

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

ORIGINAL APPLICATION NO.170/00225/2017

DATED THIS THE 1ST DAY OF APRIL 2019

HON'BLE DR. K.B. SURESH, MEMBER(J)

HON'BLE SHRI CV.SANKAR MEMBER (A)

Sridhar K.Rajpurohit,
S/o Kanta Rao,
Aged about 61 years
Residing at House No.59/b
"Rajnivas", Bhuvneshwarinagar,
Keshwapur,
Hubli 580 023
Dharwad District,
Karnataka State.

... Applicant

(By Advocate Shri BS.Murali)

vs.

1.The General Manager,
Telecom District,
Dharwad Telecom District,
Sanchar sadan,
Hubli-580 020.

2.The Chief Accounts Officer,(GPF)
O/O CCA, Karnataka Circle,
Bangalore.560001

3.The CAO,/Sr. Accounts Officer, (Pension), DoT,
O/o Controller of Communication Accounts,
Karnataka Circle, 1st Floor,
Amenity Block, Palace Road,
Bangalore.560001

4.Executive Engineer (Civil)
BSNL Civil Division,
3rd Floor, CTO Building,
Pinto Road
Hubli-580 020.

5.The Chief Accounts Officer
(Corporate Accounts)
Office of the Chief General
Manager ,Telecom
BSNL, Karnataka Circle,
No.1, S V Road,
Halasuru, Bangalore.560008

...Respondents

(Shri Gajendra Vasu, Sr.Panel Counsel for R2 &3
Shri Vishnu Bhat, Sr.Panel Counsel for R1, 4 &5)

ORDER (ORAL)

HON'BLE DR. K.B. SURESH, MEMBER (J):

1. Heard. Applicant claims for retirement benefits. The DoT clarifies that the Pay and Accounts Office received the papers only on 23.8.2015 whereas the applicant was to retire on 31.8.2015. On a clarification, clarification was given only the next month itself. Therefore, there is a fault on the part of the BSNL which has to be corrected only by them.

2. Therefore, now we will hold that applicant is eligible for interest at the rate of GPF till the date of payment. It shall be calculated and paid to him by the BSNL within the next one month. OA is, allowed.

3. But we hold that it is the fault of the BSNL and they should have commenced the proceedings 6 months prior to the retirement of an employee.

4. OA is, allowed. No order as to costs.

(CV.SANKAR)
MEMBER (A)

(DR. K.B. SURESH)
MEMBER (J)

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Annexures referred to by the applicant in OA No.225/2017

- Annexure A1: Copy of representation dated 7.5.2016
Annexure A2: Copy of communication dated 18.5.2016
Annexure A3: Copy of communication dated 18.5.2016
Annexure A4: Copy of communication dated 5.3.2016
Annexure A5: Copy of representation dated 19.10..2015
Annexure A6: Copy of order dated 26.5.2016
Annexure A7: Copy of pension papers forwarded on 29.4.2015
Annexure A8: Copy of communication dated 15.12.2015
Annexure A9: Copy of reply dated 19.12.2016
Annexure A10: Copy of circular dated 1.10.2010
Annexure A11: Copy of communication dated 27.6.2016
Annexure A12: Copy of representation dated 12.7.2016
Annexure A13: Copy of BSNL Transfer TA rules
Annexure A14: Copy of guidelines dated 2.7.2015
Annexure A15: Copy of legal notice dated 22.11.2016
Annexure A16: Copy of postal receipts dated 22.11.2016

Annexure referred to by the Respondents 2 &3 in the OA

- Annexure R1: Copy of GPF Rules -Interest
Annexure R2: Copy of Government of India's decisions

Annexures referred to by the applicant in Rejoinder

- Annexure A17: Copy of BSNL group insurance Rules
Annexure A18: Copy of OM dated 16.1.2017
Annexure A19: Copy of OM dated 19.6.2014
Annexure A20: Copy of representation dated 25.9.2014
Annexure A21: Copy of acknowledgement dated 25.3.2014
Annexure A22: Copy of certificate dated 15.11.2014

Annexure A23: Copy of Telephone bill

Annexure A24: Copy of communication dated 2.5.2015

Annexure A25: Copy of TA/DA rules dated 1.10..2010

Annexure A26: Copy of communication dated 18.12.2014

Annexure A27: Copy of OM dated 13.9.2008

Annexure A28: Copy of communication dated 29.1.2016

Annexure A29: Copy of communication dated 2.12.2015

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