

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.362/05

Wednesday this the 12<sup>th</sup> day of April 2006

**C O R A M :**

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN**

V.V.Kurian (Rtd.)  
Velikkakathu Rency Villa,  
Meenadom P.O., Kottayam District – 608 651.

...Applicant

(By Advocate Mr.Antony V Paul)

**Versus**

1. The Joint Director,  
Subsidiary Intelligence Bureau,  
Thiruvananthapuram.
2. The Pay & Accounts Officer,  
Intelligence Bureau,  
Ministry of Home Affairs,  
Government of India, A.G.C.R. Building,  
New Delhi – 110 002.
3. Union of India represented by Secretary,  
Ministry of Home Affairs, North Block,  
New Delhi.

...Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan,SCGSC)

This application having been heard on 12<sup>th</sup> April 2006 the Tribunal on the same day delivered the following :

**ORDER**

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN**

The applicant retired from the service of the Intelligence Bureau on superannuation with effect from 31.5.2004. He was working as Upper Division Clerk in the office of the Deputy Central Intelligence Officer, Kottayam. He is aggrieved by non payment of his GPF amount in time and is seeking a direction to release the shortage in final balance and the

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interest on delayed payment of the GPF Account with 8% additional interest till the date of payment. It is his case that he had submitted Part I application for final closure of the GPF Account on 27.11.2003 (Annexure A-1) and also the Part II forms on 11.6.2004 (Annexure A-2). The Pay & Accounts Officer had sent the GPF final payment authorisation letter dated 30.6.2004 to the Section Officer, SIB, Trivandrum and thereafter SIB, Trivandrum had sent the bill to P&AO, New Delhi only on 5.10.2004 i.e. after a delay of four months. The applicant had forwarded a representation dated 5.10.2004 and copy of the annual statement of GPF account for the year 2002-2003 showing the opening balance as Rs.323726/- was also forwarded. According to the applicant there is a mistake in the calculation in the final figure shown as Rs.383685/- and the shortage is to the tune of Rs.15427/-. The final payment was released to the applicant only on 11.11.2004 after a delay of five months, therefore, it is submitted that the authorities are bound to pay the interest within one month from the date of retirement, as under Rule 11 of the GPF Central Service Rules on the expiry of said one month's period the subscriber is entitled to interest.

2. The respondents have filed a reply statement enclosing the detailed calculation. As regards the shortage in the final balance they have furnished detailed recasting sheets for the period from 4/1992 to 5/2004 showing the month wise credits and debits. On the question of delay it has been submitted that the authorisation was issued by the P&AO, IB, New Delhi on 8.7.2004 itself but it was subject to the condition that the applicant did not draw any temporary advance/final withdrawal during the period and a certificate to the effect was to be appended for this purpose. The Unit

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where the applicant has worked was required to be contacted and as the reply from the Office took time, the delay has occurred for the finalisation of the payment.

3. When the matter came up for hearing, counsel for the applicant submitted that he had gone through the detailed recasting sheets enclosed to the reply statement of the respondents and though there is a calculation mistake of 1% on account of interest payment as the respondents have taken into account only 7% interest, the shortage has considerably narrowed down to Rs.632/- therefore he accepts the same. As far as the 2<sup>nd</sup> relief is concerned he submitted the plea of administrative delay cannot be taken note of and the applicant is entitled to 8% interest plus additional interest for further delay that has occurred beyond the date of final payment.

4. I have heard the counsel and gone through the pleadings. Since the applicant has admitted the finalised revised figures due to him ignoring the shortage the only question that remains is about the interest on delayed payment. I am of the view that this plea of administrative delay by the respondents cannot be accepted as the formalities regarding the reconciliation of the credits and debits in the GPF account from all the places where the employee has worked is an exercise to be completed before his retirement and any further delay that has occurred beyond the date of retirement is liable to be charged interest. Hence the respondents are liable for payment of interest, according to Rule 11 of the GPF Central Service Rules, on the expiry of one month from the second month onwards from the date of retirement of the applicant, on the final amount to be paid

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settled as Rs.383685/-. Respondents are directed to pay interest at the rate of 8% on the above amount for a period of five months from 31.6.2004 to 11.11.2004 and additional interest of 2.5% till the date of payment. With these directions, the O.A is allowed. Payment may be effected within a period of two months from the date of receipt of a copy of this order. No order as to costs.

(Dated the 12<sup>th</sup> day of April 2006)

*Sathi Nair*

**SATHI NAIR  
VICE CHAIRMAN**

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