

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 1981 of 1999

New Delhi, this the 28th day of March, 2001

HON'BLE MR. KULDIP SINGH, MEMBER(JUDL))
HON'BLE MR. M.P. SINGH, MEMBER (A)

(A)

1. Kendriya Vidyalaya Sangathan Staff Association through M.N. Haider, General Secretary, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi.

2. All India Kendriya Vidyalaya Teachers Association, Through A.S. Majumdhari, General Secretary, B-IX/1, AAI Residential Complex, Mahipalpur, New Delhi-37.

3. Rastirya Kendriya Vidyalaya
Through Jagat Singh, General Secretary
KV No.1 Delhi Cantt.
Delhi.

..Applicant

By Advocate Shri Anil Srivastava.

Versus

Kendriya Vidyalaya Sangathan
Through Commissioner,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi.

..Respondents

By Advocate Shri S. Rajappa.

ORDER(ORAL)

By Hon'ble Mr. Kuldip Singh, Member (Judl)

Applicants, which is an Association of Kendriya Vidyalaya Sangathan Staff Association has filed the present OA seeking the following reliefs:-

(a) Refer the whole issue of decentralisation of PF work to an expert committee consisting of members from the Ministry of Personnel, Public Grievances and Pensioners Welfare, representative of the CPF organisation and other such expert bodies.

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(b) Direct the respondents to create a Trust for Provident Fund in association with the representatives of the Applicant associations; and

(c) Set aside the impugned order dated 20.8.99 and declare that the scheme of decentralisation of PF work in the KVS is null and void.

2. Facts in brief are that the Association is aggrieved with regard to the Management of PF which is being deducted from the salary of the employees. It seems that the respondents had taken a policy decision regarding decentralisation of PF to an expert committee consisting of members from the Ministry of Personnel, Public Grievances and Pensions etc. and applicants are seeking a direction to the respondents to create a Trust for Provident Fund with the representatives of the applicants association and are seeking setting aside of the impugned order and declaring that the scheme of decentralisation of PF work in the KVS is null and void.

3. The OA is being contested by the respondents. They have taken a plea that the reliefs sought by the applicants relate to policy decision of the Kendriya Vidyalaya Sangathan, which decision has been taken taking into account the interest of employees and, therefore, the applicants cannot question the policy decision before this Hon'ble Tribunal and this Hon'ble Tribunal ought not to interfere with the policy decision of the respondents.

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4. We have heard Shri Anil Srivastava, learned counsel for the applicant and Shri S. Rajappa, learned counsel for the respondents in detail and from a perusal of the allegations as levelled in the OA and as well as a perusal of the impugned order, we find that the decision taken by the respondents is merely a policy decision and it nowhere affects the service conditions of the applicants and the applicants have no locus standi to challenge the same before this Tribunal, hence the same is dismissed. No costs.


(M.P. Singh)
Member (A)


(Kuldeep Singh)
Member (J)

Rakesh