

## **BIHAR HUMAN RIGHTS COMMISSION**

9, Bailey Road, Patna

**File No. BHRC/Comp.422/14**

**Subject: Retiral dues- contradictory directives by two wings of the Govt.**

**Case of Sh. Pawan Kumar, Retired Asstt. Account Officer, DRDA, Bhojpur.**

---

Sh. Pawan Kumar, Retired Asstt. Account Officer, District Rural Development Authority (DRDA), Bhojpur had complained to the Commission that after his retirement on **31<sup>st</sup> Oct,2010**, his retiral dues ( approx. Rs. Five Lakhs) have not been paid as yet. The petitioner is a heart patient unable to treat himself and marry his daughter for want of money.

2. Commission asked for a response from DM, Bhojpur. According to the response received from the Deputy Development Commissioner(DDC) & Director, DRDA, Bhojpur the retired officer was on deputation from Bihar State Food & Civil Supplies Corporation(BSFCSC), Patna from 01.04.1996 to 31.10.2010 and as per the directive from **Chief of Finance, BSFCSC** (letter no. 4433 dt. 31.05.2011), the retiral dues have to be paid by the office of deputation. The response further mentions that according to another directive issued by the **Rural Development Deptt, Bihar** (letter no. 3239 dt. 24.03.2011), the retiral dues of employees on deputation from Board/ Corporations shall be paid by their parent department only.

3. **Apparently two wings of the Govt. i.e BSFCSC, Bihar & The Rural Development Deptt. are issuing contradictory directives on the subject.**  
**The petitioner is being made to suffer for the last five years.**

4. Commission, therefore, directs following actions in the matter:

(a) **The Chief Secretary to Govt of Bihar should resolve the inter - departmental contradictions and ensure that a clear directive is issued by the government, on the subject, within two months.**

(b) **Government should respond why a compensation of Rs. 1,00,000 (One Lakh), to be paid by the government, be not awarded to the petitioner for the Human Rights Violation and sufferings he has undergone so far.**

5. Commission will be expecting a report from the Chief Secretary, Govt. of Bihar by **30<sup>th</sup> April, 2015** after which final orders will be passed.

6. Copy of this order along with responses received from Director, DRDA & DDC, Bhojpur be sent to the Chief Secretary, Bihar for necessary action.

Date: 18.02.2015

**S.P/DS**

Sd/...

(Neelmani)  
**Member**