

*"No carelessness until there is a cure. Wear Mask, follow physical distancing & maintain hand hygiene."*

**PUBLIC GRIEVANCES COMMISSION**  
**GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110**  
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**Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97**

Date of hearing: 13.10.2021

Complainant : Mrs. Raju Katyal – Present.

Respondent : The Director,  
Directorate of Education,  
Govt. of NCT of Delhi.  
through  
Sh. Sanjay Chaturvedi D.D.E (Distt. South East).  
Dr. A.K. Bhatt, D.D.E (Zone-25) – Present.

Grievance No. : PGC/2019/A.II/Edn./20

**1. Brief facts of the complaint**

1.1 Mrs. Raju Katyal, has filed a grievance petition before Public Grievances Commission, aggrieved by non-release of her pension & other pensionary benefits.

**2. Relevant facts emerging during the hearing**

2.1 Sh. Sanjay Chaturvedi, D.D.E (Distt. South East) was present in the hearing and filed an Action Taken report dated 08.10.2021 stating in the report that:

*"The matter under reference has been examined in length by various Departments as well as branches of DoE (speaking order dated 05.03.2021 refers). Eventually, an advice in the matter was sought from the Finance Department, Govt. of NCT of Delhi, being Competent Authority/Department in the matter, wherein, it has been agreed by FD that there is no such situation of hardship in the matter of Mrs. Raju Katyal, retired teacher. As such, her request for waiver of recovery is rejected once again and therefore, the speaking order, issued vide order No. F. 1/DDE(SE)/Z 25/PGC/2021/106 dated 05 03.2021 (copy enclosed) with the approval of Competent*

*Authority, may please be treated as final order. A copy of the speaking order is enclosed herewith for ready reference.*

*Further, as regards to the direction of Hon'ble Member PGC with regard to giving reasons behind the wrong pay fixation in respect of complainant and fixing of responsibility thereof, it is stated that the fixation of pay of complainant is very old one i.e. in the year 2007 It is also pertinent to mention here that there was only one LDC Sh Rajbir Singh, posted in the said school, who was promoted from class-IV and have no knowledge of either Accounts or Administration work. In view of the position explained above, Hon'ble Member PGC is humbly requested to consider the above facts and dispose of the grievance in hand.*

*This is with prior approval of Competent Authority.”*

2.2 The complainant submitted that she got superannuated in October 2018. The school authorities has sent her a letter dated 19<sup>th</sup> December 2018 stating that her pay fixation was incorrect and revised w.e.f. 1<sup>st</sup> July 2006. Further, her salary for the period December 2018 was deducted even after her representation to concerned DDE office and despite the fact that the decision of D.D.E (Distt. South East) was pending at that stage. The school authorities conveyed to her verbally that excess payment of Rs.2,77,490/- has been made to her.

2.3 The Commission is very much aggrieved and frustrated by the attitude of the Education Department as well as the Finance Department, GNCT of Delhi. There have been many such cases in the Commission on the issue of payment of excess money to the retired government officials whose case for recovery of excess payment were prepared by the department only at the time of their retirement. Furthermore, these government officials were never made aware that their hard earned money is actually excess payment which they will be compelled to part with at the time of retirement. Thus, unknowingly, these government officials use their payment/salary etc. on miscellaneous expenditure as they feel that they are spending their own salary, but, at the end of their tenure, the department deducted their hard earned money in the name of recovery of excess payment without even following the due procedure of serving notice to them prior to making the deduction.

### **3. Directions of the PGC**

3.1 The Education Department as well as the Finance Department, GNCT of Delhi as these departments have refused to take into consideration various judgments of the Hon'ble Supreme Court of India cited by the Commission related to recovery of excess payment, wherein, it is categorically stated that no amount can be recovered from a government employee after his retirement if the

fault does not lie on his part. It is not out of place to mention that the complainant never realized that the salary she is getting during the last ten (10) years is not her money but the largesse of the department, which the department can recover any time without serving prior notice. Thus, it is clear that the Education Department and Finance Department does not have any regard of the rule of law for the reasons best known to them only.

3.2 The Commission has no other option but to advise the complainant to take legal course of action to meet the ends of justice.

3.3 With these directions, the case is disposed of.

**(MADHU SHARAN)**  
MEMBER

No. PGC/2019/A.II/Edn./20

Dated:

1. The Director, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110054.
2. The Dy. Director of Education / Nodal Officer(PGC), Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110054.
3. The Dy. Director of Education, Distt. South-East, GNCTD, C-Block, Defence Colony, New Delhi-110024.
4. The Head of School, Veer Savarkar Govt. SKV No.1 (ID No.1925029) Kalkaji, New Delhi-110019
5. Mrs. Raju Katyal