

## Office of the CGDA, Ulan Batar Road, Palam, Delhi Cantt -10

For special attention of Retired Armed Forces Officers/Legal Heirs of Deceased Armed Forces Officers

(In the matter of Hon'ble Supreme Court order of 04/09/2012 on Rank Pay)

According to MoD Corrigendum No.34(10)/2013/D (Pay/Services) dated 24<sup>th</sup> July, 2014 to their earlier letter No.34(6)2012-D (Pay/Services) dated 27 December, 2012 (both the letters also available at [www.cgda.nic.in](http://www.cgda.nic.in)) in regard to implementation of Hon'ble Supreme Court Order dated 04<sup>th</sup> September, 2012 the pay of the officers of the Armed Forces holding the rank of Capt/Maj/Lt Col(TS)/Lt Col(Sel)/Col/Brig and equivalent ranks in Air Force and Navy is to be further revised with effect from 01/01/1996 for payment of arrears of Pay. Pension may also need to be revised.

2. The retired officers who were in service on 31/12/1995 in the rank of Capt/Maj/Lt Col(TS)/Lt Col(Sel)/Col/Brig, except those who have already submitted their details/documents at the time of implementation of MoD Order dated 27/12/2012, may contact PCDA (O) Pune immediately with their service details such as IC No., CDA (O) Account No., Date of Commission, Dates of Acting/Substantive promotions, Date of Retirement, Address for Communication and undertaking (in the format available at [www.cgda.nic.in](http://www.cgda.nic.in)), copies of PPO(s), Photocopy of PAN, bank details including IFSC Code and a cancelled cheque.

3. The NOK/Legal heirs (**who are receiving pension**) of the deceased retired **Army officers** (affected by the above MoD orders), except those who have already submitted their details/documents at the time of implementation of MoD Order dated 27/12/2012, may immediately forward information in the format available at [www.cgda.nic.in](http://www.cgda.nic.in) to the P.C.D.A. (O), Golibar Maidan, Pune – 411 001 alongwith the requisite documents.

4. The NOK/Legal heirs (**who are not receiving pension**) of the deceased retired **Army officers** (affected by the above MoD orders), except those who have already submitted their details/documents at the time of implementation of MoD Order dated 27/12/2012, may immediately forward information in the format available at [www.cgda.nic.in](http://www.cgda.nic.in) and the requisite documents mentioned therein along with valid Legal Succession Certificate to the Director, MP-5(b), AG's Branch, IHQ of MoD (Army), West Block-III, R.K. Puram, New Delhi – 66. A copy of the above documents/information may also be sent to the P.C.D.A. (O), Golibar Maidan, Pune – 411 001.

5. The affected **Retired Officers of Navy and Air Force** may contact immediately (if not done so far consequent upon issue of MoD letter dated 27/12/2012) the following respective offices with relevant details mentioned in Para 2 above. The **NOK/Legal heirs of the deceased retired Navy and Air Force officers** (affected by the above MoD orders) may also immediately write (if not done so in the past after issue of MoD letter dated 27/12/2012) to the following respective offices in the format available at [www.cgda.nic.in](http://www.cgda.nic.in) for their consideration and necessary action:

- a) For **Air Force officers**: Officer-in-Charge, Officer Pay Wing, Air Force Central Accounts Office, Subroto Park, Delhi Cantt-110 010.
- b) For **Naval Officers**: The Logistics Officer-in-Charge, Naval Pay Office, Shahid Bhagat Singh Road, Mumbai 400 023.

