

फा .न. 2025/(01)38/01 -P&PW (A) (10871)

भारत सरकार Government of India

कार्मिक, लोक शिकायत और पेंशन मंत्रालय Ministry of Personnel, PG & Pensions

पेंशन और पेंशनभोगी कल्याण विभाग Department of Pension & Pensioners'

Welfare

लोक नायक भवन 3rd Floor, LokNayakBhawan
खान मार्केट नई दिल्ली Khan Market, New Delhi-110 003

दिनांक Dated: 16 September 2026

कार्यालय ज्ञापन

विषय: 2nd National Workshop on Pension Litigation convened on 18th July 2026 - reg.

Department of Pension and Pensioners' Welfare has convened 2nd National Workshop on Pension Litigation on July 18, 2026 at Ambedkar International Centre new Delhi. It was attended by more than 380 Nodal Officers and Legal Counsels handling the pension litigation across various Ministries/Departments.

2. Two technical sessions were convened, **on "Pension Litigation in Hon'ble CATs/HCs"** focussing on systemic reforms for mitigating recurring litigation, handling of high impact issues, Contempts, Appeals and **on "Pension litigation management"** with discussion on DLA Directives dated 04.04.2025, strengthening pre litigation grievance redressal, use of AI technology, capacity building, policy reforms, pensioners welfare etc. The Workshop was addressed by Hon'ble MoS(PP), Ld. AGI, Secretary (Law), Secretary (ESW), Ld ASG and other eminent senior CGSCs and officers.

3. In this connection, please find enclosed herewith following documents for information pl:-

- i. Proceedings Report of the Workshop.
- ii. Compendium of Case Laws on Pension Litigation.
- iii. Flyer on Pension Litigation

4. यह इस विभाग के सक्षम प्राधिकारी के अनुमोदन से जारी किया गया है I

संलग्न : यथोक्त

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To

All the Ministries/Departments of the Government of India
(through website of DoPPW)

Copy for information(through email) to:

- i. Office of Ld.AGI, 10 Moti Lal Nehru Marg, New Delhi -01
- ii. Office of Registrars Hon'ble CAT, 61/35 Copernicus Marg
New Delhi – 01 / Hon'ble HC at Sher Shah Road, New Delhi –
110503
- iii. Office of Secretary(Law), M/o L&J.
- iv. PSO to Secretary(Pension)/ PPS to Joint
Secretary(Pension),DoPPW.



सत्यमेव जयते

Government of India

Ministry of Personnel, Public Grievances and Pensions

Department of Pension & Pensioners' Welfare



2ND NATIONAL WORKSHOP ON PENSION LITIGATION



PROCEEDINGS REPORT



DATE: 18TH JULY 2026



From 10.30 AM to 5.00 PM



AT

Dr. Ambedkar International Centre,
New Delhi



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OVERVIEW

Department of Pension and Pensioners' Welfare (DoPPW), convened 2nd National Workshop on Pension Litigation on 18th July 2026 at Dr. Ambedkar International Centre (Bhim Auditorium) New Delhi.

2. The first National Workshop on Pension Litigation was held on 02.07.2025 at Vigyan Bhawan in pursuance of DLA Directives dated 04.04.2025 on effective and efficient management of litigation with focus on strengthening of Pension litigation management, enhancing coordination amongst all stakeholders and mitigating the pension litigation through legal, administrative and digital reforms.

3. As a major takeaways of 1st Workshop, Department has taken suitable steps as under:

- i. Monthly meetings with Government Counsels for common narrative on similar important cases across Ministries and Departments for better litigation management.
- ii. Simplification of Rules especially Family Pension Rules and deeper dissemination of Clarification through periodic Compendium, Short informative videos on social media.
- iii. Updation and monitoring of all Court cases on Pension litigation through better management on LIMBS Portal.
- iv. Intensifying grievance redressal resulting in lowering of overall grievances from more than 13000 grievances per month to less than 6000 grievances within a span of 2 years. The average redressal time has also reduced from more than 40 days to less than 20 days.

4. The outreach meetings are key to discuss the important policy related court cases for improving pleadings in a uniformed manner before the Hon'ble courts. This forum is also used to share important court orders and disseminating important information. These meetings are yielding positive results. Recently, Hon'ble CAT Mumbai has given a judgment dated 09.10.2025 in OA 1379/2024 Satyendra Kumar Singh Vs UOI justifying the Government policy of additional pension under Rule 44(6) of CCS (Pension) Rules 2021. Also, Hon'ble Delhi High Court in recent judgment dated 29.05.2026 justified Government Policy on restoration of commuted portion of pension.

5. To further the narrative, the 2nd National Workshop on Pension Litigation has been convened on 18th July 2026 (Saturday) at Dr. Ambedkar International Centre

(Bhim Auditorium) 15 Janpath New Delhi from 10.30 am to 05.00 pm under the auspices of Hon'ble MoS (PP).

6. The 2nd workshop focused on systemic reforms for mitigating recurring litigation, handling of high impact issues, Contempt, Appeals before Hon'ble CATs/HCs and Pension litigation management with panel discussion on DLA Directives dated 04.04.2025, strengthening pre litigation grievance redressal, use of AI technology, knowledge repository, capacity building, Training, policy reforms, pensioners welfare etc.

7. Plenary Session was addressed by the distinguished speakers and legal experts including Dr. Jitendra Singh ji, Hon'ble MoS, Shri R. Venkataramani, Ld. Attorney General of India, Dr. Rajiv Mani, Secretary (Law) and Smt. Sukriti Likhi, Secretary (ESW).

8. The 2nd workshop was attended by more than 380 Nodal Officers and Legal Counsels handling the pension litigation across various Ministries/Departments.

Workshop Sessions:

- **Technical Sessions -I:**

- Topic: *"Pension Litigation in Hon'ble CATs/HCs"*
- Panel Speakers included Shri Vikramjit Banerjee, Ld ASG, Shri T. P. Singh, Sr. CGSC and Ms. Avshreya Pratap Singh Rudy, Sr. CGSC with Dr. Pramod Kumar, Director, DoPPW as Session Coordinator.

- **Plenary Session:**

- Graced by Hon'ble MoS (PP), Dr. Jitendra Singh who released the key publications '**Compendium of Case Laws on Pension Litigation**' and '**Flyer on Pension Litigation**'.

- **Technical Sessions -II**

- Topic: *"Pension litigation management"*
- Panel Speakers included Shri Dhrubajyoti Sengupta, JS (Pension) & Session Coordinator, Dr. Ajay Shanker Singh, Pr. CCA Home and Col Deepak Kumar, Dir (ESW).

WELCOME ADDRESS

By Shri Rakesh Kumar, Director, DoPPW



Shri Rakesh Kumar, Director, handling pension litigation in DoPPW, extended a very warm welcome to all the distinguished guests, legal experts, officers, and participants in the Second National Workshop on Pension Litigation. He expressed that the overwhelming participation in the first workshop and the valuable suggestions received afterward made it clear that there is a continuing need for dialogue on the management of legal cases and pension-related legal issues.

2. He also explained that the objective of this workshop is to provide a platform for sharing experiences, discussing emerging trends in pension-related legal matters, identifying the recurring causes of disputes, and deliberating on measures to reduce unnecessary litigation. He also stated that the workshop will also focus on strengthening institutional mechanisms, enhancing the capacity of officials, promoting knowledge sharing, and exploring the use of technology, including AI-based solutions, for effective legal management.

3. He further expressed a hope that the knowledge gained from this workshop will help improve the handling of pension-related matters in the larger interest of both pensioners and the Government

TECHNICAL SESSION I
Pension Litigation before
Hon'ble CATs/HCs

----- Panel for Technical Session - I -----

Shri Vikramjit Banerjee
Ld. ASG



Mr. Vikramjit Banerjee is a distinguished Senior Advocate and Additional Solicitor General of India at the Supreme Court of India. An alumnus of NLSIU Bengaluru and the University of Leicester (LL.M.), he is also a Chevening Scholar and has pursued international fellowships at Central European University, Budapest, and the Salzburg Seminar, Austria.

He began his practice under eminent lawyers V.R. Reddy and Jayanta Mitra, later serving as Advocate General of Nagaland and becoming one of the youngest to hold that office. Designated Senior Advocate by the Gauhati High Court in 2016, he was appointed Additional Solicitor General in 2018 and reappointed subsequently for 3 further terms. Mr. Banerjee has authored and edited several books, articles, and monographs on law, culture, religion, and civil liberties.

He has taught at NUJS Kolkata and IIM Calcutta and regularly addresses national and international forums, contributing significantly to constitutional advocacy, legal scholarship, public policy and public service.

Shri T.P. Singh
Sr. CGSC



T.P. SINGH is a very prominent, Central Government Senior panel lawyer, practice primarily at High Court of Delhi and Supreme Court of India. Widely known for his gentle court craft and expertise in service law and civil Miscellaneous Writs, and deep understanding of Constitutional law and arbitration Cases.

A first generation lawyer, coming from very humble background, originally in Chemistry, transitioned to law by pursuing LL.B from Campus Law Centre, Delhi, enrolled with Delhi Bar Council, in 2013.

He has built a very good reputation in legal fraternity, amongst bars and benches, as Honest, effective and efficient persuader and frequently handles high profile cases in High Court, defending interest of Government of India since 2018 and National Commission for Scheduled Caste, since 2023, and his other clients, very ably and successfully.

Notable highlights from his progressive career include:

1- UNION OF INDIA & ORS VS SANJAY KUMAR NAIK & ORS WP(C) NO. 9413/2016.

- Even gone against the opinion of Senior law officer, filed Writ Petition defended Government of India, got favourable order, in spite of vehement opposition by the best Senior Counsel for service law, now Judge of the High Court of Delhi, shows his ability and keen interest to handle very complex matters.

2. CENTRAL WAREHOUSING CORPORATION VS UNION OF INDIA AND ORS, WP(C) NO. 114/2008.

- Defended successfully, government of India Notification, banning contract labour in corporation.

3. UNION OF INDIA VS ALL INDIA S-30 PENSIONERS ASSOCIATION, WP(C) NO. 8080/2016, AND OTHER CONNECTED MATTERS.

These cases established him as bold competent young vibrant lawyer having guts and calibre to defend complex matter without any fear.

