

Pension - Pay recommendations - Scale of pay recommended by the 5th Central Pay Commission and the acceptance of the recommendations by the Government of India by a policy decision dated 30th September, 1997 and the Office Memorandum dated 17th December, 1998 clarified by the Office Memorandum dated 11th May, 2001 - Whether the Office Memorandum dated 11th May, 2001 overrides the Office Memorandum dated 17th December, 1998 clarifying the policy resolution of the Government of India dated 30th September, 1997 - Clarificatory executive instructions in OM dated 11-5-2001 are an integral part of the OM dated 17-12-1998 clarifying the policy resolution of the Government dated 30-9-1997 and do not override the original OM dated 17-12-1998 is correct law. *K.S. Krishnaswamy & Ors. v. Union of India & Anr.* (2006) 13 SCC 215, followed.

[UNION OF INDIA V. R. SETHUMADHAVA, 2018 SCeJ 723](#)