## कार्यालय, रक्षा लेखा महानियंत्रक, उलन बटार रोड, पालम, दिल्ली छावनी-10

सशस्त्र सेनाओं के सेवानिवृत्त अधिकारियों और मृत अधिकारियों के कानूनी वारिसों के विशेष ध्यानार्थ

(माननीय उच्चतम न्यायालय के बैंक वेतन संबंधी दिनांक 04/09/2012 के आदेश के मामले में)

माननीय उच्चतम न्यायालय के दिनांक 04 सितम्बर, 2012 के आदेश को लागू करने से संबंधित रक्षा मंत्रालय के पूर्व में जारी दिनांक 27 दिसम्बर, 2012 के पत्र सं. 34(6)2012-डी (Pay/Services) के शुद्धिपत्र सं. 34(10)/2013/डी (Pay/Services), तारीख 24 जुलाई, 2014 (दोनों पत्र [www.cgda.nic.in](http://www.cgda.nic.in) पर उपलब्ध हैं) के अनुसार सशस्त्र सेनाओं के कैप्टन/मेजर/लैफ्टिनेंट कर्नल(टी.एस.)/लैफ्टिनेंट कर्नल(Sel)/कर्नल/ब्रिगेडियर रैंक के अधिकारीगण और वायुसेना तथा नौसेना में इन्हीं रैंकों के समकक्ष रैंक धारण करने वाले अधिकारियों को वेतन के बकाया का भुगतान करने के लिए उनके वेतन में 01/01/1996 से पुनरीक्षण किया जाना है। साथ ही, प्रभावित मामलों में पेंशन को भी पुनरीक्षित किया जाना अपेक्षित है।

2. उन अधिकारियों को छोड़कर जिन्होंने रक्षा मंत्रालय के दिनांक 27/12/2012 के आदेश के कार्यान्वयन के समय अपने विवरण/दस्तावेज पहले ही प्रस्तुत कर दिए हैं, दिनांक 31/12/1995 को सेवारत कैप्टन/मेजर/लैफ्टिनेंट कर्नल(टी.एस.)/लैफ्टिनेंट कर्नल(Sel)/कर्नल/ ब्रिगेडियर रैंक के सेवानिवृत्त अधिकारी, अपने सेवा विवरण यथा, आई.सी. नं., सी.डी.ए.(ओ) लेखा संख्या, कमीशन की तारीख, कार्यकारी/मूल प्रोन्नतियों की तारीखें, सेवानिवृत्ति की तारीख, पत्राचार का पता, और वचनबंध ([www.cgda.nic.in](http://www.cgda.nic.in) पर उपलब्ध प्रारूप में), पेंशन अदायगी आदेश की प्रतियां, PAN की फोटोस्टेट प्रति, आई.एफ.एस.सी. कोड सहित बैंक विवरण और एक निरस्त चेक के साथ तत्काल रक्षा लेखा प्रधान नियंत्रक (अफसर) पुणे कार्यालय से संपर्क करें।

3. उन व्यक्तियों को छोड़कर जिन्होंने रक्षा मंत्रालय के दिनांक 27/12/2012 के आदेश के कार्यान्वयन के समय अपने विवरण/दस्तावेज पहले ही प्रस्तुत कर दिए हैं, मृत सेवानिवृत्त सैन्य अधिकारियों (जो रक्षा मंत्रालय के उक्त आदेशों से प्रभावित होते हैं) के निकटतम संबंधी/कानूनी वारिस (जो पेंशन प्राप्त कर रहे हैं), [www.cgda.nic.in](http://www.cgda.nic.in) पर उपलब्ध प्रारूप के अनुसार अपेक्षित दस्तावेजों सहित आवश्यक सूचना तत्काल रक्षा लेखा प्रधान नियंत्रक (अफसर), गोलीबार मैदान, पुणे - 411001 को भेज दें।

4. उन व्यक्तियों को छोड़कर जिन्होंने रक्षा मंत्रालय के दिनांक 27/12/2012 के आदेश के कार्यान्वयन के समय अपने विवरण/दस्तावेज पहले ही प्रस्तुत कर दिए हैं, मृत सेवानिवृत्त सैन्य अधिकारियों (जो रक्षा मंत्रालय के उक्त आदेशों से प्रभावित होते हैं) के निकटतम संबंधी/कानूनी वारिस (जो पेंशन प्राप्त नहीं कर रहे हैं), [www.cgda.nic.in](http://www.cgda.nic.in) पर उपलब्ध प्रारूप के अनुसार आवश्यक सूचना और उत्तराधिकार प्रमाणपत्र सहित अपेक्षित दस्तावेज निदेशक, एमपी-5(बी), ए.जी. शाखा, रक्षा मंत्रालय (सेना) का एकीकृत मुख्यालय, पश्चिमी खण्ड-III, आर.के.पुरम, नई दिल्ली-66 को तत्काल भेज दें। उपर्युक्त दस्तावेजों/सूचना की एक प्रति रक्षा लेखा प्रधान नियंत्रक(अफसर), गोलीबीर मैदान, पुणे-411001 को भी प्रेषित की जाए।

