

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 5537 of 2017

Balak Ram Patel S/o Sukhram Patel, Aged About 64 Years Retired Teacher,
R/o Badadarha, D.V.Power, Post Kavali, Tahsil Dabhra, District Janjgir-
Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Education Department,
Mantralaya, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh
2. Accountant General, Treasurer, Accountant & Pension Department,
Chhattisgarh State, Indravati Bhawan, Naya Raipur, District Raipur,
Chhattisgarh
3. Director, Treasurer, Accountant & Pension Department, Chhattisgarh State,
Indravati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
4. Senior Account Officer/ Nidhi-03, Office Of Accountant General (Accountant &
Title), Raipur, District Raipur, Chhattisgarh
5. Block Education Officer, Raigarh, District Raigarh, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Awadh Tripath, Advocate
For Respondents 1, 3 and 5 / State	:	Shri Satish Gupta, Govt. Advocate.
For Respondents 2 and 4	:	Shri Ashwani Shukla, Advocate

Shri K.K.Swarnkar, Block Education Officer, Raigarh is also present in the Court.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/11/2017

This petition has been filed by the petitioner aggrieved by non-payment of
GPF amount.

2. Learned counsel for the petitioner submits that the petitioner was retired way
back on 30/06/2015 and till date, his GPF amount has not been paid.

3. Learned State counsel, upon instructions from the officer who is present in the Court submits that earlier an authorisation letter was issued by the office of the Accountant General on 29/01/2016 for payment of Rs.2,44,745/- in favour of the petitioner. Thereafter, voucher dated 22/2/2016 was submitted in the Treasury Office on 24/02/2016 but payment could not be released and in the meantime, validity of authorisation letter expired. This was informed vide letter dated 04/09/2017 of the District Treasury Officer. The District Treasury Officer again required submission of fresh authorisation letter for releasing payment. Soon thereafter, a memo has been sent to the office of the Accountant General by the Block Education Officer on 04/09/2017 itself and as soon as the new authorisation letter is received, voucher will be submitted for payment in the Treasury Office.

4. What has been stated before the Court only reveals apathy, indifference in actual payment of the GPF amount of the petitioner. There is no dispute with regard to petitioner's entitlement but because of delay in official business, payments could not be released to the petitioner who retired on 30/06/2015. The submissions which have been made before this Court today would also reveal that when earlier authorisation letter dated 29/01/2016 of the office of the Accountant General was received, promptly, vouchers were also prepared on 22/02/2016 and submitted in the Treasury Office on 24/02/2016 where it remained lying as it is, only waiting for its expiry. Not only that, even thereafter, the authorities slept over the matter indefinitely until the Treasury Officer woke up and sent memo dated 04/09/2017 to the Block Education Officer. The Block Education Officer, thereafter acted promptly on 04/09/2017 itself by sending a fresh letter seeking authorisation letter from the office of the Accountant General.

5. Therefore, for none of the fault on the part of the petitioner, he has remained deprived of his GPF amount of Rs.2,44,745/- even after more than two years of his retirement. Hon'ble the Supreme Court and this Court has repeatedly reminded the

authorities that retiral dues of an employee are his property and soon after his retirement, these amounts are required to be released in his favour. From the factual backdrop, it appears that the office of Treasury Officer, Raipur has remained callously negligent.

6. Considering that vide memo dated 04/09/2017, the office of the Block Education Officer, Raigarh has again sought issuance of fresh authorisation letter from the office of the Accountant General, it shall do well to ensure that within 15 days, the authorisation letter is issued in favour of the petitioner again. The Block Education Officer, Raigarh shall submit the vouchers for payment of GPF amount to the account of the petitioner within a period of seven days from the date of receipt of authorisation letter from the office of the Accountant General. The entire payment shall be released to the petitioner within an outer limit of 30 days.

Respondent No.3 is directed to hold an enquiry and fix responsibility as to who was responsible for such callous delay in payment of GPF amount to the petitioner. Appropriate disciplinary action shall be taken against the erring officials. In the aforesaid background, this Court is inclined to direct the respondents to pay interest @ 18% from 01/03/2016 till the date of actual payment to the petitioner. It is made clear that GPF amount shall be released as directed above and the interest part shall also be paid to the petitioner as soon as possible, preferably within three months from today.

7. With the aforesaid observations, this petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge