in which they had been approved to the rank of acting Lt Col.

(v) An officer already holding the appointment of a Lieutenant Colonel by virtue of having been selected for and granted that rank in an acting capacity before completion of 20 years reckonable service, may also be made substantive Lt Col(Time Scale) under the rules on completion of 20 years reckonable commissioned service, till he is granted the substantive rank of Lt Col(SL) by selection. Such an officer will continue to be held against the authorized appointments of Lt Col. However, if such an officer is not granted the substantive rank of Lt Col by selection subsequently, his inter-se-seniority in the rank of Lt Col will be determined in accordance with the sequence of selection in which he had been selected to the rank of acting Lt Col.

2. Defence Service Regulations, Regulation for the Army Vol I Revised Edition 1987 will be amended accordingly in due course.

3. The above will take effect from 14 Jan 2000.

4. This issues in consultation with Ministry of defence(Finance) vide their UO No. 608/AG/PA dated 15 Jun 2001.

Sd/- x x x x x x

x x x x

(Jose

Thomas)

Under Secretary to the Govt

of India

Copy to :-

The controller General of Defence Accounts, the Director of Audit, Defences Services, the Controller of Defence Accounts(Officers), Pune, the Controller of Defence Accounts (Pensions), Allahabad, the Senior Deputy Director of Audit Defence Services, Pune and the Deputy Director of Audit Defence Services, Allahabad.

The Adjutant General

The Deputy Chief of the Army

Staff

The Military Secretary, Army HQ

The Deputy Financial Adviser(AG)

To copies each to :-

D(MS & Med), D(GS-II), D(GS-III), D(Works-II), D(N-II), D(Air-III),
D(Pensions/Services), D(Pay/Services), D(IS), Pen C and D(QS).

Copy signed in ink to be sent to :-

The Controller of Defence Accounts(Officers), Pune

The Controller of defence Accounts (Pensions), Allahabad.

No.F.14(3)/98/D(AG),

Bharat Sarkar/Government of India,

Raksha Mantralaya/Ministry of Defence,

NEW DELHI-110011.

3rd September, 1998

To

The Chief of the Army Staff.

New Delhi.

Sub :- **Ages of retirement of Army Officers except AMC,ADC,RVC,MNS and Army Officers permanently seconded to Research and Development and Quality Assurance Organisations.** _

Sir,

I am directed to refer to paragraph 6 of Ministry of Personnel, Public Grievance & Pension (Department of Personnel and Training) O.M. No. 25012/2/97-Estt.(A) dated 13-5-1998 and this Ministry's letter No 14(3)/98/D(AG) dated 30-5-98 and to convey the sanction of the President to increase the existing retirement ages of all Army officers by two years except Chief of the Army Staff in respect of whom separate orders have been issued and AMC, ADC, RVC, MNS and Army Officers permanently seconded to Research and Development and Quality Assurance Organisations holding permanent Commissions in the respective substantive ranks. In partial modification of the undermentioned letters/AIs, the new ages of retirement will be as indicated in succeeding paragraphs:-

- (a) Letter No. A/49453/AG/PS-2(a)/2083-S/D(AG) dated 15-12-76.
- (b) Letter No. A/49453/AG/PS-2(a)/6091/D(AG) dated 14-12-82.
- (c) Letter No. A/49453/AG/PS-2(a)/383-S/D(AG) dated 9-5-85.
- (d) Letter No. A/049453/AG/PS-2(a)/Minor Corps-S/D(AG) dated 26-7-85.
- (e) Letter No. A/49453/PC(SL)/AG/PS-2(a)/6998/D(AG) dated 4-10-85.
- (f) AI 32 of 89 as amended regarding Regimental Commissioned Officers.
- (g) Letter No. 14(4)/91/D(AG) dated 14-9-92.
- (h) Letter No. 14(l)/94/D(AG) dated 18-12-95.
- (J) AI 5 of 97 regarding Special Commissioned officers

New Ages of Retirement

2. The following shall be the revised ages of retirement :-

(a) Armoured Corps, Artillery, AD Artillery, Infantry, Engineers, Signals, Army Service Corps, Army Ordnance Corps, Electrical and Mechanical Engineers, Pioneer Corps and Intelligence Corps

(i)	Up to and including the rank of Major	52/54* years
(ii)	Lt Colonel (Time Scale)	53/54 * years
(iii)	Lt Colonel (Selection)	54/57 @ years
(iv)	Colonel	54 years
(v)	Brigadier	56 years
(vi)	Major General	58 years
(vii)	Lt General	60 years

* For officers of ASC(including FIO), AOC, EME, Pioneer and Int corps.

@ For officers of FIO.

(b) Judge Advocate General's Department, Army Education Corps, Military Farms, Special List Officers(Quartermaster, Technical, Record Officers) and Army Physical Training Corps (Master-at-Arms)

years.	(i)	Up to and including the rank of Colonel	- 57
years.	(ii)	Brigadier	- 58
	(iii)	Major General	- 59 years.
years.	(iv)	Lt General	- 60

(c) Regimental Commissioned Officers

On attaining 52 years of age or on completion of 12 years service as RCO, whichever is earlier.

(d) Special Commissioned Officer

Up to and including the rank of Colonel
years

- 57

3. The ages of retirement of officers of the Intelligence Corps, Judge Advocate General's Branch, Army Education Corps and Military Farms who had opted for old terms under paragraph 4 of Government of India letter No. A/09453/AG/PS-2(a)/Minor Corps- S/D(AG), dated 26th July 1985 also stand increased by two years from the existing ages of retirements as per their earlier option.