5. नौसेना और वायुसेना के प्रभावित सेवानिवृत्त अधिकारी उक्त पैरा 2 में उल्लिखित संगत विवरण के साथ निम्नलिखित संबंधित कार्यालयों से तत्काल संपर्क करें (यदि उन्होंने रक्षा मंत्रालय के 27/12/2012 के पत्र के जारी होने के परिणामस्वरूप पूर्व में ऐसा नहीं किया है)। नौसेना और वायुसेना के मृत सेवानिवृत्त अधिकारियों (जो रक्षा मंत्रालय के उक्त आदेशों से प्रभावित होते हैं) के निकटतम संबंधी/कानूनी वारिस भी निम्नलिखित कार्यालयों द्वारा मामले पर विचार करने और आवश्यक कार्रवाई हेतु [www.cgda.nic.in](http://www.cgda.nic.in) पर उपलब्ध प्रारूप के अनुसार उनसे पत्राचार कर सकते हैं (यदि उन्होंने रक्षा मंत्रालय के दिनांक 27/12/2012 के पत्र के जारी होने के बाद पूर्व में ऐसा नहीं किया है)।

क) वायुसेना के अधिकारियों के लिए: प्रभारी अधिकारी, अधिकारी वेतन विंग, वायुसेना केन्द्रीय लेखा कार्यालय, सुब्रोतो पार्क, दिल्ली छावनी-110010

ख) नौसेना के अधिकारियों के लिए: लॉजिस्टिक्स प्रभारी अधिकारी, नौसेना वेतन कार्यालय, शहीद भगत सिंह रोड, मुम्बई-400023

Appendix 'A' to MOD letter No. 34(6)2012-D(Pay/Services) dated 27.12.2012 as referred to in Para 12.

UNDERTAKING

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect re-fixation of pay/pension or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payments due to me or otherwise.

Signature

Name:

Rank:

Service No.

PPO No.

Branch:

Unit:

Date:

Place:

**Format to be completed by the NOK/Legal Heir**

1	Personal No. of the deceased officer	
2	Name of the deceased officer	
3	Rank as on 01/01/1996	
4	CDA A/c No.( in case of Army officers only)	
5	Date of Commission	
6	Date of retirement/release/invalidment/desertion etc, as the case may be	
7	Date of death of the Officer	
8	Original PPO No.(of the deceased officer)	
9	Name(s) of NOK	
10	Relation of the NOK with the deceased officer	
11	PAN of the NOK	
12	PPO(s) No(s) issued after the death of the officer	
13	Permanent address of the NOK	
14	Postal Address of the NOK	
15	E-mail ID, Telephone No., Mobile No. if any,	
16	Name & address of the Bank	
17	Bank A/c No.	
18	IFSC Code of the Bank	

**Declaration**

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect re-fixation of pay/pension or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payments due to me or otherwise through MRO deposited into Treasury in favour of PCDA(O) Pune/PCDA(N) Mumbai/CDA(AF) New Delhi/PCDA(P) Allahabad (as the case may be).

I am enclosing the following documents:

- a) Copy of original PPO of the officer (self attested)
- b) Copy of the PPO issued after the death of the officer, and copy of the current PPO, if any (self attested). Those who are presently receiving pension will also enclose self attested copy of Pension Certificate/Bank Pension A/c Pass Book (first page(s) having personal details and last three months entries).
- c) Copy of PAN card (self attested)
- d) One cancelled cheque of the Bank Account

Place:

Date:

Signature of the NOK

Full Name:.....

