

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE 9TH DAY OF MARCH, 1987.

Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman  
Present:  
Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO.1446/86

Sri K. Ramanna,  
Aged 49 years,  
S/o R. Krishna Murthy,  
Deputy Manager,  
National Bank for Agricultural  
and Rural Development,  
No.1, Queen's Road,  
Bangalore - 1.

.... Applicant

(Dr. M.S. Nagaraja, Advocate)

v.

1. The Chief Hydro Geologist & Member,  
Central Ground Water Board,  
Jam Nagar House,  
Mansingh Road,  
New Delhi-11.
2. Director,  
Central Ground Water Board,  
Central Region,  
21, Ramdaspet,  
Nagpur-10.
3. The Deputy General Manager,  
National Bank for Agricultural  
and Rural Development,  
No.1, Queen's Road,  
Bangalore-1.


.... Respondents.

(Shri M.S. Padmarajaiah, SCGSC).

This application having come up for hearing  
to-day, Vice-Chairman made the following.

O R D E R

In this application made under Section 19 of  
the Administrative Tribunals Act of 1985 (Act),  
the applicant has sought for a direction to the




respondents to grant him retirement benefits to which he is entitled from 16.6.1983 with interest thereon @ 18% per annum.

2. Before 1973, the applicant, was working as a Senior Hydrogeologist in the Ministry of Irrigation of Government of India. Sometime in 1978, he was deputed to another Government organisation, called the National Bank for Agriculture and Rural Development (NABARD) where he has been permanently absorbed and working from 16.6.83.

3. On his permanent absorption in NABARD from 16.6.1983, the applicant became entitled for pension and other terminal benefits which he claimed under the rules regulating them. But since the respondents did not settle them with expedition, he approached this Tribunal on 3.7.86, for appropriate directions thereon to the respondents.

4. Shri M.S. Padmarajaiah, learned Senior Standing Counsel appearing for the respondents, submits that Government on according its sanction on 27.2.1987 for pension and other terminal benefits due to the applicant, had directed the Pay and Accounts Officer, Central Ground Water Board, Faridabad (PAO) to arrange for their payment with expedition.




5. We have perused that communication.

Dr. M.S. Nagaraja, learned counsel for the applicant, has also perused the same. We find that the submission made by Shri Padmarajaiah is correct. When Government itself had sanctioned the claims of the applicant and had directed the PAO to arrange for their payment with expedition, we consider it unnecessary to examine his grievance and issue any further directions to Government. We therefore refrain from issuing any directions on this aspect to the respondents. But we do hope and trust, that the PAO will expeditiously arrange for payment of the amounts due to the applicant in terms of the order of Government, without compelling him to make further application in this regard before this Tribunal.

6. In its order, Government had not sanctioned the payment of interest claimed by the applicant before us.

7. Dr. Nagaraja contends, that the claim of the applicant for interest was well-founded and we should therefore direct the respondents to pay him interest from 16.6.83 @ 18% per annum.

8. Shri Padmarajaiah opposes the claim of the applicant for interest.




9. We will even assume, that there has been some delay in sanctioning the pension and other terminal benefits due to the applicant and that this Tribunal has also the power to direct the payment of interest. But still, we are of the view, that the facts and circumstances of the case, do not justify us to direct the payment of interest on the pension sanctioned and payable to the applicant. We therefore reject this claim of the applicant.

10. But, so far as the payment of interest on Death-Cum-Retirement-Gratuity (DCRG) is concerned, the same is regulated by the Pension Rules.

11. Dr. Nagaraja lastly urges for a direction to the respondents to treat the application made by the applicant for commutation of pension, as made within one year from the date of his retirement.

12. Shri Padmarajaiah opposes this claim of the applicant.

13. We are of the view, that this direction sought by the applicant does not appropriately arise in this application. We therefore refrain from examining the same and issuing any directions to the respondents. But we do hope and trust, that the application, if any, already made by the applicant,




for commutation, will be dealt with and decided by the appropriate authority, with expedition in accordance with law. When that is done, the applicant is free to work out his legal remedies in accordance with law.

14. In the light of our above discussion, we make the following orders and directions:

(i) We decline to examine and issue any direction to the respondents for sanction and payment of pension and other terminal benefits claimed and due to the applicant in view of the order made by Government and communicated to the PAO on 27.12.87.

(ii) We reject the claim of the applicant for payment of interest on pension. We however direct the respondents to examine the claim of the applicant for interest on DCRG in terms of the Pension Rules and make such payments that are due to him thereunder.

(iii) We direct the respondents to make payment of the amounts sanctioned and communicated by Government in its letter dated 27.2.87 addressed to the PAO with all such expedition as is possible in the circumstances of the case and in any event within three months from the receipt of the order of this Tribunal.



15. Application is disposed of in the above terms. But in the circumstances of the case, we direct the parties to bear their own costs.

16. Let a copy of this order be communicated to the respondents within 10 days from the date of this order.

*Rob. J. M. J. J. J.*  
Vice-Chairman 9/3/87

*Rob. J. M. J. J. J.*  
Member (A) 9-2-87.

sr/Mrv.