4. Except as otherwise provided specially, every officer shall retire from service on the afternoon of the last day of the month in which he attains the age of retirement. However, officers whose date of birth is the first of a month shall retire from service on the afternoon of the last day of preceding month on attaining the age of retirement.

5. These orders will come into force from 30th May 1998, the date of issue of Government letter referred to at paragraph 1 above. Army Rule 16 A and other administrative instructions will be revised in due course. These orders are not applicable to the officers who are on extension beyond the existing prescribed maximum compulsory age of retirement. These orders are also not applicable for those who have already retired according to rules and also for re-employed officers.

6. This letter issues with the concurrence of the Ministry of Defence (Finance) vide their U.O. No. 924/Dir(Fin/AG), dated 2-9-1998.

faithfully,

Yours

Sd/- x x x

(B. BRAHMA)

Director (AG)

Copy to :-

- (1) The Controller General of Defence Accounts, New Delhi.
- (2) The Director of Audit, Defence Services, New Delhi.
- (3) The Controller of Defence Accounts (Officers), Pune.
- (4) The Chief Controller of Defence Accounts(Pensions), Allahabad.
- (5) The Senior Deputy Director of Audit, Defence Service, Pune.
- (6) The Deputy Director of Audit, Defence Service, Allahabad.
- (7) The Adjutant General's Branch/PS-2(A) - 200 copies.
- (8) The Deputy Chief of Army Staff, New Delhi - 5 copies.
- (9) The Military Secretary, Army HQrs, New Delhi -20 copies.
- (10) The Director (Finance/AG) - 4 copies)

Two copies to :-

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Copy signed in ink to :-

The Controller of Defence Accounts (Officers), Pune.

The Controller of Defence Accounts (Pensions), Allahabad.

Copy also to :-

PS to RM

SO to Defence Secretary

PPS to Secretary (DP&S)

PS to Secretary, DR&D

PS to Addl. Secy. (D)

PS to Addl. Secy, (N)

PPS to Addl. Secy. (DP&S)

No.F.14(3)/98/D(AG),

Bharat Sarkar/Government of India,

Raksha Mantralaya/Ministry of Defence,

NEW DELHI-110011.

3rd September, 1998.

To

The Chief of the Army Staff,

New Delhi.

Sub :- **RETIREMENT - JCOs/NCOs**

Sir,

I am directed to refer to paragraph 6 of Ministry of Personnel, Public Grievances and Pension (Department of Personnel & Training) O.M, No.25012/2/97/-Estt.(A) dated 13-5-1998 and this Ministry's letter No.14(3)/98/D (AG) dated 30th May 1998 and to convey the sanction of the President to the laying down of the following revised terms of service/tenure and age limits for retirement in their respect with effect from 30th May 1998 in partial modification of the existing rules as contained in paragraph 163 of the Regulations for the Army (1987)) as amended, and Government of India, Ministry of Defence letter No.A/16099/Policy/AG/PS-2(c)/2085/S/D(AG) dated 16th December, 1976, governing terms of service/tenure limits for retirement of JCOs and NCOs :-

	Rank	Service/age/tenure limits for retirement
(a)	Naik	On completion of 22 years service with colours extendable by 2 years by screening or 49 years of age, whichever is earlier.
(b)	Dafadar/ Havildar	On completion of 24 years of service with colours extendable by 2 years by screening or 49 years of age, whichever is earlier.
(c)	Naib Risaldar/ Naib Subedar	26 years of pensionable service extendable by 2 years by screening or 52 years of age, whichever is earlier.
(d)	Risaldar/	28 years of pensionable service extendable by 2 years by screening or 52 years of age, whichever is earlier.

- (e) Subedar
Risaldar Major/ 32 years of pensionable service extendable by 2
Subedar Major age, whichever is earlier.

Note 1 :- The retention of NCOs beyond their contractual period of engagement as per the Enrolment Form will be regulated under the provisions of paragraphs 144 to 146 of the Regulations of the Army (1987). Reserve liability will be regulated under the provisions of AI/2/S/76 keeping in view the extended age of retirement.

Note 2 :- (i) Reserve liability for NCOs will be 51 years of age or 2 years after retirement, whichever is earlier.

(ii) Reserve liability for JCOs will be 54 years of age or 5 years after retirement, whichever is earlier.

Note 3 :- All JCOs who are holding Honorary Commission will continue holding the Honorary rank till the age/service of retirement and they will not be eligible for further promotion.

2. As the service limit for retirement of Dafadar/Havildar has now been increased to 26 years, the age and service limits laid down for promotion to JCOs rank in paragraph 149(a) of the Regulations for the Army 1987) are consequently raised to 42 years and 24 years respectively to enable them to be eligible for promotion to JCO rank during the revised service limit.

3. (a) All JCOs and NCOs shall be screened 3 years in advance of the date of superannuation by a Screening Board to be held at Unit/Regiment/Corps basis as applicable, to assess their suitability for retention. Such JCOs/NCOs who are not found suitable for retention as a result of screening, shall be retired as per rules.

(b) The initial screening by the Screening Board will be completed latest by 31 Mar 1999 in respect of all such cases as would become due for retirement within the screening period.

4. These orders will come into effect from 30th May 1998. These orders are not applicable to PBOR who are on extension beyond the existing prescribed maximum compulsory age of retirement.