34(10)/2013/ D(Pay/Services)  
Government of India  
Ministry of Defence

New Delhi, Dated 24<sup>th</sup> July, 2014

To

The Chief of the Army Staff  
The Chief of the Naval Staff  
The Chief of the Air Staff

**CORRIGENDUM**

Sub: Implementation of Hon'ble Supreme Court Order dated 4<sup>th</sup> September, 2012 in IA No.9 of 2010 in Transfer Petition (C) No.56 of 2007 Union of India and Others versus N.K.Nair & others, etc.

Sir,

I am directed to refer to this Ministry Order No.34 (6)/2012-D (Pay/Services) dt.27<sup>th</sup> December, 2012 regarding implementation of subject Order of the Hon'ble Supreme Court and to state that as per legal opinion tendered by the Learned Attorney General of India, the sanction of the Government is hereby accorded to modify the provisions of this Ministry's ibid order as under:

- (i) The existing para 6 will be renumbered as 6(A) and would stand revised as under:

In the twelfth line after the word '(integrated scale)', the words "as on 1.1.1986" will be substituted by "w.e.f. 1.1.1986".

- (ii) A new para 6(B) will be added as follows:

6(B) Sanction of the Government is hereby also communicated to modify certain provisions of Special Army Instructions No.2/S/1998 dated 19<sup>th</sup> December, 1997 and the corresponding Special Instructions pertaining to Navy and Air Force both bearing Nos. 2/S/1998 dated 19<sup>th</sup> December, 1997, in so far as they relate to deduction of Rank Pay for fixation of revised pay of the concerned officers of Army, Navy and Air Force in the revised scale w.e.f. 01.01.1996. The modifications / amendments in SAI 2/S/1998 and the corresponding instructions for Air Force and Navy are as under:

- (a) The existing para 5(a)(ii) would read as under:

(ii) After the existing emoluments have been so increased, there shall be no deduction of Rank Pay. Thereafter, the officer's pay will be fixed in the revised scale at the stage next above the amount thus computed.

*Pswalia*

- (iii) A new para 6(C) will also be added in,ibid MoD letter as follows:

6 (C) The pay fixation formula w.e.f. 1.1.2006 as laid down in SAI 2/S/2008 and the corresponding Special Instructions applicable to Air Force and Navy has also been examined in light of the legal opinion tendered by the Learned Attorney General. In the methodology of pay fixation of revised pay w.e.f. 1.1.2006, Rank Pay has not been deducted and has been taken into account along with Basic Pay in the pre-revised scale to arrive at the new, revised pay in the relevant pay band w.e.f. 1.1.2006 whereupon Grade Pay has also been given and an additional component of Military Service Pay (MSP) at Rs. 6000 p.m. is also admissible to the Armed Forces officers up to the rank of Brigadier/eq. As such, the pay fixation formula w.e.f. 1.1.2006 for the relevant officers of the Armed Forces as laid down in the relevant instructions does not require any change.

- (iv) Existing Para 7 will be replaced with the following:

7. Except to the extent of modifications as stated in MoD letter No. 34(6)/2012-D(Pay/Services) dated 27.12.2012 and as amended vide this letter, the aforesaid Army Instructions 1/S/87 dated 26.05.1987 and corresponding Navy and Air Force Instructions both bearing No.1/S/87 dated 11.06.1987 and 26.05.1987 respectively as amended from time to time and Special Army Instructions No.2/S/98 of 19.12.1997 and the corresponding Special Instructions in case of Navy and Air Force both bearing No.2/S/98 dated 19.12.1997 as amended from time to time, there shall be no change in the provisions of the aforesaid Special Army, Navy and Air Force Instructions of 1987 and 1997 pertaining to the implementation of the recommendations of the 4<sup>th</sup> and 5<sup>th</sup> Central Pay Commission respectively.

