

SRS
15/12

FORM NO. 2
 CENTRAL ADMINISTRATIVE TRIBUNAL
 PRINCIPAL BENCH, NEW DELHI
 Report on the Scrutiny of Application

SB/DB

Presented by: V.K. Malhotra Diary No. 2645
 Date of Presentation: 13.12.2000
 Applicant(s): Gurdayal Sharma Group: 6A
 Respondent(s): Govt. of NCT
 Nature of grievance: Retirement benefit
 No. of Applicants: One No. of Respondents: 4

CLASSIFICATION

Subject: Retirement benefit (No. 28) Department: NCT (No. 1)
 * If S.B.

1. Is the application in the proper form? (three complete sets in paper book form in two compilations). (PROFORMA/COMPILED)
2. Whether name, description and address of all the parties been furnished in the cause title? Yes
3. (a) Had the application been duly signed and verified? Yes (SIGNED/VERIFIED)
- (b) Have the copies been duly signed? Yes
- (c) Have sufficient number of copies of the application been filed? Yes
4. Whether all the necessary parties are impleaded? Yes
5. Whether English translation of documents in a language other than English or Hindi been filed? Yes
6. (a) Is the application in time? (See Section 21) Yes
 (b) Is MA for condonation of delay filed? No
7. Is the Vakalathama/Memo of appearance/Authorisation been filed? Yes
8. Is the application maintainable? (u/s 2, 14, 18 or U/R 6 etc.) Yes
 u/s 2, u/s 14, u/s 18
 U/R 6, PT u/s. 25 fil
9. Is the application accompanied by IPO/DD for Rs.50/-? Yes
10. Has the impugned orders original/duly attested legible copy been filed? Yes
 LEGIBLE/ATTTESTED
11. Have legible copies of the annexure duly attested been filed? Yes
 LEGIBLE/ATTTESTED

✓
FILED/PAGINATION

12. Has the index of documents been filed and pagination done properly? *Yes*
13. Has the applicant exhausted all available remedies? *Yes*
14. Have the declaration as required by item 7 of Form-I been made? *Yes*
15. Have required number of envelops (file size) bearing full address of the respondents been filed? *Yes*
16. (a) Whether the reliefs sought for, arise out of single cause of action? *Yes*
(b) Whether any interim relief is prayed for? *Yes*
17. In case an MA for condonation of delay is filed, is it supported by an affidavit of applicant? *MA*
18. Whether this case can be heard by Single Bench? *Yes*
19. Any other point?
20. Result of the scrutiny with initial of the Scrutiny Clerk.

The application is in order and may be registered and listed before the Court for admission/orders on :

- (a) MA for joining - U/R 1(5)(a)/4(5)(b)
- (b) MA U/R 6 of C.A.T. Procedure Rules, 1987
- (c) PT u/s 25 under At ACT
- (d) MA for condonation of Delay

OR

The application has not been found in order in respect of item No(s) mentioned below:

- (a) Item Nos.
- (b) Application is not on prescribed size of paper.
- (c) MA U/R 4(5)(a)/4(5)(b) has not been filed.
- (d) Application/counsel has not signed each page of the application/documents.
- (e) MA U/R 6 has not been filed.

The application might be returned to the applicant for rectification of the defects within 7 days.

SCRUTINY CLERK

SECTION OFFICER

JOINT REGISTRAR

COURT NO.

SB

DATE

15/12/2000

✓
15/12/2000

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI.

O.A. OF 2000

OA & 617/2000

SHRI GURDAYAL SHARMA

No

.....APPLICANT

VERSUS

THE LT. GOVERNOR & OTHERS

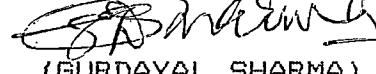
....RESPONDENTS

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1/4 of Nakaratna
कर्ता

60
APPLICANT


(GURDAYAL SHARMA)

6

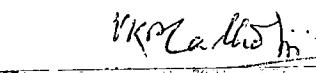
13 DEC 2000

2645

राजस्त्री
DEHLI

DATED : 14th Dec 2000

THROUGH


V.K. Malhotra

Advocate

High Court, New Delhi
H-31, Navin Shahdara,
Delhi-32 • Dial : 2283729

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH, NEW DELHI.

D.A. OF 2000

No. Q 617/2000

MEMO OF PARTIES

SHRI GURDAYAL SHARMA
S/O SHRI BEHARI LAL SHARMA
R/O H-56, MANSAROVAR PARK,
SHAHDARA, DELHI - 110032.

OR

SCHOOL : CHARAK GOVT. SARVODAYA KANYA VIDYALYA,
DDA FLATS, EAST OF LONI ROAD,
DELHI - 110093.

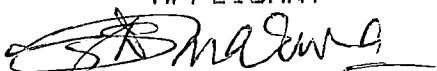
.....APPLICANT

VERSUS

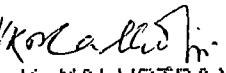
1. THE LT. GOVERNOR,
16, RAJPUR ROAD,
DELHI (RAJ NIWAS).
2. THE DIRECTOR OF EDUCATION
OLD SECRETARIATE, DELHI ADMINISTRATION,
N.C.T. DELHI.
3. THE DEPUTY DIRECTOR (NORTH-EAST)
B-BLOCK, YAMUNA VIHAR,
DELHI.
4. PRINCIPAL
CHARAK GOVT. SARVODAYA KANYA VIDYALYA,
DDA FLATS, EAST OF LONI ROAD,
DELHI - 110093.

....RESPONDENTS

APPLICANT


(GURDAYAL SHARMA)

THROUGH


(V.K. MALHOTRA)

DELHI

DATED : 14/12/2020

H-31, NAVIN SHAHDARA,
DELHI - 110032.

(1)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH, NEW DELHI.

O.A. OF 2000

No. 2617/2000

SHRI GURDAYAL SHARMA

....APPLICANT

VERSUS

THE LT. GOVERNOR & OTHERS

....RESPONDENTS

APPLICATION UNDER SECTION 19 OF THE
C.A.T. ACT, 1985.

MOST RESPECTFULLY SHOWETH:

1. DETAILS OF THE APPLICATION

A. ORDER AGAINST WHICH THE O.A. IS BEING FILED

The O.A. is being filed against the order No. 161 dated 21-11-2000, 25-10-2000, 16-10-2000, 25-08-2000 and 26-06-2000 and so on issued by the Director of Education besides so many others letters issued by the respondents from time to time as well as an FIR lodged against the applicant on 30-12-1999 along with a letter of 16/21-12-1999 in which the applicant has been alleged to get the claim of the LTC under fake and bogus papers. It is submitted that immediately

the applicant deposited the amount allegedly to be bogus claim on 23-12-1999 along with the penal interest, inspite of depositing the amount Rs.63,975/- with the treasury with intimation to the Vice Principle of the School, under the orders of the respondents, even then the retiral benefits were withheld without assigning any reason or rhyme. The FIR lodged on 30-12-1999 when the applicant was to retire on 31st December, 1999. Since then the applicant is trying his best to get his retiral benefits released, inspite of the facts that his daughter was to be married just after few days but nothing was heard. The impugned orders are enclosed herewith and marked as Annexure - A.

BRIEF FACTS

The applicant along with two of his colleagues namely Shri M.P. Aggarwal, TGT (Maths) and Shri Raja Ram Sharma, avail^{ed} the LTC in 1998, whereas in the year of 1999 it was alleged that the LTC ~~is~~ availed was bogus and the company did not exist. Hence on 16/21-12-1999 it was order^{ed} to deposit the amount with penal interest amounting

to Rs.63,975/- . As Mr. Gurdyal Sharma was to retire on 31st December, 1999, so keeping in view his retirement all the three collectively deposited the money immediately on 23-12-1999 with an intimation to the Vice Principle of the School (Respondent No. 4) and received the receipts from her. Thereafter on 30-12-1999 an FIR was lodged with the police station and the applicant has to take an anticipatory bail from the court for his safety, the criminal proceedings are going on in the court of law against the applicant. Due to this very reason the respondent No. 4 has withheld the retiral benefit altogether, though the orders of the respondent No. 2 of dated 15-12-1992 has been complied with in toto even then the applicant is put to torture and harassment while not releasing the retiral benefits.

B. SUBJECT IN BRIEF


Precisely speaking, the issue is very small that the retiral benefits has been withheld without any reason and rhyme and with a malafide intention the extension of service for the last three months upto March, 2000 was also not granted

by the respondents, whereas, at one time the papers regarding the extension beyond the month of December, 1999 to March, 2000 were initiated but with malafide intention subsequently the respondent No. 4 did not extend the service upto March, 2000 and thereby hurriedly relieved the applicant from the school and did not rather inform regarding this extension/re-employment in order to complete the session under the provisions of law issued by the respondents. In this way the applicant was put to a double loss while not releasing his retiral benefits as well as not allowing him to avail the opportunity of re-employment for three months which was his right ^{known} best told by the respondent No. 1 and 2.

It is pertinent to mention over here that when allegedly the bogus amount of LTC was deposited immediately and thereafter there was no reason to punish the applicant for nothing but to torture and harass him inspite of the clear order by the respondent No. 1 and 2 from time to time regarding such like issues.

2. JURISDICTION

The applicant declare that the subject

contd....5

matter against which the applicant want their redressal of his grievances is within the jurisdiction of this Hon'ble Tribunal as both the parties are within the territorial jurisdiction of this Hon'ble Tribunal (PB), New Delhi.

3. LIMITATION

The applicant declare that the application is well within the limitation period under which the relief claimed is a recurring one and is continuing to harm and snatch the continuing benefits day by day. It is further stated that it is under section 21 of the A.T. Act, 1985 being the arrears, retiral benefits and the claim of other such like benefits accrued to the applicant continuously.

4. FACTS OF THE CASE

4.1. Initially the applicant was appointed as LDC with Municipal Corporation of Delhi in short called MCD on 01-04-1964 and thereafter was appointed as Language Teacher with MCD on 04-11-1965 with the continuity of the service.

Consequent upon the merger of middle schools with the Directorate of Education, NCT Delhi on 27th May, 1970, the applicant became a Govt. Teacher. Since then he is working in the Directorate of Education, Delhi Administration, Delhi. The appointment letters are enclosed herewith and are collectively marked as Annexure - B.

4.2. The applicant was retired from Charak Govt. Sarvodaya Kanya Vidyalaya, DDA Flats, East of Loni Road, Delhi-110093 in short called SKV, DDA Flats, Delhi-110093 attaining the age of super annuation on 31st December, 1999 which was to be continued till the close of session as per the orders of the respondent No. 2. The letters are enclosed herewith and marked as Annexure - C.

As a matter of fact that as the case for re-employment/extension upto the ending of the session i.e. from 1st January to 31st March, 2000, was sent to the respondent No. 2 by the respondent No. 4 on 31st May, 1999 whereas the same was too withheld by the respondent No. 4 with the vindictive nature. The applicant was hurriedly relieved on 31st December, 1999 without giving the

benefit of the re-employment as the same was his bonafide right.

4.3. The applicant availed LTC with due permission of the respondents through the traveling agents as Amit Travels (Regd.), Shop No. 16, Sector - 1, Market R.K.Puram, New Delhi-110022 with the permission and dealing with the U.P. Tourism Development Corporation Ltd., a U.P. Govt. Undertaking, Lucknow-226001 submitted the claim and received the full and final payments regarding the LTC claim, all the concerning papers submitted are enclosed herewith and collectively marked as Annexure - D.

4.4. That just before few months earlier, all the post retiral documents were submitted to the respondents, the "NO DUES" certificates was issued and the service period was duly calculated as if there was no deficiency on the part of the applicant. All such relevant documents are enclosed herewith and collectively marked as Annexure - E.

4.5. What happen all of a sudden on

21-12-1999 that the applicant received one letter from the respondent No. 3 and 4 that he along with two other teachers Shri M.P. Aggarwal and Shri Raja Ram Sharma, vide their letter No.5572 dated 16-12-1999 received on 21-12-1999, availed this LTC on bogus paper, hence under rules they are supposed to refund the amount received with penal interest. The calculation of the amount was also given in the letter. The same is enclosed herewith and marked as Annexure - F.

4.6. Any how, it was a thunder bolt from the blue, that just nine days ahead to be retired the applicant along with his both the colleagues immediately deposited the desired amount worth Rs.63,975/- with the treasury on 23-12-1999 with the receipts obtained from the respondent No. 4 on 23-12-1999 and a challan copy of dated ["] 23-12-1999 from the treasury as well as the receipts from the respondent No. 4 are enclosed herewith and collectively marked as Annexure - G.

4.7. That, though the allegedly letter of dated 21-12-1999 of depositing the amount of LTC was immediately complied with and the amount was

deposited on 23-12-1999 for the fear of retiral benefits be detained at any time, yet the respondent No. 4 with a malafide intention, or so to say with some vindictive nature filed an FIR No. 365/99 with Police Station, Mansarovar Park (NE) on 30-12-1999, hurriedly without getting any prior permission of the higher authorities under the provisions of law. The applicant was thus had to seek an anticipatory bail from the court of law resultantly the criminal proceedings started against the applicant. Hence a great inconvenient and harassment was caused to the applicant. All the concerning papers are enclosed herewith and collectively marked as Annexure - H.

