

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

R.P. NO.: 136/93 in O.A. No. 656/92.

Date 7-10-94

Smt. K. U. Nagarkatti, Learned Counsel for the applicant.
Shri A. I. Bhatkar proxy for Shri M. I. Sethna,
Learned Counsel for the respondents.

In the above case decided on 10.09.1993, one of the reliefs sought for vide para 9(i) and 9(ii) was " A direction to Respondents No. 2 and 4 i.e. The Chief Labour Commissioner (Central), New Delhi and the Regional Labour Commissioner (Central), Asansol, to declare RLC (c), Bangalore, as Head Of Office for dealing with Pension case and to transfer the pension papers and related files to the R.L.C. (C), Bangalore, as "Head Office" under the C.C.S. (Pension) Rules, 1972, for further necessary action."

The reason for his claiming this relief is that the applicant was experiencing considerable delay in his correspondence with the R.L.C. (C), Asansol, where he was last posted, in various matters relating to operation of the pension rules. In particular, the applicant had written on 16.03.1994, in connection with pasting in the service book of particulars of the family details as per Pension Rules. But this has not been replied to till this date. Of course, this correspondence is subsequent to the earlier order passed by this Tribunal but the fact remains that in the O.A., the problems on this count were pleaded and relief was sought. In the order passed on 10.09.1993, there is no reference to this particular relief. In our order dated 29.07.1994, we had observed that the applicant is not able to specify provisions in relevant rules under which transfer is permissible, except definition of Head Office under Pension Rules. However, we further observed that a-s this is an administrative matter, there are likely to be administrative instructions in the matter and the respondents are directed to file a reply. In the reply filed by the respondents, it has been contended that no provision exists in Pension Rules for transfer of Head