

(11)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A.1825/91 with O.A.1848/91

Date of decision: 10.4.92

S.D.Kinra

.. Applicant

Versus

Union of India & ors.

.. Respondents.

Applicant in person

Sh.M.L.Verma

.. Counsel for the  
respondents.

CORAM:

The Hon'ble Sh.Justice Ram Pal Singh, Vice Chairman(J)  
The Hon'ble Sh.I.P.Gupta, Member(A).

J U D G E M E N T

(Delivered by Hon'ble Sh.I.P.Gupta, Member(A) ).

The above two O.As. are being dealt with together as they raise issue which are connected. The applicant has sought the relief on two counts.

- i) Reimbursement of U.S. Dollars 48.50 spent by him in excess of the advance given by the Embassy over transportation charges of the Director, Ministry of Tourism in Chicago, on her visit to Chicago, where the applicant was posted.
- ii) Reimbursement of R.G. grant of U.S.Dollars 132.87 recovered from him while he was at Chicago.

2. In regard to relief (i), it may be mentioned that the Embassy of India was requested by the respondents to arrange to receive the Director, Ministry of Tourism at the Airport. The <sup>Counsel</sup>~~Counsellor~~ General of India handed over the telex to the applicant and reportedly gave further instructions that the applicant should look after her till she <sup>left</sup>~~leave~~ Chicago. The applicant was given an advance of U.S. Dollar 100 but he contends that the total expenditure came to U.S. Dollars 148.50

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vide annexure A-2. Therefore, he has requested for reimbursement of the additional amount of 48.50 dollars. The learned counsel for the respondents argued that the claim is belated as it pertains to the year 1986 and the application is filed in 1991. While there is weight in the arguments of the respondents the point remains that as late as 12.9.90 the applicant<sup>c</sup> was asked to furnish a copy of his application dated 7.3.89 to enable the department to consider his case with regard to conveyance charges. The application was filed within one year of this communication of 12.9.90.

3. It is not proper for us to take a view as to what conveyance charges are admissible according to rules and what not. The details of conveyance expenses have already been furnished by the applicant. We, therefore, direct that his claim should be considered within the rules within a period of three months from the date of receipt of a copy of this order and reimbursement, as admissible may be made accordingly.

4. As regards the second claim, namely, reimbursement of the recovery of U.S.Dollars 132.87, it may be mentioned that the respondents have taken the plea that the admissible R.G. for the year 1986-87 was only Dollar 1500 and the applicant should have confined himself within that amount during the year. If he exceeded that limit it was his responsibility if such a thing was not done with prior approval.

5. The applicant, however, contends that the expenditure under R.G. incurred by him during 1986-87 was 137.39


L. M. H.

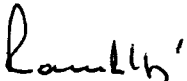
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only and therefore, he had not exceeded the limit of 1500 since even after <sup>adding</sup> ~~erring~~ R.G. for March, 1987 to the total of <sup>1377.39</sup> ~~137.39~~ <sup>at</sup> ~~after~~ February, 1987 the total came to 1482 only which was well within 1500. In this connection pages 22-23 of the application would refer. As regards limitation, here again the applicant was told <sup>only</sup> on 12.9.90 that he has exceeded the prescribed limit <sup>me</sup> of R.G. U.S. Dollar 1500.

6. Since the contention of the applicant is that he had not exceeded U.S.Dollar 1500, we would direct the respondents to have the details of amounts reported to have been spent by him under R.G. grant during 1986-1987 as furnished on pages 22-23 ~~should be~~ <sup>get</sup> <sup>get</sup> got examined and if after such examination it is found that the claims of the applicant were within the admissible amount, according to the rules, the recovery made should be refunded.

7. With the above directions the two O.As are disposed of with no order as to costs.

  
(I.P.GUPTA)  
MEMBER(A)

  
(RAM PAL SINGH)  
VICE CHAIRMAN(J)