5. Except otherwise provided specifically, every JCO/NCO shall retire from service on the afternoon of the last day of the month in which he attains the age/service of retirement. However, JCOs/NCOs whose date of birth is the first of a month, shall retire from service on the afternoon of the last day of the preceding month on attaining the age/service of retirement.

6. Necessary administrative instructions will be issued by COAS.

7. This issue with the concurrence of the Ministry of Defence(Finance) vide their U.O No. 924/Dir(Fin/AG)/98, dated 2-9-1998.

faithfully,

Yours

Sd/- x x x

(B. BRAHMA)

Director (AG)

Copy to :-

- (1) The Controller General of Defence Accounts, New Delhi.
- (2) The Director of Audit, Defence Services, New Delhi.
- (3) The Controller of Defence Accounts (NC), Jammu.

- (4) The Controller of Defence Accounts (WC), Chandigarh.
- (5) The Controller of Defence Accounts (Army), Meerut.
- (6) The Controller of Defence Accounts (CC), Lucknow.
- (7) The Controller of Defence Accounts (Jabalpur), Jabalpur.
- (8) The Controller of Defence Accounts (Patna), Patna.
- (9) The Controller of Defence Accounts (Guwahati), Guwahati.
- (10) The Controller of Defence Accounts (Secunderabad), Secunderabad.
- (11) The Chief Controller of Defence Accounts (Chennai), Chennai.
- (12) The Controller of Defence Accounts (SC), Pune.
- (13) The Chief Controller of Defence Accounts (South), Chennai.
- (14) The Chief Controller of Defence Accounts (Pensions), Allahabad.
- (15) The Senior Deputy Director of Audit, Defence Services, Pune.
- (16) The Deputy Director of Audit, Defence Service, Allahabad.

- (17) AG/Org 2(MP)(C) -10 copies.
- (18) AG/PS-2(C)) -100 copies.
- (19) AG/PS-4 -10 copies
- (20) The Director(Finance/AG)
- (21) DFA(Pensions)

Copy signed in ink to :-

CDA(NC), Jammu.

CDA(WC), Chandigarh.

CDA(Army), Meerut

CDA(CC), Lucknow

CDA(Jabalpur), Jabalpur.

CDA (Patna), Patna.

CDA(Guwahati), Guwahati.

CDA(Secunderabad), Secunderabad.

CDA(Chennai), Chennai.

CDA(SC), Pune.

CCDA(South), Chennai.

CCDA(Pensions), Allahabad.

Copy also to :

PS to RM

SO to Defence Secretary

PPS to Secretary(DP&S)

PS to Secretary, DR&D

PS to Addl. Secy. (D)

PS to Addl. Secy. (N)

PPS to Addl. Secy. (DP&S)

PS to FA(DS)

DPR, Ministry of Defence

No.F.14(3)/98/D(AG),

Bharat Sarkar/Government of India,
Raksha Mantralaya/Ministry of Defence,
NEW DELHI-110011.

3rd September, 1998.

To

The Chief of the Army Staff,
New Delhi.

Sub :- **Duration of engagement of Personnel Enrolled under the Army Act.**

Sir,

I am directed to refer to paragraph 6 of Ministry of Personnel, Public Grievances & Pension (Department of Personnel and Training) O.M. No.25012/2/97-Estt.(A) dated 13-5-1998 and this Ministry's letter No.14(3)/98/D (AG) dated 30-5-98 and letter No.89188/XII/Org 2(MP)(C)/5274/D(AG) dated 30th August 1979 and to convey the sanction of the President to the following modification to the terms of engagement with effect from 30th may 1998 :-

(a) All personnel having terms of engagement of 17 years service with colours and two years in reserve or till the attainment of 40 years of age, whichever is earlier, is modified as under :-

17 years of service with colours extendable by 2 years by screening and two years in reserve or till attainment of 42 years of age, whichever is earlier.

(b) All personnel having terms of engagement of 20 years service with colours and three years in reserve or till the attainment of 46 years of age, whichever is earlier, is modified as under :-

20 years of service with colours extendable by 2 years by screening and three years in reserve or till attainment of 48 years of age, whichever is earlier.

2. (a) All personnel shall be screened three years in advance of the date of superannuation by the Screening Board to be held at Unit/Regiment/Corps basis as applicable to assess their Board to be held at Unit/Regiment/Corps basis as applicable to assess their suitability for retention. Such personnel who are not found suitable for retention as a result of screening shall be retired as per rules.

(b) The initial screening by the Screening Board will be completed latest by 31st March 1999 in respect of all such cases as would become due for retirement within the screening period.

3. Necessary administrative instructions will be issued by COAS.

4. This issues with the concurrence of the Ministry of Defence (Finance) vide their U.O. No.924/Dir(Fin/AG)/98 dated 2-9-1998.

Yours faithfully,

Sd/- xxx

(B. BRAHMA)

Director (AG)

Copy to :-

- (1) The Controller General of Defence Accounts, New Delhi.
- (2) The Director of Audit, Defence Services, New Delhi.
- (3) The Controller of Defence Accounts (NC), Jammu.