- (v) Existing para 8 will be replaced with the following:

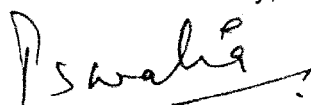
8. As the aforesaid Order of the Hon'ble Supreme Court passed on 04.09.2012 read with their earlier order dated 08.03.2010, has upheld the Order of the Hon'ble Kerala High Court passed on 05.10.1998 in case of Major A.K.Dhanapalan and as the said Order of the Hon'ble Kerala High Court dated 05.10.1998 is for re-fixation of pay without deduction of Rank Pay w.e.f. 01.01.1986, and as this sanction is in compliance with these judicial pronouncements and the legal opinion of the Ld.Attorney General on this issue, it is clarified that there shall be no change in respect of Special Instructions of Army, Navy and Air Force issued on 11.10.2008 (Army) and 18.10.2008 (Navy and Air Force) for implementation of the recommendations of the 6<sup>th</sup> Central Pay Commission, except to the extent of the need for

re-fixation of pay w.e.f. 01.01.2006, necessitated due to re-fixation of pay w.e.f. 01.01.1986 and 01.01.1996 in terms of these orders.

(vi) All other provisions of the MoD letter No. 34(6)/2012-D(Pay/Services) dated 27.12.2012 remain unchanged.

2. This issues with the concurrence of Ministry of Defence (Finance) vide their UO No. 1(76)/2013-AG/PA (310-PA) dated 23.07.2014 and Ministry of Finance (Department of Expenditure) vide their UO No. 94466/E-III(A)/2014 dated 09.07.2014.

Yours faithfully,



(P.S.Walia)

Under Secretary to the Government of India

Copy to:

Ministry of Defence: DS (Pension)/DFA(AG)/DFA(Navy)/DFA (Air)  
Ministry of Finance (Deptt.of Expenditure) - E.III(A) Section, New Delhi.  
CGDA, New Delhi  
DGA (DS), New Delhi  
PCDA(O), Pune  
PCDA (P), Allahabad  
PCDA (HQ), New Delhi  
PCDA (Western Command), Chandigarh  
PCDA (Northern Command), Jammu  
PCDA (Central Command), Lucknow  
PCDA (Southern Command), Pune  
PCDA (Eastern Command), Kolkata  
CDA (Army), Meerut Cantt  
CDA, Jabalpur  
CDA, Guwahati  
CDA, Chennai  
CDA, Bangalore  
CDA, Secunderabad  
CDA, Patna  
CDA (AF), R.K.Puram, New Delhi  
Dy.CDA (AF), New Delhi  
PCDA (Navy), Mumbai  
NHQ/DPA  
Army HQ- AG/PS-3(a)  
Air Hqrs. - PP&R-I  
Air HQ/Dte of Accts (Pay & Allowances)  
Director of Accounts (Postal), APS Accounts Section, Nagpur  
Reference Folder



No. 34(6)2012-D(Pay/Services)  
Government of India  
Ministry of Defence

New Delhi, the 27<sup>th</sup> December, 2012

To

The Chief of the Army Staff  
The Chief of the Air Staff  
The Chief of the Naval Staff

**Subject:** Implementation of Hon'ble Supreme Court order dated 4<sup>th</sup> September, 2012 in IA No. 9 of 2010 in Transfer Petition (C) No. 56 of 2007 - Union of India and Others versus N.K. Nair and Others, etc.

Sir,

I am directed to invite attention to the Special Army Instructions No. 1/S/87 dated 26<sup>th</sup> May, 1987 and the corresponding Special Instructions pertaining to Navy and Air Force both bearing Nos. 1/S/87 dt. 11.6.1987 and 26.5.1987 respectively regarding revision of pay scales, fixation of initial pay, etc. in the revised scales implemented w.e.f. 1.1.1986 based on the recommendations of the 4<sup>th</sup> Central Pay Commission and to say that Para 6 (a) (ii) thereof, while providing for fixation of initial pay in the revised scales, provided that

"After the existing emoluments have been so increased, an amount equivalent to the Rank Pay, if any, appropriate to the rank held by the officer on 01 January 1986 at the rates prescribed in para 3(a) (ii) above, will be deducted.....".

