

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. NO.1848 OF 2003

(b)

New Delhi, this the 23rd day of March, 2004

HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Shri G.S. Balakrishnan s/o Late Shri G.K.  
Subramaniam, Groupa, Gazetted  
R/o RB-29, RBI Quarter, Ph-I,  
Sector-6, R.K. Puram, New Delhi-22. ....Applicant

(By Advocate : Shri S.N. Tiwari for Shri Badridas  
Sharma)

Versus

1. Union of India through  
Secretary, Govt. of India,  
Ministry of Personnel and Public Grievances,  
Dept. of Pension and Pensioners Welfare,  
North Block, New Delhi-110001.
2. Union of India, through Secretary,  
Govt. of India, Ministry of Finance,  
Dept. of Revenue, North Block,  
New Delhi.
3. Secretary, Central Board of Director Taxes,  
North Block, New Delhi.
4. Controller General of Accounts,  
Lok Nayak Bhawan, Khan Market,  
New Delhi.
5. Commissioner of Central Excise and  
Customs, I.S. Press Road,  
Cochin-18, Kerala.
6. Director General, E.S.I.  
Corporation, Kotla Road,  
New Delhi-110002. ....Respondents

(By Advocates : Shri M.M. Sudan for Respondents 1,2,3  
and 5 and Shri Sourabh Ahuja proxy for  
Ms.Jyoti Singh for Respondent No.6,  
None for respondent NO.4)

ORDER (ORAL)

Heard learned counsel of the parties.

2. The claim of the applicant is that his  
past service with Central Govt., Central Excise  
Department from 6.10.1978 to 18.1.1986 should be  
counted for the purpose of retiral benefits, as he  
applied through proper channel and joined as Assistant  
Director, Employees State Insurance Corporation. Even  
though no formal reply has been filed by the Central

*C. Subramanian*

(2)

Excise Department. Learned counsel Shri M.M. Sudan invited attention to the letter dated 1.7.2003 issued by Commissioner of Central Excise & Customs, Cochin Commissionerate, Cochin to Shri S.N. Tiwari, advocate, who is counsel for the applicant in the case, a copy of which is placed on record. The learned counsel of the applicant states that he has not received a copy of the said letter. This letter states as follows:-

"I am to inform you that on examination of the issue, it appears that this office is bound to discharge the pro rata pension liabilities of your client upto 18.01.1986. The matter has been taken up with the Pay & Accounts Officer, Central Excise & Customs to work out the amount of contribution to be made after verification of the relevant rules and the same will be made in a short while."

3. Learned counsel of the respondents No.1, 2, 3 and 5 Shri M.M. Sudan also invited attention to another communication dated 19.3.2004 addressed by the Commissioner of Central Excise & Customs, Cochin Commissionerate, Cochin to Shri Vinayak M. Prasad, Additional Commissioner (P&V), Delhi-I Commissionerate, New Delhi with a copy to him, a copy of which is placed on record. This letter further states as follows:-

"As requested, a copy of this office letter C.No.II/25/A-15/94 Accts I dated ~0 07.08.1998 evidencing payment of Rs.2,274/- to ESI Corporation is enclosed.

With regard to the balance amount of pension liabilities to be discharged in respect of the Applicant, the calculation sheet was forwarded to the Pay & Accounts Officer, Central Excise, Cochin vide this letter C. No.II/25/A-15/94 Accts I dated 18.07.2003 with a request for granting authorisation to draw the bill. The matter is still being pursued with the Pay & Accounts Officer."

*Chandramouli*

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4.. On these facts, learned counsel of respondents no.1, 2, 3 and 5 states that the steps are being taken to redress the grievance of the applicant as early as it could be possible.

5. It is noticed that even though part payment of Rs.2,274/- was made as per letter dated 7.8.1998 (Annexure A/IX), the balance amount is still in the process of being paid. It is desirable that the concerned authorities take early steps to make the payments so that the applicant's grievances are redressed. For this purpose, it is directed that the formalities as per aforesaid communication be completed within a period of three months from today and a reasoned and speaking order be passed by the competent authority under intimation to the applicant. In case contribution are received from the Commissioner of Central Excise and Customs, Cochin Commissionerate, Chochin, the respondent No.6 will pass necessary orders as early as possible so that the applicant gets the benefits as per law.

6. In view of the directions in the preceding paragraph, this OA is disposed without any order as to costs.

*R.K. Upadhyaya*

(R.K. UPADHYAYA) -  
ADMINISTRATIVE MEMBER

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