



**Dr. Krishan Lal**  
B.Sc., B.Ed., M.A., M.Com., Ph.D.  
Retd. Lecturer Political Sc.  
H. No. 181, Ward No. 3  
Bhagat Singh Marg, Near Naveen School,  
BUDHLADA -151502 Distt. Mansa (Punjab)

Website : [www.krishanahelp.com](http://www.krishanahelp.com) /krishanahelp  
Email : [drkrishan365@gmail.com](mailto:drkrishan365@gmail.com) info@krishanahelp.com  
M : Punjab 098157-13297 / 70090-22962 / 63  
084272-03297, 084272-03298  
Whats App No. 9815713297, 9915031482  
Office : 9041013814 -19 (6 Lines)  
Office Time: 10:00 am to 1:00 pm, 4:00pm to 7:00 pm

A consultancy firm to provide help for the problems of govt. employees & retired pensioners

## **ਛੇਵੇਂ ਪੇ ਕਮੀਸ਼ਨ ਦਾ ਏਰੀਅਰ 01.01.2016 ਤੋਂ 30.06.2021 ਤੱਕ ਅਤੇ ਕੇਂਦਰ ਅਨੁਸਾਰ 38% ਡੀ.ਏ. ਜਾਰੀ ਕਰਨ ਤੇ ਪਹਿਲੀ ਜੁਲਾਈ 2015 ਤੋਂ ਡੀ.ਏ. ਦੇ 190 ਮਹੀਨਿਆਂ ਦੇ ਬਕਾਏ 70 ਸਾਲ ਤੋਂ ਵੱਧ ਉਮਰ ਦੇ ਪੈਨਸ਼ਨਰਾਂ ਨੂੰ ਦੇਣ ਸੰਬੰਧੀ ।**

ਪੰਜਾਬ ਸਰਕਾਰ ਵਲੋਂ ਵਿੱਤੀ ਸੰਕਟ ਦਾ ਬਹਾਨਾ ਬਣਾਕੇ ਕਰਮਚਾਰੀਆਂ ਅਤੇ ਪੈਨਸ਼ਨਰਾਂ ਪ੍ਰਤੀ ਬੇਰੁਖੀ ਅਤੇ ਅਣਦੇਖੀ ਕਾਰਨ 01.01.2016 ਤੋਂ 30.06.2021 ਤੱਕ ਦਾ ਛੇਵੇਂ ਪੇ ਕਮੀਸ਼ਨ ਦਾ ਬਕਾਇਆ ਜੋ ਹਰ ਮੁਲਾਜ਼ਮ ਦਾ ਔਸਤਨ 4 ਤੋਂ 5 ਲੱਖ ਰੁਪਏ ਬਣਦਾ ਹੈ ਅਤੇ ਕੇਂਦਰ ਅਨੁਸਾਰ 38% ਡੀ.ਏ. ਜਾਰੀ ਕਰਨ ਤੇ ਪਹਿਲੀ ਜੁਲਾਈ 2015 ਤੋਂ ਡੀ.ਏ. ਦੇ 190 ਮਹੀਨਿਆਂ ਦੇ ਬਕਾਏ ਰੋਕ ਦਿੱਤੇ ਹਨ । ਡੀ.ਏ. ਦਾ ਬਕਾਇਆ ਹਰ ਮੁਲਾਜ਼ਮ ਦਾ 3 ਤੋਂ 4 ਲੱਖ ਰੁਪਏ ਬਣਦਾ ਹੈ । ਇਹ ਬਕਾਏ ਦੇਣ ਬਾਰੇ ਸਰਕਾਰ ਨੇ ਚੁੱਪ ਵੱਟੀ ਹੋਈ ਹੈ ।

"It is to mention here that the pensioners, who served their lives for the betterment of the foundation of the country, but they are deprived their legal rights for not granting benefits of the 6th pay commission arrears. They are fully dependent upon their pensions at the feg end of their lives and enabling to meet their expenses of oldage diseases. They need for payment of 6th pay commission payments so as to protect the loss of govt. pensioners caused by unabated pressure of inflation in the economy. It should be paid in one go alongwith interest. So that they can taste the fruits of the same during their life time."

