

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 202 OF 2005

Wednesday, this the 2nd day of November, 2005.

CORAM:

HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

S.Venu
Retired Assistant Station Director
Doordarshan Kendra, Trivandrum
'Sreevalsam', M.P.No.XIII/621, CKRA-73,
Malayankeezhu, Trivandrum : Applicant

(By Advocate M/s Santhosh & Rajan.)

Versus

1. Union of India represented by the Secretary
Ministry of Information & Broadcasting
Government of India, New Delhi.
2. The Pay & Accounts Officer
Computer - VI, IRIA
Ministry of Information & Broadcasting
AGCR Building, IP Estate, New Delhi
3. The Prasar Bharati Broadcasting Corporation of India
New Delhi represented by the Chief Executive Officer
4. The Director General,
The Prasar Bharati Broadcasting Corporation of India
Doordarshan Kendra, New Delhi
5. The Director,
Doordarshan Kendra
Kudappanakunnu, Trivandrum – 43 : Respondents

[By Advocate Mr. N.N.Sugunapalan, Sr.]

The application having been heard on 02.11.2005 the Tribunal on the same day delivered the following:

OR D E R (Oral)

HON'BLE Mr. K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant retired from the Doordarshan Kendra, Trivandrum as Assistant Station Director on 31.03.2001 on superannuation. An amount of



Rs.3,68,777/- was paid to the applicant as the final payment of GPF alongwith interest upto 31.03.2001. The applicant claims that he is entitled to get interest for the balance GPF amount. The applicant submitted that he has submitted the application in the prescribed proforma on 23.02.2001 and there is no inordinate delay and he is entitled for the interest on the balance GPF amount. Aggrieved by the inaction on the part of the respondents the applicant has filed this O.A seeking the following main reliefs:-

- i. To direct the respondents to disburse the balance amount due to the applicant with 18% interest from 31.03.2001 till the date of actual payment.
- ii. To direct the respondents to pay an adequate compensation to the applicant for the delayed payment as he is entitled for the PF amount immediately after his retirement on 31.03.2001.
2. The respondents have filed a detailed reply statement contending that as per Government of India Decision No. 2 of Rule 34 of GPF Rules, no interest is payable for the period beyond March, 2001 and the claim of the applicant is not tenable. The balance amount of Rs. 42,365/- has been paid to the applicant on 06.06.2005. There is no lapse or willful latches on the part of the respondents and they are not entitled to pay any interest.
3. Mr. T.A.Rajan, learned counsel appeared for the applicant and Mr. N.N.Sugunapalan, Sr learned counsel appeared for the respondents.
4. When the matter came up for hearing, the learned counsel for applicant submitted that since there is a delay of payment not of the fault on his part, he is entitled to get interest. On the other hand the learned counsel for respondents submitted that there is no willful latches on their part, therefore, they are not entitled to pay the interest.
5. From the materials placed on record, we find that the GPF amount as per Annexure A-2 calculation statement, due to be paid was Rs.4,11,143/- whereas an amount of Rs. 3,68,777/- was paid to the applicant on 08.05.2003 and the balance amount of Rs.42,365/- was paid only on 17.06.2005. On going

through the calculation statement and pleadings as also the arguments advanced by the learned counsel, we find that the balance amount of Rs.42,365/- was paid on 06.06.2005 which actually should have been paid on 08.05.2003 itself. So there is a delay of more than two years in paying the said amount. The learned counsel for applicant took us to Rule 11 of GPF Rules which mandates that interest should be paid for the delayed payment. Finding that there is inordinate delay and also taking the contention of the respondents that 9.5 % interest was paid to the applicant for the amount disbursed earlier, we are of the view that the applicant is entitled to get 9.5% interest for the amount in question.

6. In the conspectus of facts and circumstances, we direct that the respondents shall pay the interest for the balance amount of Rs. 42,365/- at the rate of 9.5 % till the date of settlement. The relief should be extended to the applicant as expeditiously as possible, in any case, within three months from the date of receipt of a copy of this order.

7. The O.A is disposed of as above with no order as to costs.

Dated, the 2nd November, 2005.



N.RAMAKRISHNAN
ADMINISTRATIVE MEMBER

K.V.SACHIDANANDAN
JUDICIAL MEMBER

vs