- (4) The Controller of Defence Accounts (WC), Chandigarh.
- (5) The Controller of Defence Accounts (Army), Meerut.
- (6) The Controller of Defence Accounts (CC), Lucknow.
- (7) The Controller of Defence Accounts (Jabalpur), Jabalpur.
- (8) The Controller of Defence Accounts (Patna), Patna.
- (9) The Controller of Defence Accounts (Guwahati), Guwahati.
- (10) The Controller of Defence Accounts (Secunderabad), Secunderabad.
- (11) The Chief Controller of Defence Accounts (Chennai), Chennai.
- (12) The Controller of Defence Accounts (SC), Pune.
- (13) The Chief Controller of Defence Accounts (South), Chennai.
- (14) The Chief Controller of Defence Accounts (Pensions), Allahabad.
- (15) The Senior Deputy Director of Audit, Defence Service, Pune.
- (16) The Deputy Director of Audit, Defence Service, Allahabad.
- (17) AG/Org 2(MP)(C) -10 copies.
- (18) AG/PS-2(C) -100 copies.
- (19) AG/PS-4 -10 copies
- (20) The Director(Finance/AG)
- (21) DFA(Pensions)

Copy signed in ink to :-

CDA(NC), Jammu.

CDA(WC), Chandigarh.

CDA(Army), Meerut

CDA(CC), Lucknow

CDA (Jabalpur), Jabalpur.

CDA (Patna), Patna.

CDA (Guwahati), Guwahati.

CDA (Secunderabad), Secunderabad.

CDA (Chennai), Chennai.

CDA(SC), Pune.

CCDA(South), Chennai.

CCDA(Pensions), Allahabad.

Copy also to :

PS to RM

SO to Defence Secretary

PPS to Secretary(DP&S)

PS to Secretary, DR&D

PS to Addl. Secy. (D)

PS to Addl. Secy. (N)

PPS to Addl. Secy. (DP&S)

PS to FA(DS)

DPR, Ministry of Defence

No.3(4)/98/DO(P)/D(N-II)

Government of India

Ministry of Defence

New Delhi – 110 011, the 17th March 1999

To

The Chief of the Naval Staff (with 15 spare copies).

Subject :- **Compulsory retirement ages in respect of permanent commissioned officers and SD List Officers of the Navy**

Sir,

I am directed to refer to paragraph 6 of Ministry of Personnel, Public Grievances & Pension (Dept of Personnel & Training) OM NO.25012/2/97-Estt.(A) dated 13th May 1998 and this Ministry's letter No.14(3)/98-D(AG) dated 30th May 1998 and to convey the sanction of the President to increase the existing retirement ages of all Permanent Commissioned and Special Duties (SD) List officers as per the details given in Appendix-A to this letter.

2. Except as otherwise provided specifically, an officer retiring on superannuation shall now retire from service on the afternoon of the last day of the month in which he/ she attains the age of superannuation. However, in case of officers whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of superannuation.

3. These orders will come into force with effect from 30th May 1998 and supersede all earlier orders on the subject.

4. Regulations from the Navy, Part III(Statutory) will be amended in due course.

5. This issues with the concurrence of the Ministry of Defence (Finance/Navy) vide their UO No. 261 NA dated 17th March, 1999.

Sd/x x x x x x

(S.L. Bunker)

Director to the Government of India

Copy to:-

The CGDA, RK Puram, New Delhi – 02 copies

The DGADS, New Delhi

The CDA (Navy), Mumbai – 02 copies (01 copy signed in ink)

The CDA (Pensions), Allahabad

The Supply Officer-in-Charge, Naval Pay Office, Mumbai – 02 copies

DFA (Navy)–02 copies; DFA(AG)/DFA(Air)/DFA(Pension), D(MS), D(AG), D(Air-II), D(Coord).

**Appendix 'A' to Government of India, Ministry
of Defence letter No. 3(4)/98/DO(P)/D(N-II) dated
17th March, 1999**

**Compulsory retirement ages in respect of permanent commissioned officers
and Special Duties List Officers of the Navy**

1. Ages of retirement of Naval officers (including SD List) will be as under :-

<u>Rank</u>	<u>All Naval officers including SD List Officers</u>
Vice Admiral	60 years
Rear Admiral	58 years
Capt/Cmde (Education)	57 years
Capt/Cmde	56 years (57 years in the case of officers placed in the select list for promotion to the rank of Rear Admiral).
Commander	54 years
Lt Cdr & below	52 years

No.14(3)/98/D(AG)

Government of India

Ministry of Defence

New Delhi, 02 September, 1998

To,

The Chief of the Naval Staff (45 copies)

Subject : **AGES OF SUPERANNUATION IN RESPECT OF
SAILORS OF THE NAVY**

Sir,

I am directed to refer to paragraph 6 of Ministry of Personnel, Public Grievances & Pension(Dept of Personnel & Training) OM NO.25012/2/97-Estt.(A) dated 13th May 1998 and this Ministry's letter No.14(3)/98-D(AG) dated 30th May 1998 and to convey the sanction of the President to enhance the ages of Superannuation in respect of Sailors of Indian Navy by two years. The revised ages of superannuation of Sailors at different ranks will be as under:

<u>Rank</u>	<u>Naval Sailors</u>
CPO & Below	52 years of age
MCPOs	57 years of age

Accordingly, necessary amendment to MOD, letter No.AF/5774/ 2/76/2214/ S/D(NII) dated 3.7.76 and No.STR 17/94 will be initiated by Naval HQrs immediately after issue of these orders.

2. Except as otherwise provided specifically, a Sailor retiring on superannuation shall now retire from service in the afternoon of the last day of the month in which he attains the age superannuation. However, in case of a Sailor whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of superannuation.

3. These orders will come into force with effect from 30.5.1998. These orders are not applicable to Sailors who are on extension beyond the existing prescribed maximum age of retirement and also to re-employed Sailors.

