

(C O P Y)
GOVERNMENT OF MEGHALAYA
FINANCE (PENSION CELL) DEPARTMENT

No.FEM(PC)9/87/37

Dated Shillong, the 31st May, 1991.

OFFICE MEMORANDUM

Sub : Restoration of commuted portion of pension after 15 years –
Implementation of the Judgement of the Supreme Court.

1. The undersigned is directed to say that under the Assam Services (Commutation of Pension) Rules, 1965 as adopted by the State Government of Meghalaya, the pensioners are allowed the optional facility of converting a portion of their pension into a lumpsum amount (i.e. full pension, minus the commuted portion) for the rest of their lives.

2. The Supreme Court of India in its judgement dated 9th December, 1986 in writ petition No.3958-61 of 1983 held that all Central Government Pensioners governed by Central Civil Services (Commutation of Pension) Rules, 1981 and corresponding rules for Armed Forces personnel and All India Services Officers and railway Pensioners who have commuted the admissible portion of their pension are entitled to have the commuted portion restored on the expiry of 15 years from the date of retirement.

3. The matter relating to the implementation of the Supreme Court Judgement has been under consideration of this Government. After careful examination, the Governor of Meghalaya is please to decide that the benefit of restoration of the Commuted portion of pension shall be granted to pensioners who have completed 15 years from the date of commutation of pension.

4. Each pensioner who is eligible for restoration of the commuted pension as in para 3 above is required to apply in the enclosed prescribed proforma duly completed to the Treasury Officer/Selected Public Sector Bank who will restore the commuted portion of pension if the commuted amount has been mentioned in the Pension Payment Order, and will also pay the arrears, if any.

5.(1) It has also been decided that in cases where the pensioner had completed 15 years from the date of commutation on 4.4.1985 or thereafter and had died subsequently his/her family indicated in Rules 48 of the Meghalaya Civil Services (Pension) Rules, 1983 or his/her legal heir(s) is/are entitled to receive arrears with effect from 1.4.1985 from the date of completion of 15 years from the date of commutation whichever is later, till the date of pensioner(s) death. For this purpose also, the members(s) of the family indicated in the Meghalaya Civil Services (Pension) Rules, 1983 or the legal heir(s) may apply to the Treasury Officer/Public Sector Bank etc.

(2) In cases where the Pension Payment order does not contain information regarding commuted portion, the Treasury Officer Public Sector Bank will obtain information from the Accounts Officer which issued the Pension Payment Order.

(3) The Treasury Officer, Public Sector Bank etc. will intimate to the Accounts Officer which issued the Pension Payment Order the full particulars as per proforma II in respect of each pension case alongwith the amount of pension restored for verifying the correctness.

(4) This Order will apply to all State Government Pensioners including All India Officers who returned from the State Government.

Sd/- D. Singh
Special Secretary to the Govt. of Meghalaya,
Finance (Pension Cell) Department

Contd....2/-

Memo NO.FEM(PC)9/87/37-A

Dated Shillong, the 31st May, 1991.

Copy forwarded for information and necessary action to :-

1. The Accountant General, Meghalaya (A&E) Meghalaya etc., Shillong with reference to his letter NO.PEN(M)7434, dated 1.5.1987.
2. All Administrative Departments/Heads of Departments.
3. All Deputy Commissioners/Sub-Divisional Officers (Civil).
4. The Commissioners of Divisions, Shillong, Tura.
5. All Financial Advisers/Treasury Officers/Finance and Accounts Officers.
6. The Manager, United Bank of India, Shillong/Branch Manager, State Bank of India, Shillong.
7. The Manager, Bank of Baroda, Shillong/Branch Manager, United Commercial Bank, Shillong.
8. Meghalaya House, Delhi/Calcutta.
9. Shri B.E. Wallang, Secretary, Meghalaya Pensioners Association, 'Lismore Cottage' Bhagyakul, Laitukhrah, Shillong – 3.

Sd/-

Officer on Special Duty to the Govt. of Meghalaya,
Finance (Pension Cell) Department