ਇਸ ਮੰਤਵ ਲਈ ਸੀ.ਡਬਲਿਊ.ਪੀ. 12980/2015 (ਓ ਐਂਡ ਐਮ) ਮਹਿੰਦਰ ਸਿੰਘ ਬਨਾਮ ਪੰਜਾਬ ਸਰਕਾਰ, ਹਾਈਕੋਰਟ ਵਿੱਚ ਪਾਈ ਗਈ । ਇਸ ਸਿਵਲ ਪਟੀਸ਼ਨ ਦਾ ਨਿਪਟਾਰਾ ਮਾਨਯੋਗ ਜੱਜ ਕੁਲਦੀਪ ਸਿੰਘ ਵਲੋਂ 25 ਜੁਲਾਈ, 2016 ਨੂੰ ਕਰ ਦਿੱਤਾ ਗਿਆ, ਜੋ ਇਸ ਪ੍ਰਕਾਰ ਹੈ । "Tentatively I am of the view that in case of retirees above 70 years of age, the payment of arrears should be made in one go. It is for the Govt. to take final decision on the suggestion of this court. However, in case of retirees above 80 years of age including the present petition, a direction is issued that all the arrears of dearness allowance for the period from 01.01.2014 to 30.09.2014 and 01.07.2014 to 28.02.2015 shall be paid in one-go alongwith interest @ 6% per annum from the date of the arrears become due. The arrears of petitioners shall be released with interest @ 6% per annum within a period of one month with cost of Rs. 10,000/- for forcing the petitioner to approach this court for the payment of arrears of dearness allowance. However, in case of retirees above 70 years, the state in given 3 months time to consider and pass orders regarding payment of the arrears of dearness allowance."

ਉਪਰੋਕਤ ਕਾਰਨਾ ਕਰਕੇ 01.01.2016 ਤੋਂ 30.06.2021 ਤੱਕ ਦਾ ਛੇਵੇਂ ਪੇ ਕਮੀਸ਼ਨ ਦੇ ਏਰੀਅਰ ਅਤੇ ਕੇਂਦਰ ਅਨੁਸਾਰ 38% ਡੀ.ਏ. ਜਾਰੀ ਕਰਨ ਤੇ ਪਹਿਲੀ ਜੁਲਾਈ 2015 ਤੋਂ ਡੀ.ਏ. ਦੇ 190 ਮਹੀਨਿਆਂ ਦੇ ਬਕਾਏ 70 ਸਾਲ ਤੋਂ ਵੱਧ ਉਮਰ ਦੇ ਪੈਨਸ਼ਨਰਾਂ ਨੂੰ ਨਕਦੀ ਦੇ ਰੂਪ ਵਿੱਚ ਯਕ ਮੁਕਤ (Lump Sum) one go ਵਿੱਚ ਦਿੱਤੇ ਜਾਣ । ਪਟੀਸ਼ਨਰ / ਪੈਨਸ਼ਨਰ ਦੀ ਮੌਤ ਹੋ ਜਾਣ ਦੀ ਸੂਰਤ ਵਿੱਚ ਉਸ ਦੇ Life Time Arrears ਦੀ ਅਦਾਇਗੀ ਪਟੀਸ਼ਨਰ / ਪੈਨਸ਼ਨਰ ਦੀ ਫੈਮਲੀ ਪੈਨਸ਼ਨਰ ਨੂੰ ਅਦਾ ਕੀਤੀ ਜਾਵੇ । ਇਹ ਲਾਭ ਲੈਣ ਲਈ ਮੋਬਾਇਲ ਨੰ: 98157-13297, 90410-13814 ਤੋਂ 19 (ਛੇ ਲਾਈਨਾਂ) ਤੇ ਸੰਪਰਕ ਕਰੋ ।



**Dr. Krishan Lal**  
B.Sc., B.Ed., M.A., M.Com., Ph.D.  
Retd. Lecturer Political Sc.  
H. No. 181, Ward No. 3  
Bhagat Singh Marg, Near Naveen School,  
BUDHLADA -151502 Distt. Mansa (Punjab)

