

O.A.NO.207/2005

ORDER DATED 29.3.2006

The applicant was appointed as a Postman under Direct Recruitment quota on 31.5.1967. After passing the departmental examination he was promoted to the grade of T.S. Clerk (now designated as Postal Assistant) (in short P.A.) with effect from 9.1.1974. When the scheme of Time Bound One Promotion (in short TBOP) was introduced the applicant got such benefit after completion of 16 years satisfactory service. It appears that during his service period he was transferred to Talcher College, Rani Park as Sub Post Master vide order dated 7.5.1999 and was relieved from Hindol on 31.5.1999. Due to his personal reasons he availed leave and submitted an application for voluntary retirement on 24.6.1999. Respondent No.3 took a decision with regard to voluntary retirement of the applicant, but they accepted it with effect from 1.3.2000 vide order dated 23.2.2000. Subsequently, in supersession of the order dated 23.2.2000, Respondent No.2 passed an order dated 24.4.2000 permitting the applicant to take voluntary retirement from service with effect from 1.5.2000. Being aggrieved by such order the applicant seems to have filed a case before this Tribunal in O.A. No.626/2000, whereby the order dated 24.4.2000 was quashed and the Respondent-authorities were asked to take a decision in accordance with the Rules governing voluntary retirement.

There is no dispute with regard to pensionary benefits payable to the applicant and he has been enjoying such benefits. In the meanwhile, the DCRG amount has already been paid. The sole grievance of the applicant

-2-

rests upon the interest on the delayed payment of DCRG, which is said to be intentional and deliberate on the part of the Respondents.

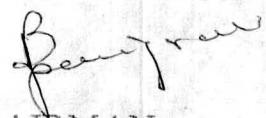
The Respondents have filed their counter. They have stated that they could have taken action for payment of DCRG amount in time, but for the intervention of the applicant by filing an application before the Tribunal the matter was delayed. They have further stated that the retirement of the applicant should be construed to have been effective from 9.10.2001.

On perusal of the counter-reply filed by the Respondents, it does not throw sufficient light as to why the date of retirement should be made effective from 9.10.2001. In this backdrop of the case, I have to go through the order passed previously by this Tribunal in O.A.No.626/2000. The Tribunal, after an elaborate discussion quashed the order dated 24.4.2000, by virtue of which the Respondent-authorities had taken a decision that the voluntary retirement of the applicant should be effective from 1.5.2000. Thereafter the order dated 9.10.2001 was issued. It is stated in the aforesaid order that the applicant is deemed to have retired voluntarily with effect from 3.2.2000. In that view of the matter for processing the application for payment of D.C.R.G., normally four months period is permissible for payment. But in this case obviously there has been a lapse of more than two years. There has been no plausible explanation offered by the Respondents as to why such delay has occurred. They ought not to have waited for the disposal of the O.A. 626/2000 for the purpose of calculating D.C.R.G. amount payable to the applicant.

9

Taking the over-all situation into consideration, I, therefore, direct the Respondent-authorities to pay interest at the rate of 6% (six per cent) per annum on the delayed payment of D.C.R.G. amount, i.e., from 3.2.2000 till 8.7.2002( the date of actual payment of DCRG), within a period of four months from the date of communication of this order.

With the above observation and direction, this O.A. is disposed of. No costs.

  
CHAIRMAN