4. This issues with the concurrence of Ministry of Defence (Finance) vide their U.O No. 924/Dir(Fin/AG) dated 02 .09.1998.

Yours faithfully,

(Sd/xxxxx)

Director (CG)

Copy To:-

The Controller General of Defence Accounts – 02 copies

The DGADS, New Delhi, The DDADS, Bombay

The CDA(Navy) – 02 copies (01 copy signed in ink), CCDA(Pensions), Allahabad

The Supply Officer-in-Charge, Naval Pay Office , Mumbai

D(Air –III), D(MS), D(Coord), DFA(AG), DFA(N) – 02 copies

Copy also forwarded to :-

PS to RM

SO to Defence Secretary

PS to FA(DS)

PS to Secretary (DP)
(Defence)

PS to Addl Secy

PS to Secretary D(R&D)
Supplies)

PS to Addl Secy (Defence

MOD No.2027/Dir(A-1)/1/98 and 14
(3)/98/D(AG)

GOVERNMENT OF INDIA

MINISTRY OF DEFENCE

New Delhi, the 4th Sep 98

To,

The Chief of the Air Staff (with 45 spare copies)

**Sub : TERMS OF ENTRY AND CONDITIONS OF SERVICE OF NON
COMBATANTS (ENROLLED) IN THE IAF**

-

Sir,

I am directed to refer to paragraph 6 of Min of Personnel, Public Grievances & Pensions (Dept of Personnel and Training) O.M No. 25012/2/97 – Estt (A) dated 13 the May 1998 and this Ministry's letter No. 14(3)/98-D(AG) dt.30th May, 98 and to convey the sanction of the President to enhance the retirement age of Non-combatants (Enrolled) in the IAF upto 57 years of age from 55 years of age. Accordingly, necessary action for amendment to the AFI 14/80, as amended from time to time, regarding the period of engagement of Non-combatants(Enrolled) will be initiated by Air HQrs. immediately after issue of these orders.

2. Except as otherwise provided specifically every Non-combatant (Enrolled) shall retire from service in the afternoon of the last day of the month in which he attains the age of retirement. However, Non-combatants(Enrolled) whose date of birth is first of a month shall retire from service on the last date of the preceding

month on attaining the age of retirement.

3. These orders will come into force w.e.f. 30th May 1998. These orders are not applicable to Non-Combatants (Enrolled) who are on extension beyond the existing prescribed maximum compulsory age of retirement.

4. This issues with the concurrence of Ministry of Defence (Finance) vide their U.O No.924/Dir(Fin/AG) dt.02/9/98.

Yours faithfully,

Sd/xxxxxx

(Shyam Kapoor)

Under Secretary to the Govt
of India

Copy to:-

The Controller General of Defence Accounts., The Director of Audit,
Defence Service, The Dy. Director of Audit, Defence Service, Dehradun

The CDA(AF) Dehradun (3 copies/1 signed in ink), CDA(AF) Delhi (3 copies /1
signed in ink), DCDA (AF), New Delhi (1 copy signed in ink)

CDA (Pension), Alahabad, AFCAO, New Delhi., Air
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PS to Secretary (DP), PS to Secretary

PS to Addl. Secretary (Defence)
Supplies.

PS to Addl. Secretary (Defence

No.2027/Dir(A-I)/1/98 & No. 14(3)/98-D
(AG)

Government of India

Ministry of Defence.

New Delhi, the 4th September, 1998

To,

The Chief of the Air Staff (with 45 spare copies)

Subject : **Terms and Conditions of Service of Airmen of the IAF**

Sir,

I am directed to refer to paragraph 6 of Min of Personnel. Public Grievances & Pensions (Dept of Personnel and Training) O.M No. 25012/2/97 – Estt (A) dated 13 the May 1998 and this Ministry's letter No. 14(3)/98-D(AG) dt.30th May ,98 and to convey the sanction of the President to enhance the retirement age of Airman of the IAF upto 57 years of age from 55 years of age. Accordingly, necessary action for amendment to the AFI 12/S/48, as amended from time to time, will be initiated by Air HQrs immediately after issue of these orders.

2. Except as otherwise provided specifically, every Airmen shall retire from service on the afternoon of the last day of the month in which he attains the age of retirement. However, Airmen, whose date of birth is first of a month shall retire

from service on the afternoon of the last date of the preceding month on attaining the age of retirement.

3. These orders will come into force w.e.f. 30th May 1998. These orders are not applicable to the Airmen who are on extension beyond the existing prescribed maximum compulsory age of retirement and also for re-employed Airmen.

4. This issues with the concurrence of Ministry of Finance (Defence) vide their U.O No.924/Dir(Fin/AG) dt.02/9/98.

faithfully,

Yours

kapoor)

Sd/xxxxx

(Shyam

the GOI

Under Secretary to

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No.2027/Dir(I)/1/98 & No.14(3)/98/D(AG)

Government of India

Ministry of Defence

New Delhi, the 4th September

1998

To

The Chief of Air Staff (with 45 spare copies)

Subject: COMPULSORY RETIREMENT AGES IN RESPECT OF PERMANENT COMMISSIONED AND BRANCH COMMISSIONED OFFICERS OF THE IAF EXCEPT AMC, ADC, AND OTHER AIR FORCE OFFICERS PERMANENTLY SECONDED TO RESEARCH & DEVELOPMENT AND QUALITY ASSURANCE ORGANISATIONS

Sir,

I am directed to refer to paragraph 6 of Ministry of Personnel, Public Grievances & Pension (Dept of Personnel & Training) O.M No. 25012/2/97 – Estt. (A) dated 13th May, 1998 and this Ministry's letter No. 14(3)/98-D(AG) dated 30th May, 1998 and to convey the sanction of the President to increase the existing retirement ages of all permanent Commissioned and Branch Commissioned officers of the IAF by two years except Chief of Air Staff in respect of whom separate orders have been issued and AMC, ADC and other Air Force Officers permanently seconded to Research and Development & Quality Assurance Organisations holding permanent Commissions in respective substantive ranks. In partial modification of the undermentioned letters/AFI the new ages of retirement will be as per the details given in the Appendix.