The numbers are countless but the things which are common are persistent, effective management of court cases with full integrity and devotion.



Ms. Avshreya Pratap Singh Rudy
Sr. CGSC

Adv. Avshreya Pratap Singh Rudy is a prominent legal luminary and Central Government Standing Counsel, with a formidable career representing the Union of India before the High Court of Delhi and the Supreme Court of India and various forums across the country. Her expertise spans crucial domains of public law, administrative law, and governmental litigation. A distinguished alumni of O.P. Jindal Global University (Jindal Global Law School), she embarked on her professional trajectory as an associate in Karanjawala & Company which is an exclusive full-service dispute resolution firm that handles litigation and arbitration on behalf of its clients for over six years.

After which, she became a Government Pleader for the Union Of India at the High Court of Delhi, subsequently ascending to the position of Senior Panel Counsel, prior to her esteemed appointment as a Central Government Standing Counsel. Throughout her tenure, she has adeptly represented a multitude of Ministries and Departments in a spectrum of pivotal and policy-critical matters.

Her practice meticulously navigates intricate litigation concerning pensionary and service jurisprudence, encompassing disputes related to the calculation and revision of retirement benefits, the nuanced interpretation of pensionary regulations, and the diligent safeguarding of governmental financial interests for the armed forces of our country.

Furthermore, she has presented compelling arguments in matters pertaining to Hajj administration and pilgrimage oversight, constitutional quandaries concerning the Right to Be Forgotten within the digital epoch, and high-stakes public procurement and tender disputes on behalf of the Ministry of External Affairs.

Through her discerning advocacy, she has substantively contributed to the evolution of jurisprudence governing administrative decision-making, governmental contracts, and constitutional governance. Her professional endeavours categorically manifest a profound dedication to public service, astute legal strategizing, and the efficacious representation of the Government in matters of paramount national significance.

Throughout her legal career, Avshreya has demonstrated a strong commitment to mentoring and educating junior colleagues, equipping them with the knowledge, practical skills, and confidence required to excel in the legal profession.

Opening Remarks by the Session coordinator – Dr. Pramod Kumar, Director DoPPW



After welcome of all the panelists and session coordinator. Dr. Pramod Kumar, Director started the panel discussion giving brief of the purpose. He explained that there are more than 68 lakhs pensioners of Defence, Railway, Civil, Telecom and from Postal. Some litigation issues are Department specific and some are common like Commutation related. The court cases are continuously increasing, which needs to be discussed. So the Workshop shall discuss reasons whether rules needs to be reviewed or there is need for revision and improving the Government representation before the courts.

2. He further stated that the valuable inputs and insights of the panel shall be important as the litigation have huge financial impact. He requested that panel to discuss three issues first on the major pension litigation related topics which are recurrent and impacting large number of pensioners and Policy also. How to reduce them. Second, what the panel expects from Government for qualitative representation before courts and third, how to handle the contempt cases having vast impact.

3. He first invited Shri Vikramjit Banerjee, Ld. ASG, for sharing his experience and insights for enhancing knowledge of the participant

1. Presentation by Shri Vikramjit Banerjee Ld. ASG.



He explained how we should react to the pension litigation and how to deal with it. He explained the four pillars of Pension Defence - Pension is a right earned through past service, is protected under Article 14 & Service Rules, Policy classification must be rational/non-arbitrary and financial constraints alone cannot

justify arbitrary differentiation among similarly placed pensioners.

2. He explained D. S. Nakara case which is a fundamental judgement and must be kept in mind by all those involved in the policy-making process. He also explained some landmark pension judgments from 1994 to 2026. 1994, PN Menon judgement - cut-off dates are rational, acceptable. Then 2013, Jharkhand versus Srivastava, reg pension is a property under article 300A. 2022 Ex-Servicemen Movement - pensioners of different ranks may not form a homogenous class due to different pay scales. 2026 — Bhikani Devi vs. UOI Casual labourers with temporary status cannot be denied pension; it is a constitutional right under Article 300A etc.

3. He also explained recovery of excess payment and delay principles. He quoted Rafiq Masih case. Recovery from retired employees is inequitable where the employee was not at fault. Distinguish where the employee gave a valid undertaking knowingly received inadmissible benefits.

4. As per Union of India vs. Tarsem Singh, arrears are normally restricted to three years before litigation. He also explained defending equal treatment claims through precise comparators. Most parity claims fail or succeed on the comparator. Required Comparator Elements are- Same rules, cadre, and source of recruitment Same pay scale, duties, and retirement regime Same date-linked scheme. Resisting Cross-Department Parity are differences in governing rules and funding pattern Distinct absorption terms or statutory status Separate contributory schemes. When

Parity is established, it is recommended for a uniform implementation rather than case-by-case litigation that multiplies adverse orders.

5. He also raised the issue that the Counsels need clear briefing with complete history/records of case and status of similarly placed cases to avoid inconsistent stands and improve case handling. Departments/Ministries should avoid contradictory stands before High Courts

6. At the end, he explained that the best litigation strategy begins before Litigation. We need clear Rules, reasoned orders, consistent implementation and early compliance. It will help reduce litigation. Our objective is not to win every case but to bring it to a successful, fair treatment between parties.

7. Where Government is right, defend it with complete records and principled clarity. A partnership between law officers, Standing Counsel, departmental officers, pension authorities, and finance/audit units is essential to reduce repetitive pension litigation.

2. Presentation by Shri T. P. Singh, Sr. CGSC



Building upon the success of the First National Workshop on Pension Litigation in 2025, he stated that significant progress has been made in improving the management of pension litigation before the Hon'ble High Courts and Hon'ble CATs. The introduction of

technology-driven initiatives, particularly the LIMBS Portal and strengthened grievance redressal mechanisms, has contributed to a noticeable reduction in pension-related litigation.

2. He stated that the majority of pension disputes arise not because of complex legal questions but due to administrative lapses, which compel retired employees and their families to seek judicial intervention, resulting in unnecessary litigation and hardship for pensioners. The address stressed the need for greater administrative accountability and timely decision-making to prevent disputes from reaching the courts.
3. He referred to some landmark judicial pronouncements. *Devi Nandan Prasad vs. State of Bihar*, which established that pension is a legal right governed by statutory rules and not a government bounty; *Uma Agrawal vs. State of Uttar Pradesh*, reaffirming pension as a vested right; and the celebrated *D.S. Nakara vs. Union of India* judgment, which recognized pensioners as a homogeneous class. The address explains how these decisions have shaped pension law by emphasizing equality, fairness, and the welfare character of pension.
4. The address further explained the Delhi High Court and Supreme Court decisions in *All India S-30 Pensioners Association*, which extended parity to pre-2006 retirees, ultimately prompting the Government to enact the Validation Legislation of 2025. This legislation expressly authorizes the Central Government to classify pensioners based on the date of retirement while implementing Central Pay Commission recommendations and validates such distinctions retrospectively.
5. He also focused on casual labourers and temporary-status employees and highlighted the recent Supreme Court judgment in *Bhikani Devi vs. Union of India* (2026), which significantly expands pensionary protection by holding that a temporary-status casual labourer who has completed the prescribed qualifying service is entitled to pensionary benefits even without formal regularization. This ruling is contrasted with the earlier judgment in *Union of India vs. Rakesh Kumar*, which primarily dealt with the method of counting temporary and casual service for pension. He pointed out that these judgments are particularly relevant for departments such as the Railways, Department of Posts, and CPWD, where such employment arrangements are common and continue to generate litigation.
6. As concluding remarks, he urged Ministries and Departments to adopt a coordinated, compassionate, and proactive approach by strengthening departmental grievance redressal systems, improving communication with pensioners, and resolving disputes at the pre-litigation stage. His address concluded with a call upon administrators, legal officers, and all stakeholders to work collectively towards ensuring timely justice, reducing avoidable litigation, and safeguarding the dignity and financial security of pensioners.

3. Presentation by Ms. Avshreya Pratap Singh Rudy, Sr.CGSC



She emphasized that pension litigation is fundamentally about safeguarding the dignity and livelihood of retired employees. Unlike ordinary Government litigation, pension disputes involve individuals who depend on pension as their primary source of financial security. Citing

the landmark judgments in *Devi Nandan Prasad and D.S. Nakara*, the speaker reiterated that pension is not a bounty or an act of governmental grace, but a deferred portion of compensation earned through years of service and a measure of socio-economic justice.

2. The address highlighted the broad scope of pension litigation. She devoted particular attention to commutation of pension, explaining it as a voluntary welfare measure under which a pensioner may receive a lump-sum payment by commuting a portion of the monthly pension. The scheme enables retirees to meet immediate financial needs such as housing, medical expenses, or family obligations. Key features discussed included voluntary option, commutation up to the prescribed limit, tax exemption on the commuted amount, and calculation based on actuarial tables under the CCS (Commutation of Pension) Rules, 1981.

4. A major focus of the address was the 15-year restoration period for commuted pension under Rule 10A. She explained that Courts have recognized that commutation involves complex actuarial and financial calculations and have generally refrained from interfering with the Government's policy decisions in this area. The address referred to several judicial precedents affirming that the restoration period is well-settled in law, thereby bringing consistency and certainty to pension administration.

5. She also highlighted the challenges faced by Government Counsels in presenting technically complex pension matters before courts. She urged that

Departments should provide clear factual inputs, well-prepared briefs, and consistent legal instructions. Effective coordination between administrative departments and legal counsel enables courts to appreciate the rationale behind pension policies and strengthens the Government's defence.

6. In conclusion, she stressed that successful management of pension litigation depends not merely on individual cases but on a coherent institutional approach. Uniform legal positions, standardized compilations of judgments, robust knowledge sharing, and continuous capacity building for departmental officers and government counsel are critical to ensuring consistency across courts.

4. Concluding remarks by Dr. Pramod Kumar, Session Coordinator

Technical Session - I concluded with an interactive Q&A session. The Panel answered key audience questions appropriately clarifying that every case warrants a detailed, fact-based evaluation before making any final decision.

