

30.10.1990

Present : Applicant in person.

Shri VSR Krishna, proxy counsel for
Shri M.L. Verma, counsel for the respondents.

We have heard the applicant as well as the learned proxy counsel on behalf of the respondents.

Precisely, the prayer of the applicant in this OA is that he may be granted commutation of his pension at the rate of Rs.375/- per month which is the minimum pension effective from 1.1.1986, according to the revised rate of pension, w.e.f. the date of his superannuation/retirement, on 20.6.1981. The applicant admitted that he was granted pension at the rate of Rs.99/- per month, w.e.f. 20.6.1981, to which he was entitled, in accordance with pay etc., on the relevant date. He further presses for commutation at the enhanced rate of pension, at Rs.375/-, as the same has been revised, according to 4th Pay Commission, w.e.f. 1.1.1986. The applicant referred to Rule 5 and Rule 20 of the CCS (Commutation of Pension) Rules, 1981 in support of his contention.

We have carefully considered the contentions put forth by the applicant, as briefly mentioned above. We have carefully perused the relevant rules referred to by him (Rule 5 & 20 of the CCS (Commutation of Pension) Rules, 1981. To our mind, both the rules referred to above, are not applicable to the applicant's case. As he retired on 20.6.1981, he is entitled to commutation pension in accordance with the pay etc., drawn by him on that date. We accordingly do not find any merits in this application and the same is dismissed, without however, any order as to costs.

I.K. Rasgotra
(I.K. RASGOTRA)
MEMBER(A)

T.S. Oberoi 30/10/90
(T.S. OBEROI)
MEMBER(J)