

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.2676 OF 2002

New Delhi, this the 18th day of August, 2003

HON'BLE SHRI SHANKER RAJU, JUDICIAL MEMBER
HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

R.A. Bhatnagar
(Retired SDE)
DG-1063,
Sarojini Nagar,
New Delhi-110022.

....Applicant

(By Advocate : Shri S.N. Anand)

Versus

1. The Secretary
Ministry of Communications
(Department of Telecom.)
Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110001.
2. Member Service
Department of Telecom.
Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110001.
3. Assistant Director General (Vig.II)
Department of Telecom.
West Block-I, Wing 2,
R.K. Puram, Sector 1,
New Delhi-110066.
4. The Chief General Manager (Telecom.)
UP (West) Telecom. Circle
Dehra Dun -248001.

.....Respondents


(By Advocate : Shri V.S.R. Krishna)

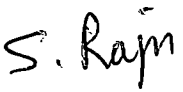
ORDER (ORAL)

SHRI SHANKER RAJU, JUDICIAL MEMBER:

After hearing the parties, in view of the Rule 11 (3) of CCS (CCA) Rules, as the punishment imposed is a major penalty, treatment of suspension has not been spent on duty cannot be faulted. In so far as the other relief of arrears of subsistence allowance at the rate of 75% from 22.4.1997 to 12.3.1999 is concerned, in view of Rule 10 (5) of CCS (CCA) Rules and as per the provisions of FR 54, it is incumbent

upon the Govt. to consider revision of subsistence allowance upto 75%. As the same has not been done, the OA is partly allowed. Accordingly the respondents are directed to consider the review of the subsistence allowance of the applicant not exceeding 75% from 22.4.1997 to 12.3.1999 in accordance with law and pass a detail and speaking order in this regard within a period of three months from the date of receipt of a copy of this order. The applicant is entitled to consequential allowances as admissible to him in accordance with law.


(R.K. UPADHYAYA)
ADMINISTRATIVE MEMBER


(SHANKER RAJU)
JUDICIAL MEMBER

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