4.8. That inspite of the best efforts made by the applicant, inspite of the clear orders from the respondents No. 2 dated 15-12-1992 regarding the doubtful LTC claim avail yet the respondent No. 3 and 4 remained adamant in not releasing the retiral benefits to the applicant. It is pertinent to mention over here that there is no enquiry pending against the applicant whereas a "NO DUES" Certificate has already been issued in favour of the applicant on 02-11-1999, which is enclosed herewith and marked as Annexure - I.

4.9. Now, there was only one and last alternative left with the applicant to file representations to the respondent and he filed very many representations besides his wife also submitted mercy appeal to the Lt. Governor. Even the applicant met the respondent No. 2 many a times in his own office, the dates and letters have been mention as Annexure - A, yet some of the representations are enclosed herewith and marked as Annexure - J.

5. GROUND FOR RELIEF WITH LEGAL POSITIONS

5.1. Because the retiral benefits like pension, gratuity and other benefits are not a bounty given by the respondents rather or life long earned properties which cannot be denied or cannot be bartered upon in one or the other way. Supreme Court in ratina of cases has imposed heavy costs and penal interest upon the airing respondents, just as in some of the land mark judgments :

a) AIR 1985 Supreme Court 356, an interest has been imposed.

b) Allahabad High Court in its Judgment on October 30th, 1998 has declared a pension a fundamental right imposed a cost of Rs.50,000/- upon the respondents.

c) Supreme Court in its decision on 1995 Supreme Court Cases (L&S) 13, imposed 18% interest upon the respondents.

5.2. Because the respondent No. 2 had been issuing orders :

a) Through its Pension ^{Cell} Delhi, Delhi Administration, Delhi, Old Secretariat Delhi vide No. DE 11(8)/85/Pension/Education/1942-2501 dated 28th August, 1985, "MONITORING SYSTEM to ensure timely payments of dues of retired / expired Govt. employees".

b) Directorate of Education, Pension Cell No. Edn/Pen/89/2006-3311 dated 11-09-1989. Inspite of the repeated orders the respondent do not bother to pay the retiral benefits to the employees.

c) Again so many citations can be quoted regarding the non payment of retiring applicants.

5.3. As there was a malafide intention on the part of the respondent No. 4 that they did not give any single opportunity to the applicant to be explained but immediately lodged an FIR No. 365/99 with out seeking any prior permission from the respondent No. 2 on 30-12-1999, when whole of the amount with penal interest had been deposited in the treasury, besides a receipt issued from respondent No. 4 which could not satisfy the respondent, hence with held the retiral benefits.

5.4. It was an ill intention on the part of the respondent No. 4 that inspite of the clear instructions dated 15-12-1992 from the respondent No. 2 that a lenient view be taken in the case of a person who deposited the money with penal interest but on the other hand a very unreasonable step was taken by the respondent No. 4 and lodged an FIR with the police station besides with held the retiral benefits.

5.5 Again it was not the applicant who allegedly produced forged bills but it was a Regd. Travel Agency named AMIT TRAVEL AGENCY who allured and did every thing whereas the applicant himself

was cheated, if it is proved otherwise , strange enough to say that why the respondent No. 4 has penalised the applicant and withheld his retiral benefits, which no nexus with all these happenings when full and final payments were deposited with penal interest as per orders.

5.6. Because inspite of repeated representations of the applicants to respondents, whereas inspite of some clear directions from the respondent No. 2 but respondent No. 3 and 4 did not move even a single inch from their stand, to release the retiral benefits, still or concealing the vital facts from the officials in connivance with each other of the respondent No. 3 and 4, so with holding the retiral benefits with ulterior motive without assigning any reason and rhyme.

5.7. As in utter haste with some thing vindictive nature the FIR was lodged without prior permission of the respondent No. 2, caused a mental and physical agony to the applicant, which could only quench the thirst of respondent No. 3 and 4, otherwise the claim taken was diffused when the claim taken was paid immediately with

penal interest, hence question does not arise of double punishment or double jeopardy.

5.8. Because the respondents over looked all the instructions and directions of the Govt. of India and the orders of the Hon'ble Supreme Court regarding retiral benefits accrued to the retired persons.

5.9. As there is no enquiry pending against the applicant till date while his retiral benefits can be with held.

6. DETAILS OF THE REMEDIES EXHAUSTED

The applicant undertake that he has exhausted all the remedies available to him under the provisions of law including submitting the representations in writing oral submissions and physical appearance before the respondents at every time and lastly on 21-11-2000 and so on besides which have not been mentioned over here for the sake of brevity but have been kept for ready reference.

7. MATTER IF ANY ALREADY FILED OR PENDING

The applicant further undertake that he

contd....15

has not filed any other ~~way~~ ^{application} in this Tribunal or in any other court of law for the same relief.

8. RELIEF SOUGHT

- i. The retiral benefits including gratuity, pension, commutation amount, leave encashment, CGIES amount, GPF amount and other arrears accrued to the applicant out of this retiral benefits.
- ii. The statutory provisions for extension / re-employment which was denied to the applicant and in lieu of that the payment from January, 2000 to March, 2000 may kindly be paid.
- iii. Please issue orders for the interest at the rate of 18% upon the payments made so late under the Gratuity Act besides a heavy cost under section 35 A CPC may kindly be imposed due to illegal and unlawful steps taken by the respondents.
- iv. Any other relief this Hon'ble Court deems fit in the circumstances of the case.

9. INTERIM RELIEF

✓ All the relief prayed as earlier be allowed keeping in view the ratio decided by this Hon'ble Tribunal and on the basis of the orders already issued by this Hon'ble Tribunal.

10. The applicant desired to be heard in person and through counsel.

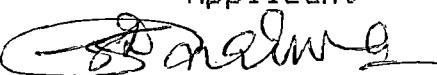
11. PARTICULARS OF POSTAL ORDERS

No. 30/068 dated 13th Dec 2000 drawn at Allahabad Bank the post office N.Delhi payable at N.Delhi in favour of the Registrar P.B. C.A.T. New Delhi for Rs.50/-

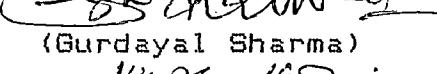
12. LIST OF ENCLOSURES

Application with all the annexures which are correct as compared with the original has been filed, postal order Rs.50/-, Vakalatnama, four envelops and four sets of paper book are submitted.

Applicant


(Gurdhayal Sharma)

Delhi through
Dated : 14/12/2000


(V.K. Malhotra)

H-31, Navin Shahdara,
Delhi - 110032.

VERIFICATION:

Verified at New Delhi on this 14/12 day of December, 2000 that the contents of the aforesaid application from paras No. 1 to 12 are correct and true to the best of my knowledge and belief and no material information has been concealed therefrom. The prayer clause is for this Hon'ble Tribunal.

Applicant


(Gurdhayal Sharma)


(V.K. Malhotra)


V.K. MALHOTRA
Advocate
Delhi High Court, Delhi

Anm -

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

No.
(6).

Date: 21/11/2009.....

PUBLIC HEARING CASE

1. Name and Designation
of the person

Mr. Dayal Sharma Ex.T.E.T.T.H
Charan S.R. v. D.E.A file No. 112
East Delhi - 93.....

2. School/Organisation

Requirement of Retirement benefits.....

3. Grievance/Problem

4. Dates on which you met
DDE(Distt.)/JDE/ADDL.D.E.
for redressal of grievance

.. D.D.E.(N.E.) 9/11/2009.....

5. Action taken in solving
problem/grievance so far

No. Hmpr. Com. Letter No. 2009/.....

6. Previous reference No. of
Public Hearing, if any

29/10/10/2009.....

✓
Mr. M. K. Jain
to come with his file on
at 12/30 PM
on 21/11/2009
Supt. V.P. (N.E.)
21/11/2009

DIRECTOR OF EDUCATION

T.C. Alsted
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

one letter
21/11/2009
DD (N.E.)

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

Date: 25.10.2000

No.

PUBLIC HEARING CASE

1. Name and Designation of the person
2. School/Organisation
3. Grievance/Problem
4. Dates on which you met DDE(Distt.)/JDE/ADDL.D.E. for redressal of grievance
5. Action taken in solving problem/grievance so far
6. Previous reference No. of Public Hearing, if any

Mr. Jayal Sharma, Ex-T.C.T.(Hindi)
Served as a girls Sr. Sec. School, Laxmi
D.E. flats, Shahdara.
Non payment of pension and other financial
benefits.

..... DDE (N.E.) 518/2000

Nothing could be done so far

..... 29/16X2000

DIRECTOR OF EDUCATION

To Attest
N.K. MALHOTRA
Advocate
Delhi High Court, Delhi

ADDL.D.E.

✓ He states that file
under submission to ADDL.D.E.
from the D.E. Branch if
Pl. expect to
get 25/10

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

19

Date: 16.10.2000...

A-11

No. 29....

PUBLIC HEARING CASE

1. Name and Designation
of the person

Gurdayal Sharma, Ex-T.L.T. (Final)
Sarvodaya Civil Soc. Sec. School, N.I.T.
Loni, R.R.T. & A.T.
Requirement of Retirement Benefit.

2. School/Organisation

3. Grievance/Problem

4. Dates on which you met
DDE(Distt.)/JDE/ADDL.D.E.
for redressal of grievance

JDE (N.E.) On - 16.8.2000...

5. Action taken in solving
problem/grievance so far

Nothing can be done in this regard

6. Previous reference No. of
Public Hearing, if any

16/9/8.2000.....

DIRECTOR OF EDUCATION

Please look into the case
and let me know on file by
the 1st of December 2000
and claim. Or
S.Y.T +
V.T.C

b-16

Shankar
16/10/2000

T.C. Allen Shukla

V. K. MALHOTRA
Advocate,
Delhi High Court, Delhi

D.D.A.E)

DIRECTORATE OF EDUCATION
(D.E. 'S PERSONAL BRANCH)

Date: 25.08.2006

No.

PUBLIC HEARING CASE

1. Name and Designation
of the person

Sur Dayal Shrivastava, Ex. T.G.T. (Hindi)

2. School/Organisation

Sarvodaya Model Sr. Sec. School &
flat 101, Ram Road East
Requirement of Retirement Benefit

3. Grievance/Problem

4. Dates on which you met
DDE(Distt.)/JDE/ADDL.D.E.
for redressal of grievance

: 28.6.2006 (Distt. H.E.) On 16.08.2006

5. Action taken in solving
problem/grievance so far

No. Thing can't be done in this regard

6. Previous reference No. of
Public Hearing, if any

... On 24.7.2006

✓ See the file w.r.t.
my case dated 26/6/06
EO to come with file
on 4/9/06

DIRECTOR OF EDUCATION

Director of Education
Govt. of NCT of Delhi
Old Sector 10, Patel

for next Monday.

To All B.O.D.

V. K. MALHOTRA

Advocate
Delhi High Court, Delhi

one letter
B.O.D.

DD (LNE)

21

DIRECTORATE OF EDUCATION
(D.E.'s PERSONAL BRANCH)

A-18
Date: 26.6.2000

NO.

PUBLIC HEARING CASE

1. Name and Designation
of the person

2. School/Organisation

3. Grievance/Problem

4. Dates on which you met
DDE(Distt.)/JDE/ADDL.D.E.
for redressal of grievance

5. Action taken in solving
problem/grievance so far

6. Previous reference No. of
Public Hearing, if any

Mr. Gayal Singh
Retired T.T.C. Officer
Sarvodaya Kanya Vidyalaya, East
Demand of Retirement benefits

So many times

Nothing could be done in this

No. in not given of public hear

He has failed on 31/12/00
she has already been given
the cost of 60 days LTC claim
Leave process has been completed
and have it settled in 04 weeks

DIRECTOR OF EDUCATION

DDA (NE)

Ran
26/6/2000

T.C. - Attested
16

V.K. MALHOTRA
Advocate
Delhi High Court, Delhi

22
Annexure B

MUNICIPAL CORPORATION OF DELHI
CENTRAL ESTABLISHMENT SECTION

0.0. NO. F5/7/64-CES(C)/111

Dt. 1.4.64

The following approved L.D.C. Candidates are posted as under:-

1. Sh. Satya Prakash Dabas. Prosecution Deptt. vice Shri Mohd. Rezwari L.D.C. On relief Sh. Mohd Rezwari is posted in the office of Executive Engineer V vice Sh. Anand Singh Jain since resigned from Mpl. Services.
2. Miss Surindu Kaur Bhatia. Karol Bagh Zone vice Shri Mukand Behari Lal L.D.C. since promoted as U.D.C.
3. Shri Ramesh Chander. Bldg. Deptt. (Hq.) vice Sh. Mohan Singh L.D.C. On relief Sh. Mohan Singh L.D.C. is posted in West Zone vice Sh. B.S. Nanda L.D.C. since transferred.
4. Sh. Hari Shanker. Engg. Deptt. in the office of E.E. (rural) against the post of L.D.C. lying vacant.
5. Sh. V.T. Mathan. West Zone vice Sh. Manohar Lal L.D.C. since tendered resignation from Mpl. Services.
6. Sh. Subhas Chandra Sriwastwa. D.H.O (Medical) vice Shrimati Sarojni Vohra L.D.C. On relief Shrimati Sarojni Vohra L.D.C. is posted in City North Zone A&C Deptt. vice Sh. J.N. Bhatia L.D.C. since placed under suspension.
7. Sh. Brij Mohan Mehta. Food Laboratory Health Deptt. vice Sh. Nizainuddin L.D.C. On relief Sh. Nizainuddin is posted in Shahdara Zone vice Sh. Subhas Chander L.D.C. since resigned from Mpl. Services.
8. Sh. Gurdyal Sharma. ~~D.C. (E)'s office vice Shri Bhim Singh L.D. since granted leave.~~
9. Sh. Hem Chander Mann. Physical Education Deptt. vice Sh. Megh Raj Singh L.D.C. On relief Shri Megh Raj Singh is posted in S.J.T.B. Hospital vice Shri J.R. Aggarwal L.D.C. On relief Sh. J. R. Aggarwal L.D.C. is posted in Slum Deptt. vice Sh. Ravinder Singh L.D.C. since appointed as Steno Typist.
10. Sh. Daya Chand Vats. Engg. Deptt. / In the office of E.E. (Rural) against the post of L.D.C. lying vacant.