2. The speaker highlighted that the arrears in pension-related cases cannot be decided through a uniform rule and must be examined on a case-to-case basis. Although judgments such as Tarsem Singh provide guiding principles, the grant of arrears depends on the specific facts of each case, the relief claimed, and the directions issued by the court. Recovery matters are similarly sensitive and require careful examination of the facts, applicable rules, and court orders before implementation.

3. The session coordinator also clarified the distinction between invalid pension and disability pension. Invalid pension refers to normal pension granted when an employee is invalidated out of service for reasons not attributable to or aggravated by service, whereas disability pension is admissible only where the disability is attributable to or aggravated by service. It was noted that administrative ministries are responsible for implementing court orders while the Department of Pension functions primarily as the policy-making authority.

4. He stressed the importance of prompt communication, timely action by field offices, and submission of self-contained notes by Ministries/Departments to facilitate effective decision-making and litigation management.

5. The session concluded with appreciation for the panelists and Government counsels, acknowledging their crucial role in handling litigation, guiding departments, and strengthening the Government's approach to pension-related court cases

.

PRESENTING OF MEMENTOS TO PANEL SPEAKERS



PLENARY SESSION

----- Speakers in Plenary Session -----

Dr. Jitendra Singh
Hon'ble Minister of State (PP)
Government of India



Union Minister of State (Independent Charge) of the Ministry of Science and Technology; Minister of State (Independent Charge) of the Ministry of Earth Sciences, Minister of State in the Prime Minister's Office; Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Minister of State in the Department of Atomic Energy ; and Minister of State in the Department of Space. Elected consecutively to the 16th, 17th and 18th Lok Sabha from Udhampur Constituency (Lower House of the Indian Parliament) from the erstwhile State of Jammu & Kashmir (Now Union Territory) in 2014, 2019 and 2024 respectively.

Dr. Jitendra Singh is a popular Diabetes specialist of international repute, Professor Diabetes and Endocrinology, noted intellectual, author, invited faculty to all the major national and South Asia Diabetes conferences and a social activist.

- He serve as an Ex Chairman, National Scientific Committee Diabetes, Research Society for Study of Diabetes in India (RSSDI 2013)
- Member Executive & Research Committees of RSSDI
- Joint Secretary, Diabetes in Pregnancy Study India (DIPSI)
- Executive Board Member "DIABETES INDIA"
- Author & Advisor on Panel of Elsevier Publishers
- Former Member National Advisory Board , Journal of Association of Physicians of India (JAPI)
- Former Member Editorial Board, Journal of Indian Medical Association, (JIMA)
- Referee / Reviewer "International Journal of Diabetes in Developing Countries" (IJDDC)
- Inspector for Medical Council of India (MCI) and Examiner for MD, DNB etc.

Awards and Achievements:

- Hailing from a remote far flung village in hilly district of Doda, Jammu & Kashmir (J&K), he rose to make a name for himself and the state of Jammu & Kashmir.
- Dedicated to social and public service right from student age,
- Resigned from Government job of Professor Medicine / Endocrinology for the service of society.
- Brought Jammu and Kashmir (J&K) to the national map through his performance as National TV panelist of BJP and Chief Spokesperson for J&K.
- Historic role in 2008 Amarnath Land Row Agitation, was also a member of the core committee of Amarnath Sangharsh Samiti.
- Contributed over five thousand published articles in the press including a widely read syndicated column "Tales of Travesty". Author of five books, Elsevier published monograms and over a dozen chapters in various text books of Diabetes and Medicine for MD students.
- Known for high integrity, calibre, clean image and selfless service to society.

- First ever medical professional to be conferred the coveted “Jamna Devi Gian Devi” award for journalism. Citation hails as a popular freelance journalist having so far contributed more than two thousand published articles in national regional press.
- Authored five books and three Monographs included three All India popular books on Diabetes awareness, one of which titled “Diabetes Made Easy” was included in the Best Seller section of “World Book Fair” held at Pragati Maidan in 2002.
- Awarded Gold Medal for “Oration” at Jawaharlal Institute of Postgraduate Medical Education & Research (JIPMER), Pondicherry.
- “Award of outstanding personality” from former union Health Minister, Mr. Ghulam Nabi Azad in 2009, Pioneering work on “Stress Diabetes in Kashmiri Migrants” published in “International Journal of Diabetes in Developing Countries” and hailed by World Health Organization (WHO).
- Published several original articles in leading medical journals authored /edited Diabetes related monographs for Elsevier Publishers and contributed chapters in the Associated of Physicians of India (API), Medicine Update Text Book Editions, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2010, 2011, 2012, and 2013.
- Invited Faculty to all the major national and South Asia Diabetes conferences.
- Countries visited - USA, Germany, France, UAE, Switzerland, Siberia.



Shri R. Venkataramani
 Ld. Attorney General of India,
 Government of India

Sh. R. Venkataramani, Senior Advocate and Ld. Attorney General for India has over 44 years of practice before Supreme Court of India and before several High Courts of the country. Has practiced in various branches of law, prominently Constitutional Law, Arbitration Law, Law of Indirect Taxes, Corporate and Securities law, Environmental Law, Law relating to Education, Land Laws, Criminal Law, Human Rights Law, Consumer Law, as well as law relating to services. He enrolled as an advocate in July, 1977 in the Bar Council of Tamil Nadu and was designated as Senior Advocate by the Supreme Court of India in the year 1997. He was appointed as a Member of the Law Commission of India, in 2010 and again for a further term in the year 2013.

Mr. Venkataramani has represented several State Governments, Universities, Central and State Public Sector Undertakings in Supreme Court and High Courts. He was a Member of Sub-Committee on Directive Principles of State Policy, constituted by the Commission reviewing the working of the Constitution under the Chairmanship of Justice M.N. Venkatachaliah. Mr. Venkataramani was co-opted member of the Expert Group constituted by the Ministry of Minority Affairs under the Chairmanship of late Pro. N.R. Madhava Menon to examine and determine the structure and functions of an Equal Opportunity Commission. Mr. Venkataramani is appointed as Attorney-General for India on 28th September, 2022, and he assumed the office as Attorney-General for India on 1st October, 2022.

The following are his publications:

- Mr. Venkataramani authored a book on the “Judgements of Justice O. Chinnappa Reddy” in 1990.

- He authored a volume on “Torts” in the series of Halsbury’s Laws of India, published by Butterworths.
- He published articles on Constitutional Law particularly concerning liberty, human rights and role of law, legal education and environmental Law and also a contributor to the annual review of ILI.
- Restatement of Indian Law (Public Interest Litigation) (sponsored by the Committee on Restatement of Laws – Joint Committee of Supreme Court of India and India Law Institute).
- He also published a book on Supreme Court Practice and Procedure (with international circulation)

Has been actively involved in academic activities, since 1988 commencing from his association with the National Law School of India University, Bangalore and is engaged with several law schools in their academic activities. Concerned with reforms in legal education, law research and socially relevant institutional developments, Mr. Venkataramani has been discharging his services as a Member of Academic Council of Visva Bharati, (Santiniketan); Member, Board of Studies of School of Law Benet University, Adjunct Jurist faculty in several National Law Schools including HNLU and Jindal Global University.

His International Engagements:-

- Invited to speak at the Workshop Jointly organized by the United Nations High Commissioner for Human Rights and International Commission of Jurists at GENEVA on the 4th to 6th March, 2001. The workshop was designed to submit a report to the Human Rights Commission, on the Optional Protocol to the International Covenants on Economic, Social and Cultural Rights, 1966.
- Was involved in work of the International Commission of Jurists in the Afro-Asian region, particularly pertaining to ICESCR.
- Participated in the International Meet engaged in the drafting of an Instrument on the Right to Food held at BERLIN in May, 2002.
- Invited to be involved in the Nepalese Constitution drafting and experience sharing exercise (2008).
- Invited to speak at East China University, Shanghai in relation to sharing of Indian experiences and developments in Constitutional Law and Legal Education.
- Delivered Annual Lecture at Colombo University, Law School in 2018, on Public Law and Private Law. Invited to talk at various Public Institutions, Professional Associations and Universities.

In recognition of his outstanding achievements, his scholarship and service to Legal Profession, Mr. Venkataramani has been conferred with Honorary Doctorate by two Universities, namely, Maharaja Surajmal Brij University, Bharatpur, Rajasthan, in the Convocation held on 5th April 2023 and ICFAL University, Rajasthan in July 2024. Besides other recognitions and awards, he has been conferred with Life-time achievement award in recognition of his acumen as Constitutional Lawyer by the 9th Edition of India Legal Awards, 2023 held on 15th September 2023 and again in September 2024.

As a hallmark of his impartial approach to establish fairness and rule of law, he has been appointed as an amicus-curie in many matters of public importance before Hon’ble Supreme Court of India and he is now discharging his duties as Court Receiver (appointed by Supreme Court in 2019) for the stalled projects of Amrapali Group.

Has represented Government of India before the UN Human Rights Committee in 2024. Represented Government of India in the G20 Prosecutor Generals Conference in October 2024.

While being able to snatch some time amidst above activities, Mr. Venkataramani engages himself in reading and writing poetry for his personal relish and has published a volume of poems – Roses Without Thorns.



Ms. Nivedita Shukla Verma
Secretary (Pension)
Government of India

Smt. Nivedita Shukla Verma, IAS (1991; Uttar Pradesh), is the Secretary, Department of Administrative Reforms and Public Grievances (DARPG) and Department of Pension and Pensioners Welfare (DoPPW), Government of India. A distinguished civil servant with over three decades of experience in public administration, she has held several key leadership positions in both the Government of India and the Government of Uttar Pradesh, contributing significantly to district administration, public service delivery, policy formulation, and governance reforms.

Prior to her current assignment, she served as Secretary, Department of Chemicals and Petrochemicals, Ministry of Chemicals and Fertilizers, and as Special Secretary, Ministry of Defence.

In her present role, she is spearheading a range of national initiatives aimed at advancing administrative reforms, strengthening public grievance redressal mechanisms, modernizing pension administration, and fostering citizen-centric, transparent, and accountable governance.



Ms. Sukriti Likhi
Secretary (ESW)
Government of India

Smt. Sukriti Likhi belongs to the Indian Administrative Service, borne on the Haryana Cadre. She joined the IAS in 1993 after completing her Masters degree in Sociology from the Delhi School of Economics. She is an Economics Honours graduate from Lady Shri Ram College, she also holds a Masters in Public Administration from the Harvard Kennedy School of Government, Harvard University, where she also was a Mason Fellow for Public Policy and Management.

