

भारत सरकार

कार्मिक, लोक शिकायत और पेंशन मंत्रालय
(पेंशन एवं पेंशनभोगी कल्याण विभाग)

तीसरी मंजिल, लोकनायक भवन
खान मार्केट, नई दिल्ली-110003
दिनांक: 23.07.2025

OFFICE MEMORANDUM

Subject: - Reduction of Pension Commuted Period -reg.

The undersigned is directed to refer representation received regarding restoration of Commuted Pension after 12 years instead of 15 years for consideration.

2. In this regard, it is stated that Department of Pension & Pensioners' Welfare is the nodal Department for formulation of policies relating to pension and other retirement benefits of Central Government civil employees covered under the Central Civil Services (Pension) Rules, 2021. The implementation of such rules/instructions, etc. lies with the administrative Ministry/ Department/ Organisations of the employees covered by these rules.

3. The law regarding commutation has been well settled by the Hon'ble Supreme Court vide their judgement dated 9.12.1986 in Writ Petition Nos.3958-61 of 1983 "Common Cause" Society and others (Petitioners) Vs Union of India {1987 (1) SSC 142} in 1986. The Supreme Court considered all relevant factors like interest rate, mortality rate etc.. and the commutation table in existence in 1986 and gave a decision that the commutation period should be fixed at 15 years. The Hon'ble Delhi High Court of Delhi in their judgement dated 17.01.2019 in WP(C) No.1222/2015 filed by Forum of Retired IPS Officer (Foripso) Versus Union of India and another observed that the pension, commutation of pension etc. are policy matters, which are examined and decided on the basis of recommendations of the Pay Commissions by the authorities. Further, the Hon'ble Supreme Court of India in its judgement dated 15.04.2019 in Petition(s) for Special Leave to Appeal(C)

No(s). 8852/2019 (arising out of impugned final judgment and order dated 17.01.2019 in WP(C) No.1222/2015 passed by the High Court of Delhi at New Delhi) delivered that "we have no reason to entertain this petition. Accordingly, the special leave petition is dismissed."

Also Hon'ble High Court of Punjab and Haryana, in their order of CWP no. 9426 of 2023 (O&M) dated 27.11.2024 (containing 808 writ petitions) regarding restoration of commuted pension after 12 years have directed to effect recoveries which were stayed by way of interim orders.

"In view of the above judgements/orders of Hon'ble SC, it has been settled that the matter regarding restoration period of commuted pension to be decided by the Government."

3. Accordingly, the restoration period of commuted pension to be decided by the Government.

Encl.: as above

सोनिका खड्डर
24.7.25
अवर सचिव, भारत सरकार

सेवा में,

Shri R. Krishnamoorthy, General Secretary
National Front of Postal and RMS Pensioners Tamilnadu Circle,
98 East Street, Andarkottaram, PO Madurai-625020