ATTESTED

H.C. ESTT.

Sd: *
(V. CHANDRA)
Asstt. Commissioner
T. C. Allard
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

23

B-1

MUNICIPAL CORPORATION OF DELHI
EDUCATION DEPARTMENT, ADMIN. BOYS

OO.NO. 391/PBC/65-66

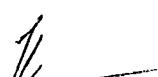
DATED : 04-11-1965

As per order of the Education Officer, the teacher is appointed as Language Teacher in the grade of 160-300 in the school shown against their name. He will be drawing the allowances, admissible in the Union Territory of Delhi according to rules and orders prescribed from time to time. He should immediately report for duty to the concerned Head Master, otherwise his appointment can be canceled.

OTHER CONDITIONS OF SERVICE ARE AS UNDER

1. The appointment is purely temporary and can be terminated at any time without telling any cause with a notice of one month, beside the appointing authority has the right to terminate the services within the period prescribed in the notice.
2. The candidate could be posted in any of the school in the MCD.
3. The rest of the conditions will be applicable laid down from time to time.
4. The candidate will have to produce a

contd....2



Medical Certificate from the doctors approved by the MCD.

5. The applicant can be canceled if an adverse report is given by the Police Verification.

6. If the candidate was found concealing some vital information regarding his qualification regarding his/her appointment or educational qualification or otherwise not possession the desired qualification, minimum or maximum, his candidature will be canceled immediately.

7. No conveyance will be paid.

Sd/-

(Dr. J.N.Mathur)

AEU (Admn) Boys

Copies to:

1. Concerned Head Master, 2. Concerned A.O., 3. Concerned Person, 4. Personal file

S.No.	Name & Add.	School where posted	Remark
7.	Gurdayal Sharma,	H.M. MC Primary School, Against Pyare Lal Road, Karol Bagh, Delhi.	Post Vacant

Sd/-

To be attended
(Dr. J.N.Mathur)

AEU (Admn) Boys

N.K. MALHOTRA

Delhi High

Annex C

Charak Govt. Sarvodaya Kanya Vidyalaya
 DDA Flats, East of Loni Road,
 Delhi - 110093.

On attaining the age of 60 years Shri Gurdhayal
Sharma TGT (Hindi) is being retired from Govt.
Service w.e.f. 31-12-1999 (AN). His date of birth
is 21.12.1939.

No.374-77

Dated : 12.7.99

Copy to :

1. PAO (VIII)
2. Endividual (Shri Gurdhayal Sharma)
3. DDE (NE)
4. EO (Zone VI)

Sd/-

Vice Principle, School Stamp

T. C. A. M. A. D. 2
 N. K. MALHOTRA
 Advocate
 Delhi High Court, Delhi

Charak Govt. Sarvodaya Kanya Vidyalaya
DDA Flats, East of Loni Road, Delhi-110093

Ref. SKV/44/

Dated: 31-8-99

To

The Education Officer, Zone VI,
Directorate of Education,
B Block, Yamuna Vihar,
Delhi.

Sub : Approval for reemployment of Shri
G.D.Sharma.

R/Sir,

I am sending herewith the case of Shri
G.D.Sharma TGT (Hindi) for the approval of the
reemployment since 01-01-2000 to 31-03-2000
because his retirement is on 31-03-1999.

Kindly approve the same and oblige.

Yours

Received

S/d

Sd/-

Vice Principle

06-09-1999

(Smt. Indra Rani)

Sarvodaya Vidyalaya

Senior Secondary School

DDA Flats, East Loni Road,

Delhi - 110093

T. C. A. A. S.
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Tel. : (O) 6184311
 (R) 5085239
 (PP) 5085236



AMIT TRAVELS (Regd.)

(TOUR OPERATORS & TRAVEL AGENTS)

Shop No. 16, Sector 1, Market, R.K. Puram, New Delhi-22

Ref. :

Dated. ... 27-4-98

It is certify that Sh. G.D. Sheam, Sh. Rajaram & Sh. M.P. Agarwal with their respective family had travelled by bus No - UP- 80 C- 9515 from Ghaziabad Delhi to Trivendrum and back on Dated 15.5.98 to 2.6.98 through our travelling agency.

Res. Hizir

T. C. A. A. S. D.
 V. K. MALHOTRA
 Advocate
 Delhi High Court, Delhi

उत्तर प्रदेश राज्य पर्यटन विकास निगम लाइसेंस
(उत्तर प्रदेश सरकार का उपक्रम)

दूरभाष 248349, 245165
निवास 3, नवल किशोर रोड,
लखनऊ 220001

C E R T I F I C A T E

Certified that the Vehicle No. U.P. 80-C-95/5 was
owned by us to operate LTC Tours from
Delhi to Mathura and back with effect from
15-5-98 to 2-6-98.

The whole tour was operated by U.P. Tourism Devp. Corp.
Ltd. Lucknow, U.P. not by any Private Party or Individual.

The concerned Employees and their family members
mentioned in the Passengers' List have actually visited the
above mentioned places as per our record and the declaration
given by the concerned Employees.

The fares charged by us from the Passengers have
entered in the Ledger and the Cash Book accordingly.
The fare does not include Boarding and Lodging.

For U.P. TOURISM DEVP. CORP. LTD.

Manager -
Manager (Transport)
UPST Dev Lucknow

T.C. Malhotra
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

OFFICE OF THE REGIONAL TRANSPORT

AUTHORITY, AGRA.

This permit is being issued subject to the condition that Haryana (Punjab) and Rajasthan State Taxes shall be paid at the respective state Boarders.

A. I. M. Y.

Incl. Check Post

R. T. O. Thane

Form temp "P"

H.P. Motor Vehicles Rules, 1940

See Rule 23-A of the H.P. Motor Vehicles Rules, 1940

Special Permit No. A 0 1245

Issued under section 63(6) of the Motor Vehicle Act, 1939 Certified

that the vehicle bears the

Registration No. P 30-C-9515

Registered by the registration Authority and owned by:-

S/O

Permanent Address U.P. TOURISM Dev. Camp Lucknow

Covered by Permit No. _____ Valid upto _____

Issued by the Regional Transport Authority Agra

has been engaged by the person whose particulars are

given below:-

Agra, G.Bag, Delhi, Jaipur, Puskar, Udaipur, Nasik, Bombay, Coa, Mangalore, Trivendrum, K.Kumari, Madurai, Mysore, Shirdi, Indore, Gwalior, Mathura, Delhi, G.Bag and back to Agra.

This is valid upto 15-5-93
Certified that in respect of the vehicle mentioned above all taxes and fees payable in this state upto the date of expiry of this permit has been paid.

This permit is valid throughout India without counter signature by any other Regional State Transport Authority. It shall be produced on demand by any police in uniform.

Dated: 1505-92

Signature of the issuing authority

The validity of this permit is extended upto _____ during this period the party may visit the following places also.

Signature of the competent authority

(H.P.) 1505-92
(H.P.) 1505-92
Signature

V. K. MAHOTRA
Advocate
Delhi High Court, Delhi
1505-92

Signature
UPSE D1, AGRA

उत्तर प्रदेश राज्य पर्यटन बोर्ड कास्ट निगम लिमिटेड

(उत्तर प्रदेश राज्य पर्यटन बोर्ड कास्ट निगम लिमिटेड)

D-111

राज्य पर्यटन बोर्ड कास्ट निगम लिमिटेड

राज्य पर्यटन बोर्ड कास्ट निगम लिमिटेड

राज्य पर्यटन बोर्ड कास्ट निगम लिमिटेड

1.	Sh. Jaipal Singh	59	self
2.	Smt. Naina Devi	54	wife
3.	Uma Rani	25	Dtr.
4.	Uma Kant	23	son
5.	Sh. Kanwarpal Singh	43	self
6.	Smt. Shashi	36	wife
7.	Sh. Rahul Singh	41	son
8.	Ku. Swatu	47	Dtr.
9.	Sh. H. Singh	62	Father
10.	Sh. Jeet Singh	43	self
11.	Smt. Suresh Devi	40	wife
12.	Kr. Sarita	15	ADtr.
13.	Kr. Vinita	13	Dtr.
14.	Sh. Sundeep Kr.	09	son
15.	Sh. Sanjiv Kr.	07	son
16.	Sh. Balbir Singh	38	self
17.	Smt. Maharani	34	wife
18.	Mamta Rani	15	Dtr.
19.	Umesh Kummar	13	son
20.	Madhu	11	Dtr.
21.	Neeraj	09	son
22.	Sh. Gur Dayal Sharma	59	self
23.	Smt. Sharda Devi	56	wife
24.	Km. Suman Lata	24	Dtr.
25.	Km. Geeta Sharma	22	Dtr.
26.	Sh. Ravi Datta	19	son
27.	Sh. Raja Ram	41	self
28.	Smt. Shyam Wati	38	Wife
29.	Km. Sadha Sharma	17	Dtr.
30.	Sh. Lokesh	13	son
31.	Km. Archana	64	Dtr.
32.	Sh. M.P. Aggarwal	52	self
33.	Smt. Kamla Aggarwal	48	wife
34.	Sh. Amit Aggarwal	19	son
35.	Sh. Udit Aggarwal	15	son
36.	Sh. R.D. Singh	42	self
37.	Smt. Pushpa Devi	38	wife
38.	Mr. Rahul	14	son
39.	Km. Anju	13	Dtr.
40.	Sh. Sunil Kumar	37	self
41.	Smt. Bala Rani	34	wife
42.	Km. Reena	10	Dtr.
43.	Mr. Sachin	03	son
44.	Mr. Anuj	5	son
45.	Sh. Dashaundhi Ram	69	Father
46.	Smt. Rashali	67	Mother
47.	Sh. Kanwar Pal	39	self
48.	Smt. Amarwati	32	wife
49.	Sh. Attu Singh	63	Father

S. P. No. A. 1268 Annexed

S. P. No. A. 1268 Annexed

नामवा
संभागीय पर्यटन बोर्ड
उत्तर प्रदेश, भारत

T. e. Annexed
N. K. MALHOTRA
Advocate
Delhi High Court, Delhi

UP

उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड
(उत्तर प्रदेश गवर्नर का नमूना)

DI

148345, 224
1543 220
1543 220

TENTATIVE TOUR PROGRAMME

FROM : AGRA, G.BAD, DELHI	TO	TRIVENDRUM	
16.5.98	DELHI	to	Jaipur, Puskar
17.5.98	Pushkar	to	Udaipur
18.5.98	Udaipur	to	Nasik
19.5.98	Nasik	to	Bombay
20.5.98	Bombay	to	Goa
21.5.98	Goa	to	Goa
22.5.98	Goa	to	Manglore
23.5.98	Manglore	to	Trivendrum
24.5.98	Trivendrum	to	Trivendrum
25.5.98	Trivendrum	to	Kanya Kumari
26.5.98	K.Kumari	to	Madurai
27.5.98	Maduari	to	Mysore
28.5.98	Mysore	to	Mysore
29.5.98	Mysore	to	Shirdi
30.5.98	Shirdi	to	Indore
31.5.98	Indore	to	Gwalior
01.6.98	Gwalior	to	Agra, Mathura
02.6.98	Mathura	to	Delhi, G.Bad and back to Agra.