Smt. Likhi has vast and varied experience in administration, serving in both the Central and the State Governments across sectors. Prior to joining the Ministry of Defence, she was Chairperson, National Authority Chemical Weapons Convention, Cabinet Secretariat. Previous to which she served as Additional Secretary and Financial Adviser to the Ministry of Steel. Additionally, during this period, she also served as Financial Adviser to the Ministry of Women and Child Development, Ministry of Micro, Small and Medium Enterprises, Ministry of Textiles, Department of Food Processing and DoNER. She looked after the Heavy Machinery and Capital Goods sector as Additional Secretary, Ministry of Heavy Industries. She has also worked in the Ministry of Finance, as Director in the Department of Financial Services and later as Counsellor Economic with the Embassy of India at Washington DC.

In the Haryana State Government she has worked for over a decade at the grass roots in the field, implementing rural and urban development programs, here her experience includes State Finance, Urban Development and Food Procurement as MD HAFED.



Dr. Rajiv Mani
Secretary (Law)
Government of India

Dr. Rajiv Mani, Secretary, Legislative Department (LD), Ministry of Law & Justice, Government of India is an officer of the Indian Legal Service. In addition he also holds the charge of Secretary, Department of Legal Affairs. Prior to joining as Secretary, Legislative Department he held various positions in the Government of India as Additional Secretary, Joint Secretary and Legal Advisor in the Department of Legal Affairs.

Dr. Rajiv Mani as Secretary, Legislative Department is dealing with drafting of principal legislation. The Legislative Department also undertaken scrutiny and vetting of subordinate legislations made under Central Acts by various Ministries/Departments. As Secretary he heads the Institute of Legislative Drafting and Research (ILDR) which was setup in January, 1989 under the aegis of the Legislative Department to scale up the capabilities and availability of trained draftsman to deal with legislative proposals. Legislative Department is also concerned with administration of Election Law and Electoral Reforms and India Code [India Code is a digital repository of all Central, State & Union Territory enactments/legislations].

As Legislative Secretary he also assisted the High-level Committee on 'Simultaneous Elections' constituted under the Chairmanship of Shri Ram Nath Kovind, former President of India.

Prior to joining in the Legislative Department, he as Additional Secretary in the Department of Legal Affairs was looking after the legal advice work of several Ministries/Departments of the Government of India. He is also closely associated with carrying forward the legislative initiatives of the Government of India in strengthening the Ease of Doing Business environment, particularly with respect to reforms to facilitate fast track adjudication of commercial disputes under the Commercial Courts Act, 2015.

He is associated with initiatives undertaken by the Central Government to promote Institutional Arbitration and Mediation in the country and has dealt with the 2019 and 2021 amendments carried out in the Arbitration and Conciliation Act, 1996. He was a part of the team which contributed towards the establishment of IAC under the IAC Act, 2019, of which he is the Chairperson on Addl. Charge basis.

Furthermore, he was closely associated in the process of enactment of the Mediation Act, 2023.

Foreign delegation and countries visited:

- He has represented Indian delegation led by the then Hon'ble Minister for Law & Justice and Electronics & IT, Shri Ravi Shankar Prasad, which visited the United Kingdom in July, 2018.
- Represented India at the meeting of the Senior Officials of Law Ministries of Commonwealth Law Ministries 2018 (SOLM) held in October, 2018 at the Commonwealth Secretariat, Marlborough House, London in 2020 and 2024.
- Represented Indian delegation to participate in the Law, Justice and Development (LJD) Week held at World Bank Group, Washington D.C. in November. 2018.

Other Positions:

- Executive Council Member of the Institute of Constitutional Parliamentary Studies (ICPS)
- Member of the Indian Council of Arbitration (ICA).

Apart from he has been a guest faculty in Bureau of Parliamentary Studies and Training (BPST), Lok Sabha Secretariat (now renamed as PRIDE) and has given lectures on various matters of Constitutional Law and Parliamentary procedures to legislators, foreign participants and to the newly recruited officers of All India Services (AIS) and other services under the Government of India.



Shri Dhrubajyoti Sengupta
Joint Secretary (Pension)
Government of India

An IRAS - 1999 batch officer. Have worked on several profiles involving general administration, finance, accounts, sports, culture and heritage. Has varied experience managing assignments in Zonal Railways, Construction projects and Production Units of Railways spanning from managing finance and accounts of Revenue earnings, Capex projects including procurement, Tenders and management of general administration involving leading varied teams. Presently posted as Joint Secretary Pensions in Govt of India.

Notable projects handled (Pan India) –

- Digital Life Certificate Campaign 3.0 and 4.0 - 1.62 cr and 1.91 cr DLCs respectively
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- TAMS (Traffic Accounts Management System) – a complete digitization package for revenue earnings of IR and IPAS II (Integrated Payroll Accounting System) and MERS (Miscellaneous e-Receipts System) for IR.

PLENARY SESSION



Plenary session commenced with the arrival of Hon'ble Minister of State (PP), Dr. Jitendra Singh ji, who formally inaugurated the session with the lighting of the lamp, accompanied by Shri R. Venkataramani, Ld. AGI, Ms Nivedita Shukla Verma, Secretary (Pension), Smt. Sukriti Likhi, Secretary (Ex-Servicemen Welfare), Dr Rajiv Mani, Secretary (Law) and Shri Dhrubajyoti Sengupta, Joint Secretary (Pension).

1. Welcome address and Presentation by Shri Dhruvajyoti Sengupta, JS(Pension)



JS (Pension) welcomed all the dignitaries and stated that the Department remains committed to enhancing the ease of life of pensioners through policy reforms, efficient service delivery, and effective litigation management.

Guided by the vision of achieving a zero-

litigation regime in the first workshop, significant progress has been made with nearly a 20% reduction in litigation cases on the LIMBS Portal over the past year. This has been facilitated by strengthened engagement between Departments and Government Counsels, implementation of the Department of Legal Affairs' comprehensive litigation guidelines, and regular monthly interactions to discuss important cases and share relevant case laws as a major takeaways from 1st Workshop. Efforts are also underway to develop a comprehensive compendium of pension case laws and standardize the handling of similar cases.

2. At the governance level, the Department has strengthened the LIMBS Portal, expanded the Digital Life Certificate (DLC) initiative, reduced the average disposal time of pension grievances through CPENGRAMS to less than 20 days, and simplified the pension process through a single sign-in and e-signed pension application system. The long-term vision of "One Pensioner, One Portal" aims to further improve accessibility and convenience. The Department also emphasized that policy formulation follows a consultative, Whole-of-Government approach, balancing stakeholder inputs with fiscal prudence. Effective briefing of Government Counsels, simplification of pension rules, capacity building, timely payment of pensionary benefits, prompt grievance redressal, and continued dialogue through such workshops are key steps towards creating a transparent, efficient, and litigation-free pension administration for the benefit of all pensioners

2. Address by Dr. Rajiv Mani, Secretary (Law)

Dr. Mani congratulated the Department of Pension & Pensioners' Welfare for organizing the Workshop and promoting best practices in pension litigation management across the Government. He raised following points:



2. First, Most litigation arises from avoidable administrative lapses such as delays, inconsistent interpretation of rules etc.

and addressing these issues can prevent many disputes from reaching courts. Second, the Directive on Efficient and Effective Management of Litigation, 2025 is a significant milestone for handling litigation. Third, pension litigation deserves special attention as it concerns the livelihood of retired employees. It must be guided by fairness and administrative sensitivity. The Hon'ble Supreme Court in *D.S. Nakara* and *Rafiq Masih* has emphasized these principles. Fourth, DoPPW is preventing avoidable litigation through simplification of pension rules, stronger grievance redressal, engagement with government counsels, capacity building, and continuous monitoring. These reforms are yielding positive results.

3. Fifth, technology has become an important partner in litigation management. LIMBS has strengthened monitoring, coordination, and identification of recurring issues. Sixth, every court judgment should be treated as an opportunity to improve administration. Settled legal principles should be implemented uniformly so that identical issues do not repeatedly reach different courts. Seventh, capacity building is equally important. Workshops like this promote knowledge sharing, consistency, and a common approach across government. Litigation can be prevented through timely decisions, better coordination, and sound administration.

3. Address by Smt. Sukriti Likhi, Secretary (ESW)

Secretary (ESW) thanked the Department of Pension and Pensioners' Welfare for organizing this second workshop, which provides a valuable platform for departments to develop effective administrative strategies for grievance redressal, reducing litigation, and improving litigation management.



2. In the Ministry of Defence, around 16,000 personnel retire or are discharged annually. The SPARSH system, one of the largest pension management systems, serves about 33 lakh defence pensioners, including nearly 1.5 lakh Gorkha veterans in Nepal, reflecting the wide scope of our responsibility. Technology-driven initiatives like SPARSH are central to improving pension administration and minimizing litigation through timely grievance redressal.

3. Defence pension litigation is extensive, with disability pension cases forming the largest share. Since such cases involve multiple stakeholders, including medical authorities, coordinated and timely action is essential. Our focus is to prevent litigation by resolving veterans' grievances promptly, improving communication of policies, ensuring their uniform implementation, standardizing responses, and filing well-prepared affidavits on time to support our counsel effectively.

4. Litigation imposes costs on the administration and causes hardship to veterans. The Ministry is committed to strengthening grievance redressal mechanisms, improving the quality and timeliness of its legal responses, and ensuring better service to veterans. We look forward to learning from the deliberations of this workshop and thank the organizers for this valuable initiative.

4. Address by Shri R. Venkataramani, Ld. Attorney General of India



Ld. AGI emphasized that zero pension litigation is an aspirational goal rather than a fully attainable one, as litigation is an inevitable consequence of laws, rights awareness, and differing interpretations. However, the objective should be to eliminate avoidable litigation by strengthening pension policies, improving governance, and ensuring timely resolution of grievances. Pensioners should be able to enjoy a secure and dignified retired life without unnecessary legal disputes.

