CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application Nos. 441/2000

New Delhi, this the 25nd January, 2001

HON'BLE MR.KULDIP SINGH,MEMBER(JUDL)

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Kewal Kumar Luthra
R-Block 70-D,
Dilshad Garden,
Delhi-110 095. ...Applicant

(By Advocate: Shri S.N. Anand)

Versus

1. Union of India Through Secretary,
Department of Telecom.,
Min. of Communications,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110 001.

2. Dy. Director General (Personnel)
Department of Telecom.,
Min. of Communications,
Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110 001.

3. The Chief General Manager,
Northern Telecom Region,
Department of Telecom, Kidwai Bhavan,
Janpath,
New Delhi.

4. Chief General Manager,
Mahanagar Telephone Nigam Limited,
Khurshid Lal Bhawan,
Janpath,
New Delhi.

5. The Accounts Officer (TA)
Office of Chief General Manager,
Northern Telecom Region,
Department of Telecom,
Prasad Nagar,
New Delhi-110 005. ..Respondents.

By Advocate Shri V.K. Rao.

O R D E R (ORAL)

By Hon'ble Mr.Kuldip Singh,Member(Judl)

In this OA the applicant is claiming that he had superannuated from service as on 31.5.1994. It is stated that applicant was paid DCRG on 22.4.99,

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commutation of pension was released on 22.4.99 and P.P.O was issued on 16.6.99, thus there is delay of about 5 years in making payment of retiral benefits. Applicant also claims interest on the delayed payment.

2. The respondents have taken a plea that the applicant went on deputation to the TCIL w.e.f. 24.8.80 to 23.8.82 and since the service book could not be completed so the respondents department had directed the TCIL for making necessary entries in the service book as such slight delay had occurred in making payment of retirement dues, which is only an administrative one. Hence, applicant should not be allowed interest.

3. I have heard the learned counsel for the parties and have gone through the record of the case.

4. From a perusal of the reply of the respondents I find that the applicant was on deputation to the TCIL w.e.f. 24.8.80 to 23.8.82 and thereafter served for 12 years in his parent department before his superannuation. The respondents should have taken necessary steps to get his pension papers completed well in advance. It is a well settled principle that process for completion of pension papers of a person has to be initiated one year in advance before his retirement and the plea of the respondents that his service book could not be completed because for a particular period he went on deputation to the TCIL is not accepted because before his superannuation he had worked with the department for a

period of 12 years, which shows that there was enough time with the respondents to complete the service book. Hence it cannot be said that there was any unavoidable administrative delay.

5. In view of the above discussion, OA is allowed and the respondents are directed to calculate the interest and pay it to the applicant at the rate of 12% from the date when the amounts had become due to the applicant. The interest should be paid within a period of 2 months from the date of receipt of a copy of this order. No costs.

(KULDIP SINGH)
MEMBER(JUDL)

/Rakesh