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Central Administrative Tribunal
Principal Bench, New Delhi

R.A.246/2002 IN OA No.2110/2000

This the 24th day of June, 2003

HON'BLE SHRI GOVINDAN S.TAMPI, MEMBER (A)

B.M.Bhardwaj

...Applicant

(By Advocate: Shri N.L.Bareja)

Versus

UOI/M/o of Youth Affairs & Sports & Ors.

..Respondents

(By Advocate: Shri M.M.Sudan)

O R D E R

RA-246/2002 has been filed by the respondents in the OA seeking the recall and review of Tribunal's order dated 14.12.2001 issued while disposing of OA-2110/2000.

2. OA-2110/2001 filed by Shri B.M.Bhardwaj seeking the special increments connected with participation in sports events was disposed of by this Tribunal on 14.12.2001 with the following observations:-

"6. In its view of this matter the O.A. succeeds partially and is accordingly disposed of while endorsing as correct the grant of one increment only granted vide the impugned order dated 20.1.2000 as it related to one event only. I direct the respondents to grant the applicant two more increments from 1994 and 1995 at the rates on relevant dates with due revision in the revised scale after adoption of the 5th Pay Commission recommendations. Respondents shall work out the amount to be paid in the above manner and adjust the excess payments if any made or make good the deficiency if any. This shall be made done within a month from the date of receipt of a copy of this order. No costs."

3. Respondents moved the Hon'ble Delhi High Court in CW-5008/2002 which was disposed of on 16.8.2002. The

Hon'ble Delhi High Court had observed that the OM dated 11.8.1994 had not been brought to the notice of the Tribunal, which justified the filing of the review application. Notices were issued to the respondents in RA (applicants in the OA) and both were heard.

4. It is pointed out by the review applicants that the original applicant got undue favour from this Tribunal by misrepresentation of facts and also on account of non-production of specific documents. It is indicated that one of the events, which is referred to by the applicants - National Boxing Championship - described to have been held in Calcutta in 1994 had not in fact taken place and secondly, the grant of second increment in respect of participation as judge/referee in the National Boxing Championship held in Jaipur was hit by the instructions of 11.8.1994. In view of the above, the order calls for re-examination according to the review applicants. The respondent in the RA (original applicant) reiterates his stand.

5. While passing the order dated 14.12.2001, the Tribunal had kept in mind the facts brought on record by the original applicant. ^{It is now} ~~and~~ found that the Boxing Championship, which is stated to have taken place in Calcutta, is shown as not having in fact been conducted, as clearly brought out in the letter No.IABF/GEN/2001-02/796 dated 4.3.2002 from Indian Amateur Boxing Federation. Similarly, the latest instructions of the Govt. of 1994 had not been considered in terms of the said OM dated 11.8.1994 of

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Deptt. of Personnel & Training, wherein it is clearly mentioned that no incentive will be allowed to those referees/umpires, who performed such duties at the national level. In view of the above, it is clear that the said increment also was not available and the original applicant was entitled only for one said increment which had in fact been given.

6. In the above circumstances, I recall my order dated 14.12.2001 vide which the OA-2110/2000 was allowed and in terms of my observations (supra), I dismiss the OA-2110/2000.

7. RA-246/2002 is disposed of accordingly.

/sunil/

(Govindan S. Tampi)
Member (A)