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Central Administrative Tribunal  
Principal Bench: New Delhi

O.A. No. 580/2001

New Delhi this the 9th day of March, 2001

Hon'ble Mr. V.K. Majotra, Member (A)

Shri M.L. Bansal  
Senior Accounts Officer (Extension)  
M/o Agriculture  
Shastri Bhawan, 'F' Wing 2nd Floor  
New Delhi.

--Applicant

(Applicant in person)

Versus

1. Union of India,  
Through its Secretary,  
M/o Agriculture,  
Krishi Bhawan, New Delhi.
2. The Controller General of Accounts,  
M/o Finance, Deptt. of Expenditure,  
Lok Nayak Bhawan, New Delhi.
3. The Chief Controller of Accounts  
M/o Agriculture,  
Krishi Bhawan, New Delhi.
4. The Pay & Accounts Officer (Hq.)  
M/o Agriculture,  
16-A Akbar Road Hutments,  
New Delhi.

--Respondents

ORDER (Oral)

The applicant, who is Senior Accounts Officer (Extension) in the Ministry of Agriculture, has in view of the multi-reliefs claimed by him in this OA given up reliefs described in Clause-8 (c&d) of the OA and has prayed that reliefs claimed in 8 (a) & (b) be adjudicated upon. However, he may seek separate remedies in respect of reliefs given up. So the live reliefs are as follows:-

a) That the respondents be directed to comply with the requirements of the Rule 32 of CCS(P) Rule 1972 to verify the qualifying service rendered by the applicant as on 31.12.2000.

b) That the respondents be directed to

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obey the Rules 58 & 59 of CCS ((P) Rules 1972 for undertaking the work of preparation of pension papers in form 7 as the date of retirement is less than 2 years".

Rule-32 of CCS(Pension) Rules 1972 reads as follows:-

"Verification of qualifying service after 25 years service, or 5 years before retirement

(1) On a Government servant completing twenty-five years of service or on his being left with five years of service before the date of retirement, whichever is earlier, the Head of Office in consultation with the Accounts Officer shall, in accordance with the rules for the time being in force, verify the service rendered by such a Government servant, determine the qualifying service and communicate to him, in Form 24, the period of qualifying service so determined".

2. The applicant states that he has completed a service of 35 years and is due to superannuate on 30.6.2002. In terms of the above stated rule, the respondents are required to verify his service, and determine the qualifying service and communicate the same to him in Form-24, the period of qualifying service so determined. According to the applicant, the respondents have not resorted to verification of his service and determination of the qualifying service. Thus, he seeks a direction to the respondents to comply with the requirements of the Rule-32 ibid.

3. Rules 58 & 59 of CCS (Pension) Rules, 1972 read as follows:-

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"Here too the applicant has alleged that the Head of Office has not commenced the work of preparation of his pension papers in Form 7 although a period of less than 2 years is left for the applicant to retire on superannuation".


4. The applicant started his career as a UDC w.e.f. 10.11.65. He is now working as Senior Pay and Account Officer, Ministry of Agriculture, P.A.O. (Extension). He has completed more than 35 years of service and is due to retire on 30.6.2002. In view of the applicant's having rendered more than 35 years of Govt. service and his impending superannuation on 30.6.2002 which is less than 2 years away, the prayers made by the applicant are absolutely justified in terms of the rules cited by him in the OA.

5. The OA is allowed with the following directions:-

i) Respondents are directed to comply with the requirements of Rule-32 of CCS (Pension) Rules, 1972 to verify applicant's qualifying service as on 31.12.2000 and communicate the same to him.

ii) The respondents are further directed to comply with the provisions of Rules 58 & 59 of CCS (Pension) Rules 1972 and initiate the preparation of applicant's pension papers in Form-7. Whereas direction-1 above be completed within a period of two months from the date of communication of these orders, action as per direction-2 be initiated within a period of one month from the date of communication of these orders.

iii) No costs.

  
(V.K. Majotra)  
Member (A)

cc.