

FD-FP-206(PYFG)/3/2020-1FP2/157/1

Government of Punjab
Department of Finance
(Finance Personnel-2 Branch)

Dated, Chandigarh: 10.07.2024

To

- i) All Special Chief Secretaries, Additional Chief Secretaries, Financial Commissioner, Principal Secretaries & Administrative Secretaries to Government of Punjab;
- ii) All Heads of the Departments of the State;
- iii) All Commissioners of Divisions;
- iv) The Registrar, Punjab and Haryana High Court, Chandigarh;
- v) All Deputy Commissioners & District & Session Judges and;
- vi) Secretary, Punjab Vidhan Sabha.

Subject :- Implementation of judgment dated 09.04.2024 passed by Hon'ble Punjab and Haryana High court in LPA 696 of 2022 in CWP 16353 of 2020- Malagar Singh Vs State of Punjab and others - Regarding grant of notional annual increment after retirement .

Sir/Madam,

This is in reference to the earlier instruction no. FD-FP-206(PYFG)/3/2020-1FP2/86 dated 18-03-2021 issued by Department of Finance, in which it was clarified that no increase can be allowed in the pay of Government employee after the day he/ she ceases to be a Government employee. It was also conveyed that his/ her pension cannot be calculated on any pay which is more than the last pay drawn.

2. Now, the Hon'ble Punjab and Haryana High Court in its judgment passed in LPA 696 of 2022 in CWP 16353 of 2020 - Malagar Singh Vs State of Punjab and others dated 09.04.2024, has dismissed the Appeal of the State confirming the judgment passed in CWP 32598 of 2019 titled as Gurdev Singh Vs. State of Punjab and another (bunch matters) and has allowed the release of benefit of notional annual increment after retirement for the purpose of pensionary benefits.

The extract of order in CWP No. 32598 of 2019 dated 16.03.2022 is reproduced as under:-

"..... The respondents are directed to grant the petitioners the benefit of one notional increment so as to fix their last drawn pay at the time of their retirement and their pensionary benefits be re-calculated on the basis of said last drawn pay but petitioners, as undertaken by them will not be entitled for the arrears up to the date of filing their respective petitions by them and the actual benefits of arrears upon re-fixation of their pension will be given to the petitioners from the date of filing of the writ petitions. The petitioners are held not entitled for any arrears prior to the date of filing of the writ petitions by the petitioners as agreed by them before this Court at the time of hearing. Let the re-fixation of the pensionary benefits upon revised last pay drawn be done by the respondents within a period of two months from the receipt of copy of this order and the actual arrears for which the petitioners become entitled for under this order be released to them within a period of one month thereafter."

3. The Government has therefore revisited these instructions as referred in para 1 above, and has now decided to grant the benefit of one notional annual increment to all the pensioners of the State Government who have completed 12 months of service on the date of their retirement for purpose of re-fixation of their last drawn pay for the purpose of computing their pensionary benefits. The increment shall, however, be granted if otherwise admissible as per provisions of Punjab Civil Services Rules i.e. subject to verification of service records.

4. As per directions of the Hon'ble Punjab and Haryana High Court as mentioned above, the arrears of pensionary benefits shall be payable to the petitioners only from the date of filing of their respective writ petitions.

5. The financial benefit / Arrears in cases of the pensioners (Non petitioners) shall be payable only from the date of issuance of these instructions.

6. The Finance Department shall separately decide on amendment in the relevant rules if so required.

7. All the Administrative Departments / pension sanctioning authorities are advised to implement the above instructions meticulously in its true letter and spirit.

Yours faithfully,

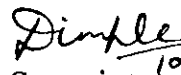

Under Secretary 10/7/24
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No. FD-FP-206(PYFG)/3/2020-1FP2/15/2

Dated, Chandigarh: 10.07.2024

A copy each is forwarded to:-

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


10/7/2024
Superintendent
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No. FD-FP-206(PYFG)/3/2020-1FP2/15/3

Dated, Chandigarh: 10.07.2024

A copy of the above is forwarded to the Private Secretary / Chief Secretary, Government of Punjab for information and necessary action.


10/7/2024
Superintendent
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No. FD-FP-206(PYFG)/3/2020-1FP2/15/4

Dated, Chandigarh: 10.07.2024

A copy of the above is forwarded to the Secretary, Government of Punjab, Department of Personnel for necessary action.


10/7/2024
Superintendent
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No. FD-FP-206(PYFG)/3/2020-1FP2/15/5

Dated, Chandigarh: 10.07.2024

A copy is forwarded to all the District Treasury Officers/Treasury Officers in the State for information and necessary action.

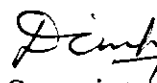

10/7/2024
Superintendent
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No. FD-FP-206(PYFG)/3/2020-1FP2/15/6

Dated, Chandigarh: 10.07.2024

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

- (i) Special Chief Secretary/ Chief Minister, Punjab, Chandigarh.
- (ii) State Information Officer/NIC., Punjab Civil Secretariat, Chandigarh.


10/7/2024
Superintendent
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No. FD-FP-206(PYFG)/3/2020-1FP2/15/7

Dated, Chandigarh: 10.07.2024

A copy of the above is forwarded to the Director, Public Enterprises and Disinvestment with the request that the requisite monitoring of these instructions applicable on the organizations may please be ensured.

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10/7/2024
Superintendent
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Internal Distribution:

- (i) Directorate of Financial Resources and Economic Intelligence.
- (ii) All Branches in the Department of Finance.