UP-200-515
S.P.W.A-1245

Rebels
11/5/98

No. 02532

Date 25-5-98

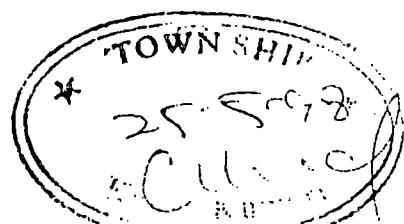
INDIA TOURISM DEVELOPMENT
CORPORATION, KOVALAM

BEACH RESORT CAR PARK
PARKING AREA ENTRANCE FEE
BUS / TOURIST BUS

Rs. 25-00

Vehicle No. UP 200-C 21515

LICENCEE
Mr. K. CHANDRAS
VAWAMOOLAS
AUTHORIZED BY
TOWN SHIP



T.C. A. A. A.
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Uttar Pradesh Tourism Dev-Corp Ltd

AZ 02094

Serial No

JOURNEY TICKET

Phones : 248349, 241776
CHITRAHAR
3, Nawal Kishore Road,
LUCKNOW - 226 001

Dated: 15.5.98

TICKET

Dated: 15.5.98

Rs. 19,50/- (Rupees Nineteen Thousand Five hundred) value
tickets issued to Shri Gur Dyal Sharma of
against fare for 5 seats for
the tour from S. Badalpur to and back on full payment against cash/cheque.
The journey will start on 15.5.98
@ 3.30 A.M. P. Scat and terminate on 2.6.98

The journey will start on 30.5.86.
@ 3,90/- P. Scat

For U.P. State Tourism Development Corp. Ltd.



Whibbs

Authorised Sign.

Note:- Final certificate will be issued after the completion of the journey

CANCELLATION RULES

TERMS & CONDITIONS

REFUND POLICY

Refund policy for the tour package is as follows:

1. No refund shall be made on cancellation if it is applied for within 24 hours of the time of departure of tour.
2. If more than 24 hours notice is given for cancellation then 10% of the ticket value will be deducted and balance will be refunded.

V. K. MALHOTRA Advocate Delhi
Delhi High Court, Delhi



D-61

UTTAR PRADESH TOURISM DEV CORP LTD

(A U.P. Government Undertaking)

AZ 02605

Phones : 248349, 241776
CHITRAHAR
3, Nawal Kishore Road,
LUCKNOW - 226 001

CERTIFICATE

Serial No.

Dated: 26/6/88

Hereby certified on the basis of our records that Shri/Smt. Gur Deep Sharma department had actually travelled on our bus from S. Head. J. Akbari to Bindeshwari in back covering approx. 6500 km. distance on Bus No. MP 88-29 Serial No. A 2245 vide ticket No. 02016 dated 15/5/88 for 1980/- (Rupees Altogether Rs. 1980/-) and final payment of the above tour against 5 seats. The tour started on 15/5/88 and concluded on 21/6/88. The tour was fully operated and conducted by U.P. State Tourism Development Corporation Ltd. (A Govt. of U.P. Undertaking) The name, age and relation of family members of the employee who travelled are detailed below :-

Sl. No.	Name	Age	Relation
1.	<u>Gur Deep Sharma</u>	<u>31</u>	<u>Soh</u>
2.	<u>Sharda Devi</u>	<u>26</u>	<u>Wif</u>
3.	<u>Sunita Kaly Sharma</u>	<u>24</u>	<u>Mr.</u>
4.	<u>Geeta Sharma</u>	<u>22</u>	<u>Daug.</u>
5.	<u>Ravi Datta Sharma</u>	<u>19</u>	<u>Son.</u>

Note: The charges does not include Lodging & Fooding.

For U.P. State Tourism Development Corp. Ltd

Shri Ashok Kumar
Manager
U.P. State Tourism Dev. Corp. Ltd.

To Attest
V.K. MALHOTRA
Advocate
Delhi High Court, Delhi.



उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड, VII
U.P. STATE TOURISM DEVELOPMENT CORPORATION LIMITED

पत्राक यू.पो. 11-1506

दिनांक 12.11.99

सेवा में,

श्रीमान शिक्षा अधिकारी
शिक्षा विभाग, जिला उच्चार्थ
बी-ब्लॉक यमुना विहार, दिल्ली

तिथ्य :- एल-टो-सो-यात्रा के प्रमाण पत्र को वैधता के संदर्भ में।

महोदय,

आपना पत्र नं. 4055 दि. 1.10.99 के सम्बन्ध में निम्नलिखित यात्रियों ने यात्रा दिल्ली से त्रिवेन्द्रम दिनांक 15.5.98 से 2.6.98 तक नं. यू.पो. 80- सो-9515, को पुष्ट को जाती है

1. श्री गुरदयाल शर्मा	टिकट संख्या 02014	यात्रा प्रमाणपत्र 02005
2. श्री राजा राम	02015	02006
3. श्री सम.पो.अश्वाल	02017	02004

उपरोक्त यात्रियों ने उनके हारा को गई यात्रा परिणाम स्वरूप हमारे द्वारा टिकट तथा यात्रा प्रमाण पत्र जारी किए गए।

धन्यवाद।

भवदोय,


परिवहन अधिकारी।

UPSTDA, LUCKNOW
UPSTATE TOURISM DEVELOPMENT CORPORATION LIMITED

3, नवल किशोर रोड, लखनऊ - 226 001 उ.प्र. भारत
3, Naval Kishore Road, Lucknow-226 001 U.P. INDIA
: 228349, 225165 फैक्स Fax: 0091-0522-22

T. C. Atul Singh
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Office of the Deputy Director of Education

Confidential

District East Rani Garden, Geeta Colony, Delhi.

175/8/7/97

Perfoma A for Issue of Vigilence Clearance (NonGazzetted Officials)

(Part I School Level)

Name of the School	Charak	SKV.	DDA	Flats
	Zone VI	East	of Loni	
	Road, Delhi-110093			

1. Name and Designation	Gurdayal Sharma TGT (Hindi)			
2. Father's Name	Sh. Behari Lal Sharma			
3. Date of appoint.	02-04-1964, Birth 21-12-1939, Retr. 31-12-1999			
4. Date and report of last Vigi. clearance	Cleared on 20-07-1990 Vide letter No. VDXI-F a(e) DDE/E/V & C/89-90/165.			

5. Particulars of last
NOC Name of foriegn
country visited with
full detail. No.

6. Purpose of Vigi.
clearance:EB/Promotion
/confirmation/others
retirement.

7. Vigilence report at the school
level whether DP Pending/contemplated


 contd....2

-2-

/complaint pending (with details). No case pending
at such level.

8. Posting as per service book of the official

S.No. School/Office where posted Desg. period of Stay Remarks

1. A. C (E) MCD	LDC	02-04-64 to 22-12-64
2. Swami Dayanand Hospital Shahdara, Delhi.	LDC	23-12-64 to 06-0965
3. MC Primary School (Boys) Pyare Lal Road, K.Bagh.	Asst.Tr.	7.9.65 to 30.6.70
4. MC Boys Middle School Circular Road, Shahdara	TGT (H)	6.11.65 to 30.6.70
5. Govt. Boys Middle Sch. Circular Road, Shahdara	TGT (H)	1.7.70 to 31.7.76
6. Govt. Co-Edu. Sec. Sch. Vishwas Nagar.	TGT (H)	1.08.76 to 20.12.91
7. Govt. Co-Edu. Middle Sch. DDA Flats, Loni Road East	TGT (H)	21.12.91 to 31.03.93
8. Charak SKV DDA Flats Loni Road East	TGT (H)	1.04.93 to till today

Sd/-

Stamp

VP

S.G.S.S.School
DDA Flats, East of Loni Road,
Delhi-110093

EO Zone No. VI
AO (Admn) Distt. E-Delhi

No case is pending as per office record.

Sd/-

DED VI

Sd/-

T. C. Attel
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

02-11-1999

Sarvodaya Kanya Senior Secondary School
 DDA Flats, East of Loni Road, Delhi-110093

This is to be certified that there is nothing due/out standing towards Shri Gurdyal Sharma TGT (Hindi) retired from service w.e.f. 31-12-1999. During this entire service period w.e.f. 02-04-1964 to 31-12-1999 under the following Heads:-

1. House Building Advance	Not taken
2. MCA/Scooter Advance	Not taken
3. Income Tax (for 99-2000)	Nothing is due for the year 99-2000 income tax will be calculated and deduc- ted if any from the salary for 12/99.
4. Licence fee for govt. accommodation	NIL
5. Balance of LTC advance	NIL
6. Over payment of pay and allowances	NIL
7. Recovery of EOL if any	NA
8. Any audit recovery known	NO
9. Recovery of subsistence allowance paid in excess during suspension	NA
10. Balance of pay and allowances paid in excess during foreign assignment if any.	NA

No, was not

contd... 12

assigned for foreign
assignment.

11. Any recorder of MCD

No, he has been
transferred from MCD
and prorata candida-
ture attached.

S/d

Sd/-

Stamp

Stamp

VP

DDO

S.G.S.S.School

S. G. S. S.School

DDA Flats, East Loni
Road, Delhi-110093.

DDA Flats, East Loni Road,
Delhi-110093.

T. C. Malhotra
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

OFFICE OF THE DEPUTY DIRECTOR, DISTT. NORTH EAST,
B BLOCK, YANMUNA VIHAR, DELHI.

OO NO. 5572/Zone VI

Dated: 16-12-99

To

The Vice Principle
 Sarvodaya Girls School,
 East of Loni Road,
 Delhi.

Sub : Bogus LTC Claim

Sir,

That the Uttar Pradesh State Tourism Development Corporation Ltd. has declared the LTC claim in respect of Shri M.P. Aggarwal, Shri G.D. Sharma and Shri Raja Ram as bogus. So you are directed to recover the amount with penal interest regarding the LTC Certificate No. 2004, 2005 and 2006.

Sd/-
 (L.P. Verma)
 DDE (Distt. NE)

OO. No. 5KV252/21.12.99

16-12-99

Copy to:

1. Suptt. Vigilence for action u/s CCS CCA 1965
2. Edu Office Zone VI Distt. NE
3. A.O. (Vigilence) Directorate of Education,
 Lucknow Road.

S.No.	Name of Teacher	Ppl.Amt.	P. Int.	T.Amt.
1.	Shri G.D. Sharma TGT	Rs.19400/-	Rs.4386/-	Rs.23786/-
2.	Shri M.P. Aggarwal TGT	Rs.15600/-	Rs.3078/-	Rs.18678/-
3.	Shri Raja Ram TGT	Rs.17555/-	Rs.3961/-	Rs.21511/-
	Total	Rs.52555/-	Rs.11425/-	Rs.63975/-

Indra Rani Please whole and deposit the entire amount urgently.

T.C. All Ad
by
 V.K. MALHOTRA
 Advocate
 Delhi High Court, Delhi.

Recd on
 22/12/99

राजनीति

T.R.-6

(खजाना नियम 92 देखिए)

(See Rule 92)

(मुख्य दृष्टि)

(Obverse)

चालान नं०

Challan No. 11

50-55-

क्षमता यताएँ

Please indicate whether

रक्षा/Defence

रेलवे/Railway

लाक्तर/Post & Telegraphs

Challan of cash paid into Treasury/Sub-Treasury
State/Reserve Bank of India

प्रेषक द्वारा भरा जाए

To be filled in by the remitter

खजाना/उप-खजाना
भौतक के स्टेट/रिजर्व बैंक
में संदत्त नकद का चालान

SCHOOL, 11, G.T. Road, Shastri Nagar, G.T. Road, Shastri Nagar, Delhi

विभागीय अफिसर या खजाने द्वारा भरा जाए
To be filled in by the Departmental Officer or the Treasury

किसके द्वारा निविदत्त किया गया	उस व्यक्ति का नाम (या पदाधिकारी) और पता जिसकी ओर से धन संदत्त किया गया	प्रेषण की ओर/या पदाधिकारी की (यदि कोई हो) पूर्ण विविषिष्टत्वां Full particulars of the remittance and/or Authority (if any)	रकम Amount	लेखा शीर्षक Head of Account	लेखा अफिसर जिसके द्वारा समायोजन हो सकता है	बैंक का अदेश Order to the Bank
By whom tendered	Name (or designation and address of the person on whose behalf money is paid					
नाम Name	D. D. O. Girls Sr. Sec. School Suryodaya Girls Sr. Sec. School D.A. Flats, East of Loni Road D.D.O. DELHI-110093	Reverence of T.I.C. Name: D. D. O. Girls Sr. Sec. School Address: D.A. Flats, East of Loni Road, T.I.C. Date: 23/12/99 Total: 63975/-	रु. Rs. 63975/-	AVC. P.C. POSSIR Up to 500/- Non Rec. 500/- 1000/- 1000/- 1500/- 1500/- 2000/- 2000/- 2500/- 2500/- 3000/- 3000/- 3500/- 3500/- 4000/- 4000/- 4500/- 4500/- 5000/- 5000/- 5500/- 5500/- 6000/- 6000/- 6500/- 6500/- 7000/- 7000/- 7500/- 7500/- 8000/- 8000/- 8500/- 8500/- 9000/- 9000/- 9500/- 9500/- 10000/- 10000/- 10500/- 10500/- 11000/- 11000/- 11500/- 11500/- 12000/- 12000/- 12500/- 12500/- 13000/- 13000/- 13500/- 13500/- 14000/- 14000/- 14500/- 14500/- 15000/- 15000/- 15500/- 15500/- 16000/- 16000/- 16500/- 16500/- 17000/- 17000/- 17500/- 17500/- 18000/- 18000/- 18500/- 18500/- 19000/- 19000/- 19500/- 19500/- 20000/- 20000/- 20500/- 20500/- 21000/- 21000/- 21500/- 21500/- 22000/- 22000/- 22500/- 22500/- 23000/- 23000/- 23500/- 23500/- 24000/- 24000/- 24500/- 24500/- 25000/- 25000/- 25500/- 25500/- 26000/- 26000/- 26500/- 26500/- 27000/- 27000/- 27500/- 27500/- 28000/- 28000/- 28500/- 28500/- 29000/- 29000/- 29500/- 29500/- 30000/- 30000/- 30500/- 30500/- 31000/- 31000/- 31500/- 31500/- 32000/- 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(4)

Received a sum of Rs. 23,750/- (Rupees Twenty Three Thousand Seven Hundred and Eighty Six only) from Sh. G. D. Sharma,
T. C. T. (Hindi) who has deposited in
Court money against Recovery of his
L.T.C. which order no. 5572-Z-III dated
16.12.99 of Dr. Dis. (Court Ex-Officio) to this
School.