2. He noted that international studies assess pension systems primarily on adequacy of pension benefits and the sustainability of pension funds. While India performs relatively well on these parameters, it is important to examine whether recurring litigation stems from policy shortcomings or deficiencies in implementation. The focus should be on addressing systemic issues affecting the larger body of pensioners rather than isolated cases of dissatisfaction.

3. The largest source of pension litigation are eligibility disputes, particularly involving ad hoc, work-charged and other non-regular employees. Governments face the difficult task of balancing financial sustainability with expanding pension coverage, as widening eligibility has significant fiscal implications. The speaker therefore advocated a National Pension Eligibility Framework with common minimum principles applicable across services, while retaining flexibility to accommodate the unique service conditions of different sectors.

4. Apart from eligibility, the Ld. AGI observed that avoidable litigation also arises from delays in pension processing, errors in computation, and administrative lapses. These issues can be substantially reduced through technology. A National Pension Portal, integrated with government departments, courts, law officers and AGI office, would facilitate real-time information sharing, prompt legal advice, effective coordination, and early intervention before disputes escalate into litigation.

5. He further stressed the need for a graded litigation management strategy, identifying opportunities to resolve disputes at the primary, secondary, and appellate stages so that only exceptional cases reach higher courts. While acknowledging that no dispute resolution system can ever be entirely free from defects, the speaker underscored the importance of resolving eligibility issues and strengthening institutional coordination before matters reach the courts.

6. Concluding, He called for a time-bound mission to achieve zero pension litigation before the Supreme Court, urging all stakeholders to work collectively towards this objective. Success would demonstrate that effective policy reforms, harmonized eligibility criteria, technology-driven administration, and coordinated legal management can significantly reduce pension litigation and advance the vision of zero avoidable litigation.

RELEASE OF KEY PUBLICATIONS BY HON'BLE MOS(PP)

i. Compendium of Case Laws on Pension Litigation



ii. Flyer on Pension Litigation



Address by Hon'ble Minister of State (PP), Dr. Jitendra Singh ji



In his keynote address, Hon'ble MoS (PP), Dr. Jitendra Singh, stated that the very need to organize a National Workshop on Pension Litigation indicates that the existing pension delivery system has not fully achieved its intended objectives. While appreciating the efforts of the Department of Pension & Pensioners' Welfare, Hon'ble MoS emphasized the need for greater institutional introspection, stronger outreach, and a renewed focus on pensioners' welfare in response to evolving societal needs.

2. He stressed that social realities continuously evolve, requiring pension policies to evolve accordingly. He cited reforms relating to Family Pension to divorced/widowed daughter. Hon'ble MoS observed that many legacy rules, inherited from the colonial era, no longer reflect the values of a welfare state. Regular review and modernization of pension provisions are therefore essential to prevent avoidable litigation.

3. Emphasizing proactive governance, he highlighted the importance of grievance redressal systems such as CPENGRAMS, not merely for resolving complaints but also for identifying systemic deficiencies. Repeated complaints of a similar nature should be treated as indicators of outdated or inadequate rules requiring policy intervention. At the same time, he cautioned that the goal of zero litigation should never come at the cost of denying legitimate pensionary benefits or restricting access to justice.

4. Hon'ble MoS further observed that effective grievance redressal extends beyond disposal of complaints to addressing pensioners' aspirations and concerns. Referring to the Department's AI-enabled grievance system and the introduction of a human interface after disposal of grievances, the speaker emphasized that empathetic engagement with pensioners helps build trust and identify practical solutions beyond the strict application of rules.

5. Drawing attention to family pension cases relating to defence and paramilitary personnel, he highlighted that many disputes arise due to documentation issues, varying service conditions, and prolonged delays. Several long-pending family pension cases have recently been resolved, underscoring the need for a comprehensive review. He also noted that rising public awareness, increased use of social media, and greater knowledge of legal rights have naturally contributed to increased litigation. In addition, unrealistic expectations regarding regularization of ad hoc service and pension entitlement also lead to avoidable disputes, making continuous public engagement and awareness equally important.

6. He emphasized that improving life expectancy and the active participation of retirees require simplification of pension rules, continuous social research, stronger outreach through digital platforms and social media, and intensive grievance redressal mechanisms. The judiciary may also be sensitized to the policy rationale behind pension provisions to ensure a better appreciation of legislative intent during adjudication. Workshops such as the present one provide an important platform for capacity building and coordination among nodal officers.

7. Concluding, Hon'ble MoS underlined that effective pension litigation management is fundamentally a welfare initiative, as pensioners today constitute an increasingly significant segment of society. Ensuring their welfare, dignity, and financial security not only fulfills the Government's responsibility but also enables senior citizens to continue contributing to the vision of Viksit Bharat. He urged all stakeholders to view their role in pension administration as a meaningful contribution to nation-building.

TECHNICAL SESSION II
Pension Litigation Management

-----Panel for Technical Session – II -----



Dr. Ajay S. Singh
ICAS, Principal CCA (MHA)
Government of India

Dr. Ajay S. Singh, ICAS (1994), is Principal Chief Controller of Accounts, Government of India. With over 30 years of experience in Public Financial Management, he has held key leadership roles in budgeting, accounting, procurement, internal audit, and financial governance. He has overseen financial appraisal and concurrence for major National Highway projects, including those funded by the World Bank, ADB, and JBIC, and has managed complex contract negotiations, arbitration, and public sector financial reforms.

He was among the founding members involved in the corporatisation of the Mints and Presses of the Government of India. He was instrumental in setting up the first Toll Free Call Centre for Pensioners and creating Pensioners' Grievance Redressal Centre while working in CPAO in 2011-12. He has authored several articles on Public Financial Management, counterfeit currency, and road safety, and co-authored a book on blockchain technology.



Shri Dhrubajyoti Sengupta
Joint Secretary (Pension)
Government of India

An IRAS - 1999 batch officer. Have worked on several profiles involving general administration, finance, accounts, sports, culture and heritage. Has varied experience managing assignments in Zonal Railways, Construction projects and Production Units of Railways spanning from managing finance and accounts of Revenue earnings, Capex projects including procurement, Tenders and management of general administration involving leading varied teams. Presently posted as Joint Secretary Pensions in Govt of India.

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Col. Deepak Kumar
Director (ESW)
Government of India

Colonel Deepak Kumar is an accomplished officer of the Indian Army with nearly three decades of distinguished service in command, staff, technology, governance and public administration. An alumnus of the **National Defence Academy** and the **Indian Military Academy**, he was commissioned into the Army in **June 1997** and has served in diverse operational environments, including the **Kargil War (1999)** with the Ladakh Scouts, as well as along the Western, Northern and North-Eastern borders.

A postgraduate in **Telecommunication Engineering** from the **Indian Institute of Science (IISc), Bengaluru**, Colonel Kumar has held several key appointments, including faculty at the Military College of Telecommunication Engineering, Project Director for strategic communication networks at Army Headquarters, CEO & Member Secretary of the Central Adoption Resource Authority (CARA), and Administrative Commandant, Gaya Military Station. At CARA, he spearheaded reforms in adoption governance and facilitated the placement of over **18,000 children** into families, including more than **2,000 special-needs adoptions**.

He is presently serving as **Director (Coordination, Policy & IT)** in the **Department of Ex-Servicemen Welfare, Ministry of Defence**, where he is responsible for policy formulation, inter-departmental coordination, digital transformation and litigation management relating to pension and welfare matters of Armed Forces pensioners. He has been closely associated with reforms in defence pension administration, modernization of digital systems, strengthening institutional coordination, and streamlining responses to pension-related litigation.

At the **National Workshop on Pension Litigation**, Colonel Kumar will share his perspectives on **effective pension litigation management**, institutional coordination, policy interventions, and leveraging technology to improve legal outcomes and ensure timely delivery of pensionary benefits to veterans and their families.

1. Presentation on Pension Litigation Management by JS(Pension) & Session Coordinator.



JS(Pension) initiated Technical Session-II highlighting that regular engagement among departments, legal experts, and stakeholders is key to reducing pension litigation. Referring to the learned Attorney General of India's suggestion for a common forum, he emphasized the seriousness with which pension litigation is being addressed.

2. He observed that while achieving "zero litigation" may be difficult, minimizing litigation depends on ensuring that pensioners understand the rules and do not feel deprived of their legitimate entitlements. Pension litigation is closely linked to effective grievance redressal, timely disposal of cases, and administrative responsiveness. Most pensioners initially approach their departments rather than courts, making patient hearing, empathy, and prompt resolution of grievances essential to preventing litigation.

3. He also noted that Departments are aware of the areas where irregularities occur and should address genuine grievances with propriety and sensitivity. Initiatives such as appointing Pension Mitras in every Ministry can strengthen timely pension processing. He encouraged participants to share best practices for wider adoption.

4. He then invited Colonel Deepak Kumar to share the Defence Ministry's experience in managing the complex field of defence pensions. He introduced him as a distinguished Indian Army officer with nearly three decades of service, including operational experience in the Kargil War and along the western, northern, and north-eastern frontiers, expressing confidence that his insights would contribute to improving pension administration and litigation management.

2. Presentation by Col. Deepak Kumar, Dir(ESW)



He explained that litigation primarily arises due to two reasons: dissatisfaction with existing policies and ambiguity in the interpretation of rules and regulations. While policies are drafted carefully, evolving situations often expose gaps and unforeseen scenarios, making timely policy review, clarification, and amendment essential to prevent litigation before it begins. Efforts are underway to identify ambiguities, standardize policy interpretation, and frame regulations that minimize differing interpretations.

2. In the case of armed forces pensioners, litigation is particularly complex because personnel serve under diverse operational conditions, leading to varied disability claims. A major cause of disputes is determining whether a disability is *attributable to* or *aggravated by* military service. Although guidelines exist for medical boards, greater standardization is being pursued to ensure uniform assessments. Differences in the application of rules—illustrated by cases where similarly placed personnel receive different classifications—often lead to grievances and litigation.

3. The pension administration system is complicated due to multiple record offices, establishments, operational inputs and numerous agencies involved in

processing cases. To address this, structured digital applications and standardized data fields are being introduced to improve consistency in decision-making.

4. The department is also strengthening litigation management by engaging more closely with Central Government Counsels, creating dedicated teams to monitor pending cases, ensuring timely appeals and implementation of court orders, and preventing delays that often result in contempt proceedings and adverse judgments.

