

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 3rd DAY OF SEPTEMBER, 1987

Present : Hon'ble Justice Sri K.S.Puttaswamy Vice-chairman
Hon'ble Sri P.Srinivasan Member (A)

Application No.2062/86(F)

V.K.Narasimhan,
Senior Store-keeper,
26 Equipment Depot,
Air-force, HAL,
Bangalore - 17.

...

Applicant

vs.

1. Commanding Officer,
26 Equipment, Depot,
Air-force, HAL,
Bangalore - 17.

2. Air Officer Commanding-in-Chief,
Maintenance Command, Air-force,
Nagpur.

3. Secretary, Ministry of Home cum
Directorate of Personnel and Administrative
Reforms, Central Government, New Delhi.

4. Secretary, Ministry of Defence,
Central Government, New Delhi.

5. Secretary, Ministry of Labour,
Central Government, New Delhi. ...

Respondents

(Sri M.S.Padmarajaiah ... Advocate)

This application has come up before the court today.

Hon'ble Sri P.Srinivasan, Member (A) made the following :

ORDER

This is an application filed under Section 19 of the Administrative Tribunals Act, 1985. The applicant, was working as a Store Keeper in the '26-Equipment Depot', Air Force, Bangalore till he was suspended from service recently in February, 1987. He complains that the Fidelity Group Insurance premium of Rs.5.40 p tendered by him by crossed-demand draft for the calendar year 1986, was not accepted by

P. Srinivasan



the authorities; and if he tendered cash, no receipt was being issued to him. Nor would the authorities agree to deduct the premium from his salary. If he did not pay the premium, his appointment as Storekeeper was liable to be terminated. For 1985 he had paid the premium. It is not disputed that others like him pay the premium to the authorities in cash, for which they also get no receipts. The applicant's further complaint is that a only particular class of employees (to which he belongs) are required to pay the premium and while others are not, even though they are in charge of stores; therefore, this amounts to discrimination.

2. When the matter came up for hearing. Sri Narasimahan- the applicant- stated that if the authorities had received the premium of Rs.5-40p in December, 1985 tendered by him in cash and had given him a receipt, he would have had no complaint. Even now he is prepared to pay the premium in cash every year provided the authorities give him a receipt, therefor. He was prepared to pay the premium in the form of cheque or Bank Draft but the authorities would not accept either.

3. Sri M.S.Padmarajaiah, learned Standing Counsel for the Central Government, submits that considerable difficulties in accounting would arise if the premium is deducted from the salary of the applicant which is being paid by cheque; there is no such problem when salaries are paid in cash. He also submits that it is not possible to issue any individual receipt because premium received from all employees is sent to the Insurance Company collectively. Government does not accept cheques in payment of such premium.

4. Having heard both the sides, we find that the com-

P. S. Padmarajaiah



plaint has arisen out of the alleged refusal by the authorities to issue a receipt for premium for the calendar year 1986 tendered in Cash. As the calendar year 1986 has already expired, the question of paying premium for that year no longer survives. We understand that from February 1987 the applicant is under suspension. Until the suspension is revoked and the applicant is allowed to resume duty, the question of paying the premium for the year 1987 also will not arise. Therefore, the applicant's grievance has indeed become infructuous. However, the question of payment of premium is likely to arise if the applicant is allowed to resume duty later. In that case, we direct the applicant to pay the premium through money order addressed to the concerned authority so that he automatically gets a receipt. This should solve the problem of both the sides.

5. We dispose of the application on the above terms. In the circumstance of the case, we direct the parties to bear their own costs.



Sd---

VICE-CHAIRMAN

3/9/83

an.

Sd---

MEMBER (A)

True copy

B.V. Venkatesh

DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

10/9