

No.38/77-A/09-P&PW(A)(Pt.)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Pension and Pensioners Welfare

Lok Nayak Bhawan,
Khan Market, New Delhi-110 003
Dated the 5th March, 2015

Office Memorandum

Sub:- Revision of pension of pre-2006 pensioners – reg.

The orders for implementation of the decision taken by the Government on the recommendations of 6th CPC for revision for pension of past pensioners were issued vide Department of Pension & Pensioners' Welfare's OM dated 1.9.2008. The provisions of Para 4.2 of this OM were clarified vide this Department's letter dated 3.10.2008.

2. The Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi in its common order dated 1.11.2011 in four petitions [OA No.655/2010, 306/2010, 507/2010 and 3079/2009] directed that the past pensioners may be granted, w.e.f. 1.1.2006, a minimum pension with reference to the fitment table applicable for revision of pay of serving employees.

3. A large number of representations from pre-2006 pensioners are being received by the Department of Pension & Pensioners' Welfare for extension of benefits similar to what had been allowed in case of OA No.655/2010 by CAT, Principal Bench, New Delhi.

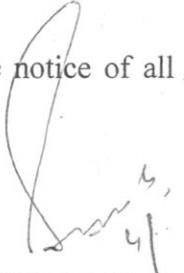
4. In this context, it is informed that four Writ Petitions were filed in the High Court of Delhi challenging the order dated 1.11.2011 of Hon'ble CAT in four OAs. These petitions were dismissed on 29.4.2013. Subsequently, four SLPs were filed in the Hon'ble Supreme Court over a period of time against the said order of the Hon'ble High Court. Of the four SLPs, the one pertaining to Central Government SAG (S-29) Pensioners' Association which was first in the series of said SLPs, has since been dismissed by the Hon'ble Supreme Court on 29.7.2013. As the Review/ Curative Petition against the said order dated 29.7.2013 also failed, the Government of India decided to comply with the order by extending the requisite benefits to the parties involved in the said SLP. As regards the other three SLPs (Nos.36148-50/2013), Hon'ble Supreme Court in its order dated 19.11.2013 issued notice and made the following observation:

"Learned Counsel for the respondent submits that during the pendency of these petitions the respondent-writ petitioners shall not precipitate the matter by filing contempt proceedings either before the High Court or before the Tribunal. That statement is recorded."

5. Thus the issue of revision of pension of pre-2006 pensioners w.e.f. 1.1.2006 as covered under SLP Nos. 36148-50/2013 in the Apex Court which have been tagged with Civil Appeal No.8875-76/2011 filed by Ministry of Defence in a similar matter is subjudice.

6. This is for information.

7. The outcome of SLPs under reference in Para (4) would be brought to the notice of all Ministries/Departments.



(S.K. Makkar)

Under Secretary to the Government of India

To

All Ministries/Departments.

✓ Copy to NIC for uploading the above OM on the website of the Department.