

**Central Administrative Tribunal
Principal Bench**

OA No.3859/2018

New Delhi, this the 11th day of October, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

D.K. Gupta age 63 years
S/o Sri R.L. Gupta
613, New Ashiana CGHS
Plot No.10, Sector-6
Dwarka, New Delhi-110075. ..Applicants

(By: Applicant in person)

Versus

Union of India through

1. The Secretary
Department of Telecommunications
Sanchar Bhawan
20, Ashoka Road, New Delhi- 110001.
2. Senior DDG (TEC)
Telecom Engineering Centre
Khurshid Lal Bhawan
Janpath, New Delhi – 110001. ..Respondents

(By Advocate: Shri Satish Kumar)

ORDER (ORAL)

Justice L. Narasimha Reddy:-

This OA is filed with a prayer to direct the respondents to pay interest at a rate of 12% on the

arrears due to revision of pay w.e.f. 01.04.2012, pension w.e.f. 01.02.2015 and due to grant of NFU in HAG Scale w.e.f. 01.04.2012.

2. The second limb of relief is to direct the Secretary, DoT to take action under the CCS rules against the Director (Finance) and Director (Establishment) for seeking clarification from DoT on certain aspects. The third relief claimed by him is to investigate the nexus between the officials of TEC and 3 consultants appointed by TEC.

3. The applicant argued the matter in person. We heard the learned counsel for the respondents also.

4. The first limb of the prayer is regarding payment of interest @12%. Here again there are three components, arrears due to revision of pay scale, pension and those on account of NFU in the HAG scale.

5. It appears that there was some uncertainty in the matter of fixation of pay scale of the applicant and extension of the benefit of NFU. It is common in the administration that on account of improper

understanding or otherwise of the relevant provisions, the pay scale may not have been fixed properly. After correspondence undertaken in that behalf, the pay scale was ultimately fixed properly.

6. The occasion to grant interest would arise only if the relevant provisions of law provide for it or the authority who granted the relief further directs payment of interest. In the instant case, none of those circumstances exist. At any rate, the delay was mostly administrative in nature and the Govt. cannot be mulcted with the burden of payment of interest.

7. The other reliefs are totally outside the scope of the OA and the adjudication by this Tribunal. In a way, they are fanciful and do not warrant any consideration.

8. We do not find any merit in the OA. Accordingly, it is dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

/vb/