

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI



O.A. No. 2871

of 1992 Decided on: 27.1.98

S.C. Khatri & Ors.

Applicant(s)

(By Advocate: R.L.Sethi)

VERSUS

U.O.I. & Ors.

Respondents

(By Advocate: None)

CORAM

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. To be referred to the Reporter or not? YES
2. Whether to be circulated to other Benches of the Tribunal? NO



(S.R. ADIGE)
VICE CHAIRMAN (A)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No. 2871 of 1992

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New Delhi, dated the 27th January, 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. S.C. Khatri,
U.D.C.,
O/o Dy. Secretary (Coord.),
BBMB,
47, kaka Nagar,
New Delhi-110003.
2. B.D. Gupta, U.D.C.
3. A.C. Kurian,
SDO, S&T S/Div.,
BBMB, 400 KV,
S/Stn., Prem Nagar,
Bhiwani (Hy.)
4. D.K. Tayal,
J.E., S&A Div. BBMB,
400 KV S/Stn.
Prem Nagar,
Bhiwani.
5. B.D. Bhagat,
U.D.C.,
O/o Executive Engineer,
S&A Div.,
BBMB,
400 KV, S/Stn.,
Prem Nagar,
Bhiwani (HY.)
6. Gopi Ram Chaliha,
U.D.C.,
O/o the E.E. S&A Div.,
BBMB,
400 KVS/Stn.,
Prem Nagar,
Bhiwani (Hy.)
7. M.K. Jain,
U.D.C.,
O/o E.E., O&M Div.,
BBMB, Prem Nagar,
Bhiwani (Hy.)
8. Shri Pal Peo n,
O/o E.E., S&A Div.,
BBMB, Prem Nagar,
Bhiwani (Hy.),
9. Bhagat Singh,
Peon,

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10. A.K. Arora,
J.E.
11. Y.K. Rathi,
U.D.C.,
12. L.N. Yadav,
U.D.C.
13. S.D. Yadav,
J.E.,
14. Satish Sharma,
L.D.C.,
15. Jagdish Kumar Jain,
16. Shri H.S. Meel, A.E.
17. Sayeed Akhtar, A.E.
18. Rajveer Singh,
J.E.,
19. Lal Chand Sharma,
U.D.C.

.... Applicants

(By Advocate: Shri R.L.Sethi)

VERSUS

1. Union of India through
the Secretary (Power),
Ministry of Power,
Shram Shakti Bhawan,
Rafi Marg,
New Delhi.
2. The Secretary,
Bas Construction Board,
45, Kaka Nagar,
New Delhi-110003.
3. The General Manager,
Beas Project, Sector-19B,
Madhya Marg, BBMB Offices Complex,
Chandigarh.
4. Chief Engineer (Irrg.),
Rajasthan,
Jaipur

... RESPONDENTS

ORDER (Oral)

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

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Applicants pray for a direction to Respondents to arrange payment of Beas Project Compensatory Allowance (BPCA) at rates mentioned as per instructions issued by respondents in their order dated 21.12.90 with penal interest @ 18% p.a. on delayed payment.

2. We have heard Shri R.L. Sethi. None appeared for the respondents even on the second call.

3. This is an old case and therefore, we are proceeding to dispose it of after hearing Shri Sethi and perusing the available materials on record.

4. Shri Sethi has invited our attention to Respondents' own reply dated 1.3.93 wherein it has been stated that payment of BPCA to the Rajasthan Govt./Rajasthan State Electricity Board employees who joined Beas Construction Board after 14.9.92 and who opted ~~for~~ BPCA would be made by the Rajasthan Govt. through the Beas Project, ~~thus~~ ^{Thus} the payment was to be made ~~1~~ after the necessary funds were placed at the disposal of Beas Project by the Rajasthan Govt./RSEB.

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5. In this connection Shri Sethi has further invited our attention to Respondents' order dated 17.3.92 (Ann. A-8) of M.A. No. No.1366 of 1994 intimating that an amount of Rs.5.50 lakhs had been received by BCB for making payment of Compensatory Allowance to the remaining petitioners. This fact has also been stated by Respondent No.4 in their reply dated 19.3.93.

6. Shri Sethi states that the aforeaid Compensatory Allowance has not yet been paid to his clients so far.

7. We dispose of this O.A. with a direction to Respondent No.2 & 3 to consider releasing the aforesaid Compensatory Allowance to the applicants in accordance with rules and instructions, within three months from the date of receipt of a copy of this order. While considering the same, if the respondents find that the applicants are not entitled to the same, they will record ~~the~~ detailed reasons ~~for~~ their decision, and in case any grievance still survives it will be open to the applicant to agitate the same through appropriate original proceedings in accordance with law, if so advised.

8. This O.A. stands disposed of in terms of Para 7 above. No costs.

Lakshmi Swaminathan
(Mrs. Lakshmi Swaminathan)

Member (J)

S.R. Adige
(S.R. Adige)
Vice Chairman (J)

/GK/