(a) Air HQ/23967/133/PP & R-1/1751/IA/D(Air-II) dated 15th September, 1981.

(b) AFI No. 30 dated 14 September 1974.

2. Except as otherwise provided specifically, every officer shall retire from service

on the afternoon of the last day of the month in which he attains the age of retirement. However, officers, whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of retirement.

3. These orders will come into force w.e.f 30 May, 1998. These orders are not applicable to the officers who are on extension beyond the existing prescribed maximum compulsory age of retirement. These orders are also not applicable to those who have already retired according to rules and also to re-employed Officers. Necessary Air Force regulations will be amended accordingly.

4. This issues with the concurrence of Ministry of Defence (Finance) vide their U.O No. 924/Dir (Fin/AG) dated 02 .9.98.

Yours faithfully,

Sd/xxxxx

(Shyam

Kapoor)

Under Secretary to

the GOI

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PS to Addl. Secretary (Defence Supplies).

**Appendix to the Govt. letter No.
2027 /Dir(I)/1/98 & 14(3)/98-D(AG)
dated 04 Sep 98**

**COMPULSORY RETIREMENT AGES IN RESPECT OF PERMANENT COMMISSIONED AND
BRANCH COMMISSIONED OFFICERS OF THE IAF**

The following shall be the revised ages of retirement in respect of Permanent/Branch commissioned officers:

A. Permanent Commissioned Officers

Substantive Meteorological	Flying Branch	Ground Duty Branches Other than Education & Meteorological	Education Branch
Rank	Branch	Branches	Branch
(Years)	(years)	(Years)	(Years)
(1)	(2)	(3)	(4) (5)

Air Marshal	60	60	--	--
Air Vice (Extendable)	57(Exten-	57(Extendable	57(Extenda	57
Marshal	dable to 58)	to 58)	ble to 58)	to 58)
-				
Air Commodore 57	54(Exten-	57	57 dable to 56)	
Group Captain 57	52(Exten-	57	57	
	dable to 54)			
Wing Commander (Selective)	52	54	54	57 (See note - 1)
Wing Commander (Time Scale)	52	54	54	57 (See note - 1)
Sqn Ldr & Below	50	54	54	57 (See Note - 1)

B. Branch Commissioned Officers – 57 years

Note : 1 In the case of Education officers the retirement age of Wg Cdr and

below can be raised to 57 years if they are fully qualified for the Branch and possess the following qualifications or higher qualifications:

- (a) An honours degree of a recognised Indian or Foreign University and –

(i) a degree or diploma in teaching from a recognised university,
OR

(ii) at least two years teaching experience in a recognised educational institution.

OR

- (b) An Engineering degree of a recognised Indian or Foreign University or equivalent qualification recognised by the Government and –

(i) Specialised training in Aeronautical wireless or Mechanical Engineering,

Or

(ii) Drawing office/or Workshop experience

OR

- (c) M.A, MSc., or M.Ed.

This enhancement will also apply to Education Officers who were recruited during the last war under AFI 123/43 and possess the following qualifications;

(i) M.A/M.Sc.

(ii) B.A/B.Sc., with a degree in teaching and to those education officers who were commissioned from ranks.

Note – 2 - Medical and Dental officers will be governed by the rules applicable to AMC and ADC respectively in the Army.

Note – 3 - In the above table, wherever the age of compulsory retirement is extendable, such extension will not be granted automatically but will be subject to the fulfilling of requisite conditions to be determined by Ministry of Defence in consultation with Ministry of Defence (Finance) and Air HQrs.

No.20(1)/98/D(Pay/Services)

Bharat Sarkar/Government of India,
Raksha Mantralaya/Ministry of Defence,

New Delhi –

110 011

22nd

September 1998

To

The Chief of the Army Staff, New Delhi

The Chief of the Naval Staff, New Delhi

The Chief of the Air Staff, New Delhi

Sub : **Special Benefits in cases of Death and Disability in Service Payment of Ex Gratia lump sum compensation to families of the Defence Service Personnel who die in harness – Recommendations of the Fifth Central Pa Commission**

Sir,

I am directed to refer to Government of India Ministry of Personnel, Public Grievances & Pension. Department of Pension & Pensioners Welfare O.M NO. 45/55/97-P&PW(c) dated 11.9.98 and state that the President is pleased to decide that the families of Defence Service Personnel who die in harness in the performance of their bona fide official duties shall be paid the following ex gratia lump sum compensation:-

- (a) Death occurring due to accidents in the course of Rs.5.00 lakhs

- performance of duties
- (b) Death occurring in the course of performance of duties attributable to acts of violence by terrorists, anti-social elements, etc. Rs. 5.00 lakhs
 - (c) Death occurring during (i) enemy action in international war or border skirmishes; and (ii) action against militants, terrorists, extremists, etc. Rs. 7.50 lakhs

2. The graded structure of ex gratia lump sum compensation takes into account the hardships and risks involved in certain assignments, the intensity and magnitude of the tragedy and deprivation that families of government servants experience on the demise of the breadwinner in different circumstances, the expectations of the employer from the employees to function in extreme circumstances etc. The compensation is intended to provide an additional insurance and security to employees who are required to function under trying circumstances and are exposed to different kinds of risks in the performance of their duties.

