

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

Contempt Petition No.32/2000  
in  
Original Application No.821/91.

Dated this Wednesday the 28th Day of August, 2002.

Hon'ble Shri Justice Birendra Dikshit, Vice Chairman  
Hon'ble Smt. Shanta Shastry, Member (A).

Shri P.A. Prabhakaran,  
Resident of,  
11, Ail Laxmi, D.M. Cross Road,  
Dahanukar Wadi, Kandivli (West),  
Mumbai - 400 067. ...Petitioner.

( In Person ).

Versus

Shri Ravi Kant,  
Chairman,  
Central Board of Direct Taxes,  
Department of Revenue,  
Ministry of Finance,  
North Block, New Delhi-110001. ...Contemner.

( By Advocate Shri P.M. Pradhan ).

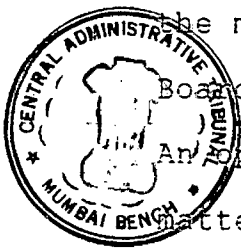
Order on Contempt Petition (Oral)  
{ Per : Smt. Shanta Shastry, Member (A) }

The applicant who retired as Assistant Commissioner of Income Tax filed O.A.No.821/91 claiming a reward or incentive under the Circular of Reward Scheme of Government of India dated 6.11.1985. The O.A. was heard and decided on 5.4.1999 with a direction that Central Board of Direct Taxes shall consider the claim of the applicant for ex-gratia reward under Rule 5(3) and 5(7) and then pass appropriate orders as it deems fit in the light of the observations made in para 15 of the judgment. It was also stipulated that the decision should be taken preferably within a period of 4 months

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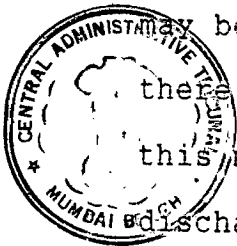


from the date of receipt of a copy of the order. Thereafter since the respondents did not comply with the orders, the applicant filed Contempt Petition No.32/2000. A notice was issued to the respondents on the Contempt Petition and the matter was heard at great length. Applicant appeared in person. Respondents informed that applicant's case had been examined as directed by the Tribunal, however, the applicant's case could not be considered favourably as the rules did not permit it. When the matter came up for hearing on 8.3.2002, the Tribunal once again wanted to make sure that as required the matter had been actually considered by the Central Board of Direct Taxes and not by just one of the Members. An opportunity was given to the officers to look into the matter afresh within 6 weeks from the date of receipt of a copy of the order dated 8.3.2002. Thereafter now the respondents submit that the applicant's case was examined thoroughly in terms of the observations made in the original judgment in O.A.821/91 and the Board of Direct Taxes decided that the applicant is not entitled to the reward or incentive. Learned counsel for respondents, Shri P.M. Pradhan has produced a copy of the Minutes of the Board Meeting held on 1.5.2002 at 3:00 PM in the chamber of Chairman, Central Board of Direct Taxes to consider the reward to the applicant for his search and seizure work on 16.9.1985. The Board held that the applicant's case is not covered by any of the Rules i.e. 5(iii) or 5(7) of the Scheme. The grant of rewards after



1.4.1985 is exclusively governed by the Scheme of 1985 and since the applicant's work was after that date, he could not be given any reward. They have also explained that in the case of another Assistant Commissioner of Income Tax, Shri Uchilla, the rules were not applicable as there were no rules at the relevant time in 1982.

2. We have heard the applicant in person again. We find that as directed by this Tribunal after prolonged delay, the respondents have duly considered the case of the applicant from all angles and have not found it fit within the rules to grant reward to the applicant. We have, therefore, to hold that the respondents have complied with the directions of the Tribunal, whatever



may be the result. Therefore, it cannot be said that there is any contempt committed by the respondents in this matter. Accordingly the contempt notice is discharged, proceedings are dropped and the Contempt

Petition is dismissed, with no order as to costs.

**Certified True Copy**  
Date ..16/10/2001..

CAT/MUM/JUDL/OA 821/2001/7315

Dated : 14/10/01

Copy to :

**Section Officer**  
**Central Admn. Tribunal**  
**Romhav Branch**

1. Shri P.A. Prabhakaran, Applicant in person.  
11, Ail Laxmi, D.M. Cross Road, Dahanukar Wadi,  
Kandivli (West), MUMBAI - 400 067.

2. Shri P.M. Pradhan, counsel for the Respondents.

*Bony*  
**SECTION OFFICER.**

Despatched on.....16/10/01.....

*[Signature]*  
**DESPATCHER**