(1)
23.12

23.12.99
B. D. B.
Saryodaya Girls Sr. Sec. School
O.D.A. Flats, Lajpat Rai Road
DELHI-110043

To Attested

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

42

G. 11

Receipt

Received a sum of Rs. 23,511/- (Rupees

Twenty Three Thousand Five Hundred
Rupees only) from Smt. Raja Rani, T.G.T.C. (R)
in respect of the recovery of this L.T.C. department
in compliance of order/letter No 5572-Z-VI
dated 16.12.99 of Dy. Dir. (North Zone) to
this School.

Janakaben
D. D. C. 23.12.99

Sarvodaya Girls Sr. Sec. School
C.D.A. Flats, East of Luni Road
UPLH-110093

23/12

T. P. A. *Geetika*
Delhi High Court, Delhi
V. K. MALHOTRA
Advocate

43

Receipt

Cr. 111

Received a sum of Rs. 18,678/- (Rupees

Eighteen Thousand and Six Hundred Seventy eight only)

from Sh. M. P. Aggarwal, T. G. T. (Math) in respect of the
remuneration of main L.T.C. departmental with order/allowance
M.O. 5572-Z-VI dated 16.12.99 w. Dy. Director (W.E.)
to this school.

23/12/99
S. K. S. H.

Dr. B. B. D.
Servodaya Girls Sr. Sec. School
D.D.A. Flats, East of Loni Road
DELHI-110093

T.C. Attested
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

The Vice Principle/DDO
 Charak Sarvodaya Kanya Vidyalaya
 DDA Flats, Loni Road East,
 Delhi - 110093.

23-12-1999

Sub : Refund of LTC claim with penal interest
 under protest.

R/Madam,

With reference of DDE (NE) office order
 No.5572 Z VI dated 16-12-1999 in which the LTC
 claim which were claimed by us are told to be
 bogus and the orders have been issued to refund
 the claim with penal interest. To obey the orders
 of worthy DDE, we are going to deposit the total
 claim with penal interest Rs.63,975/- (Rupees
 sixty three thousand nine hundred and seventy five
 only) under protest, keeping in view that one of
 us Shri G.D.Sharma is retiring just after a week
 on 31-12-1999, so that he may be able to avail his
 retirement benefits in time.

Moreover our LTC claim are right and we
 have actually performed the journey against the
 said claim.

Kindly make it convenient to reach the
 conclusion and oblige.

Thanks

Yours faithfully

1. G.D.Sharma TGT (Hindi) S/d 23-12-1999
2. M.P.Agarwal TGT (Math) S/d 23-12-1999
3. Raja Ram TGT (Hindi) S/d 23-12-1999

Received S/d Rakesh Kumar 23-12-1999.

T.C. Accepted
Th
 V. K. MALHOTRA
 Advocate
 Delhi High Court, F.

45
A. C. Chaudhary
in the Court of Shri
Additional Sessions Judge
Shahdara Court, Delhi

BAL

Annex H

State Vs. 1. G.D. Sharma 2. M.P. Aggarwal

and 3. Raja Ram

F.I.R. No. 365/99

U / Sec. 420/468/471 IPC

P. S. M.S. Park

19.1.2000

19.01.2000: Pre.: Sh.K.N. Sharma, Adv. for the applicants

Sh. B.S. Ken, APP for State

Heard. IO is present. Ld. APP states
that the payment of the L.T.C. stands paid back by the
applicants with interest. In view of the facts and
circumstances of the case, the applicants are admitted to
anticipatory bail and it is directed that in the event of
their arrest, they be released on their executing personal
bonds in the sum of Rs.10,000/- with one surety each in the
like amount to the satisfaction of the IO/SHO concerned
subject to the condition that they shall join the
investigation as and when required.

Announced in the Open Court.

ASJ/19.01.2000.



ATTESTED

19/1/2000
Office-Incharge
Karkardooma Courts,

T. C. Attended
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

46

H-1

The S.H.O.

23-12-1999

Police Station, Mansarovar Park,
Shahdara, Delhi-110032.

Sub : M/s Amit Travels, Shop No. 16, Sector-1,
Market R.K.Puram, New Delhi-110022. An
FIR lodged against them.

Sir,

That we three teachers Shri G.D.Sharma,
Shri M.P.Agarwal and Shri Raja Ram dated
15-05-1998 went on LTC Tours through above said
travel agency. The school Vice Principle has
declared this LTC claim as bogus and has recovered
Rs.63,975/- from all the three teachers as
Rs.9500/-, Rs.15600/- and Rs.17550/- respectively
with penal interest, the receipt of the same is
attached herewith.

Sir, the said travel agency has cheated
us and played fraud with us, so please register an
FIR against them and taken an action against them.

Yours

G.D.Sharma Sd/- 23-12-1999

Shri M.P. Aggarwal Sd/- 23-12-1999

copies attached Shri Raja Ram Sd/- 23-12-1999

Received with Charak Sarvodaya Girls Vidyalaya
stamps DDA Flats, East Loni Road, Delhi

Sh.Rajender Singh HC

Duty officer, 23-12-1999.

T.C. Allied
U. S. A.

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi.

71.R

47

Delhi Admin., Directorate of Education, No. F.2/PA/JDE(A)/87/5011-6011,
dated 16.1.1987 from Sh. D.S. Negi, D.E.

Prior permission necessary before handing over any employee to the police.

It has been brought to my notice that in the past some Principals of Schools have handed over their chowkidars to the Police on their own. It is hereby notified for general information that in the event of any suspicion the Principal should get prior permission from the Head of the Department before handing over any employee to the Police on mere grounds of suspicion.

However, in any event which involved the police directly, only an intimation to the Head of the Department would be sufficient.

T. e. Atta Deob

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

Directorate of Education

Delhi Administration, Delhi.

(Vigilence Branch)

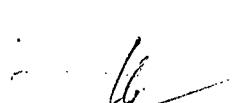
No.F3(2)(50)/84/Vigi/21838-22088 Dated: 15.12.92

Circular

Vide this Directorate Circular No. F3(2)(50)/84/Vigi/15798-16798 dated 11/15.4.1985, the teacher and other employees of the Directorate who were involved in FAKE LTC claims, were given an opportunity to voluntarily refund the bogus LTC amount drawn by them along with penal interest, so as to escape criminal proceedings in the court of law.

It has however been observed that a large number of such teachers/employees of the directorate, so involved in Fake LTC claims, for some reason or the other, could not avail the afore said opportunity afforded to them to refund the bogus LTC amount with penal interest and as a result they are still facing the part mental action against themselves.

Keeping in view the large number of such cases pending in the directorate, recently a decision has been taken to take a lenient view in respect of such teachers / employees who have

 contd....2

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

-2-

voluntarily refunded the bogus LTC amount drawn by them along with penal interest and to let them off with a minor penalty of "Censure" only.

Now, therefore, it has further been decided to afford a last opportunity to such defaulting / employees who have not earlier availed of the opportunity to refund the bogus LTC amount drawn with penal interest. They are advised in their own interest to voluntarily refund the bogus LTC amount drawn along with penal interest, so as to become entitled for leniency / Lenient action of only minor penalty of "Censure" by the disciplinary authority.

Sd/-

(Shakti Sinha)

DE of Delhi

Copy to :

1. All DDE's of Directorate of Education, Delhi
2. All DDO's / Ppls of school under Directorate of Education.

T.C. Attested
V.K. MALHOTRA
Advocate
Delhi High Court, Delhi

50

Annex - J

The Directorate of Education

Old Sectt. of Delhi.

21-08-2000

A complaint against the officials inspite of the
clear orders from the competent authority.

Sir,

I, along with Shri M.P. Aggarwal and Shri Raja Ram met your goodself on 26-06-2000 regarding our LTC case. On our application, the DDE was directed to finalise our case with in one month. Finding no other sollution, a month earlier, I met the DDE Sh. B.C. Jindal along with president Shri Jai Prakash Kaushik, Secretary, Shri Surinder Kumar besides other members of the Adhyapak Parishad. The DDE assured that he had sent the file to the AO Vigilence on 18-07-2000, to close the case, vide its diary No. 287, Lucknow Road.

It was informed by the A.O. Lucknow Road, that no file has reached in that office but only one paper of the said diary number has been received which is a paper concerning to Shri G.D. Sharma and his meeting with the DDE on 26-06-2000.

Sir, given to understand that the Ex


contd....2

Vice Principle Smt. Indra Rani in connivance with the Supdt. (Vigilence) Shri M.K.Kain, Yamuna Vihar has detained the file willfully.

So, you are hereby requested to please to some desired action in this case and oblige, so that I may able save my family from starvation.

Yours

Sd/-

(G.D.Sharma)

Ex TGT (Hindi)

H-56, Mansarovar Park,
Shahdara, Delhi-110032.

Copy to :

1. DDE (NE)
2. AO Vigilence Lucknow Road.

T. C. A. M. A. D.
N. K. MALHOTRA

Advocate
Delhi High Court, Delhi.

52

Ji

To

The Lt. Governor,
NCT of Delhi.

Sub : Life long service rewarded in
Anticipatory Bail.

Sir,

My husband Shri Gurdyal Sharma remained a TGT (Hindi) prior to his retirement from Charak Sarvodaya Vidyalaya, DDA Flats, East Loni Road, Delhi.

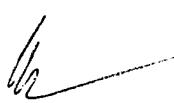
In the month of May, 1998, my husband with his fellow colleagues Shri Mahavir Parshad Aggarwal and Shri Raja Ram, with family went on LTC tours from Delhi to Trivendrum with due permission of the School Vice Principle Smt. Indra Rani with advance money and got the remaining balance amount while coming back from the tour. After the gap of one and half year and just before 9 days of his retirement, my husband was asked to deposit the amount he received against LTC with penal interest, with a malafide intention on 21-12-1999. Complying with the orders, the amount was deposited on 23-12-1999, so that no hindrance may come in the way of his peaceful retirement. The amount with penal interest was deposited and a receipt was also taken from the Vice Principle on


contd....2

-2-

23-12-1999 while producing the challans before the School Authorities. Hence under all the circumstances Vice Ppl. immediately on 30-12-1999 lodged one complaint (FIR) with P.S. Mans. Park with ill intention. So they were threatened by the police an anticipatory bail was taken from the court. This complaint was lodged without seeking prior permission of the DE as per rules. My husband retired from service and he has not been paid his retiral benefits till now. So on 9th February, 2000 I was to marry my daughter with a hope to spend some money out of these retiral benefits but could not get. Under the circumstances I had to take money on loan for which I am still paying some huge amount and the retiral benefits are still awaited.

Under all these circumstances my husband cannot even sleep in the nights and some times in the night he shouts like any thing while on some other times he fell down from the cot. Inspite of best efforts there is no result from Education Department. Sir, if under all these circumstances my husband dies, I will have to sacrifices (immoluation) my life out side your office.


contd....3

Sir, some appropriate action against the V.P. of School may please be taken as she is also facing some of the enquiry proceeding going on against her. I am not only confident but have a full faith in you that some appropriate steps will be taken to release the retiral benefits of my husband.

RTI

Smt. Sharda Wati, w/o Shri Gurdayal Sharma
Ex-Retd. TGT (Hindi)

H-56, MSP Shahdara, Delhi-110032

Thanks

Copies attached for kind information to :

1. I/C Vigilence Grievances Cell (Old Scc)
2. DE (Old Scc) Sign. obtained
3. DDE (NE B Block Yamuna Vihar)
4. EO Zone VI, Yamuna Vihar.

