

## **FREQUENTLY ASKED QUESTIONS ON ENTITLEMENT RULES-2023 AND GMO, 2023**

**Question 1.** When do ER and GMO, 2023 come into effect?

**Answer 1.** It is stated that there are no policy or entitlement related changes in this ER and the same has been revised/ updated keeping in view the provisions as laid down in Base MoD letter on the subject dated 31.01.2001, aimed to streamline the procedure followed for assessment and entitlement without any ambiguity to avoid litigation. The same will be applicable in case of death and disability reported/ recorded after 21.09.2023.

**Question 2.** Who all are affected by ER and GMO, 2023?

**Answer 2.** ER and GMO, 2023 shall apply to the following personnel:-

All death and disability reported/ recorded after 21.09.2023 will be governed by ER 2023 and GMO 2023.

**Question 3.** Do ER and GMO, 2023 affect family pensioners/ veterans already in receipt of Death/ Disability Compensation?

**Answer 3.** NO. ER and GMO, 2023 do not in any way affect past Pensioners/ Family Pensioners already in receipt of death/ disability compensation/ Family Pension.

**Question 4.** Who are personnel treated as invalided from service?

**Answer 4.** Only those personnel who are boarded out of service on medical ground before completing their terms of engagement are treated as invalided from service.

**Question 5.** What does 'Deemed to have been Invalided from Service' mean?

**Answer 5.** PBORs and equivalent who are permanently placed in a medical category other than SHAPE-1 and are discharged because no alternative employment could be provided to them suitable to their medical category or are discharged before completing their terms of engagement after providing suitable alternative employment are 'Deemed to have been Invalided' from service'.

**Question 6. Does 'Deemed to have been invalidated from Service' apply to Officers?**

**Answer 6.** NO. 'Deemed to have been invalidated from Service' only applies to PBOR.

**Question 7. Who are entitled to Disability Pension?**

**Answer 7.** Only Armed Forces personnel who are invalidated or are deemed to have been invalidated from service on medical ground with a disability held attributable to or aggravated by military service are eligible for Disability Pension.

**Question 8. What does Disability Pension comprise of?**

**Answer 8.** Disability pension is a composite monthly pension that comprises of a Service Element and a Disability Element.

**Question 9. What are Armed Forces personnel who retire or are released/ discharged from service on completing their terms of engagement, tenure or attaining the age of retirement/ discharge entitled to?**

**Answer 9.** Armed Forces personnel who are retained in service despite a disability, held attributable to or aggravated by military service post conduct of Retention cum Impairment Assessment Medical Board and issuance of Retention in Service Order thereafter and subsequently retires or are released/ discharged on completing their terms of engagement, tenure or attaining the age for retirement/ discharge are eligible to be awarded 'Impairment Relief'. This 'Impairment Relief' may be paid in addition to Retiring Pension/ Gratuity (Officers) or Service Pension/ Gratuity (PBORs), as per their length service.

**Question 10. Is 'Impairment Relief' different from 'Disability Element'?**

**Answer 10.** NO. 'Impairment Relief' is the same as the erstwhile 'Disability Element'.

**Question 11. Why was the term 'Disability Element' changed to 'Impairment Relief'?**

**Answer 11.** 'Disability Element' awarded to personnel retiring/ released/ discharged has been changed to 'Impairment Relief', to distinguish it from 'Disability Element' of 'Disability Pension', awarded to personnel invalidated from service, which remains unchanged.

**Question 12.** Has there been any change in the rate of 'Disability Element' post its renaming as 'Impairment Relief'?

**Answer 12.** There is NO change in the rate of 'Impairment Relief' vis-a-vis 'Disability Element'.

**Question 13.** Is there change in any other rate of death/ disability compensation?

**Answer 13.** There is NO change in the rates of any death/ disability compensation.

**Question 14.** Has there been any change in entitlements for Battle Casualties?

**Answer 14.** NO. There have been no changes in entitlement for any Category of death/ disability for Category D& E.

**Question 15.** What death/ disability compensation are Cadets entitled to?

**Answer 15.** Cadets who are invalidated (i.e. boarded out) of training on account of a wound/ injury or medical condition that is attributable to military training, shall be eligible for Ex-Gratia Disability Award, in addition to Monthly Ex-Gratia. In case of death attributable to military training, the eligible NoK of the Cadets shall be eligible for a one-time Ex-Gratia Lump-Sum Compensation. Cadets who are invalidated from training and whose disability is held not attributable to military shall only be eligible for Monthly Ex-Gratia.

**Question 16.** Are any recoveries of death/ disability compensation planned post issue of ER and GMO 2023?

**Answer 16.** NO recoveries are planned based on ER and GMO, 2023.

**Question 17.** Whether there is any change in Entitlement in case of War Injury?

**Answer 17.** NO, their Disability Element will not be stopped after issuance of this ER-2023.

**Question 18. Whether there is any change in Entitlement in case of War Injury?**

**Answer 18.** NO, there is no change of Entitlement in case of War Injury.

**Question 19. Whether the Disability Element will be restored after certain years once the personnel have opted and received one time lump sum compensation like commutation of pension?**

**Answer 19.** NO, the personnel will not get Disability Element in future after receiving one time lump-sum compensation.

**Question 20. Whether the 20% war injury and 20% physical injury will become 40% Disability?**

**Answer 20.** No, Composite assessment will be done as explained with example in ER 2023 keeping in view that a person cannot be disabled more than 100%. If physical injury happens subsequent to war injury, then the individual will first gets benefit of war injury based on 20% disability, however disability for physical injury will be 16% i.e. 20% of 80 (100%-20% war injury). The composite assessment of disability will be 36% (20%+16%).

**Question 21. Whether Broad Banding benefit will be given to those opting for Impairment Relief at the time of Retirement/ Discharge?**

**Answer 21.** Yes, Broad Banding benefit will be given to those opting for Impairment Relief at the time of Retirement/ Discharge.