

No.4(10)/2017-D(Pen/Legal)
Ministry of Defence
Department of Ex-Servicemen Welfare
D (Pension/Legal)

Sena Bhawan, New Delhi
Dated 18.11.2020

To

The Chief of the Naval Staff

Subject: Implementation of Hon'ble Supreme Court Orders dated 06.09.2019 and dated 06.11.2020 in Contempt Petition(C) No. 2107/2018 in MA No. 1067/2018 in Civil Appeal No.2147/2011 for grant of Special Pension under Regulation 95 of Navy (Pension) Regulations, 1964 to Ex-sailors.

Sir,

In the matter noted above, Hon'ble Supreme Court of India, vide its judgment dated 06.09.2019 under Article 142 of the Constitution of India, has ordered as under:-

“Needless to observe, the determination of pension must be of actual payable amount as per rules and not in reference to the approximate figure stated in the order dated 27.09.2018. We hope and trust that the Pension Sanctioning Authority (PSA) shall take expeditious decision in the matter and report compliance before the next date.”

2. Accordingly, in supersession of this Department's previous order of even number dated 22.10.2018, sanction of the Competent Authority is hereby conveyed for grant of Special Pension to the Ex-Sailors appointed prior to 03.07.1976 and discharged on or after 03.07.1976 on expiry of 10 years of service under Regulation 95 read with regulation 98 and 86 of the Navy Pension Regulations, 1964. As ordered by the Hon'ble Supreme Court vide its judgment dated 06.09.2019, the determination of pension shall be of actual payable amount as per rules and not in reference to the approximate figure stated in the order dated 27.09.2018. The amount of Pension to be worked out shall be payable from 01.09.2018.
3. Reference is also drawn to the Affidavit filed by DPA(Navy) in December 2019 in the Supreme Court of India along with the calculation sheet prepared by PCDA (P), Allahabad and duly approved by CGDA.
4. The amount of gratuity, DCRG and special pension @ Rs. 9,000/- pm paid till date to the beneficiaries be also adjusted against the amount payable, if not already adjusted. Revised PPOs may be issued accordingly.
5. The expenditure incurred on this account will be paid under Charged Expenditure and be debited to the relevant Head of Account.
6. This issues with the concurrence of Ministry of Defence (Fin/Pen) vide their I.D. No. 17(03)/2020/Fin/Pen dated 02.11.2020.

Yours faithfully,

(Sanjay Rawat)

Under Secretary to the Government of India

Copy to:-

1. FA(DS), South Block, New Delhi
2. CGDA, Ulan Batar Road, Delhi Cantt, New Delhi-10.
3. PCDA(P), Draupadighat, Allahabad-211014
4. PCDA(Navy),Cooperage Road, Mumbai.
5. Director, DPA(Navy), IHQ, New Delhi
6. LOIC, Naval Pension Office, Mumbai-400088.
7. MoD(Fin/Pen), Sena Bhawan, New Delhi
8. MoD(Pension/Policy), Sena Bhawan, New Delhi
9. Shri Gorakhnath, IT Consultant – for uploading in the website of DESW.