T.C. Alter Ad
V.K. MALHOTRA
Advocate
Delhi High Court, Delhi.

Ann-K

~~SECRET~~ 1985

~~DIRECTORATE OF EDUCATION: PENSION CELL
DELHI ADMINISTRATION: OLD SECTT: DELHI.~~

No. DE.11(8)/85/Pen/Edu/1942-2501 Dated the 28th August, 1985
28th

To:

All the Heads of Schools,
Directorate of Education,
Delhi/New Delhi.

Sub: Monitoring system to ensure timely payments
of dues of retired/expired Govt. employees.

.....

Sir/Madam,

As you are aware, the Govt. of India, Delhi Administration and this office has issued instructions from time to time emphasising the requirement of preparation of pension cases of retiring government officials 2 years in advance from the date of retirement and for the payment of dues viz pension, gratuity, GPF, insurance, leave encashment, commuted value of pension, if any, applied for, within two months from the date of retirement. Similarly, detailed instructions regarding timely finalisation of pensionary benefits for the families of the deceased government servants have issued from time to time. It has however, been observed that these instructions are not being followed in letter and spirit. As a result it has been noticed that a number of cases of retired/deceased government servants remain pending in the offices on account of laxity of proper supervision and lack of monitoring at the school/district level. A large number of complaints from the retiring government officers/officials and members of the families of deceased government servants are being received in the Grievances & Redressal Cell of Delhi Administration for non-payment/delayed payment of these pensionary benefits. Chief Secretary, Delhi Administration, has taken a very serious view of the same. In a number of cases it has been desired that responsibility for such delay be fixed and officers/officials found for the same may be brought to book.

The Secretary(Administrative Reforms), Delhi Administration vide her letter No.F.1/18/85-AR dated 19.7.85 has issued detailed instructions for timely payment of dues of retired/expired government officers/officials (copy enclosed). It has been emphasised

contd.....2/-

in these instructions that the penal interest is to be paid to the retired/deceased government employee, if his dues relating to pensionary benefits are not cleared within two months from the date of retirement and the same is to be recovered from the Head of the Office concerned.

You are, therefore, instructed to go through these instructions carefully and ensure strict compliance with regard to execution and maintenance of record and timely action. It may please be noted that any shortcoming noticed in the matter will be viewed seriously and no delay will be excused.

In case in any particular it is felt that the matter is complicated and requires consultation, A.O.(Pension) at the headquarters may be consulted at the earliest.

As earlier advised, you are once again asked to send such cases of all those employees working under you who are going to retire within 5 years regularly within the district concerned on quarterly basis. Information regarding the death of employee working under you must be sent to the concerned district/A.O.(Pension) within 10 days from the date of receipt of information regarding death.

Yours faithfully,

(Mrs. A. Jindgar) 26/8/85
Addl.D.E.(Admn)/J.O.E.(Fin)

No. DE.11(6)/85/Per/Edu/ : Dated the 1 August, 1985

Copy alongwith a copy of instructions forwarded for information and necessary action to:-

1. Joint Director of Education(Admn), Delhi.
2. All the Deputy Directors of Education of the Districts. They are also instructed to maintain proper supervision and control for ensuring strict compliance of the above referred instructions and timely submission of all the returns to A.O.(Pension). A.O.(Accounts) in the Districts may be made available for the purpose under instructions to this office.
3. ~~4. Secretary, Education, Administration.~~
4. ~~5. Secretary, Directorate of Education.~~
5. ~~6. A.O.(LIC), Directorate of Education.~~
6. ~~7. Secretary(MR), Delhi Administration. Information is to be forwarded to her letter.~~

Not relevant

Call off

14/8/85

Delhi High Court Advocate

Delhi High Court Advocate

(Mrs. A. Jindgar) 26/8/85
Addl.D.E.(Admn)/J.O.E.(Fin)

V. K. MALHOTRA

Advocate
Delhi High Court

(5)

50

Retirement Benefits - Delhi Administration Employees Streamlining Payments - Monitoring System.

Introduction: Experience has shown that the personal claims of Govt. servants who have spent all their life in the service of the government are not promptly settled on retirement as prescribed by govt. but a very casual attitude in dealing with retirement benefits payable has been visible. The Comptroller & Auditor General had also shown concern in this behalf and the Supreme Court so strongly felt that in the case of State of Kerala and others versus M.P. Menabhan W.A. SPL (Civil) No. 9425 of 1984 it was held that "Pension and gratuity are no longer any bounty to be distributed by the Govt. to its employees on their retirement but have become, under the decisions of this Court, valuable rights and property in their hands and any culpable delay in settlement and disbursement thereof must be visited with the penalty of payment of interest at the current market rate till actual payment."

The liability to pay penal interest at the current market rate commences at the expiry of two months from the date of retirement.

Inspite of the above, the prevailing conditions do call for remedial measures particularly to ensure timely payment of those who gave their best in the hay days of life in the loyal service of their employer.

The Govt. of India recognising the importance of the matter has in its own wisdom established a separate department for dealing with pensionary matters and for welfare of pensioners.

Retirement Benefits:

On retirement a Government servant is entitled to the following:

- i) Regular monthly payment known as pension and relief thereon for govt. servant; family pension and relief thereon for family or deceased govt. servant.
- ii) Lump sum payment known as Death-cum-Retirement Gratuity.
- iii) Encashment of unutilised earned leave at the credit of govt. servant on retirement.
- iv) Commuted value of 1/3rd pension if the govt. servant applies for commutation.
- v) Accumulation in the saving fund of the UT Govt. Employees Group Insurance Scheme, 1984.
- vi) Accumulation in the CPF Account.
- vii) T.H. to Govt. servant and his family from Head-Quarter to the declared home town or any selected place where he wishes to settle down.

Stages of action:

The various stages of action to be taken by the 'Head of Office' to ensure timely authorisation of pension/DCR gratuity are listed in Annexure-I. However briefly the action indicators are as hereunder:-

<u>S. No.</u>	<u>Type of Action</u>	<u>When to be taken up</u>
1.	To start preparation of pension papers in Form-7 and scrutiny of Service book for completion.	2 years before the date of retirement
2.	To write to the Director of Estates/Secretary PWD for a 'No Demand Certificate.'	1 year before the date of retirement
3.	To send form 5 to the retiree for completion and return with necessary documents.	8 months before the date of retirement
4.	To finalise the verification of entire service, completion of service book and leave account, form-VII, VIII etc.	6 months before the date of retirement

Only G.O. filed

.....3/-

T. C. A. K. G. A. K.

V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

259 Pension Cases

Dte. of Edn., Pension Cell, No. Edn./Pen/89/2006-3311 dated 11.9.89

Pension cases of school officials be processed at school level

After decentralisation of pension work, the pension/family pension cases in respect of the retiring school officials/deceased officials are being processed by the concerned District offices. It has been observed in certain cases that they could not be finalised at appropriate time due to lack of coordination between the District Office and the schools concerned.

In order to streamline the procedure, it has been decided that with immediate effect, the pension/family pension cases in respect of non-gazetted staff will be processed at school level as the Principal/Vice Principal, being the "Head of Office" in respect of Sr. Sec. & Secondary schools respectively, are competent to send the pension cases to Pay and Accounts Offices in view of the provisions of Rule 61 of CCS (Pension) Rules, 1972.

In order to avoid unnecessary delay in the finalisation of pension/family pension cases, the 'Head of Office' viz, the Principal/Vice Principal must ensure that the cases reach the PAOs concerned within the stipulated period.

Any lapse in complying with these orders will be the personal responsibility of the "Heads of School" concerned. The provisional pension will however continue to be authorised by the DDEs concerned.

The above orders issue with the concurrence of Director of Education.

T.C. Allard
V. K. MALHOTRA
Advocate
Delhi High Court, Delhi

CENTRAL ADMINISTRATIVE TRIBUNAL at New Delhi

O.A. NO....2617.....OF 2000

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SH. Gurdial Sharma

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Petitioner
Appellant

VERSUS

Lt. Goresno & OSS.

Respondent

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मध्यान्तर्यामी/CAT (PB)
Dated this 9 day of March 2000

Filed Today

- 9 MAR 2001

मालिक नं/Filing No.: 9/3/2001
उपरजिस्ट्रार/Dy. Registrar

Advocate For

Petitioner/

Respondent

Dr. GEORGE PARACKEN

370 PATIALA HOUSE

NEW DELHI-110001

Off 86/A-5 Humsaypur

B-5, Safdarjung Enclave

NEW DELHI-110022

Tel. 6164922

3382685

9/3/2001
V.L. - M. A. B.
Dr.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH : NEW DELHI

O.A. NO 2617 OF 2000

IN THE MATTER OF :-

Shri Gurdhayal Sharma ... Applicant

Versus

Lt. Governor & ors. ... Respondents

REPLY ON BEHALF OF THE RESPONDENT

MOST RESPECTFULLY SHOWETH :-

BRIEF FACTS OF THE CASE :-

1 That the applicant worked as T.G.T. (Hindi) in Respondent No.4 school. The applicant, alongwith two of his colleagues, namely, Shri M.P. Aggarwal and Sh. Raja Ram Sharma availed the L.T.C. in the year 1998 for the block year 1994-97 which was paid to him on 14.7.98. The applicant was due to retire on superanuation on 31.12.1999. So, the relevant papers relating to his retirement benefits and pension were sent to P.A.O. VIII on 4.10.99 for finalisation of the pension case, so that the timely payment could be made to him. Meanwhile a request

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was received from the Applicant for extension of his service upto March 2000 and the same was sent to the higher authorities for favourable consideration. In the meantime it came to the notice that claim of L.T.C. made by the Applicant was a fake one and same was on the basis of bogus receipts and certificates and not the actual documents from the concerned authorities.

U.P. State Tourism Dev. Corp. Ltd. has confirmed that Ticket No. 2014, 2017, 2025 dated 15.5.98 and certificates No. 2005, 2006 & 2001 dated 26.6.98 were bogus. The said Corporation stated that the U.P. State T.D.C. Ltd. used to issue tickets and Certificates through computers only and the above said tickets and certificates which were manual and, therefore, they were bogus.

Copy of the letter dated 7.12.99, received from the U.P.S.T.D. Ltd. is annexed herewith as Annexure-R-1.

2. That after the confirmation of the claim as bogus through U.P.S.T. D. Corpn. Ltd, the Dy Director of Education (N.E.) directed the



then Vice-Principal to lodge an F.I.R. against the Applicant and others. Further, the Dy. Director directed the then Vice-Principal, the Respondent No. 4 school to recover the amount of the L.T.C. reimbursed to him, with panel interest. On the directions of the Dy. Director (NE) an F.I.R. was lodged on 30.12.1999 with Police Station Mansarovar Park, Shahdara, Delhi, against the applicant along with the other two teachers and same was registered vide F.I.R. No. 365/99. The criminal proceedings are going on in the Court against the applicant along with the other two teachers. Thereafter, recovery was made with penal interest and the amount was deposited in the State Bank of India. Having prior approval of the Head of Department, disciplinary proceedings were initiated against all the above three delinquents under Rules 14 of CCS (CCA) Rule 1965, vide DDE/NE/Vig./99/616/5193 620-623 and 612-615 dated 29.12.99 by the DDE (NE) and same is pending.

Ch. K. S. K. S. K. S.

3. That the final amount of G.P.F. was withdrawn by the Respondent from the PAO VIII amounting to Rs. 1,72,972/- and the said amount was paid to the applicant on 8.2.2000 after his the retirement. Due to the disciplinary proceedings pending against the Appellant provisional pension has been fixed by the P.A.O. with the condition that he should submit the un-employment certificate. A copy of the letter dated 27.12.1999 received from the office of the P.A.O. is annexed herewith as Annexure-R-2. Subsequently, the applicant was again reminded to submit the non-employment certificate urgently to the Respondent school vide letters dated 20.1.2000, 21.3.2000 & 23.6.2000 through post, and speed post but the applicant has not submitted the said certificate, and due to non-submission of the non-employment certificate payment of even provisional pension could not be drawn timely. Copies of the letter dated 20.1.2000, 21.3.2000 & 23.6.2000 are annexed herewith as Annexure-R-3(Colly). On 9.11.2000, the Vigilance

EPF

from
pension

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S. S. S.