5. Recognizing the importance of preventing litigation, the department is working to strengthen pre-litigation grievance redressal. It plans to extend the existing grievance resolution mechanism available during service to pensioners through the Kendriya and Zilla Sainik Boards, providing retirees with an effective forum to resolve issues before approaching the courts.

6. Another major initiative is the digitization and centralization of records of over 30 lakh armed forces pensioners. A centralized database will help identify regional grievance patterns, facilitate targeted interventions, and improve pension administration. Efforts are also underway to integrate Armed Forces Tribunal (AFT) cases with the LIMBS portal through API connectivity for better litigation tracking and management.

7. The department is analyzing litigation trends to identify recurring issues requiring policy intervention or authoritative judicial resolution. It is also strengthening representation before courts and ensuring a time-bound appeal mechanism, while regularly reviewing litigation performance in coordination with the Cabinet Secretariat.

8. He emphasized that disability pension litigation largely revolves around the determination of whether a disability is attributable to or aggravated by military service. To reduce disputes, the department is strengthening guidelines for medical officers, promoting objective assessments, and improving the quality of medical board observations.

9. In conclusion, he stressed that timely action is critical in litigation management. Delays in decision-making often result in adverse judicial outcomes, even where government policy is legally sound. The department remains committed to proactive litigation management, efficient service delivery, and ensuring that armed forces pensioners receive their legitimate pensionary benefits promptly.

3. Address and remarks by Shri Dhrubajyoti Sengupta, JS(Pension);



He thanked Col. Deepak Kumar for his insights on the challenge of balancing welfare with clarity in policy, noting that ambiguities often lead to pension litigation. Citing a recent CAPF case, he emphasized the need for standardized approaches and suggested creating specialized panel lawyers for different pension matters.

2. Before inviting the next speaker, he posed key questions for discussion: how to ensure accountability and timely action, reduce administrative lapses leading to litigation, strengthen grievance redressal, expand mediation through Pension Adalats, and leverage AI and LIMBS for litigation management. He urged the participants to identify three reforms to move towards the goal of zero avoidable pension litigation.

3. He then introduced Dr. Ajay Shanker Singh (ICAS, 1994), Principal Chief Controller of Accounts, Ministry of Home Affairs, highlighting his extensive experience in public financial management, budgeting, audit, procurement, and financial governance, and invited him to address the gathering on pension litigation management.

4. Presentation by Dr. Ajay Shanker Singh, Pr CCA Home:



Dr. Singh appreciated the work being done by the Defence pension setup and stated that he would focus not on handling litigation after it arises, but on the root causes of pension litigation based on his analysis.

2. The foremost cause of litigation is incorrect pay fixation—either someone receives undue benefits or another is denied rightful pension. In the civilian setup, pay fixation is handled by a very small workforce that is frequently diverted to other urgent duties, making it a major weak point. In contrast, the Defence establishment has a dedicated and protected pension setup.

3. He highlighted the stark difference between Defence and civilian pension administration. During his visit to the Allahabad Pension Office, he observed extensive manpower, documentation, and record-keeping infrastructure. Civilian departments, however, undergo frequent restructuring, mergers, and transfers, making long-term record maintenance difficult.

4. Pointing out the incomplete or outdated family records as second major source of litigation, he emphasized on employee awareness on regular updating mechanism of service records.

5. The third source is errors made while filling pension forms. Mistakes are often noticed only after retirement, but departments generally refuse corrections on the ground that the employee had submitted the forms, leaving pensioners with no option but to approach the courts.

6. The fourth source relates to pension revision after Pay Commissions. Fitment formulas are often interpreted differently by different banks and

CPPCs, resulting in inconsistent pension calculations. Overburdened staff handling multiple responsibilities often apply formulas differently, creating disparities that eventually lead to litigation.

7. Another major factor is the lack of empathetic approach to resolving grievances resulting into delayed action on the grievances. The speaker observed that despite the efforts of DoPPW and various organizations, the required level of empathy at field and local offices is still lacking. Programmes such as these workshops can help improve this culture.

8. Finally, he noted that while departments know how to handle litigation once cases reach the courts, implementation of court judgments creates enormous administrative challenges. For example, orders extending the Old Pension Scheme (OPS) to employees whose recruitment process began before January 2004 require reconstruction of GPF accounts, transfer of NPS contributions, and revision of service records, affecting nearly 14,000 cases in the Ministry of Home Affairs alone. Similarly, if courts ultimately extend OPS benefits to paramilitary personnel, implementation would pose a major administrative challenge irrespective of the legal merits of the case.

9 He found AI leveraging best for improving Data base and better management of pension litigation.

Concluding remarks by Sh. Dhrubajyoti Sengupta, JS(Pension) & Session Coordinator

Technical Session - II concluded with an interactive Q&A session. The Panel answered key audience questions appropriately clarifying that every case warrants a detailed, fact-based evaluation before making any final decision.

The speaker highlighted that despite salary systems being fully digitized, service records still require periodic verification. He suggested digitizing the Last Pay Certificate (LPC) and using it as a trigger for service verification, as it already contains verified service details, leave, PF, liabilities, and dues. This could ensure service verification is complete for almost all employees by retirement.

2. He emphasized that pay fixation and pension fixation require consistent interpretation, as differing interpretations lead to prolonged litigation. While

digitization is important, physical records remain indispensable, as both Courts and Government ultimately rely on original records in case of disputes.

3. On manpower, he stressed that pension work requires carefully selected personnel with empathy, interest, and specialization, and that pension-related postings should have a fixed tenure rather than frequent transfers. He noted that greater investment in skilled manpower and modern IT tools is required.

4. Summing up, he suggested three key way forward measures:

- i. Review, amend and simplify pension rules that repeatedly generate grievances and litigation such as family pension rules.
- ii. Develop a common portal for Ministries and Government lawyers to share litigation issues, best practices, and consistent interpretations.
- iii. Strengthen pension administration through dedicated, tenure-based, specialized staff supported by advanced IT integration.

PRESENTING OF MEMENTOS TO SPEAKERS





PRESENTATIONS IN THE WORKSHOP

NATIONAL WORKSHOP ON PENSION LITIGATION FOR CENTRAL GOVERNMENT

Technical Session

Pension Litigation — Constitutional Frame, Legal Principles & Counsel Strategy

Mr. Vikramjit Banerjee, Additional Solicitor General of India



CORE LEGAL PRINCIPLES

Four Pillars of Pension Defence



Pension as a Right

Not a bounty — earned through past service; protected under Article 14 and service rules.



Article 14 Scrutiny

Policy classifications must be rational, non-arbitrary, and not hostile.



Limits of Policy Choice

Financial constraints alone cannot justify arbitrary differentiation among similarly placed pensioners.



Deference to Expert Bodies

Courts accord deference to Pay Commission recommendations and expert fiscal determinations.

Pension Litigation: Beyond a Service-Law Docket

The Ethical Starting Point

Pension is **not charity or largesse**. It is a right earned by past service — a measure of socio-economic justice at the intersection of constitutional equality, fiscal governance, and administrative fairness.

D.S. Nakara v. Union of India, (1983) 1 SCC 305

The Supreme Court held that pension is **neither bounty nor grace** — it is a payment for past service and a welfare measure.

- The Government must defend lawful policy, not technical unfairness. The strongest defence is a legally sound and factually fair administrative decision.



Pension as a Constitutional Right

Indian courts have consistently recognised pension as a hard-earned benefit, protected under **Article 300A** as a form of property.

Property Right

Pension is property under Article 300A — cannot be denied except by authority of law. (*Jitendra Kumar Srivastava, 2013*)

Homogeneous Class

All pensioners form one class; arbitrary micro-classification for revised pension is impermissible. (*D.S. Nakara, 1983*)

Liberalised Benefits

Liberalised computation benefits must extend to all existing retirees, irrespective of retirement date. (*Indian Ex-Services League, 1991*)

CASE LAW EVOLUTION

Landmark Pension Judgments: 1994–2026



CURRENT LEGAL POSITION

The Governing Principle Today

What the Law Now Holds

D.S. Nakara remains good law, but pensioners retired at different times may be treated as a **somewhat heterogeneous group**. Employers may create cut-off dates for introducing new benefits.

However, **after the cut-off date**, every pensioner is entitled to all benefits as a **homogeneous class** — no further discrimination is permissible.

Key Distinction

Before Cut-Off

Differential treatment between pre- and post-cut-off retirees is permissible.

After Cut-Off

All pensioners form one class; denial of benefits is unconstitutional.

- ❑ Pension is a constitutional right under Article 300A — statutory inaction cannot defeat it.

Recovery of Excess Payments & Delay Principles



Recovery — State of Punjab v. Rafiq Masih, (2015) 4 SCC 334

Recovery from retired employees is **inequitable** where the employee was not at fault. Distinguish where the employee gave a **valid undertaking** knowingly received inadmissible benefits or where recovery is authorised by rule without

Delay & Arrears — Union of India v. Tarsem Singh, (2008) 8 SCC 648

Belated claims are generally barred by laches, but pension fixation wrongs may be **continuing**. Arrears are normally restricted to **three years** before litigation

Defending Equal-Treatment Claims Through Precise Comparators

Most parity claims fail or succeed on the **comparator**. Vague pleas of "similarly situated pensioners" must be resisted.



Required Comparator Elements

- Same rules, cadre, and source of recruitment
- Same pay scale, duties, and retirement regime
- Same date-linked scheme

Resisting Cross-Department Parity

- Differences in governing rules and funding pattern
- Distinct absorption terms or statutory status
- Separate contributory schemes

When Parity is Established

Recommend **uniform implementation** rather than case-by-case litigation that multiplies adverse orders.

COUNSEL STRATEGY

Strengthening Coordination Between Counsel and Departments

Clear briefing, disciplined communication, and a shared litigation record help avoid inconsistent stands and improve case handling.

Essential Briefing Note Contents

- Service history, retirement date, applicable pension rules
- Pay fixation sheet, sanction order, revision orders
- Audit objection, representation history
- Status of similarly placed cases

Ministry-Level Discipline

- Avoid contradictory stands across High Courts
- Maintain a **central litigation matrix** of pending issues, lead cases, and SLP status
- Seek instructions on policy rationale, financial effect, and Supreme Court precedent
- Early identification of cases for concession, compliance, appeal, or policy clarification



CLOSING

The Best Litigation Strategy Begins Before Litigation



The Government's objective is not to win every case, but to **defend lawful policy, protect the public exchequer, and ensure fair treatment** of retired public servants.



