

No.4/13/2013-1FPPC/1010607/1.
Government of Punjab
Department of Finance
(Finance Pension Policy & coordination Branch)

Dated, Chandigarh, the June 27, 2017

To,

All Heads of the Departments,
Commissioners of Divisions,
Registrar, Punjab and Haryana High Court,
District and Sessions Judges and
Deputy Commissioners in the State.

Sub: Implementation of judgment dated 22.10.2013 of Hon'ble Punjab and Haryana High Court in CWP No. 25733 of 2012- A.P.Sharma and others Vs State of Punjab and others.

Sir/Madam,

I am directed to invite a reference to the subject cited above and to say that Sh. A.P.Sharma and other retirees had filed CWP 25733 of 2012 in the Punjab & Haryana High Court Chandigarh with the prayer for quashing Punjab Government Circular No. 3/39/09-3FPPC/576 dated 13.6.2012 and for a writ of mandamus directing the respondents to refix the pension of pre 1.1.2006 retirees as per Punjab Government Circular No.3/23/09-3FPPC/885 dated 17.8.2009, Circular No. 3/39/09-3FPPC/201 dated 22.02.2010 and circular No 5/10/09-5FP1/992 dated 15.12.2011 in view of removal of anomaly.

2. Para No.2 of the letter dated 13.6.2012 which relates to the issue is as under:-

"The matter has been considered in the light of the prevailing policy of the Government and it is reiterated that as per para 4.2 of Government letter No.3/23/09-3FPPC/885, dated 17.8.2009 as modified and supplemented vide Government Letter No. 3/39/09-3FPPC/201 dated 22.02.2010, the pension of the pre 1.1.2006 pensioners is to be revised only once with reference to the initial pay of revised scale of pay as on 1.1.2006, and the subsequent re-revision of scales of pay has no co-relation, whatsoever, with the pension of such pensioners. Similarly, the pension of those pensioners, who are retiring from 1.1.2006 onwards, is relatable only to the 'pay' drawn in the admissible scale of pay at the time of their retirement and it has no co-relation, whatsoever, with the re-revision of pay scales from any subsequent date. It is, therefore, requested that necessary action in the matter may please be taken accordingly."

3. Hon'ble Punjab & Haryana High Court vide order dated 22.10.2013 in CWP No.25733 of 2012 disposed of the writ petition and directed the respondents to recompute the pension of the petitioners w.e.f. 1.12.2011 by taking initial pay fixed as per instructions dated 15.12.2011. LPA No. 352 of 2014 and SLP (c) No. 8123 of 2017 filed by State Government have also been dismissed on 31.8.2016 and 4.5.2017 respectively.

4. The State of Punjab has decided to implement the Judgment dated 22.10.2013 in CWP 25733 of 2012 of the Hon'ble Punjab and Haryana High Court, Chandigarh.
5. In view of above, instructions issued vide letter No. 3/39/09-3FPPC/576 dated 13.6.2012 issued by the Government of Punjab, Department of Finance may be treated as withdrawn. Pension of the petitioners as well as other similarly situated retirees may be revised accordingly.

Meticulous Compliance of these instructions may kindly be ensured.

Yours faithfully

Sangh

Under Secretary Finance

Endst.No. 4/13/2013-1FPPC/1010607/2 Dated, Chandigarh, the June 27, 2017

A copy is forwarded to the following for information and necessary action:-

- (i) The Chief Secretary to Government Punjab, Chandigarh.
- (ii) All the Financial Commissioners and the Principal, Secretaries to Government of Punjab
- (iii) All the Administrative Secretaries to the Government of Punjab.
- (iv) The Advocate General, Punjab, Chandigarh.
- (v) Resident Financial Commissioner, Punjab, Punjab Bhawan, Copernicus Marg, New Delhi.

Sangh

Under Secretary Finance

Endst.No. 4/13/2013-1FPPC/1010607/3 Dated, Chandigarh, the June 27, 2017

A copy is forwarded to the following for information and necessary action:-

- i) The Accountant General (Audit), Punjab, Chandigarh,
- ii) The Accountant General (A&E), Punjab, Chandigarh.

Sangh

Under Secretary Finance

Endst.No. 4/13/2013-1FPPC/1010607/4 Dated, Chandigarh, the June 27, 2017

A copy is forwarded to the Director, Treasury and Accounts, Punjab for information and necessary action.

Sangh

Under Secretary Finance

Endst.No. 4/13/2013-1FPPC/1010607/5 Dated, Chandigarh, the June 27, 2017

A copy is forwarded to the Managing Director, Punjab Infotech with a request to upload these instructions on the official website of the Government of Punjab.

Sangh


Under Secretary Finance

Endst.No.4/13/2013-1FPPC/ 1010607/6

Dated:3.7.2017

A copy of the letter No.4/13/2013-1FPPC/1010607/1 dated 27.6.2017 is forwarded to the the following for information and necessary action :-

- i) The Finance Secretary, Chandigarh Administration (U.T.), Chandigarh.
- ii) The Secretary to Government of Himachal Pradesh, Finance Department, Shimla.
- iii) The Secretary Government of Haryana, Finance Department, Chandigarh.


Superintendent