



Saturday, August 3, 2013,
Chandigarh, India

NEW DELHI, Dec 1 - Constitution for women's reservation was moved in the Union Law Ministry on the day of the birth of Mr Satya Pal Singh, MP, from the

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EXCESS PAYMENTS

Give back recovered amount to pensioners, apex court tells Punjab

R Sedhuraman
Legal Correspondent

New Delhi, August 2

The Supreme Court today directed the Punjab Government to return crores of rupees recovered from thousands of employees and pensioners. The government had recovered the amounts contending that it had made excess payments to them due to wrong fixation of their pay scales while they were in service.

A Bench comprising Justices GS Singhvi and SJ Mukhopadhyaya passed the order while dismissing about 125 appeals filed by the state government challenging the verdicts of the Punjab and Haryana High Court on the issue.

The Bench took the state government to task for dragging the "poor pensioners" to the SC forcing them to engage advocates to fight the cases for 4-6 years. "This is blatant violation of the rules of natural justice," it remarked.

Instead of proceeding against the employees/pensioners, the state government should have taken steps to recover the excess payments from the officials who were responsible for wrongly fixing their grades and pay scales, it remarked during arguments by advocate Nikhil Nayyar and the state's standing counsel JS Chhabra.

The Bench said it was unable to record any findings in the cases as the state government had not submitted the relevant documents pertaining to the orders on fixation of pay, the show-cause notices issued before the recovery of the alleged excess payments and the orders for recovery.

The SLPs were also silent on the periods when the excess payments were made and the dates of recoveries. Even the auditor general's reports on the issue had not been made available. The Bench also slammed the state government for coming to the SC directly to challenge the orders of the single judge Benches of the HC, instead of going to the Division Bench. "What is so extraordinary about these cases to come to the SC directly," it asked.

The HC had directed the government to return the recovered amounts, prompting it to come to the SC in appeal.

Rap for govt

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