Where Government is Right

Defend with complete records and principled clarity.

Where the Citizen is Right

Correct the error without forcing avoidable litigation.

A partnership between law officers, Standing Counsel, departmental officers, pension authorities, and finance/audit units is essential to reduce repetitive pension litigation.



MINISTRY OF PERSONNEL, PG & PENSIONS
DEPARTMENT OF PENSION & PENSIONERS' WELFARE
GOVERNMENT OF INDIA

National Workshop 2.0 on Pension Litigation

BUILDING BRIDGES

Presented By:

DHRUBAJYOTI SENGUPTA
JOINT SECRETARY, PENSION



[HTTPS://PENSIONERSPORTAL.GOV.IN](https://pensionersportal.gov.in)



MISSION & VISION

EASE OF LIFE OF PENSIONER

- Dignity of pensioner
- Social security
- Ease of access
- Digital empowerment
- Qualitative and prompt grievance redressal

Value Proposition

Policy guided to protect rights and dues of pensioners, standardise and obviate oversight by Ministries and Departments. Gradually to evolve a regime that each pensioner gets his/her dues in time, correctly computed and effectively understood by the pensioner.





SPATE OF JUDGEMENTS

- Varying in texture
- Varying in content
- Varying in reference

Pension policy is an evolving subject. It tends to imbibe social, cultural and endemic constraints. Has an underlying thread that encapsulates

How to identify and understand the needs and preferences of pensioners.



“

Consultation with stakeholders

”

- Pensioner Welfare Associations
- Inter-ministerial consultations (DoE, DoLA, DoPT and the respective ministries)
- Political direction - will of the people
- Emerging spheres - increased grievances

A transparent and proactive policy that has flexibility of imbibing change, providing justice and minimising procedural and interpretation delays.

Major Takeaways of National Workshop 1.0 on Pension Litigation

- Monthly Dialogue with Govt Counsels on important pension cases.
- Common narrative in similar cases.
- Better Litigation Management
- Strengthening of LIMBS Portal
- Focus towards qualitative redressal of grievances
- Compendia on Pension Litigation Case Laws



Key Governance Milestones

The Department is committed and striving towards enhancing the ease of life of Pensioners through Digital empowerment, Grievance Redressal and simpler Pension policy and process.

Digital Life Certification	Pension Grievance Redressal	Simplification of Pension Rules & Process
Over 5 Crore DLCs <i>Cutting across all categories of pensioners.</i> <i>Empowering more than 10-12 crore citizens in last 12 years</i>	Almost 1 Lakh Grievances redressed annually <i>Average redressal reduced from 40 days to less than 20 days</i> <i>Completely online and monitoring all Departments/ Ministries through CPENGRAMS</i> <i>Deeper redressal - Pension Adalat</i> <i>Issue redressal - SCOVA</i>	Single e-sign Pension Application Form Smart integration with e-HRMS, CGHS and Banks Introduction of Pension Mitras <i>One Pensioner - one Portal</i>



Whole of Government Approach

- All stakeholders to be consulted
- Checks and Balances
- Reasonable Time frame needs to be allotted
- Both Macro and Micro views need to be amalgamated
- Ministries/ Departments are not subservient but a collegium
- Fiscal Viability

POLICY MAKING PROCEDURE

Allocation of Business Rules define that all policy modifications, making of new policy and deletion of policy would be done invariably with multiple consultations with all stakeholders.



National Workshop on Pension Litigation 2.0

- Dialogue between Ministries and Legal Counsels
- Common narrative – common agenda
- Case Laws – crucial in all court cases
- Stakes in pension – high and growing
- Plethora of judgements – more than 70% are service matters

There is a sincere need for the dialogue to reach a zero-litigation regime



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Takeaways expected

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- Better cohesion
- Simpler Rules
- Common Case Laws in important cases
- Faster redressal of grievances/ issues/ claims
- Way forward for Zero-Litigation regime

Better Litigation management leads to a WIN-WIN paradigm for Government, Pensioners and Judiciary. It entails good governance and better service delivery to the last mile.



POLICY EVOLVED

- Inclusion
- Delineation of strata
- Simplification
- Imbibing Technology
- Empowerment

Pension policy is aimed for its effective implementation, correct interpretation and reduced disparity.



THANK YOU



Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare
Government of India

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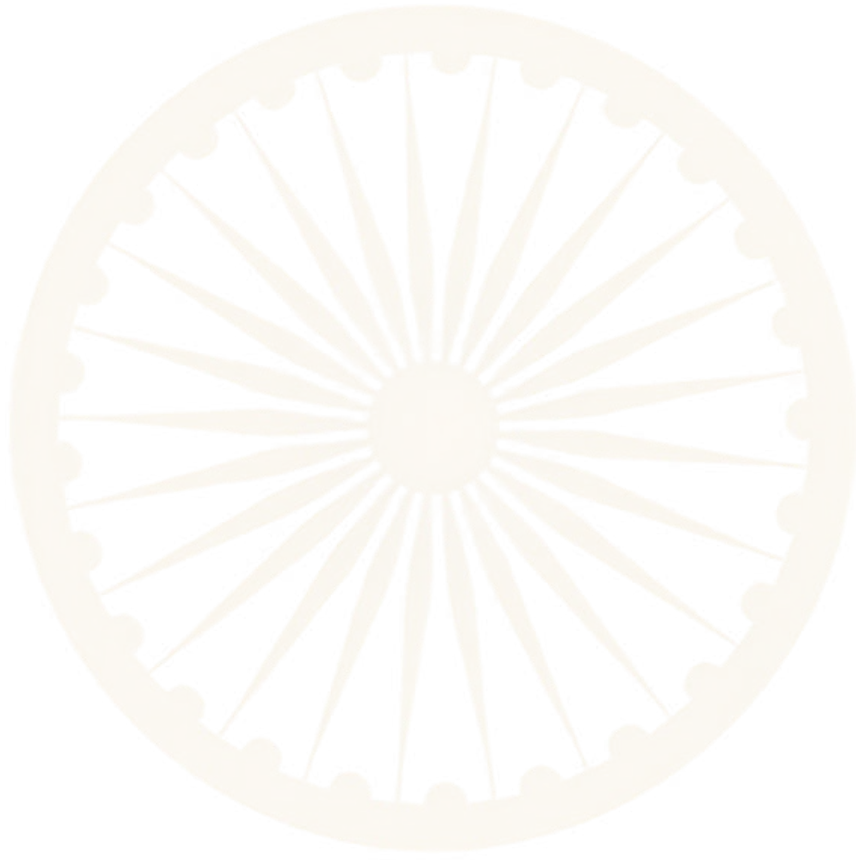
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सत्यमेव जयते

भारत सरकार

Government of India

कार्मिक, लोक शिकायत एवं पेंशन मंत्रालय

Ministry of Personnel, Public Grievances and Pensions

पेंशन एवं पेंशनभोगी कल्याण विभाग

Department of Pension & Pensioners' Welfare





सत्यमेव जयते

DEPARTMENT OF PENSION & PENSIONERS' WELFARE पेंशन एवं पेंशनभोगी कल्याण विभाग



National Workshop on Pension Litigation

पेंशन संबंधी अदालती मामलों
पर राष्ट्रीय कार्यशाला
18th July, 2026

Ministry of Personnel, Public
Grievances and Pensions

Hon'ble Court's Observations :- The Hon'ble Division Bench examined the matter. The respondent argued that the table prescribing benefits for pensioners "from eighty years to less than eighty-five years" entitled him to the enhancement immediately on entering his 80th year. The appellants contended that the expression "attained the age of 80 years" means completion of 80 years and entry into the 81st year.

Relying upon the Supreme Court decision in *Prabhu Dayal Sesma v. State of Rajasthan* and the earlier Division Bench judgment of the hon'ble Karnataka High Court at Dharwad, the hon'ble Court held that the word "attained" has a settled legal meaning and requires completion of the specified age. The tabular column was an indicator, while the qualifying paragraph defines the eligibility criteria as attainment of age of 80 and above. Consequently, the hon'ble Court held that additional pension becomes payable only after completion of 80 years of age and set aside the order of the Single Judge and dismissed the writ petition.

5. Hon'ble CAT Ernakulam judgement dated 09.05.2023 in C.S.Gopalakrishnan Nair Vs UOI – OA/115 of 2022 - on additional pension

Issue :- Whether Central Government pensioners are entitled to the additional quantum of pension from the beginning of the 80th/85th year of age, or only after completion of 80/85 years of age, in terms of the CCS (Pension) Rules and the relevant Office Memoranda issued by the Department of Pension and Pensioners' Welfare.

Facts :- The applicants, retired Central Government employees, filed separate Original Applications before the Hon'ble Central Administrative Tribunal, Ernakulam Bench, seeking grant of additional pension from the date they entered their 80th year (or subsequent age slabs) rather than from the date of completion of 80 years. They relied primarily on the judgment of the Gauhati High Court in *Virendra Dutt Gyani v. Union of India* and contended that the enhanced pension should become payable on entering the relevant age bracket. The respondents opposed the applications by relying upon the CCS (Pension) Rules 2021 (rule 44(6)) and various Office Memoranda issued by the Department of Pension and Pensioners' Welfare clarifying the eligibility criteria.

Ld. Tribunal's Observation :- The Ld. Tribunal examined the Office Memoranda dated 03.10.2008 and 11.08.2009, which specifically clarified that the additional quantum of pension becomes admissible only upon completion of 80 years, 85 years, 90 years, etc., and not at the commencement of the corresponding year. The Ld. Tribunal further relied upon Rule 44(6) of the CCS (Pension) Rules, which provides that additional pension is payable after completion of eighty years of age and is to be granted from the first day of the calendar month in which it falls due. The Ld. Tribunal held that the Office Memoranda were merely clarificatory and fully consistent with the statutory rules. It concluded that the scheme was intended for pensioners who had actually completed the specified age and not merely entered the relevant year. Consequently, all the Original Applications were dismissed.

