

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.702 of 2000

New Delhi, this the 16th day of September, 2003

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

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Shri Prem Prakash
S/o Shri Balak Ram Verma
Aged about 62 years,
R/o 225 Bank Enclave,
Laxmi Nagar,
Delhi-110 092.

And Retired as

Assistant Director (Official Language)
From the Press Information Bureau
Ministry of Information and Broadcasting,
Shastri Bhavan,
New Delhi.

...Applicant

By Advocate: Shri B.B. Raval.

Versus

1. Union of India
Through the Secretary,
Ministry of Information and Broadcasting,
Government of India,
Shastri Bhavan,
New Delhi-110 001.
2. The Principal Information Officer,
Department of Official Language,
Principal Information Bureau,
Ministry of Information & Broadcasting,
Shastri Bhavan,
New Delhi-110 001.
3. The Officer-in-Charge,
Mass Mailing Unit,
Family Welfare Department,
Ministry of Health & Family Welfare,
Nirman Bhavan,
New Delhi.
4. The Officer-in-Charge,
Hindi Section,
Ministry of Rural Development,
Government of India,
Krishi Bhavan,
New Delhi.
5. The Officer-in-Charge,
Hindi Section,
Archaeological Survey of India,
Department of Culture,
Ministry of Human Resource Development,
Janpath,
New Delhi.

-APPLICANTS

(By Advocate: Shri V.S.R. Krishna)

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

The applicant has filed this OA as he had a grievance of non-payment of entire amount of GPF correctly and interest thereon for late payment on even part payment.

2. The facts in brief are that the applicant had joined the service of the Government of India as Proof Reader in Mass Mailing Unit, Department of Family Welfare in the Ministry of Health, Nirman Bhavan, New Delhi and during his service career he worked in various offices under the Department of Family Welfare then Ministry of Rural Development, Krishi Bhawan and then as Senior Translator to the Archaeological Survey of India (hereinafter referred to as ASI) and also as Assistant Director (Official Language) under the ASI. He was further transferred from ASI to Press Information Bureau and ultimately superannuated on 31.1.1998 from the office of the Press Information Bureau, Ministry of Information and Broadcasting.

3. Though Pension Payment Order had been issued to him however, his GPF has not been paid correctly. Applicant has been making representations also but to no effect.

4. However, after more than one year of his retirement, he received communication from the Section Officer (Cash Section) from Press Information Bureau and the applicant was informed that the balance outstanding in his GPF has been received by the Cash Office and he

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may collect the same. The applicant in response to the same sent replies of copies to all the offices where he had worked and the applicant also acknowledged the receipt of Rs.53,673/-. Thereafter the applicant requested whether the same was final payment or still some balance is there. Then the applicant received a cheque for a sum of Rs.11,222/-. Thus the applicant has received two instalments as part payment on account of PF. However, it is submitted that the respondents have not bothered to give him the details of break up and interest there on so it is prayed that the respondents be directed to provide the applicant with a detailed statement year-wise for his entire service career showing separately the principle amount and the interest allowed every year and also the payment made and the payment due to the applicant by furnishing a certified copy of due and drawn statement. It is further prayed that the respondents be directed to pay 18% interest on the balance amount still to be paid and also on the amount paid but after much delay as per rules and further to grant exemplary cost of this application.

5. The respondents who contested the OA submitted that they had not denied any payment due to him on retirement including GPF amount at his credit which has been paid to him along with interest.

6. It is further stated that the applicant had retired from service on 31.1.1998 and respondent No.2 has taken due care in arranging different kinds of payment such as Gratuity, Leave encashment etc.. However, the payment of GPF got delayed for which the applicant himself is to blame as he neither informed the

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department that his GPF amount standing to his credit was not transferred from earlier offices nor he applied in the prescribed form for transfer of the same to his current account as per the procedure even though he was duly informed of this factum. (50)

7. It is further stated that since the applicant had been transferred on various occasions so under Rule 39(2) of GPF Rules it is clearly stated that subscribers should satisfy themselves as to the correctness of the Annual statements of their accounts provided annually to them as per rules and errors if any should be brought to the notice of the Accounts Officer within 3 months from the date of receipt of the statement and the applicant never informed about the irregularities in respect of his account while working in Press Information Bureau.

8. I have heard the learned counsel for the applicant but none has appeared for the respondents.

9. On the last date of hearing, i.e., on 21.8.2003 when the case was taken up for hearing the applicant had submitted that he had not been paid whole of GPF amount standing to his credit for which contributions were deducted by different offices and the GPF amount was refunded to him only for the period where he was last posted and he has not been paid for the periods when he was working in other offices previously.

10. Shri Krishna who had appeared for the respondents had given an undertaking and sought 10 days time to file reply with regard to GPF amount which have

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have been deducted from the salary of the applicant while he was posted in previous offices but till date no reply has been filed. 51

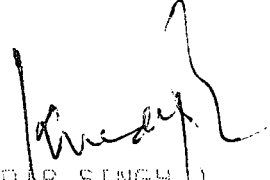
11. The counsel for the applicant has submitted that no reply has been filed so appropriate directions may be issued.

12. I have considered the rival contention of the parties and also gone through the record.

13. Annexure A-IV filed on record is the GPF statement filed by the applicant for the period 1997-98 which shows the credit balance of Rs.50,635/- and since there was delay so sum of Rs.53,673 had been paid to the applicant. But this statement will go to show that the applicant had been paid a sum of Rs.53,673/-. The perusal of the statement will definitely go to show that the amount credited to the GPF account of the applicant for the period when he had worked in various offices before coming to the Press Information Bureau from where he had superannuated that amounts had not been accounted for. So in these circumstances I think the OA can be disposed of with a direction to the respondents to give him a full statement of account of GPF from the date he joined the service till the date of his superannuation within a period of 6 months.

14. It is further directed that amounts, if any which have not been paid to the applicant, be also paid to the applicant within the same period along with 9% interest thereon.

No costs.


(KULDIP SINGH)
MEMBER (JUDL)