## GOVERNMENT OF ANDHRA PRADESH FINANCE (HR.III -PENSION & GPF) DEPARTMENT <u>Memo No: FIN01-HR0MISC/170/2024-HR-III</u> Dated:16.05.2025

- Sub:- Finance Department Pensions Commutation of Pension Stoppage -Recovery in Compliance with Court Orders - Resumption and recoupment of CVP amounts - CVP– Recovery– Instructions – Issued – Reg.
- Ref:- 1. Govt. Memo No. FIN01-HR0MISC/170/2024-HR-III, dated 25.11.2024 2. Interim orders of Hon'ble High Court in W.P. No.24822 of 2024

\*\*\*\*\*

3. Final orders of Hon'ble High Court Division Bench dated 28.04.2025 in W.P. No.24822 of 2024 and batch cases

The attention of the Director, Treasuries and accounts is invited to the references cited. In the reference 1<sup>st</sup> cited, orders were issued not to deduct the commuted portion of pension from all pensioners who had completed 11 years and 3 months from the date of commencement of commutation recovery, until further orders in compliance with the interim directions of the Hon'ble High Court of Andhra Pradesh in the reference 2<sup>nd</sup> cited. Accordingly, CVP recovery was stopped w.e.f. November 2024 pension payable in December 2024.

2. In the reference  $3^{rd}$  cited, the Division Bench of the Hon'ble High Court, vide orders dated 28 04.2025, has upheld the validity of the existing pension commutation scheme and dismissed the writ petitions. As a result, it is imperative to continue the recovery of the commuted pension for the full period of 15 years as per existing rules.

3. After careful examination of the matter, in view of the orders of the Hon'ble High Court in WP No.24822 of 2024 and batch cases, Government has decided to continue the recovery of the commuted value of the pension as per the Rule 18 of Andhra Pradesh Civil Pensions (Commutation) Rules 1944. Accordingly, the following modalities shall be followed for the recovery of the amounts paid additionally during the 6 months from November 2024 to April 2024.

a. Regular CVP recovery shall resume with the May 2025 pension (payable in June 2025) for all pensioners, for whom recovery of CVP has been stalled in November 2024 based on the instructions vide 1st cited.

b. The arrears of CVP recoveries which stopped between Nov' 2024 and April'2025, vide 1<sup>st</sup> cited, shall be recovered in 12 equal monthly instalments in addition to the regular monthly CVP deduction duly commenced from May 2025.

c. In cases where 15 years of commutation were completed during the stoppage period, the arrears shall be recovered in equal instalments of 100% of the monthly CVP amount applicable, starting from May 2025.

d. In the unfortunate event of a pensioner's death between Nov 2024 and Apr 2025 during the recovery stoppage period, no recovery shall be effected from family pensioners for the arrears of CVP accrued during the suspension period. These amounts may be treated as waived off, following the existing Government policy.

e. In the unfortunate event of a pensioner's death between 12-month recovery window (May'2025–April 2026), no recovery shall be effected from family pensioners for the arrears of CVP accrued during the suspension period.

f. Any case which is not covered under these instructions may be brought to the notice of Government for consideration and directions.

4. The Director of Treasuries and Accounts is directed to implement these instructions immediately, ensuring that recovery of arrears is carried out uniformly across the State from May 2025 onwards.

5. CEO, APCFSS may extend necessary assistance to the DTA for the purpose of these orders.

## PEEYUSH KUMAR PRINCIPAL SECRETARY TO GOVERNMENT

То

The Director, Directorate of Treasuries and Accounts, Andhra Pradesh, Amaravati.

Copy to: The CEO, APCFSS

## //FORWARDED:: BY ORDER//

SECTION OFFICER