3. Powers were delegated in the Ministry of Finance O.M No.19(18)EV(A)/66 dated Feb 26, 1966 to the appointing authorities to sanction awards under the relevant Extraordinary Pension Rules in those cases in which the proposed pension or gratuity is held to be clearly admissible under the rules. However, any awards proposed to be granted on ex gratia basis were to continue to be referred to the Ministry of Finance as usual. In partial modification of these orders, in so far as they relate to ex gratia awards, the admissibility of and entitlement to the ex gratia lump sum compensation in the circumstances specified in these orders may be decided in each individual case by the Ministry of Defence in consultation with Financial Adviser(Defence Services).

4. The conditions and guidelines to be observed governing the payment of ex-gratia lump sum compensation in terms of these orders are indicated in the Annexure.

5. The orders shall apply to all cases of death in harness occurring on or after August 1, 1997. In so far as cases of death, which occurred prior to August 1, 1997 are concerned, these shall be regulated and finalised in terms of the orders and instructions in force prior to the issue of these orders.

6. The orders supersede earlier orders issued on the subject vide Ministry of Defence letter No.B.39902/XXII/AG/PS-4(d)/2069/D(Pay/Services) dated Oct 8,

1996 and amendment issued vide letter of even number dated June 4, 1997.

7. These orders are issued with the concurrence of Defence(Finance) vide their U.O No.1869/Addl.F.A(D)/98 dated 11.9.1998.

Yours faithfully,

SD/xxxxxxx

(B BRAHMA)

Director(AG)

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Copy also to:

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**ANNEXE TO LETTER NO.20(1)/98/D(PAY/SERVICES) DATED 22ND
SEPTEMBER, 1998**

* * * * *

Conditions governing the payment of ex-gratia lumpsum
compensation and guidelines to be observed.

1. The main condition to be satisfied for the payment of the ex-gratia lumpsum compensation in the specified circumstances is that the death of the employee concerned should have occurred in the actual performance of bonafide

official duties. In other words, a causal connection should be established between the occurrence of death and government services.

2. Powers, having been delegated to the Administrative Ministries to sanction ex gratia payments under these orders, it shall be their responsibility as well as that of the Financial Advisers to satisfy themselves that the death of the Service Personnel to be compensated by the payment of the lumpsum ex-gratia to the family in fact occurred in the actual performance of bonafide official duties and to establish its casual connection and nexus with government service. This could be done on the basis of medical and other documents relating to the case.

3. Even If a Defence personnel had died in such circumstances that a medical report could not be secured, the nexus and causal connection with government service would need to be adequately established in determining the entitlement to the ex-gratia lumpsum payment. In deciding this issue, all evidence(both direct and circumstantial) shall be taken into account and the benefit of reasonable doubt given to the claimant. The benefit of reasonable doubt will be extended more liberally in field services cases, as provided in the guidelines for conceding attributability of disablement or death to Government service forming part of the Liberalised Pension Award Scheme, Pension Regulations for Defence Services.

4. In cases of accidents to commercial aircraft resulting in the death of passengers, compensation is payable to the next of kin by the National or private airline concerned in terms of international conventions. The exgratia lumpsum compensation in terms of these orders will therefore not be admissible in addition in the event of death due to accidents while travelling on duty by commercial aircraft and shall be restricted only to those cases where death occurs in an accident while travelling on duty by service aircraft and shall be restricted only to those cases where death occurs in an accident while travelling on duty by service aircraft. The payment of exgratia in these cases will be without prejudice to the bond required to be executed by the Service personnel, if any, indemnifying the Government against any claims account of death while travelling by service aircraft.

5. Railways also pay compensation to the next of kin of passengers killed in train accidents therefore, the ex gratia compensation admissible in terms of clause(a) of para 1 of these orders shall be reduced by the compensation, if any received by the next of kin of service personnel killed in train accidents while travelling on duty.

6. Ex-gratia compensation under clause(b) of para 1 will be admissible to Service

personnel killed while employed in aid of the civil administration in quelling agitation's protest demonstrations, riots etc.. regardless of whether such agitation, demonstrations etc.. are resorted to by members of the public, political parties, etc.. or by other public servants, including police personnel. In addition, in the context of a perceptible increase in violence-related incidents over the years, Service personnel on duty could become unwitting victims of bomb blasts in public places or vehicles, indiscriminate shooting incidents in public, etc often resorted to by terrorists, anti-social elements etc.. The compensation under clause(b) will also, therefore be admissible in cases of death in such incidents, provided the Service personnel concerned were actually on duty at the relevant time.

7. Cases of death resulting from acts of violence or assault by terrorists, anti-social elements, etc. against a Service personnel with the intention of deterring or preventing him from performing his duties or because of any act done or attempted to be done by such Service personnel in the lawful discharge of his duties or because of his official position will also be covered under clause(b)

8. Ex gratia compensation under clause (c) of para 1 will generally be restricted only to those cases where the death of the Service Personnel is directly caused by actual field operations. In addition, families of Service personnel killed after being kidnapped by militants, terrorists, extremists, etc because of their official position or with a view to spreading terror will also be entitled to the compensation under this clause.

