

No. 1(13)/2016/D(Pen/Policy)
Government of India
Ministry of Defence
Department of Ex-Servicemen Welfare
New Delhi, dated 21st February, 2020

To

The Chief of the Army Staff

Subject: - Revision of pension of Pre-01.01.2006 retiree Havildar granted Hony Rank of Nb Subedar.

I am directed to refer to this Ministry's letter No. 1(8)/2008-D(Pen/Policy) dated 12.06.2009 according to which "Honorary rank of Naib Subedar granted to Havildars will be notionally considered as a promotion to the higher grade of Naib Subedar and benefit of fitment in the pay band and the higher grade pay will be allowed notionally for the purpose of fixation of pension only." This provision was applicable for Havildars granted Hony rank of Naib Subedar retired on or after 01.01.2006.

2. A section of Pre-2006 retiree Havildars granted Hony rank of Naib Subedar approached various courts for implementing the provision of this Ministry letter dated 12.06.2009 in their cases. Hon'ble AFT Chandigarh vide their order dated 27.10.2017 in OA No. 2755 of 2013 filed by Ex Havildar (Hony Nb Sub) Hoshiar Singh, allowed the benefit of GoI, MoD letter No. 1(8)/2008-D(Pen/Policy) dated 12.06.2009 to all Pre-2006 Havildars granted Hony rank of Naib Subedar w.e.f. 01.01.2006. Further, pension revision tables for Hony Naib Subedars in pursuance of Govt. policy letter dated 08.03.2010 and 17.01.2013 were also quashed and respondents were directed to prepare these tables afresh taking into account the aspect that the benefit under GoI, MoD letter dated 12.06.2009 was to be granted.

3. The issue has been examined in the Ministry and undersigned is directed to say that Government has decided to implement the Hon'ble AFT Chandigarh order dated 27.10.2017 referred above. The provision of GoI, MoD letter No. 1(8)/2008-D(Pen/Policy) dated 12.06.2009 is hereby extended w.e.f. 01.01.2006 to Pre-2006 retiree Havildars who were granted Hony rank of Naib Subedars. Further, as per the directions of Hon'ble Court the tables meant for Hony Nb Subedar for implementation of GoI, MoD letter No. PC 10(1)/2009-D(Pen/Pol) dated 08.03.2010 and GoI, MoD letter No. 1(13)/2012/D(Pen/Policy) dated 17.01.2013 circulated vide PCDA (P), Allahabad Circular No. 430 dated 10.03.2010 and Circular No. 501 dated 17.01.2013 respectively are hereby quashed. However, to extend the benefits of these Govt. orders tables are hereby prepared afresh and attached with this letter.

Ashu
21-02-2020



4. All Pension Disbursing Agencies handling disbursement of pension to Defence pensioners are hereby authorized to carry out revision of service pension/special pension/invalid pension/service element of disability pension w.e.f. 01.01.2006, 01.07.2009 and 24.09.2012 to the affected pensioners in the category of Pre-01.01.2006 retiree Havildar granted Hony rank of Naib Subedar drawing pension with 15 years or more qualifying service in terms of these orders without calling for any application from the pensioners and without any further authorization from the PCDA (Pension), Allahabad and pay the arrears on account of such revision. If rate of pension mentioned in various orders issued earlier by this Ministry in respect of Hony. Nb. Subedar happens to be more beneficial than the rates as per attached tables, then the same will not be revised to the disadvantage of the pensioners.
5. No arrears on account of revision of pension based on notional fixation of pay shall be admissible for the period prior to 01.01.2006.
6. Pension of Hony Nb Subedars who are in receipt of Special Pension, Invalid Pension and Service Element of Disability Pension for less than 15 years of qualifying service would also need to be revised in terms of these orders. However, Pension Disbursing Agencies shall refer such cases to the PCDA (Pension), Allahabad for issuing of Corr. PPO.
7. No commutation of pension will be admissible on additional amount of pension accruing as a result of revision under these orders.
8. Notional fixation of pay in terms of these orders will not affect the entitlement of retirement Gratuity already determined and paid with reference to rules in force at the time of discharge/invalidment.
9. Any overpayment of pension coming to the notice or under process of recovery shall be adjusted in full by the Pension Disbursing Agencies against arrears becoming due on revision of pension on the basis of these orders.
10. If a pensioner to whom the benefit accrues under the provisions of this letter has died/dies before receiving the payment of arrears, the Life Time Arrears of pension (LTA) shall be paid as usual manner.
11. All other terms and conditions of this Ministry letter No. PC 10(1)/2009-D(Pen/Pol) dated 08.03.2010 and No. 1(13)/2012/D(Pen/Pol) dated 17.01.2013 shall remain unchanged.

