

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

OA No. 2429/99

O.A. 1139 / 99.

Dt. of Decision : 16-07-99.

1. S.Sanyasayya
2. G.D.Prasada Rao
3. N.Appa Rao
4. A.Appa Rao
5. D.N.Ghoshal
6. Ch.Chandrasekhara Rao
7. T.Bagannadha Rao
8. U.Prabhu Das
9. M.V.R.Sai
10. G.Tata Rao
11. R.Suryanarayana

.. Applicants.

Vs

1. The Financial Adviser & Chief Accounts Officer, SE Rly, Garden Reach, Calcutta-700 043.
2. The Financial Adviser & Chief Accounts Officer (Books), SE Rly, Garden Reach, Calcutta-700 043.
3. The Sr.Divl.Accounts Officer, SE Rly, Waltair.
4. The Sr.Divl.Mech.Engineer, SE Rly, Waltair Division, Waltair.

.. Respondents.

Counsel for the applicants : Mr.V.Venkateswara Rao

Counsel for the respondents : Mr.C.V.Malla Reddy, SC for R

CORAM:-

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

R

D

..2/-

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ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

Heard Mr.V.Venkateswara Rao, learned counsel for the applicant and Mr.C.V.Malla Reddy, learned counsel for the respondents.

2. There are 11 applicants in this OA. They filed this OA praying for a direction to R-1 and R-3 to transfer the amounts recovered from their salaries towards Provident Fund subscription and other railway dues during their stay at Zimbabwe on deputation from September, 1981 to September, 1984 and remitted by way of Demand Drafts to R-3 by RITES for making necessary credit entries in the accounts of the applicants herein with all consequential benefits such as grant of interest on the ~~an~~ basis of the accounts available ~~on~~ their Provident Fund account per month.

3. The applicants have^d been deputed to Zimbabwe by the railway authorities. They submit that their Provident Fund and other ~~xxxxxx~~ amounts were ^{deducted} ~~deputed~~ from their salary and sent to R-3 by D.D. by RITES. But they submit that these are not credited to the Provident Fund accounts and thereby the money was not returned to them when they retired. In that connection they submitted a representation to the F.A. & C.A.O. dated 02-05-98 (Annexure-I). That representation was sent by the Sr.Divl.Mech. Engineer (D), Waltair to F.A. & C.A.O., SE Railway, Garden Reach, ^{on 6-5-98 (Annexure-II)} Calcutta/who maintain records stating that the Provident Fund and other ^{subscription} ~~xxxxxx~~ have been made ~~xxxxxx~~ regularly at Zimbabwe ~~xxxxxx~~ by RITES/Delhi and the concerned amount was sent by D.D.

..3/-

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to FA & CAO/SE Railway, Garden Reach for ~~necessary~~
 crediting to their respective ^{PF} account numbers. In that
 letter the particulars of D.D. submitted by RITES at Delhi
 are also given. But no action has been taken by the
 Railways to credit the amount to the respective Provident
 Fund account of the applicants and return back the amount
 with interest when they retired. Their representation has
 not been replied so far. In view of the above this OA has
 been filed.

4. The above request is to be decided on the basis of
 the records available with ^{the} railway. There is no adjudication
 required in this connection. If the amounts are being
 deducted from the employees to credit their Provident Fund
 account there is no reason for not returning back to them
 with interest ^{as per rule} when they retired. Hence, the following directions are
 given:-


R-1 should immediately depute a very senior officer
 to check the records. The applicants should ^{be} called for an
 interview by that officer nominated and the applicants should
 be shown all the records available with them. They also
 explain the disposal of the D.D. received by them as
 indicated in the letter dated 6-5-98 (Annexure-II) and on
 that basis a joint note should be prepared by the nominated
 officer and the applicants. If the applicants agree with that
 note they should sign it as a token of having accepted of the
 joint note. If they are having any doubt in the joint note
 they should enter ^{their views} ~~note~~ in the joint note with the information
 available with them. That joint note should then ~~put~~ be put up


..4/-

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to R-1 for final reply. Time for compliance is three months from the date of receipt of a copy of this order. If the applicants are going to be aggrieved by the reply to be given by R-1 after the process is over they are at liberty to approach this Tribunal if any further adjudication is necessary.

6. With the above direction the OA is disposed of at the admission stage itself. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDGE.)
16.7.99


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 16th July, 1999.
(Dictated in the Open Court)


4/8/99

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