Department advised that since the applicant was never placed under suspension, non-employment certificate was not required and Provisional Pension payment can be made. A copy of said letter dated 9.11.2000 is annexed herewith as Annexure-R-4. On the basis of the aforesaid Vigilance letter, immediately provisional pension bill for the period from Jan. 2000 to Nov. 2000 was submitted to P.A.O. on 28.11.2000 and a cheque of Rs. 75886/- received by the Respondent school on 1.12.2000. Thereafter, on 1.12.2000 itself a letter through special messenger was sent to the residence of the applicant to collect the cheque of provisional pension after giving the due receipt but the special messenger informed that the applicant was not present and his wife had refused to receive the said letter without the consent of the applicant. A copy of the letter dated 1.12.2000 is annexed herewith as Annexure R-5. Thereafter, the said letter dated 1.12.2000 was sent to the applicant by Registered Post on 3.12.2000 but the same was returned back

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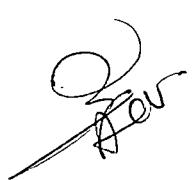
on 4.1.2001 undelivered after a lapse of one month with the noting that the house was found locked. On 4th Jan. 2001 the applicant talked to Principal of the Respondent No. 4 school on phone at his residence informing him that the date of hearing of the present case filed him in this Hon'ble Tribunal was fixed on 5.2.2001. At the same time, on phone the Principal informed the applicant that his provisional Pension cheque is ready and he may collect the same. But he told the Respondent that he would collect the cheque only in the Court. That on 15.1.2001 again, the Respondent school sent a letter through a special messenger to the applicant asking him to collect the cheque, but the Applicant returned the letter in original with the remarks that he will collect only the full and final amount of the person. A copy of the letter dated 15.1.2001 is annexed herewith as Annexure-R-6. As the departmental disciplinary proceedings are going on against the applicant, till the finalisation of the case, Gratuity & other pensionary benefits could not be finalised

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and paid. Intimation was also received from the Education Officer Zone VI that the application of the applicant for extension service can not be accepted and, thereafter, the applicant was relieved from his duty on superanuation retirement on 31.12.1999.

4. That in view the above facts, it is submitted that the retirement benefits are withheld for valid reasons and there is no malafide intention in doing so. The applicant in his application admitted that at one time the papers regarding the extension beyond the month of Dec. 99 to March 2000 were initiated. But the applicant alleged that the Respondent No.4 did not extend the service upto March 2000 and hurriedly relieved the applicant. This allegation is wrong, false and baseless.

5. That the Applicant is in the habit of not receiving the letters sent to him a different occasion. He has not been collecting the provision pension which was and lying with the Respondent School since 1.12.2000, inspite the fact telephonic and written intimation given to him. The bonus



for the previous year for Rs. 1850/- is also lying uncollected even though he was asked to collect the said amount vide letter dated 19.2.2001, a copy of which is annexed as Annexure-7.

Parawise Reply :

Para 1. In reply to para 1, it is submitted that the then Vice Principal of the Respondent School (Respondent NO. 4) had no malafide intention. If she had any such malafide intentions as alleged, she would not have initiated the case of the applicant for extension of service beyond the month of Dec., 99 to March 2000 and send all the relevant papers for retirement benefits to the P.A.O. The L.T.C. scam came to the notice of the respondent in the month of Dec. 1999, so the said benefit of extension in service was not considered fit for approval by the Education Officer. Having come to the notice of Respondent No. 4 about the fake LTC claim, the integrity of the applicant was considered as doubtful. So the said action was neither predetermined nor deliberate or with any malice as alleged.

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Para 2 & 3. Paras 2 and 3 need no reply.

Para 4.1 Averments made in Para 4.1 are matters of record and no reply is needed.

Para 4.2 Averments made in para 4.2 are matters of record. However, it is submitted that it is not a matter of right of the Applicant to get extension in service.

Para 4.3 to 4.5 Paras 4.3 to 4.5 need no further reply in view of the position already explained in the brief history of the case.

Para 4.6 In reply to para 4.6 it is submitted that it is a concocted story of the applicant that the respondent had wilfully made him to deposit the dues, rather his misdeeds led him to do so.

Para 4.7 The averments made in para 4.7 are matters of record and no further reply is needed. However, the allegations made by the applicant against the Respondents are denied.

Para 4.8 & 4.9 In reply to para 4.8 and 4.9, it is submitted that the respondent is not adamant to withhold his retiral benefits, as alleged. Rather the cheque of Provisional pension w.e.f.

2/2/2021

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1/2000 to 11/2000 was ready which was not collected by the Applicant. It is the applicant who is adamant not to receive the letters and not to give the required non-employment certificate demanded by the P.A.O. The applicant has given reference of circular dated 15.12.1992 and stated that applicant was put to torture and harassment by not releasing the retirement benefits. However, from the scrutiny of records, prima facie, it appears that the applicant deliberately committed the fraud knowing fully well that the circular dated 15.12.92 referred to by the Applicant would come to his rescue. The said circular was issued for the benefit of those persons who have voluntarily refunded the bogus LTC amount. In the case of the applicant, he deposited the amount after the fraud as detected and the applicant was asked to deposit the amount. This case happened in the year 1998 after the lapse of 6 Years from date of issue of the said circular dated 15.12.92, which shows that applicant was aware of this Lacuna that if the LTC claim is highlighted as a fraud case, only penal interest will have to be paid. From this, it means the applicant has pre-planed very

3/2011

well in order to cheat the Government by claiming bogus L.T.C: claim by arranging fake tickets and certificates for which the Deptt. proposed to hold enquiry against him and others under Rule 14 of CCS (CCA) Rule 1965.

5. Reply to grounds :

5.1 & 5.2 The averments order in para 5.1 & 5.2 are not relevant in the present case.

5.3 & 5.4 The averments made paras 5.3 and 5.4 are absolutely wrong and hence denied. It is specifically denied that the Respondent No. 4 had any malafide intention in the matter.

5.5 & 5.6 The averments made in para 5.5 & 5.6 are disputed matters. The position would be clear only after the Departmental Enquiry and Criminal Case pending against the Applicant are finally disposed of.

5.8 The averments made in para 5.8 are wrong and hence denied.

5.9 That in reply to para 5.9, it is submitted that vide letter No. 612 dated 29.12.1999 issued a Mamorandum to the Applicant proposing an enquiry against the Applicant under

Rule 14 of the CCS (CCA) Rules 1965, a copy of which is annexed herewith as Annexure-R-8. He was not available in the house and his wife and other family members have refused to accept it without his consent. The said memo was sent to him by Registered post on 31.12.1999 but the same was returned with the remark of the postman that "the applicant had gone to his village". The Applicant was again sent the said letter by another Registered letter on 15.2.2001 and the acknowledgement is still awaited.

Para 6.7 Need no reply.

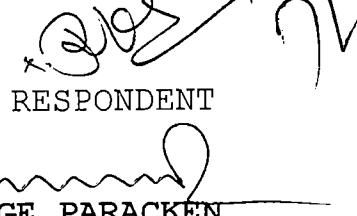
Para 8-9 In reply to para 8 to 9 it is submitted that the applicant is adamant not to receive the cheque which is ready. The respondents pray not to entertain the petition filed by Applicant and to dismiss the same as the misdeeds of the Applicant led him to this present situation. He may also be directed to receive the cheque for Rs. 75886/- so that the provisional pension could be drawn regularly in future.

Para 10-12 Need no reply.

Through

New Delhi

Dated : 28.2.2001


RESPONDENT

GEROGE PARACKEN

Advocate

370, Patiala House Courts,
New Delhi-110001

VERIFICATION :-

I, Dr. Prem Prakash, working as Deputy Director of Education (NE) do hereby verify and confirm that the facts mentioned in the above reply are true and correct and nothing material has been concealed therefrom.

Verified on this 28 day of February 2001
at New Delhi.


RESPONDENT

UTTAR PRADESH

THE STATE OF INDIA

- 14 | ५ पृष्ठा/८० | ५ पृष्ठा/८० (H)

उत्तर प्रदेश राज्य पर्यटन विकास निगम लिमिटेड
U. P. STATE TOURISM DEVELOPMENT CORPORATION LIMITED

134C-11

गोपनीय/सीरिज अधिकारी

पत्रांक- ५२३ परिवहन- ९/९९

दिनांक:: ०७ दिसम्बर, ९९

सेवा में,

बाइस प्रिंसिपल,
चरक सर्वोदय गल्फ सी० से० स्कूल,
डी०डी०ए० फ्लैट्स,
ईस्ट आफ लोनी रोड,
दिल्ली-९३

ANNEX-R

महोदय,

कृपया अपने पत्र सं०-५४७/SKV दिनांक 29.11.99 का संदर्भ ग्रहण करने का कष्ट करें। जिसके माध्यम से आप द्वारा एल०टी०सी० भ्रमण से सम्बन्धित के जर्नी टिकट संख्या 2014, 2017, 2025 दिनांक 15.05.98 एवं सार्टिफिकेट संख्या 2005, 2001, 2006 दिनांक 26.06.98 की फोटोप्रति भेजकर इस कार्यालय से सत्यापन मैंगा गया है। जो श्री गुरु दयाल शर्मा, श्री एम०पी०अग्रवाल एवं श्री राजाराम के पक्ष में है।

पत्र में अंकित विवरण एवं संलग्न फोटो प्रतियों का कार्यालय अभिलेखों से मिलान करने पर ज्ञात हुआ कि यह टिकट व सार्टिफिकेट इस कार्यालय से जारी नहीं किये गये हैं। अतः यह टिकट व सार्टिफिकेट फर्जी एवं गलत है। क्योंकि वर्ष 95 से निगम द्वारा जर्नी टिकट व सार्टिफिकेट कम्प्यूटर द्वारा जारी किये गये हैं। जबकि संलग्न टिकट व सार्टिफिकेट मैनुवल है। साथ ही आपसे अनुरोध है कि फर्जी कलेम पास न होने पाये इसलिये उचित होगा कि इस निगम के नाम से जितने कलेम आपके कार्यालय में जमा है, या प्रस्तुत किये जाये उनका सत्यापन इस कार्यालय से अवश्य कराने का कष्ट करें। उक्त के सम्बन्ध में डा० नरेश कुमार, शिक्षा अधिकारी जोन- VI जिला- नार्थ ईस्ट दिल्ली को उनके पत्र के क्रम में इस कार्यालय के पत्र संख्या 4358/पर-९/९९ दिनांक 27.10.99 के द्वारा पूर्व में ही सूचना प्रेषित की जा चुकी है। प्रेषित पत्र की फोटो प्रति संलग्न है।

संलग्नक- उक्तवत्।

Attested True Copy

Vice Principal/Head of School
Charak Sarvodaya Girls Sr. Sec. School
D.D.A. Flats East of Loni Road Delhi-93

शाहदीय,

प्राप्तक बदला

प्रबन्धक

06/12/99

3, नवल किशोर रोड, लखनऊ २२६ ००१ (उ० प्र०) भारत

3, Naval Kishore Road, Lucknow - 226 001 (U. P.) INDIA

फ़ॉक्स : 228349, 225165 फैक्स : 0091-0522-221776

वेब साईट : <http://www.up-tourism.com>

ई-मेल : upstdc@lw1.vsnl.net.in

3/10/99
3/10/99

15

OFFICE OF THE PAY & ACCOUNTS OFFICER NO.VIII
G.T.B.HOSPITAL COMPLEX, SHADDAKA, DELHI.

No.

Dated:-

To,

Annex-R-II

The Vice Principal,
Sarvodaya Girls Senior Secondary School,
DDA Flats, East of Loni Road, Delhi.

Sub:- Sanction of provisional Pension in r/o Sh.G.D.Sharma
TGT to be retired on 31-12-99.

Sir,

With reference to your letter No.SKV/620 dated 22.12.99, I hereby authorise to draw provisional pension in r/o Sh.G.D.Sharma, TGT to be retired on 31-12-99, Rs.4950/- (Four thousand nine hundred and fifty only) till the finalisation of the departmental proceedings. The amount is debitable to the Major head 2071 'Pension and other retirement benefits, 'Provisional pension'. Before drawing the amount of provisional pension a certificate regarding the non-employment may be obtained from the individual.

Yours faithfully,

(S.K.GUPTA)
PAY & ACCOUNTS OFFICER NO.VIII

No. 2990

Dated:- 27/12/99

Copy forwarded to Sh.G.D.Sharma, H-56, Mansarovar Park,
Shahdara.

11/Jan/2000
(S.K.GUPTA)
Pay & Accounts Officer No.VIII

Recd/s

See CP
3/2000
4/2000

16/11/

Charak Govt. Sarvodaya Kanya Vidyalya

D. D. A. FLATS, EAST OF LONI ROAD, DELHI-93

ANEX. A. 3 (c)

Ref. No. S.K.V. 673

Dated... 2.1.2007

OFFICE ORDER

In compliance of the Pay & Accounts Office

VIII, G T B H Complex, Shahdara, Delhi's letter No. 2989 dated 27.12.99 re: Sanction of Provisional Pension, Sh. G. D. Sharma, TGT (Hindi) hex. is hereby directed to submit a non-employment certificate urgently to this School, so that your provisional pension will be stopped immediately above. Certificate may be sent to the P.A.O. - VIII for necessary action.

Sh. G. D. Sharma,
hex TGT (Hindi)
H-56, Manesarover Park,
Shahdara,
Delhi

grd Dr
Vice Principal
9.1.2007
Sarvodaya Girls Sr. Sec. School
D.D.A. Flats East of Loni Road
DELHI-110093

free C.O.P
3/2007

17 (8) Remarks - 1
SARVODAYA GIRLS SR. SEC. SCHOOL

D.D.A. FLATS, EAST OF LONI ROAD, DELHI-110093

Ref. No. SKV/275

Dated... 21.3.2002. Jb

OFFICE ORDER

Sh. G. D. Sharma, Asst-TGT (Hindi)
to invited Yours kind attention to this
School office order No. SKV/673 dated 20.1.2002
with which you were directed to submit
Yours non-employment certificate to this
School but Yours have not done so far.

