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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.1083/99

dt. 26-7-99

Between

M. Ananda Raj

: Applicant

and

M. Union of India
rep. by General Manager
SC Rly., Secunderabad

2. Divnl. Rly. Manager
SC Rly., Rail nilayam
Secunderabad

3. Divnl. Accounts Officer(BG)
SC Rly., Rail Nilayam
Secunderabad

: Respondents

Counsel for the applicant

: Siva
Advocate

Counsel for the respondents

: K. Siva Reddy
SC for Railways

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Hon. Mr. R. Rangarajan, Member (Admn.)

Hon. Mr. B.S. Jai Parameshwar, Member (Judl.)

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Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn.)

Heard Mr. Siva for the applicant and Mr. K. Siva Reddy for the respondents.

1. The applicant in this OA retired as Dy. Station Superintendent under the control of Respondent No.2. He had earlier filed OAs for not furnishing the statements correctly in regard to his PF account. He submits that he had been paid short of amount which was to his credit. Those OAs were disposed of directing the respondents to give [^]detailed information. It is stated that the respondents after having dilly-dallied initially but subsequently, they gave the statement on filing of CP.
2. The applicant is aggrieved by the statement given by them. He had submitted that the amount recovered from him against the provident fund Head is much more than what is shown in the statement. For this he relies on the statement at page 15 of this OA (Annex.A-1). In the year 1987-88 it is stated that an amount of Rs.210.00 was recovered from the pay as ^PF and Rs.250.00 VPF whereas for the same month in the pay bill it is shown wrongly. Similar discrepancies ~~are~~ [^]also pointed out in other months.
3. This OA is filed to release the amount that have not been taken into account while computing the final settlement of GPF of the applicant with interests at the rate of 24% p.a.
4. The applicant submits that inspite of the matter having been brought to the notice of the respondents they are reluctant to solve his case as the calculations is erroneous. Hence he is forced to approach this Tribunal for the reliefs. He further submits that the respondents had harassed him

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by compelling him to file three applications and hence he has to get exemplary costs for filing these OAs.

5. The whole issue depends on verification of records. No legal point is involved. The Tribunal cannot check the voluminous records of credits made in the books in regard to deductions under head PF/VPP. The record is before the applicant and the respondents. They can see the records and rectify themselves in regard to the amounts credited to the account of the applicant and the amount paid to the applicant against PF account. As it involves only physical verification we are of the opinion that a simple direction to make both sit together and solve the issue, will meet the ends of justice.

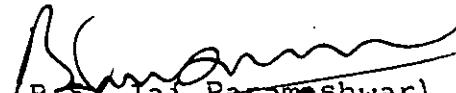
6. Hence, the following direction is given:

Respondent No.3 should conduct a meeting within two months from the date of receipt of copy of this judgement calling the applicant to be present for deciding the above issue. During that meeting all the records pertinent to the PF account while in service should be produced before the applicant and he also may produce his documents available with him and on that basis all records should be checked and verified in regard to the amount recovered from PF and also amount paid at the time of retirement. A consolidated note should be prepared. If the applicant is aggrieved he should be permitted to express his views and record a dissent note. If there is a dissent note, then the same should be put to the FA and CAO, South Central Railways, for his orders. If the applicant is still going to be aggrieved after the disposal of his case by FA&CAO, he is at liberty to take such remedial measures as available to him. The whole issue had arisen because of the misunderstanding between the parties. Under the circumstances, we feel that award of costs may not be proper.

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7. The OA is ordered accordingly at the admission stage itself. No costs.


(B.S. Jai Parameshwar)
Member (Jidil.)
26-7-99


(R. Rangarajan)
Member (Admn.)

Dated : 26-July, 99
Dictated in Open Court

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