

**GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:670
ANSWERED ON:07.08.2013
DELAY IN PAYMENT OF ARREARS TO PENSIONERS
Muttamwar Shri Vilas Baburao

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) the reasons for inordinate delay in implementation of Hon`ble High Court`s order to give effect to the payment of arrears w.e.f. 01.01.2006 to pensioners retired before 2006;
- (b) whether the Government have received representations from employees organizations and other bodies in this regard; and
- (c) if so, the details thereof and the reaction of the Government on the representations?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(SHRI V. NARAYANASAMY)

(a) to (c): 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 this Department's OM No.38/37/08-P&PW (A) dated 1.9.2008. The provisions of Para 4.2 of this OM were clarified vide this Department's letter dated 3.10.2008.

The Central Administrative Tribunal, Principal Bench, New Delhi in its order dated 1.11.2011 observed that by the OM dated 3.10.2008 the original orders of 1.9.2008 have been modified. Hon'ble CAT directed that the past pensioners may be granted, w.e.f. 1.1.2006, a minimum pension @ 50% of the minimum pay corresponding to the pre-revised pay scale with reference to the fitment table applicable for revision of pay of serving employees.

A Writ Petition was filed in the Hon'ble High Court of Delhi challenging the above mentioned order. In its order dated 29.4.2013, the Hon'ble Delhi High Court has upheld the order dated 1.11.2011. After considering the order of Hon'ble High Court of Delhi and various representations received in this regard, Special Leave Petition was filed by the Department of Pension and Pensioners' Welfare in the Hon'ble Supreme Court of India.

This SLP came up for hearing recently on 29.7.2013 before the Hon. Supreme Court and has been dismissed.