Website : www.krishanahelp.com  
Email : drkrishan365@gmail.com. info@krishanahelp.com  
M : Punjab 098157-13297 / 70090-22962 / 63  
084272-03297, 084272-03298  
Whats App No. 9815713297, 9915031482  
Office : 9041013814 -19 (6 Lines)  
Office Time: 10:00 am to 1:00 pm, 4:00pm to 7:00 pm

A consultancy firm to provide help for the problems of govt. employees & retired pensioners

## PERFORMA

**Writ Regarding Release of 6th Pay Commission Arrear for the above 70 years pensioners from 01.01.2016 to 30.06.2021 and 190 months 38% D.A. Arrear as declared by the Central Govt. from July 2015**

Name	
Father's Name	
Designation	
School / Office Name	
Date Of Birth	
Aadhar Card No.	
Date of Appointment	
Date of Regular	
Date of Retirement	
PPO number for Pensioner	
Bank Name With Account Number	
Mobile Number	
Whatsapp Number	
Email Address	
Residence Address & Distt	
Signature	

**Important Points:-**

Paytm Payment Mobile Number:- 9915031482  
Google Pay Payment Mobile Number:- 9915031482  
PhonePe Payment Mobile Number:- 9915031482

1. Send one copy of each Performa, Power of Attorney and Aadhar Card both sides by whatsapp and one by post.
2. Only Signature on Power of Attorney left side as written Signature or Thumb Impression of client.

<b>State Bank of India Budhlada</b>
<b>Distt. Mansa(Punjab)</b>
<b>Current A/c No.39453963229</b>
<b>In Favour of: Krishana Consultancy</b>
<b>IFSC Code: SBIN0050050</b>
<b>Whatsapp No - 98157-13297</b>

# POWER OF ATTORNEY

In the Court of .....

..... [ Plaintiff/Appellant  
Complainant  
Petitioner

**VERSUS**

..... [ Defendant  
Respondent,  
Accused

**KNOW ALL** to whom these present shall come that I/We undersigned appoint

for the ..... in the above mentioned case to do all the following acts deeds and things or any of them that is to say :-

1. To act appear and plead in the above mentioned case in the court or any other Court in which the same may be tried or heard in the execution or in any stage of its progress until its final decision.
2. Present pleading appeals letter patent appeal cross objection or petitions for execution review, revisions withdrawal compromise or other petitions or affidavit or other documents as shall deemed necessary or advisable for the prosecution of the said case in all its stage.
3. To file and take back documents and to file application for restoration there of in case it is dismissed in default.
4. To withdraw or compromise the said case or submit for arbitration any difference or disputes that shall arise touching or in any manner relating to the said case.
5. To deposit draw any receive money and grant receipt there of and to do all other acts and things which may be necessary to be done for the progress and in the case of prosecutions of said case.
6. To employee and other legal practitioner authorising him to exercise the power and authorities hereby conferred on the advocate whenever he may think fit to do so.

And I/We hereby agree to ratify whatever the Advocate or his substitute shall do in the promises.

And I/We hereby agree not to hold the Advocate or his substitute responsible for the result of said for hearing case in consequence from the court when the said case is called up or for any negligence of the said Advocate or his substitute.

And I/We hereby agree that in the event of whole or any part of fee agreed by me to be paid to the Advocate, remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid if any costs are allowed for an adjournment the advocate would be entitled to the same.

**IN WITNESS WHERE OF** I/We agree to set my/our hands to the represent the contents of which have been explained to understand by me/us this the .....

.....day..... 20.....