2. The Hon'ble High Court of Kerala at Ernakulum in their order passed on 5<sup>th</sup> Day of October, 1998 in the matter of OP No.2448 of 1996 – N filed by Major A K Dhanapalan, had directed as under:-

"Under these circumstances, the respondents 2 & 3 are directed to re-fix the pay of the petitioner with effect from 1.1.1986 without deducting the rank Pay of Rs.200 as has been done by the Respondents 2 & 3".

3. The appeal No. WA 518 of 1999 filed by the Ministry of Defence, Government of India, was dismissed by the Hon'ble High court of Kerala at Ernakulum vide their order of 4th day of July, 2003. Subsequently, after the



dismissal of SLP by the Hon'ble Supreme Court, the above direction of the Hon'ble High Court of Kerala was implemented by this Ministry, refixing the pay of the petitioner w.e.f. 1.1.1986 without applying the aforesaid provision contained in para 6 (a) (ii) of the aforesaid Special Army Instruction of 26<sup>th</sup> May, 1987, i.e. without deducting the Rank Pay as appropriate to the petitioner as on 1.1.86.

4. Subsequently, the Hon'ble Supreme Court, vide their order dated 8.3.2010, in the Transfer Petition (C) No.56 of 2007 and linked matters, directed as under:-

"We have carefully perused the judgement dated 5.10.1998 of the Ld. Single Judge as well as judgement dated 4.7.2003 of the Division Bench of the High Court of Kerala and we respectfully agree with the reasoning given therein for grant of Rank Pay retrospectively from 1.1.1986. We also direct interest be paid thereon at 6% p.a."

5. The Hon'ble Supreme Court in their subsequent order passed on 4<sup>th</sup> September, 2012 in the matter of IA No.9 of 2010 in Transfer Petition (C) No.56 of 2007 has directed as under:-

"On thoughtful consideration of the entire matter, we are satisfied that the order dated March 8, 2010 does not require any modification or variation save and except the interest part. As regards interest, on totality of the circumstances including the circumstance that Special Leave Petition arising from the judgement dated July 4, 2003 in the matter of Major A.K.Dhanapalan was dismissed by this Court in August, 2005 and the Kerala High Court had not ordered payment of interest on the arrears of pay, we direct that the interest shall be paid by the petitioners to the respondents @ 6% p.a. from January 1, 2006 instead of January 1, 1986. It is clarified that this order shall govern all similarly situated officers who have not approached the Court and also those who have filed Writ Petitions which are pending before various High Courts/Armed Forces Tribunal."

6. Accordingly, in compliance with the aforesaid Order of the Hon'ble Supreme Court passed on 4.9.2012 read with their earlier order dated 8.3.2010, upholding the Order of the Hon'ble Kerala High Court passed on 5.10.1998 in case of Major A K Dhanapalan, which has also directed that the order shall govern all similarly situated persons, the sanction of the Government is hereby communicated to modify the provisions contained in para 6(a)(ii) of the Special Army Instructions of 26<sup>th</sup> May, 1987, and corresponding instructions in case of Navy and Air Force bearing both bearing No. 1/S/87 dt 11.6.1987 and 26.5.1987 respectively, insofar as it relates to deduction of Rank Pay, which has been reproduced in para 1

above, and to re-fix the initial pay of the concerned officers of Army, Navy and Air Force in the revised scale (integrated scale) as on 1.1.1986 as per para 6 of those instructions without deduction of Rank Pay appropriate to the rank held by the officer on 1<sup>st</sup> January, 1986 from the amount as worked out under para 6(a)(i) thereof.

7. Except to the extent of modification of the provision contained in para 6(a)(ii) of the aforesaid Army Instructions and corresponding Navy and Air Force Instructions both bearing No 1/S/87 dated 11.6.1987 and 26.5.1987 respectively relating to deduction of Rank Pay in terms of these orders, which is in complete compliance of the aforesaid judicial pronouncement, in all other respects there shall be no change in the provisions of the aforesaid Special Army, Navy and Air Force Instructions of 1987 pertaining to the implementation of the recommendation of the 4<sup>th</sup> Central Pay Commission.

