

**F. No. 5(43)/2015/AFT/PB
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

November 29, 2024

NOTICE

Subject: Issuance of Notices and Contempt Proceedings in Pension and Pay/Service Matters

It is hereby informed to all litigants, legal practitioners and concerned parties that in accordance with the letter dated 04.11.2024 issued by the Joint Secretary to the Government of India, Ministry of Defence, Department of Defence (CMU), the following guidelines shall be followed in matters of jurisdiction and issuance of notices in pension and pay/service-related cases:

Categorization of Subject Matters

1. Matters under the Department of Military Affairs (DMA)/Secretary, DMA:

- (i) Reinstatement of Armed Forces personnel illegally terminated and consequent payment of benefits.
- (ii) Conduct of the Special Promotion Boards.
- (iii) Orders directing promotion.
- (iv) Directions in pay fixation matters.
- (v) Refund of recoveries illegally effected.
- (vi) Orders for grant of notional increments.
- (vii) Directions for condonation of shortfall of qualifying length of service for the grant of first service pension
- (viii) Orders for the grant of pensionary benefits in relation to the last rank held by the Armed Forces personnel

2. Matters under the Department of Ex-servicemen Welfare (DESW)/Secretary, DESW:

- (i) Grant of Disability Pension claims.
- (ii) Grant of Ordinary Service Pension.
- (iii) Grant of Pro-rata Pension.
- (iv) Grant of Special Family Pension.
- (v) Grant of Liberalized Family Pension.
- (vi) Grant of Reservist Pension.



Procedure for Issuance of Notices

For all matters adjudicated after January 2020 (post-creation of DMA):
Notices shall be issued to the respective apex authority, based on the subject dealt with by the said authority:

Secretary, DMA for service-related matters.
Secretary, DESW for pension-related matters.

For matters filed prior to January 2020:

Notices and contempt proceedings arising out of non-compliance in routine pay/service cases may also be addressed to the **Secretary, DMA** instead of the **Defence Secretary**.

Important Instructions

Litigants and legal practitioners are advised to ensure the correct naming of respondents in petitions in accordance with the categorization outlined above.

All pending and new cases must be updated accordingly, with the correct apex authority arrayed as respondents.

The practice of impleading the Union of India through the Defence Secretary in all cases should be discontinued. If such impleading continues, the case will be categorized as defective.

This notice is issued for compliance by all concerned and to streamline the proceedings before the Hon'ble Armed Forces Tribunal.

By Order



**Arun Khera,
Sr. PPS & Head of Office**

Copy for information and necessary action to:

PPS to Hon'ble HoDs, AFT RBs
Secretary, AFT PB Bar Association and RBs

PPS to Hon'ble Members, AFT (PB)
Registrar/Registrar In-charge, AFT RBs
Joint Registrar, AFT (PB)
Sr. PPS/PPS to Hon'ble Chairperson
Section Officers (Judicial/Filing) AFT (PB)
Tribunal Officers (Court 1 and 2)

Copy for information:

Sr. PPS to Secretary, Ministry of Defence, South Block, New Delhi
Sr. PPS to Secretary/DMA, South Block, New Delhi
Sr. PPS to Secretary/ESW, South Block, New Delhi
PPS to Jt Secretary, MoD, Department of Defence D (CMU), South Block, New Delhi
JAG (Army), JAG (Air) and JAG (Navy)
Under Secretary, MoD, D (AFT Cell), Sena Bhavan, New Delhi
AFT Website



Arun Khera,
Sr. PPS & Head of Office