

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 10 Apr 1909

APPLICATION NO (S) 327 / 89(F)

W.P. NO (S) _____

Applicant (s)

Respondent (s)

Shri Suresh K.S.

v/s

The Accountant General (Audit-I), Karnataka,
Bangalore & 2 Drs

To

1. Shri Suresh K.S.
1648, 2nd Cross
Nagappa Block
Ramamohanpuram
Bangalore - 560 021

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/87xx/XXXXXX passed by this Tribunal in the above said application(s) on 31-3-89

for Clerk of Court
dc DEPUTY REGISTRAR
(JUDICIAL)

Encl : 6s above

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE THIRTY FIRST MARCH, 1989

Present : Hon'ble Shri Justice K.S.Puttaswamy ... Vice-Chairman

Hon'ble Shri P. Srinivasan ... Member (A)

APPLICATION NO. 329/89(F)

Suresh K.S.
1648, Nagappa Block,
2nd Cross,
Ramamohanpuram,
Bangalore-560 021.

... Applicant

v.

1. Accountant General (Audit-I)
Karnataka,
Residency Park Road,
Bangalore-560 001.
2. Pay & Accounts Officer,
Indian Audit & Accounts Dept.
C/o Accountant General (Accounts)
Residency Park Road,
Bangalore-560 001.
3. Comptroller & Auditor General
of India,
10, Bahadur Shah Zafar Marg,
New Delhi - 110 002.



This application came up for admission before this Tribunal today. Hon'ble Member (A) Shri P. Srinivasan made the following:-

O R D E R

The applicant who was working as an Assistant Accounts Officer in the Office of the Accountant General upto the year 1986-87 took retirement from Government service on 3.3.1987 on his absorption in a public sector undertaking. The Government announced a scheme of payment of ad hoc bonus payable to its servants for the year 1986-87 which was on the same lines as similar bonus sanctioned for the first time in the year 1982-83.

P. Srinivasan

Though the applicant was working in the Government till 3.3.1987 during the financial year 1986-87, the bonus of Rs.1,183 paid to him in respect of the year 1986-87 was subsequently recovered from him.
is
The applicant who aggrieved with this action prays in this application that the respondents should be directed to draw and disburse ad hoc bonus for the year 1986-87 to him. The applicant presented his case himself. He submitted that for virtually the full year 1986-87 he was in service and merely because he was not in service on the last date of the financial year he should not have been denied bonus. He drew attention to a clarification issued by the Government in respect of similar bonus for the year 1982-83 in which it was stated that "employees who resigned, retired from service or died before 31.3.1987", were "not eligible, however, as a special case the persons who superannuated or died before 31.3.1987 but after completing at least six months regular service during 1982-83 will be eligible for ad hoc bonus". Since the applicant had completed more than six months of regular service in the year 1986-87 before he retired on 3.3.1987 he was eligible for ad hoc bonus for that year.

2. We have given the matter careful thought. It must be mentioned that ad hoc bonus has been sanctioned to government servants from the year 1982-83 onwards as a special benefit subject to certain conditions. When a person claims a benefit thus given



he has to strictly comply with the conditions prescribed therefor. We may in this connection extract one of the conditions for grant of ad hoc bonus for 1986-87 set out in O.M. dated 3.3.1987 issued by Department of Expenditure (page 9 of the application): "only those employees who were in service on 31.3.1987 and have rendered at least six months of continuous service during the year 1986-87 will be eligible for payment under these orders". So far as the clarification relied on by the applicant is concerned, it will be immediately noticed that relaxation of the above condition is given only in respect of persons who superannuate or die before the end of the financial year. A person is said to superannuate from service when he retires in the normal course after attaining the age of superannuation. That was not the case here. The applicant retired well before the date of his attaining the age of superannuation. The relaxation relied on by him is, therefore, clearly not applicable to him. It is unfortunate that for having retired 28 days before the close of the financial year he has been denied bonus for the full financial year. It is upto the Government to consider whether in such cases some relief by way of prorata bonus could be given. However, as we have already stated the applicant not having strictly fulfilled the condition for grant of benefit of ad hoc bonus we are not in a position to accept his claim.

3. In the view we have taken above the application is rejected at the admission stage.

for consideration
DEPUTY REGISTRAR (JULY 1987)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

Sd/-

VICE CHAIRMAN 21/1

Sd/-
MEMBER (A)