

(8) 1/9

Central Administrative Tribunal
Jodhpur Bench, Jodhpur.

Date of Order : 29.8.96

OA 342/1995

Prabhu Ram Sharma

..

Applicant

Versus

Union of India & Ors.

..

Respondents

Mr. Bharat Singh, Counsel for the applicant.

Mr. V.S. Gurgar, Counsel for respondents No. 1 to 4.

CORAM :

Hon'ble Mr. S.P. Biswas, Administrative Member.

BY THE COURT :

The applicant, Assistant Farm Manager of the Central Sheep and Wool Research Institute, Arid Region, Bikaner, is highly aggrieved on account of non-receipt of CCA and HRA w.e.f. 9.1.94 to 12.7.95 i.e. for a period of 18 months.

2. Heard the counsel for the parties.

During the course of arguments, learned counsel for the applicant mentioned that the applicant has been sanctioned study leave from 13.7.93 to 12.7.95 and has been paid the House Rent and CCA Allowances from 13.7.93 to 8.1.94. As per counsel for the applicant in terms of para 60 of the Central Civil Services (Leave) Rules, 1972, the applicant is entitled to allowances on both heads beyond 180 days. The case of the applicant is that though he has submitted the required forms to receive the allowances, he has not been getting them, particularly after January'1994.

3. Learned counsel for the respondents submits that there is no question of respondents refusing to give him CCA provided the applicant submits a certificate in terms of para 8 (d) of HRA CCA Rules as prescribed by Govt. of India. (Available at pages 26 and 27 of Swamy's Compilation Rules). Learned counsel also submits that on receipt of details in this proper form, the respondents will have no difficulty to reimburse the claim even on retrospective basis. Thus, the problem for the CCA remains solved.

4. In respect of HRA, it is seen that the applicant was required to sign a bond at the time he proceeded on study leave. As per para 2(ii) of Office Order dated 20.12.93, it has been stipulated that the

allowances will be given to the applicant after he ^{has} ~~complied~~ with the details as per the bond under the CCA Rules. The applicant has to submit the certificate as provided at Ann.A/5. The said certificate has to be in specific form as laid down by the respondents. From the pleadings, it appears that the applicant in the instant case has submitted the certificate in regard to HRA in a manner not prescribed. The counsel for the applicant takes the responsibility of correcting the situation. If he does so, the respondents would be in a position to consider the same, assures counsel for the respondents. This may be done within a period of 3 months from the date of receipt of a copy of this order.

5. The application is disposed of accordingly. There shall be no order as to costs.


(S.P. Biswas)

Administrative Member

Savita