APPENDIX**ILLUSTRATIVE EXAMPLES OF CASES COVERED UNDER LETTER 209
(I)/98/D(PAY/SERVICES) DATED 22ND SEPTEMBER 1998.**

(Refer Sl.No.9 of Guidelines annexed to this letter)

Clause(a) : Death Attributable to accidents while on duty

1. Death, as a result of an accident while travelling in a public private or official vehicle or otherwise, of a Group 'D' employee , Dispatch Rider, Messenger Postman, Notice Server etc deputed to distributes dak , notices etc .. or of personnel on field duties.
2. Death occurring due to an accident while travelling on bonafide official duties in a service aircraft.
3. Accidents during test flights of aircraft and non schedules flight of chartered aircraft resulting in death of service personnel travelling on duty in public interest in such flight.
4. Death, in train accidents, of personnel undertaking official journeys on duty.
5. Accidents to ships, river steamers, etc resulting in death of Service personnel undertaking journeys on duty by these modes of travel.
6. Death, as a result of accidents, of Service personnel while proceeding on raids against anti-social elements, etc.

7. Death, due to contact with live electric/power lines, of personnel deployed on flood/cyclone relief activities.
8. Death, due to electrocution, of Service personnel engaged in rectification of defects in generation and distribution of electricity.
9. Accidents while engaged in rectification of defects in machinery and equipment.
10. Death due to accidental explosion of boilers, storage tanks of inflammable materials, chemicals etc.
11. Death due to fire accidents while on duty.
12. Death of Fire Fighting Staff engaged in fire-fighting operations.

Clause(b) : Death Attributable to acts of violence by terrorists anti – social elements etc.

1. Death resulting from acts of violence or assault by terrorists, smugglers, Dacoits, anti-social elements etc, against an individual Service personnel.
 - (a) With the intention of deterring or preventing him from performing his duties or
 - (b) Because of any act done or attempted to be done in the lawful discharge of his
duties or

(c) Because of his official position.

2. Service personnel killed in the course of performance of their duties as a result of violence or attack by armed hostile, extremists, terrorists, anti-social elements , etc.
3. Service personnel on duty, killed in incidents of terrorists violence in Jammu & Kashmir, the North Eastern Region, Punjab, etc. other than in actual operations and encounters.
4. Death , due to stone- throwing, use of weapons and other violent acts by demonstrators, anti-social elements. etc. Service personnel while employed in aid of the civil administration in quelling agitations, protest demonstrations, riots, etc.
5. Death of Service Personnel while proceeding on raids against anti-social elements, etc.. attributable to attacks by the parties so raided, including anti – social elements.
6. Death, while on duty, as unwitting victims of bomb blast in public places or vehicles indiscriminate shooting incidents in public etc. often resorted to by terrorists, anti-social elements, etc.

Clause (c) : Death occurring during wars or border skirmishes and action against militants, terrorists and extremists.

The ex-gratia compensation under clause (c) of para 1 will be restricted only to those cases where Service Personnel are killed in actual field operations. A higher rate of compensation has been prescribed in these cases having regard to the magnitude of the hardships and risks involved in field operations, including combing operations against terrorists, militants, etc. This will generally be applicable only to the Service personnel deployed along the borders, Line of Control , etc.. as well as those engaged in combing terrorism. The condition of being actually involved in field operations will, therefore, have to be satisfied

before the higher ex-gratia compensation of Rs. 7.50 lakhs is sanctioned.

As indicated in para 1 of the letter, compensation under this clause will be admissible to families of Service Personnel killed:-

- (i) In action in international wars.
- (ii) while fighting in war like situations or border skirmishers with any country.
- (iii) in action against armed hostile, militants, terrorist and extremists.
- (iv) during laying or clearance of mines, including those laid by enemies, militants, terrorists, etc. as well as in the course of mine-sweeping operations.
- (v) as a results of exploding mines en route to an operational area.
- (vi) during battle inoculation as part of prescribed training exercises involving the use or live ammunition.

In addition, families of service personnel killed after being kidnapped by militants, terrorists, extremists, etc because of their official position or with a view to spreading terror will also be entitled to the compensation under this clause.

* * * * *

No.20(1)/98/D(Pay/Services)

Government of India

Ministry of Defence

New Delhi, the 12th April, 1999

To

The Chief of the Army Staff,

The Chief of the Naval Staff

The Chief of the Air Staff,

CORRIGENDUM

Subject :- Special benefits in cases of death and disability in service - Payment of Ex-gratia lump-sum compensation to families of the Defence Service Personnel who die in harness – Recommendations of the Fifth Central Pay Commission.

Reference this Ministry's letter No.20(1)/98/D(Pay/Services), dated the 22nd September, 1998 on the above subject.

2. The Competent Authority has approved the delegation of powers to CCDA (P), Allahabad to sanction/adjudicate matters relating to the grant of ex-gratia payment to the families of the Defence Service personnel who die in harness. In the last two lines of para 3 of this Ministry's letter referred to above, the words "by the Ministry of Defence in consultation with Financial Adviser(Defence Services)" may be omitted and replaced by "by the CCDA(P), Allahabad".

3. This issues with the concurrence of Ministry of Defence (Finance) vide their U.O No.329/AG/PA/99 dated 01.4.99.

Yours faithfully,

(RK Grover)

Under Secretary to the Government of India.

Tele : 301 2739

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