

Derek O'Brien makes special mention on Denial of Pension to Disabled Soldiers by Ministry of Defence

August 8, 2014

It is a cause for alarm that 90% of the Ministry of Defence's cases pending in Courts are against pension claims of its own disabled soldiers. The Ministry has been denying pension claims of soldiers on shallow pretexts like the disability occurred in peaceful conditions and not in an active war zone. Military boards have also been rejecting diseases such as neurosis and schizophrenia for being 'constitutional' in nature and not aggravated by service conditions. In contrast, pension claims for such diseases are routinely allowed by medical boards of Central Armed Police Forces under the Home Ministry.

Even though the Supreme Court has rendered a series of judgments in favour of the soldiers' claims, the Ministry of Defence has continued to file appeals against claims at all stages. While the Income Tax Department does not go to the Supreme Court till the amount involved is more than Rs 25 lakhs, the Ministry of Defence has been dragging wounded soldiers to the Supreme Court for amounts as small as a few thousand rupees. Most soldiers cannot afford the costs of protracted litigation and are forced to abandon their claims.

It is shameful that tax payers' money is being used to field top lawyers and pay exorbitant legal fees in an attempt to deny our soldiers their rightful dues. I strongly urge the Government to ensure that bureaucratic hurdles in the release of pensions are removed at the earliest. The Ministry must cease filing frivolous appeals and grant our soldiers the respect they deserve.