

5

OA 95/03

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

On 21.5.04

for Admission /
Hearing.

Counter not filed.

h
21/6

h

For Admission
and Hearing

Counter has not

been filed.

17

h

On 27.7.04

for Admission /
Hearing.

h
15/7

h

On 14.7.04

for Admission
and Hearing.

(Respondent's
copy sent)

h
20/7

h

Order Dt.03.09.04

Shri G.V. Kumar, retired Railway servant has filed this O.A. being aggrieved by the delay caused by the Respondent in payment of amount of DCRG payable to him after his retirement.

2. The undisputed facts of the case are that on retirement from service, the applicant was entitled to an amount of Rs.1,91,149/- as DCRG, but he was paid, after deducting Railway dues, an amount of Rs.1,85,074/- by Cheque on 04.04.03. The residual amount, i.e. Rs.6,075/- was paid after a delay of 7 months, for which interest @ 9% has been granted and an amount of Rs.9,716/- is payable to the applicant and the said amount has been put up to the competent authority on 30.04.04 for sanction. The Respondents have submitted in the counter that the payment will be effected shortly after completion of the prescribed official procedure.

3. From the facts stated above, it is clear that the substantial portion of the grievance of the applicant has been considered by the Respondents by allowing him interest @ 9% per annum for the period of delay in making full payment of DCRG. The procedure prescribed by the Respondent-Railway in effecting payment of the small amount on the residual amount of Rs.9,716/- seems to be so cumbersome. The delay caused in this case is more than the delay that had happened in payment of the full amount. The applicant was paid Rs.1,85,074/- on 04.04.03. Thereafter as admitted by the Respondents 7 months more time took place to sanction interest on the withheld amount which was done on 30.04.04 and even after 4 months thereof, it could not be confirmed that the payment has been ^{made} accelerated. In the case of payment of withheld amount of DCRG I had ^{earlier} occasions to observe that the Respondent

NOTES OF THE REGISTRY

On. 28.7.04
Amendment p.ctr.
not 6th.

For Admission/
Hearing.

1/9

1/9

Copy of order off. 3/9/04
Issued to the Counsel
for both side.

1/9/04
S.O.

1/9/04

ORDERS OF THE TRIBUNAL

- Railway causes inordinate delay for long time in the settlement. I had also occasions to direct the Respondents-Department to streamline ^{the} their administrative procedure to cut down the delay. Here the delay caused in making full payment of DCRG amount is over 1 year and 2 months and still the Respondents could not confirm that the payment has been made. I would, therefore, once again direct the Respondent No.1, 3 & 4 to ensure payment of residual amount to the applicant within 30 days from the date of receipt of this order and to carry out procedural reform to avoid recurrence of such incident of delay in settlement of retiral benefit. Accordingly, the O.A. succeeds. No costs.

[Signature]
Vice-Chairman