6. Hon'ble CAT Mumbai judgement dated 09.10.2025 Satyendra Kumar Singh Vs. UOI in OA No. 1379/2024 -on additional pension

Issue :- Whether a Central Government pensioner is entitled to Additional Quantum of Pension (AQP) immediately on entering the age of 80 years or only after completing 80 years of age, in terms of the CCS (Pension) Rules.

Facts :- The applicant, a retired Director of the GSI, contended that on entering his 80th year of age, he became entitled to 20% Additional Quantum of Pension under various Office Memoranda issued by the DoPPW. According to him, the expression "from 80 years to less than 85 years" used in the relevant pension orders indicated that the benefit should commence as soon as a pensioner steps into the age of 80 years. The respondents opposed the claim and relied upon CCS Pension Rules and judicial precedents.

Ld. Tribunal's Observation :- The Ld Tribunal relied on the Supreme Court judgment in *Prabhu Dayal Sesma v. State of Rajasthan*, which explained that a person attains a specified age only upon completion of that age and that the day of birth is counted as a full day in computing age. The Ld. Tribunal held that the expression "attained" signifies completion of the specified age and not merely entering that age bracket. Consequently, it ruled that a pensioner becomes eligible for Additional Quantum of Pension only after completing 80 years of age.

7. Hon'ble High Court Delhi (Hon'ble Chief Justice bench) Judgement 13.05.2025 in LPA 302/2025 regarding power of Court of Contempt in referring

Issue :- Whether, in contempt proceedings arising out of the Hon'ble Delhi High Court's judgment dated 20.03.2024, the Hon'ble Court of Contempt could refer to a Division Bench the question whether the Finance Act, 2025 had eclipsed or overridden the earlier judgment, and whether such a reference was within the scope of contempt jurisdiction under Section 12 of the Contempt of Courts Act, 1971.

Facts :- The appeal was filed by DOPPW challenging order of the Hon'ble Court of Contempt in contempt proceedings arising from the Hon'ble Delhi High Court's judgment dated 20.03.2024 relating to pension matters. While hearing the contempt petition, the Hon'ble Court of Contempt referred the matter to the Hon'ble Division Bench for clarification. The UOI challenged the reference, and argued that the Hon'ble Court of Contempt had exceeded jurisdiction by seeking a determination on the effect of the Finance Act, 2025 upon the earlier judgment.

Hon'ble Court's Observation :- The Hon'ble Court relied upon the Hon'ble Supreme Court decision in *Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda*, which held that contempt proceedings are limited to determining compliance with court orders and cannot be used for adjudicating substantive rights or fresh disputes between parties. The Hon'ble Court held that once the Division Bench had rendered its final judgment on 20.03.2024, it had become functus officio. Any dispute regarding the impact of the Finance Act, 2025 constituted a fresh legal issue that could be raised only through appropriate substantive proceedings and not through contempt jurisdiction. Since the reference made by the Hon'ble Court of Contempt went beyond the question of compliance or disobedience of the original judgment, it was held to be without jurisdiction. Accordingly, the appeal was allowed, the reference order dated 08.04.2025 was set aside, while leaving it open to the parties to seek clarification, modification, or challenge to the Finance Act, 2025 through appropriate legal proceedings.

Best Practices in Handling Pension Litigation

- ▶ Strengthening human resource responsible for managing pension litigation. Creation of **Legal Cell** with dedicated staff and expert legal personnel based on case-load, in pursuance of **DLA Directives dated 04.04.2025**.
- ▶ Identification and **classification of Pension cases** for taking appropriate action like highly sensitive/sensitive/regular, based on significant financial stakes and impact on Government Policy on CCS Pension Rules.
- ▶ Adherence to the Rules, procedures and timelines for pension process and payment, giving crucial role to **Pension Mitras**.
- ▶ Intensifying an effective **Grievance redressal system** for minimizing pension litigation and enhancing welfare of pensioners.
- ▶ Adherence to the **timelines** for submission of Reply affidavits/Reviews/Appeals.
- ▶ Better **coordinated approach** in cases involving Multiple Ministries/Departments – Administrative Ministry to defend and file reply on behalf of UOI through inter-ministerial consultations for clarification / interpretation of Policies / Rules.
- ▶ Regular **outreach meetings** with concerned offices along with Panel counsels defending the matter for a better Litigation Management and improving pleadings.
- ▶ Deeper **dissemination of Clarification** to pensioners through periodic Compendium, Case studies, Short informative videos on social media.
- ▶ Whole of Govt. approach – **consultation with Nodal Department** before approaching High courts in matters involving **major pension policy issues** in pursuance of DOPPW policy on handling litigation issued vide OMs dated 07.10.2015 and **15.07.2024**.
- ▶ Updating and monitoring of all Court cases on Pension litigation through better management on **LIMBS Portal**.
- ▶ Proper Monitoring and consultation at **HQ level** where a crucial pension policy related case is being defended by a field/subordinate office.

Crucial Case Laws on Pension Litigations

1. Hon'ble High Court of Punjab & Haryana Judgement dated 27.11.2024 in Shila Devi & Ors. Vs. State of Punjab & Ors. CWP No. 9426 of 2023 and connected matters- on Commutation

Issue : - Whether the policy for restoration of the commuted portion of pension only after 15 years is arbitrary, discriminatory and violative of the rights of pensioners, particularly in view of increased life expectancy, revised commutation factors, recommendations of Pay Commissions, and the contention that the commuted amount stands recovered by the Government much earlier than fifteen years.

Facts : - The petitioners, comprising a large number of retired government employees of the State of Punjab filed writ petitions challenging the pension commutation scheme. The petitioners contended that the basis for fixing the restoration period at fifteen years had become outdated. They argued that the Government effectively recovers the commuted amount much before the expiry of fifteen years and, therefore, continued deduction beyond the actual recovery period amounts is not justified. The State asserted that commutation is a matter involving actuarial calculations, financial implications and budgetary considerations. It was submitted that commutation of pension is a voluntary measure and it is not mandatory for the employees to opt for commutation of pension.

Hon'ble Court's Observations :- The Hon'ble High Court observed that pension commutation and restoration involve complex actuarial and financial assessments. The hon'ble HC emphasized that the judiciary is not equipped to substitute its own actuarial calculations for those adopted and framed on the basis of recommendations of expert commissions and policy of the Government. The hon'ble HC further held that Judicial review is available only on limited grounds, such as where a policy is unconstitutional, contrary to statutory provisions, beyond delegated authority, or ex facie arbitrary and irrational.

Merely because another formula may appear fairer or more beneficial to pensioners does not justify judicial intervention. Relying upon earlier precedents, the Hon'ble HC concluded that the fifteen-year restoration policy could not be said to be arbitrary or discriminatory as it is optional and the petitioners are one who have voluntarily opted for it. Since no constitutional or legal infirmity was demonstrated against the formula, the challenge to the policy failed and the writ petitions were dismissed.

2. Hon'ble High Court Delhi Judgement dated 29.05.2026 in UOI & Ors. Vs. Sub Trilok Chand & Anr, W.P.(C) 12781/2024 and connected matters - on Commutation.

Issue : - Whether Rule 10A of the Central Civil Services (Commutation of Pension) Rules, 1981, which provides for restoration of the commuted portion of pension only after completion of fifteen years, is arbitrary and unconstitutional in light of revised commutation factors and changing actuarial assumptions.

Facts : - The case involved a batch of writ petitions filed by retired Central Government employees, defence personnel, pensioners' Associations, and other retirees challenging the continued deduction of the commuted portion of pension for a fixed period of fifteen years. They contended that successive Central Pay Commissions had revised commutation tables and actuarial factors, thereby altering the basis on which the fifteen-year restoration period was originally fixed. According to them, the commuted amount stands substantially recovered within about twelve years, and continuation of deductions thereafter results in excess recovery and is unjust.

Hon'ble Court's Observations : - The Hon'ble Delhi High Court held that commutation of pension is a voluntary statutory welfare measure under which a pensioner receives an immediate tax-free lump-sum benefit while the Government assumes the risk of non-recovery in case of the pensioner's premature death. The Hon'ble HC held that the fifteen-year restoration period is founded on actuarial evaluation, expert recommendations and long-standing statutory practice and does not suffer from any constitutional infirmity warranting interference in exercise of writ jurisdiction. The challenge was rejected and the validity of Rule 10A was upheld.

3. Hon'ble High Court Karnataka at Dharwad judgement dated 16.12.2015 in Muncipal Corporation of Hubballi Vs S.V. Budapanhalli Writ Appeal No.100481/2015 - on additional pension

Issue : - Whether a pensioner becomes entitled to 20% additional pension on entering the age bracket of 80 years or only after completing 80 years of age.

Facts : - The respondent, a retired Assistant Engineer of the Hubballi-Dharwad Municipal Corporation, and sought the benefit of 20% additional pension aged 80 years and above. His request was rejected on the ground that he had not yet completed 80 years of age. The learned Single Judge accepted the respondent's contention and directed payment of the additional pension along with interest. Aggrieved thereby, the Municipal Corporation preferred the present writ appeal.

Hon'ble Court's Observation : - The Hon'ble Division Bench examined the Government Order and held that the crucial expression used therein was "attained the age of 80 years." Relying upon the Supreme Court decision in Prabhu Dayal Sesma v. State of Rajasthan, the Court observed that in service jurisprudence a person attains a specified age only upon completion of that age. Applying principles of contextual interpretation and contemporanea expositio, the hon'ble Court concluded that additional pension becomes payable only after a pensioner completes 80 years of age, i.e., from the first day of the 81st year.

4. Hon'ble High Court Karnataka at Bengaluru judgement dated 30.10.2019 in Principal Accountant General, Karnataka Vs RG Desai Writ Appeal No.2487 Of 2012 - on additional pension

Issue : - Whether a pensioner becomes entitled to 20% additional pension on entering the age bracket of 80 years or only after completing 80 years of age.

Facts :- The claim of respondent was rejected by the authorities on the ground that the benefit becomes payable only after completion of 80 years of age. The learned Single Judge accepted the respondent's contention and directed payment of the additional pension along with interest. Aggrieved thereby, the PAG preferred the writ appeal.