8. As the aforesaid Order of the Hon'ble Supreme Court passed on 4.9.2012 read with their earlier order dt. 8.3.2010, has upheld the Order of the Hon'ble Kerala High Court passed on 5.10.1998 in case of Major A.K.Dhanapalan and as the said Order of the Hon'ble Kerala High Court dt. 5.10.1998 is for re-fixation of pay as on 1.1.1986, and as this sanction is in compliance with these judicial pronouncements, it is clarified there shall be no change in respect of Special Instructions of Army, Navy and Air Force issued on 19.12.1997 and 11.10.2008 (Army) and 18.10.2008 (Navy and Air Force) for implementation of the recommendations of the 5<sup>th</sup> and 6<sup>th</sup> Central Pay Commission respectively, except to the extent of the need for re-fixation of pay as on 1.1.1996 and 1.1.2006; necessitated due to re-fixation of pay as on 1.1.1986 in terms of these orders.

9. Dearness Allowance, Interim relief, Dearness Pay and Non-Practising Allowance in respect of AMC/ADC/RVC officers will be revised.

10. Pensionary benefits due to the re-fixation of pay as above, if any, will be admissible as per rules on the subject. Fresh LPC cum Data Sheet for this purpose will be issued. PPO revising the pension will be issued to all the concerned.

11. As directed in Hon'ble Supreme Court order dated 4<sup>th</sup> September, 2012, interest @ 6% per annum on the arrears will be paid with effect from 1.1.2006.

12. All affected officers/pensioners have to give an undertaking at the time of disbursement of arrears as per Appendix 'A' to the effect that any excess payment that may be found to have been made as a result of incorrect re-fixation of pay/pension will be refunded by him/her to the Government either by adjustment against future payments or otherwise.

13. All departments/offices involved in re-fixation of pay under these orders are hereby directed to process the cases at highest priority so that arrears, if any, are paid at the earliest. The Head of the Department/Office will be personally accountable for any avoidable delay in revision of pay/pension or payment of arrears as the case may be. Offices of PCDA(O), Pune, Naval Pay Office, Mumbai and Air Force Central Accounts Office, Delhi Cantt will appoint Nodal Officers to whom the affected officers may contact for information, if any.

14. Paying authorities and the Service HQrs. will work in tandem, wherever required, in implementing the Hon'ble Supreme Court order.

15. In partial relaxation of Serial No. 3 of Appendix 'A' to Ministry of Defence letter No. IC/1027/32/AS (J)/6864/2006 dated 1<sup>st</sup> September, 2006 for fast track implementation of the court judgement in this case wherein a large number of officers are affected, the payment will be made directly by PCDA(O)/AFCAO/Naval Pay Office. Ex-post facto sanction will be granted by Ministry of Defence on quarterly basis under Charged Expenditure based on audit/payment reports rendered by CDA(O)/AFCAO/Naval Pay Office and the cases for the sanction will be processed by AG Branch/COP/AOP with Ministry of Defence.

16. This issues with the concurrence of Ministry of Defence (Finance) vide their Dy. No. 8(13)/2012-AG/PA (583-PA) dated 27.12.2012 and Ministry of Finance (Department of Expenditure) vide their Dy. No. 187654/E.III (A)/2012 dated 24.12.2012.

Yours faithfully,

  
(Prayeen Kumar)  
Director (AG.I)

Copy to:-

Ministry of Defence: DS (Pension)/ DFA (AG)/ DFA (Navy)/ DFA(Air)  
Ministry of Finance (Deptt.of Expenditure) (E.III (A) section, New Delhi  
✓ CGDA, New Delhi  
DGA (DS), New Delhi  
Army Headquarters - AG/PS-3 (a)  
Air Headquarters - PP & R-1  
Naval Headquarters /DPA  
Air HQrs/Dte of Accts (Pay & Allowances)  
CDA (AF), West Block V, R.K.Puram, New Delhi  
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