You are further directed to submit Yours
non-employment certificate to this School
urgently for further transmission to the
P.A.O. - VIII after the preparation of Yours provisionally
pension urgently.

Sh. G. D. Sharma,
Asst. TGT (Hindi),
H-56, Mansarovar Park,
Shahdara,
Delhi

grd/s
Vice Principal
Sarvodaya Girls Sr. Sec. School
D.D.A. Flats, East of Loni Road,
Delhi-110093

Mr CM
2 Feb

18
Charak Govt. Sarvodaya Kanya Vidyalaya

D.D.A. Flats, East of Loni Road, Delhi-110093

Ref. No. SKV/106-8

Dated 23.6.2002

OFFICE ORDER

Sh. G.D. Sharma, C.G.T.T (Hindi) is invited this third attention to this School office order No. SKV/673 dated 20.1.2002 & subsequent reminder dated 21.3.2002 in which you have directed to submit his non-employment certificate in this school. Now 5 months have been passed but you have nothing done so far.

You are further directed to submit his non-employment certificate in this school within 3 days of the receipt of this order so that the same will be sent to the P.T.O. for the purpose of his provisionally permission urgently dealing with this school will not be permissible for this delay.

Sh. G.D. Sharma
C.G.T.T (Hindi)
H-56, Mansarovar Park
Gurugram, Delhi

Copy forwarded after action
to the :-

1) The Education Office, Z.B.

B. P. Pathak, Member, Education Order No. 101
Delhi along with labor office order No. 135
21.3.2002

2) The Pay & Accounts Office, D.A.T.O.

G.T.P.H. (Guru Nanak Dev Puri)
Shastri Nagar, Delhi

Chamal

Principal
Sarvodaya Girls Sr. Sec. School
D.D.A. Flats, East of Loni Road,
Delhi-110093

Sh
17/7

W.C.P.M.
2 Feb.

Office of the Dy. Director of Education
Yamuna Vihar Delhi

Annex

F No 56/6/2001 NE/73 in 19

Dt 9/11

To

The Vice Principal
SUV, DDA Flats
East of Loni Rd.
Delhi

Sub- Regarding Provisional pension to
Shri D. Sharma, retired L.T. (Hindi)

Madam,

Shri D. Sharma, TGT had retired
on 31-12-99 & a disciplinary case is
pending against him. His case for pension
pension may please be proceeded as the
earliest. As the same is the certificate
of employ & Shri Sharma was never
placed under suspension.

Yours faithfully
Ratan
(M. K. Rai)

अधीक्षक (सर्वकारी)
संचय मण्डल, शिक्षा विद्यालय
"बी" लाल कामना विहार
दिल्ली (D.V.B.)

F No F 6/6/2001 NE/Vig)

Copy to P.A. VIII, G.T.B. Hospital
Court House Delhi for information & necessary
action in the matter

For CT (M. K. Rai)
For Subst (Vig)

Ovt. Sarvodaya Kanya Vyavasay
J.D.A. Flats, East of Loni Road, Delhi-110 093

Dated.....

20

Ch. G. D. Sharma. P. B.
21-56, Mansarovar Park,
Shahdara Delhi - 32

iii: Payment of Provisional pension.

۱۸۷

Sir,
With reference to above I am to say
that a cheque of Rs 286/- for your
Bureaucrat pension for the period Jan.
to Nov. 2000 has been sent from the PA.
so you may please get the same
after giving the due receipt.

Yours faithfully,

13. 12. 1972

Fig. 15. *Floribundia*
Wright.

See Capt. [unclear]

Charak Govt. Sarvodaya Kanya Vidyalaya

D.D.A. Flats, East of Loni Road, Delhi-110 093

Ref. No. SKV/390

Dated 15/1/2001

सिवानी,

(२)

Annex R.6

श्रीपुर बनोली नगर
H-56 लोटा चरोला नगर,
झांसी-उत्तरप्रदेश-32.

लिखनी:- मालिनी ले प्राप्त या निम्नलिखित
सिवानी,

उपरोक्त लिखने पर आदेश नहीं है।
मैं इसको 1.12.2000 को लिखा हूँ लेकिन विद्यालय
की ओर से जवाब नहीं मिला है। इसके बाद
प्राप्ति लिखा। तब यहाँ से विवरित रूप से जवाब नहीं
मिला। तो 15.01.2001 को यहाँ लोगों से जवाब
किया।

जल्दी जापो, कुछ अवधियाँ हैं तो उनकी ओर
जो 2000 के लाख 2000 रुपये का विवर दिया जाएगा।
इसके बाद इसकी रूपरेखा भी दिया जाएगा।
जो की आपकी प्रश्नों की ओर से जवाब दिया जाएगा।
मैं इसकी ओर से जवाब नहीं दिया जाएगा। इसकी ओर से जवाब
दिया जाएगा। इसकी ओर से जवाब नहीं दिया जाएगा।

सिवानी

(सिवानी)

सिवानी

B.B.O.

Sarvodaya Girls Sr. Sec. School
D.D.A. Flats, East of Loni Road
DELHI-110093

15.01.2001

सिवानी

R.I.O. with the report

That I am not going to accept

the cheque postally one yr. late

Only for provisional pension without

full final payment of helical

benefits like Commutation, Leave

encashment, gratuity and G.T.E.I.S.

Charak Govt. Sarvodaya Kanya Vidyalaya

D.D.A. Flats, East of Loni Road, Delhi-110 093

Pincode - ?

Ref. No. S.K.V./E.O.I./2001/413

Dated 1.9.2.2001

To

Sh. G.D. Sharma,
Ex- TGT (Hindi)
H-56, Mansarovar Park,
Shahdara,
Delhi-32

Sub:-

Payment of Ad-hoc bonus for the years,
1999-2000

Sis,

It is to inform you that the Ad-hoc bonus amount of Rs. 1850/- for the years, 1999-2000 are mostly available in this school.

You are requested to kindly collect the same amount from this school on any working day between 9.00 A.M. to 12.30 P.M. accordingly.

मेरी दिनांक 19/2 को वासी जी के द्वारा दरगाह

दूही मिलायेंगा 19-2-2001

मेरे द्वारा परगमा शामी जी द्वारा पर दूही मिलायेंगे 2-3-2001/दूहा

Yours faithfully,

D. D. O.
S.K.V DDA Flats
East of Loni Road
Delhi-110093

Central Advertisements (The Times) Ltd v. AIAA

EA No. 2617 of 2000

29/3

8th March 2001

APPENDIX

1. Letter from Mr. D. R. Goyal - Replies.

Index to

5th March Particulars of Charge

1. Beginning on behalf of AIAA - 1-6

29. 3. 2001

14/3/01
Date

H. B. N. D. S. D.
Date 11/03/01

प्रधान स्थायीठानी	साज दाविल कंपनी
Filed Today	
29 MAR 2001	
साविल नं/Filing No. 3036	
उपरजिस्ट्रार/Dy. Registrar	

4

CENTRAL ADMINISTRATIVE TRIBUNAL AT NEW DELHI.

O.A. No. 2617 OF 2000.

SH. GURDIAL SHARMA

.... APPLICANT

VERSUS

LT. GOVERNOR & ORS.

.... RESPONDENT

REJOINDER ON BEHALF OF THE APPLICANT.

Respectfully showeth:

PRELIMINARY OBJECTIONS:

1. That inspite of the clear and distinct clear direction and order on behalf of the respondent No.1 & 2, who is a competent authority in this respect, that the defaultors in L.T.C. cases, the recovery amount alongwith the penal interest may please be charged from the persons those who make default in L.T.C. claim. The teachers those who were cheated immediately deposited the original amount with penal interest with the school authorities, obeying the orders of the Dy. Director with a hope to be relieved immediately, as going to be retired in the coming few days. The orders of the respondent No.1 of 1992 and the orders of the Dy. Director could be seen at page No. 48 & 47 in the application itself.
2. That ignoring both the orders of the respondents the respondent No.4 hurriedly took criminal step and lodged a P.I.R. before the Police Station नाम व्यावधारी/CAT (N.S.P.) against the applicant without any prior permission of the respondents which was mandatory provision of law of the Director of Education, Filed Today, whereas some false and fabricated averments are

2,9 MAR 2001.

संखिया/Filing No... 2036
उपरजिस्ट्रार/Dy.Registrar

Contd....2

3. That the teacher was immediately relieved of his duties on 31/12/1999 though a case of extension upto the period of 31st March, 2000 was ~~pending~~ ^{allowed} before the Director of Education. ~~No 3122-A/2000-99 (Personnel) 15 DDE~~ ~~MoED EO No 3776 D/6.12.98, again with held with some number~~
4. That the respondent No.4 was not satisfied upto ^{Reprisal} this limit and again got the department proceedings issued against the applicant.
5. That upon all this retiral benefits were with held and the applicant was put to torture and harassment was nothing whereas the provisional pension, G.P.F. and some other C.G.I.E.S. and leave charges could be made on the very day of relieving the applicants, it is absurd to say that applicant was summoned for payments whereas it has only been prepared just after the case is going to be matured.
6. That in this way though vigilance report regarding the teacher was clear (P-35), service record was verified and no dues certificate was issued (P-37), recovery order of the D.D.E. is there on record which is very much clear in itself (P-39), the pension cases can be cleared at the D.D. level (P-59) and inspite of all this the F.I.R. was filed even though the clear instructions were to seek the permission of the director in filing an F.I.R. against any teacher vide No. F-2/FA-JDE/(A)/87/5011-6011, dated 16/07/97 of D.S. Negi (D.E.). Hence a double and treble jeopardy has been committed upon the applicant with a malafide intention though the applicant had deposited the whole amount in-law and all this could be avoided or the provisional payments could be made immediately otherwise an ill will prevailed in the minds of the respondent No.4, hence a strict and stern action may kindly be taken against the erring office of the respondent No.4.

BRIEF FACTS OF THE CASE:

1. In fact it is an ill will prevailed in the minds of the respondent No. 4 so to torture and harass the retiring teacher. It is hard fact that no

innocent would like to invite troubles for him for nothing. Thousands of teachers and government employee avail L.T.C. through all these traveling agencies and who will know that who is a cheater and who will play fraud with innocent persons. All this happened with the innocent teacher, who happened to believe like all other teachers and employees in this traveling agency, all the papers have already been annexed with the petition and apparently seems to be genuine, or otherwise thorough investigation will reveal the fact whereas the teacher yielded before the authorities and acted according to their directions. Simply the issue of tickets manually prepared or computerised is not a serious objection which can be believed too.

PARAWISE COMMENTS ON THE BRIEF FACTS:

PARA No. 1-2 Para No. 1 & 2 are mostly admitted facts, whereas the allegation of bogus receipts and certificates can be discussed and verified after thorough investigation. The F.I.R. lodged was an over excise of the respondent No.4 without seeking any permission from the D.D.E./D.E. and to say the permission has been obtained is wrong and vehemently denied for want of any proof

PARA No. 3-4 Para No. 3 & 4 are wrong and denied whereas the payments of the G.P.F. was delivered after a gap of 14 months and provisional pension still to be disbursed. The lame excuse of employment certificate was simply to torture and harassed the teacher so to raise unnecessary objections. The provisional pension could be released immediately but the malafide intention of the respondent No.4 caused delay and other unnecessary objection. No letter as such was ever delivered to the teacher till date whereas the teacher had been contacting the respondent No.4 occasionally for one or the other reason. The Gratuity and other pensionary benefit could be released immediately. The extension of the service of the teacher could also be got extended in a normal course when the case had already been sent to the respondent but the ill will prevailed.

PARA NO. 5 Para No.5 is wrong and denied whereas no offer as such regarding provisional pension and bonus has been offered to the starving teaching.

PARAWISE REPLY

PARA NO. 1 Para No.1 is wrong and denied.

PARA NO. 2-3 Para No. 2 & 3 need no reply.

PARA NO. 4.1 TO 4.9 Para No. 4.1 to 4.9 is again wrong and denied whereas the actual position has already been explained in earlier paras of preliminary objections and factual position and hence need not to be explained over here in this respect as the malafide intention prevailed in all this episode and the applicant has been thrown on the road to be starved and live from hand to mouth

PARA NO. 5 Para No. 5 are the grounds which have been explained in a thorough manner and hence reiterated and reaffirmed over here as explained early in preliminary objections and in factual position. The department enquiry, the criminal proceedings can reveal the facts otherwise the retiral benefit can not be withheld at any cost which shows a malafide on the part of the respondent No.4.

Rest of the paras are proceedings of the court, need not to be replied.

APPLICANT

New Delhi
Dated:

Through

(V.K. MALHOTRA)
Advocate