

Anomalies in pension of majors removed

Those who retired before 2006 to benefit

Vijay Mohan

Tribune News Service

Chandigarh, September 14

Holding that the pension shall not be less than 50 per cent of the minimum pay within the pay-band, the Armed Forces Tribunal (AFT) today allowed a petition filed by majors and equivalents that would now entitle them to enhanced pension.

With the removal of existing anomalies that had resulted in majors, who retired prior to 2006, getting pension lower than even junior commissioned officers, they would now be paid an additional basic pension of about Rs 5,000 per month, besides consequential benefits. The order affects a substantial number of officers of the three services who had retired in the rank of major prior to 2006.

After the implementation of the Sixth Pay Commission (SPC), the pension of majors was fixed at Rs 14,100 per month. This was less than what JCOs, four ranks below their grade, have been getting (Rs 16,145).

The anomaly in pension fixation arose because the minimum of the entire pay-band (PB-3) was taken into account while fixing the pension instead of considering the minimum of the pay-band applicable to majors. PB-3 (Rs 15,600-39,100) includes officers of the ranks of lieutenant to major and equivalents in other services. The minimum scale of major post-SPC is Rs 23,810.

The petitioners had contended that the existing basic pay, inclusive of grade pay and military service pay, worked out to be Rs 36,410, hence their pension at the stipulated 50 per cent of basic worked out to be Rs 18,205 per month, to which they were entitled.

In December, 2004, all majors with 13-year experience and having requisite qualifications were promoted to the rank of lieutenant colonel (time scale) and the policy has continued since then. Following the implementation of the Sixth Pay Commission, all 35 categories of services were merged into four pay bands in which lieutenant colonels were initially placed in pay band-3, but later moved to pay band-4.

The pension of lieutenant colonel is fixed at Rs 25,700 whereas that of majors who retired before 2006 is Rs 14,100, creating a huge difference of Rs 11,600, the petitioners claimed. Prior to the Sixth Pay Commission, the difference was just Rs 950.

In fact, the Department of Pensions (DoP) had raised the issue of incorrect interpretation of pension fixation rules of pre-2006 majors with the Department of Expenditure (DoE) and that it needed to be corrected. Despite the fact that the ministers of finance as well as personnel were in favour of the correction, the bureaucracy in the Ministry of Finance put a spanner in the work. The case was taken up time and again by the DoP, but was always rejected by the DoE.