

(02)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. NO: 507/91 199

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DATE OF DECISION 16-09-1991

Shri Jayarajan V & 26 others Petitioner

..

Advocate for the Petitioners

Versus

Union of India & Others Respondent

Shri V. M. Pradhan Advocate for the Respondent(s)
for Shri P. M. Pradhan

CORAM:

The Hon'ble Mr. M Y PRIOLKAR, MEMBER (A)

The Hon'ble Mr. T C REDDY, MEMBER (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? *Yes*
2. To be referred to the Reporter or not ? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement ? *No*
4. Whether it needs to be circulated to other Benches of the Tribunal ? *No*

[Signature]
MEMBER (A)

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(53)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, "GULESTAN" BUILDING NO.6
PRESCOT ROAD, BOMBAY - 400 001

OA No. 507/91

Shri Jayarajan V.
Senior Engineer
Bombay Central
Sub-Division I/VI
CPWD, CGO Complex;
7th floor; Block A-2;
New Bombay 400614
AND TWENTY SIX OTHERS

..Applicants

V/s.

1. Executive Engineer
Bombay Central Division VII
CPWD, Block No.29
C G S Quarters
Sector VII, Bombay-37
2. Executive Engineer
Bombay Central III
CPWD, Block No.29
CGS Quarters
Sector VII Bombay-37
3. Director General of Works
CPWD, Min. of Urban Develop-
ment, Nirman Bhavan,
New Delhi
4. Union of India
through Secretary
Ministry of Urban Development
Govt. of India
New Delhi

..Respondents

Coram: Hon.Shri M Y Priolkar, Member (A)
Hon.Shri T C Reddy, Member (J)

APPEARANCE:

Shri V M Pradhan
for Shri P M Pradhan
Counsel
for the Respondents

ORAL JUDGMENT

DATED: 16.9.1991

(PER: M Y PRIOLKAR, MEMBER(A))

The applicant and staff members of CPWD Bombay Central Sub-Divisions 3 and 7, CPWD located at CGO building, New Bombay, have filed this joint application. Their grievance is that the C.B.D. area of New Bombay where the office of applicants is located is not included in any of the categories for classification of a city such as A, B, C for the purpose of payment of City Compensatory Allowance (CCA), even though

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for the purpose of paying HRA the entire New Bombay is considered as Class A city along with Bombay City.

2. For a similar grievance, the staff members of Central Administrative Tribunal, New Bombay Bench, New Bombay had approached the Tribunal and the case was decided by Hon. Justice Amitav Banerjee, Chairman, CAT, vide his judgment delivered on 14.12.1989 in OA No.62/88. In the judgment delivered on 14.12.1989 the order dated 22.12.1987 issued by the Government of India, Department of Personnel and Training for not paying CCA to the CAT staff at New Bombay was quashed and Government was directed to pay CCA to that staff at the same rate as was being paid to the Central Government employees in Greater Bombay.

3. In that judgment, which was delivered after considering all arguments and counter arguments and documents on record produced by the applicants and respondents, it has been observed that denial of CCA to one Central Government department while paying to another is discrimination between one department and another department of the same Government. This observation was on the basis that the employees of Railways and P&T working in New Bombay were being treated differently in the matter of CCA.

4. We are in respectful ~~xxx~~ agreement with the above judgment of Hon. Shri Justice Amitav Banerjee, Chairman of the Central Administrative Tribunal.

5. We, therefore, direct the respondents to pay CCA to the applicants and all the other eligible staff members of CPWD employed in New Bombay with effect

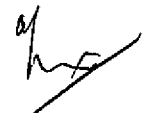
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from the date of filing of this application viz.,
26th July, 1991. There would be no order as to
costs.

T. Chandrasekhar
(T C REDDY)
MEMBER (J)


(M Y PRIOLKAR)
MEMBER (A)