

No.38/109/2006 P&PW (A)  
Government of India  
Ministry of Personnel, P.G. & Pensions  
Department of Pension & Pensioners' Welfare

3<sup>rd</sup> Floor, Lok Nayak Bhavan  
Khan Market, New Delhi  
27th December, 2006


**OFFICE MEMORANDUM**

Subject: (i) Revision of pension of pre-1996 pensioners  
(ii) Implementation of Supreme Court judgement dated 23-11-2006 in K.S. Krishnaswamy Vs. UOI CA No. 3173-3174/2006 and 3188-3190/2006 Regarding validity of DOP&PW OM dated 11-5-2001

The undersigned is directed to say that Supreme Court has set aside the judgement of Delhi High Court in S.C. Parasher Vs. UOI and upheld the judgement of Madras High Court in WP No. 2444-2451/2001 dated 29-4-2005. The Supreme Court has held that DOP&PW OM No. 45/86/97/ P&PW (A) Pt. dated 11-5-2001 is valid.

2. Since the Supreme Court judgement dated 23-11-2006 has set aside Delhi High Court judgement and held OM dated 11-5-2001 as valid, therefore, the judgements of all other High Courts and CAT holding OM dated 11-5-2001 as null & void, stand set aside in the light of Supreme Court judgement dated 23-11-2006. All the Ministries and Departments are therefore, requested to revise pension of pre-1996 pensioners in terms of OM dated 17-12-1998 and OM dated 11-5-2001 read together.

3. All Ministries/Departments are also requested to review the earlier cases for revision of pension in the light of Supreme Court judgement dated 23-11-2006 in consultation with Ministry of Law and Ministry of Finance.

  
(M.P. Singh)  
Director

To  
All Ministries/Departments / Attached offices of Govt. of India  
CGA  
CAG

106/Pen (F)/07  
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So (Pen)  
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