(Signature or Thumb Impression of client)

Accepted :



238 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No.12980 of 2015 (O&M)  
Date of decision : July 25, 2016

**Mohinder Singh**

..... **Petitioner**

**Versus**

**State of Punjab**

..... **Respondent**

**CORAM : HON'BLE MR. JUSTICE KULDIP SINGH**

**Present:-** Petitioner in person.

Ms. Vandana Malhotra, Addl. A.G., Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ? Yes
2. To be referred to the Reporter or not. Yes
3. Whether the judgment should be reported in the digest ? Yes

**KULDIP SINGH J. (ORAL)**

Petitioner- Mohinder Singh, now aged about 82 years, who retired as Joint Director of Hospitality Department, Punjab, has filed the present writ petition, seeking the arrears of pension w.e.f. 01.01.2014 to 30.09.2014 and 01.07.2014 to 28.02.2015.

Petitioner claims that he was above 80 years of age at the time of filing the present writ petition. His arrears are not being released. It also comes out that previously, the petitioner filed CWP No.17500 of 2010, in which this Court passed the following order:

*“The Principal Secretary to Government of Punjab, Finance Department, is directed to ensure that all the arrears of pension due towards the petitioner, who is 75 years of age, are released by 22.12.2010, positively or let the said officer i.e. the Principal Secretary to*

*Government, Punjab, Finance Department remain present in the Court.*

*Since the affidavit filed on behalf of respondents admits that the arrears are payable and despite filing of the petition, the arrears have not been released, further sum of Rs.10,000/- would be paid to the petitioner by the date communicated above.*

*Let a copy of the order be given under signature of Reader of the Bench.”*

Petitioner admits that as directed by this Court, the cost was paid and the arrears were released. Now, he is claiming the arrears of dearness allowance for the abovenoted period.

On behalf of the State, the liability is not denied. It is stated that the arrears of dearness allowance of the pension are to be paid. Since the Punjab Government has financial difficulties, the arrears are to be paid in installments. Reliance has been placed on letter dated 27.06.2016 (Annexure R/1). The Government had decided to pay the arrears in the following installments:

- i) 50% of the arrears from 01.07.2014 to 28.02.2015 @ 7% shall be paid during the second quarter of financial year 2016-2017 i.e. from 01.07.2016 to 30.09.2016.*
- ii) 50% of the arrears from 01.07.2014 to the 28.02.2015 @ 7% shall be paid during the third quarter of financial year 2016-2017 i.e. from 01.10.2016 to 31.12.2016.*
- iii) 50% of the arrears due from 01.01.2014 to 30.09.2014 @ 10% shall be paid during the fourth quarter of financial year i.e. from 01.01.2017 to 31.03.2017.*
- iv) 50% of the arrears due from 01.01.2014 to 30.09.2014 @ 10% shall be paid during the first quarter*

*of financial year 2017-18 i.e. from 01.04.2017 to 30.06.2017.”*

The prayer of the petitioner is that he is 82 years of age. He fears that he may not live up to June, 2017 to receive all the installments. Now the first installment has been released. The second installment is due to be released in few months. Therefore, the petitioner prays that all the arrears should be paid in one go.

While taking into consideration the contention of the petitioner, I am of the view that the petitioner has merits in his contention. There may be cases where a person has recently retired and there may be other cases, where a person crosses 75 or 80 years of age. In such cases, due to constant fear of short period of natural life/due to old age or failing health, one cannot wait for such a long period to receive the last installment. Therefore, I am of the view that making the said policy uniform to all the retirees will be unjust.

Tentatively, I am of the view that in case of retirees above 70 years of age, the payment of arrears should be made in one go. It is for the Government to take a final decision on the suggestion of this Court.

However, in case of retirees above 80 years of age including the present petitioner, a direction is issued that all the arrears of dearness allowance for the period from 01.01.2014 to 30.09.2014 and 01.07.2014 to 28.02.2015 shall be paid in one go along with interest @ 6% per annum from the date the arrears became due. The arrears of the petitioner shall be released with interest @ 6% per annum within a period of one month with cost of ₹10,000/- for forcing the petitioner to approach this Court for the payment of arrears of dearness allowance.

However, in case of retirees above 70 years, the State is given three months' time to consider and pass orders regarding payment of the arrears of dearness allowance.

Accordingly, the present petition is allowed.

**(KULDIP SINGH)**  
**JUDGE**

**July 25, 2016**

sarita

Whether speaking / reasoned Yes / No

Whether Reportable: Yes / No

