

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA NO.3878/2016

NEW DELHI THIS THE 5TH SEPTEMBER, 2018

HON'BLE MR. PRADEEP KUMAR, MEMBER (A)

Brij Lal Sharma,
Aged 75 years,
Group "C", retired Superintendent,
S/o Shri Budha Ram Sharma,
R/o WP-213 B, Muarya Enclave,
Pitam Pura, New Delhi-110034.

...Applicant

(By advocate: Mr. Ashish Nischal)

VERSUS

1. Government of NCT of Delhi
Through the Chief Secretary,
New Secretariat, I.P. Estates,
New Delhi-110002.
2. The Director of Education,
Directorate of Education,
Government of NCT of Delhi,
Old Secretariat, Delhi-110054.
3. Delhi Sarvodaya Kanya Vidyalaya,
Through its Principal,
Government of NCT of Delhi,
Pulbangash, Delhi-110006.

...Respondents

(By advocate: Mr. Amit Anand)

**ORDER
(Oral)**

Heard learned counsel for the parties.

2. The applicant had retired from service on 31.03.2001 as Office Superintendent in the G.S.K.V., Pull Bangash, Government of NCT of Delhi. The whole controversy relates to that the applicant was issued life time Medical Health Card at the time of his retirement. Subsequently, the Card got mutilated and the applicant applied in

the year 2016 for issuing of the life time Medical Health Card again. The relevant parts of the application made by the applicant are reproduced below:-

“It is submitted that I was retired from your school, my date of birth is 27/3/1941 and retired on 31/3/2001. As per rules DHS Health Card was issued to me, after scheme.

The sum of Rs.1800/- was deposited by me, as asked for.

Now, it is prayed that this Card may kindly be issued duly “Long Life Time Basis”, as Hospital authorities demand.”

3. During this process, the respondents had asked him to deposit a total amount of Rs.39,000/-, which had since been deposited by the applicant and the life time Medical Health Card had already been issued.

4. The plea of the applicant, however, is that he had already been issued the Card in the year 2001, and since it was mutilated and his request was for re-issuing the Card, only Rs.10/- was payable and the additional amount of Rs.39,000/-, which he was forced to deposit, needs to be refunded.

5. The learned counsel for the respondents brought out that the relevant policy was issued on 13.03.1997 in accordance with which a new Scheme was introduced for providing medical facilities to the Government employees/pensioners. This policy indicated certain monthly contribution, which was related to the level of the pension or the income of the employees. In respect of those pensioners whose income was above 5,000/- per month (which is applicable in instant case), they were required to pay Rs.50/- per month to avail

of the medical facility. In the case of the employees, who have already retired or who are going to retire, the relevant policy stipulated as under:-

“.....In case of employees who have already retired, it would be stipulated that they can henceforth avail of the benefit if they either agree to have the rates of subscription deducted from their monthly pension or make a lump sum payment which would be equivalent to their subscription for five year i.e. 60 months. For the employees retiring henceforth also, this system would be made applicable.....”

6. Thus, there were two options for the retiring or the retired employees: (i) either they can continue to pay monthly subscription to avail of the facility so long as they pay, or (ii) they can pay a lump sum amount equal to their monthly subscription for 60 months at one go to avail of a life time facility.

7. Subsequent to the 1997 policy, the rates of contribution were modified in the year 2003 wherein the monthly rate of contribution continued as Rs.50/- per month for the relevant level of the pension or income. In respect of life time Medical Card, a lump sum payment was enhanced to 120 months membership fee.

8.0 As brought out above, the learned counsel for the respondents pleaded that by his own admission as per Annexure A-5 dated 05.10.2016, the applicant had deposited to Rs.1800/- in the year 2001 when the Card was issued to him. The relevant application by the applicant in the year 2016 also shows that only Rs.1800/- was deposited by the applicant. Accordingly, the counsel for the respondents pleaded that for issuing life time Card in the year 2001 when he retired, 60 months contribution, which works out to

Rs.3,000/- was needed and since the applicant on his own admission had deposited only Rs.1800/-, he could not be issued a life time Medical Card. Accordingly, while he made the request in the year 2016, the relevant instructions were applied and he was advised to deposit Rs.39,000/- as per currently applicable monthly rates and policy, for issuing a life time Card, which has since been issued. Thus no amount can be refunded.

8. The matter has been heard at length. The reasoning put forth by respondents sustains. In view of the above, the present OA is dismissed as being devoid on merit. No costs.

(PRADEEP KUMAR)
MEMBER (A)

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