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21.02.2020



12. Ministry of Finance, Department of Expenditure has concurred the proposal with following conditions:

- (i) The revised pension of an honorary rank Naib Subedar who had retired before 01.01.2006 shall not exceed that of an honorary rank Naib Subedar who retired on or after 01.01.2006.
- (ii) The revised pension of an honorary rank Naib Subedar who had retired before 01.01.2006 shall not exceed that of a regular Naib Subedar who retired either before or after 01.01.2006.

13. This issues with the concurrence of M/o Finance, D/o Expenditure vide their ID No. 1(13)/EV/2019 dated 05.02.2020 and the Finance Division of this Ministry vide their ID No. 10(06)/2012/Fin/Pen dated 20.02.2020.

14. Hindi Version will follow.

Ashok
21.02.2020
(Ashok Kumar)

Under Secretary to the Govt. of India

Copy to :

As per standard list

MoD(Finance/Pension)

CGDA, New Delhi



ANNEXURE-A

Havildar granted Hony Naib Subedar Pre-2006 GP "X" and Equivalent Gp "A"			
Length of Service (In Years)	Revised Pension W.E.F. 1.1.2006	Revised Pension W.E.F. 1.7.2009	Revised Pension W.E.F. 24.09.2012
15	9170	9170	9170
15.5	9170	9170	9170
16	9170	9170	9170
16.5	9170	9170	9170
17	9170	9170	9170
17.5	9170	9170	9170
18	9170	9170	9170
18.5	9170	9170	9170
19	9170	9170	9170
19.5	9170	9170	9170
20	9170	9170	9170
20.5	9170	9170	9170
21	9170	9170	9170
21.5	9170	9170	9170
22	9170	9170	9170
22.5	9170	9170	9170
23	9170	9170	9170
23.5	9170	9170	9170
24	9170	9170	9170
24.5	9170	9170	9170
25	9170	9170	9173
25.5	9170	9170	9326
26	9170	9170	9479
26.5	9170	9170	9632
27	9170	9170	9785
27.5	9170	9170	9938
28 & above	9170	9280	10090

Havildar granted Hony Naib Subedar Pre-2006 GP "Y" and Equivalent Gp "B", "C", "D"			
Length of Service (In Years)	Revised Pension W.E.F. 1.1.2006	Revised Pension W.E.F. 1.7.2009	Revised Pension W.E.F. 24.09.2012
15	8330	8330	8330
15.5	8330	8330	8330
16	8330	8330	8330
16.5	8330	8330	8330
17	8330	8330	8330
17.5	8330	8330	8330
18	8330	8330	8330
18.5	8330	8330	8330
19	8330	8330	8330
19.5	8330	8330	8330
20	8330	8330	8330
20.5	8330	8330	8330
21	8330	8330	8330
21.5	8330	8330	8330
22	8330	8330	8330
22.5	8330	8330	8330
23	8330	8330	8330
23.5	8330	8330	8330
24	8330	8330	8330
24.5	8330	8330	8330
25	8330	8330	8330
25.5	8330	8330	8330
26	8330	8330	8330
26.5	8330	8330	8330
27	8330	8330	8330
27.5	8330	8330	8377
28 & above	8330	8330	8505

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Revised

Havildar granted Hony Naib Subedar			
Pre-2006 GP "Z" and Equivalent Gp "E", "F", "G", "H"			
Length of Service (In Years)	Revised Pension W.E.F. 1.1.2006	Revised Pension W.E.F. 1.7.2009	Revised Pension W.E.F. 24.09.2012
15	7940	7940	7940
15.5	7940	7940	7940
16	7940	7940	7940
16.5	7940	7940	7940
17	7940	7940	7940
17.5	7940	7940	7940
18	7940	7940	7940
18.5	7940	7940	7940
19	7940	7940	7940
19.5	7940	7940	7940
20	7940	7940	7940
20.5	7940	7940	7940
21	7940	7940	7940
21.5	7940	7940	7940
22	7940	7940	7940
22.5	7940	7940	7940
23	7940	7940	7940
23.5	7940	7940	7940
24	7940	7940	7940
24.5	7940	7940	7940
25	7940	7940	7940
25.5	7940	7940	7940
26	7940	7940	7940
26.5	7940	7940	7940
27	7940	7940	7940
27.5	7940	7940	7940
28 & above	7940	7940	7985

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21/02/2020

