

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA NO. 2469/2003

This the 3rd day of March, 2003

(16)

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Sh. Harvir Singh  
S/o Late Sh. Ram Singh  
Vice-Principal (Retired)  
R/o 289, Pocket D-11  
Sector 7, Rohini, Delhi.

(None)

...Applicant

Versus

1. Director of Education  
NCT of Delhi  
Old Secretariat, Delhi.
2. Drawing & Disbursing Officer  
Govt. Boys Sr. Sec. School (1st Shift)  
Timar Pur, Delhi - 110 054.
3. Govt. of NCT of Delhi through  
its Chief Secretary  
5, Shambhavi Marg, Delhi.
4. Union of India  
through its Secretary  
Ministry of Human Resources Development  
(Education Deptt.) New Delhi.

...Respondents

(By Advocate: Sh. George Paracken)

W R I T E R (ORAL)

None is present for the applicant and even on the last date of hearing non had appeared for the applicant. I proceed to decide this OA under Rule 15 of the CAT (Procedure) Rules.

2. Applicant has filed this OA as he alleges that he is aggrieved of the fact that the department had charged higher rate of interest from him on GPF Account pertaining to the aided school for the period i.e. 15.11.67 to 31.12.78. He is also aggrieved of illegal deduction of Income Tax on pensionary benefits and non granting interest upon delayed payment of retiral benefits from 1.8.99 to 4.10.2000.

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3. Facts in brief are that the applicant was working in Gandhi Harijan Higher Secondary School, Braham Puri, Delhi w.e.f. 15.11.67 to 31.12.78. Thereafter, he joined the school of Delhi Administration on 1.1.79. At the time of retirement, applicant requested for counting of his past service as he claims to have worked in an aided school. Thereafter the applicant was directed to deposit with the Directorate of Education the CPF amount which he had received from aided school where he was earlier working. The said amount was stated to have been deposited on 6.6.2000. Though he had got it in the year 1981 itself. When the applicant wanted to avail the counting of the period of past service and to avail the reitral pensionary benefits he was also directed to deposit 12% interest on the GPF amount which he has received from the aided school.

4. Applicant now claims that the interest charged from him is on a higher side and is totally illegal being in violation of respondents orders dated 17.9.98. However, in my view the fact remains that the applicant who had already received the CPF amount and had deposited the same in his own bank account had been earning interest on that amount and if he deposited the amount at that time with Delhi Administration than he would have been paid deemed interest on the same amount as per rules. As the applicant himself violated the rules and not deposited the CPF amount in the GPF A/c so he is liable to pay interest and the same has been rightly charged from him.

5. The second prayer of the applicant is that respondents have illegally deducted a sum of Rs.12,500/- towards income tax on retiral benefits. But the respondents in their counter specifically pleaded that no amount under the head of income

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tax has been deducted. There is nothing on record to show if any amount of Rs.12,500/- has been deducted on account of income tax. Applicant has failed to prove that any amount has been deducted on account of income tax on his retiral benefits.

6. As regards the claim of the interest on the delayed payment on retiral benefits is concerned, respondents have pointed out that applicant has himself deposited his CPF amount on 6.6.2000 and the retiral benefits could be released only thereafter. Since the retiral benefits have been released on 4.10.2000 itself, I find that there is no inordinate delay on the part of the respondents, applicant is not entitled for any interest. Hence OA is dismissed.

  
( KULDIP SINGH )  
Member ( J )

sd/-