

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

O.A.1564/93.

Dt. of Decision : 30.5.94.

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I. Sambasiva Rao

.. Applicant

Vs

1. Union of India, Rep. by its Secretary, Ministry of Defence, New Delhi.
2. The Scientific Adviser to the Minister of Defence & Directorate of Research & Development, Dte. of Personnel, Ministry of Defence, DHQ PO New Delhi.
3. The Director, DLRL, Defence Electronics & Research Laboratory, Chandrayanagutta Lines, Hyderabad - 500 005.

.. Respondents.

Counsel for the Applicant : Mr. K. Sudhakar Reddy

Counsel for the Respondents: Mr. V. Bhimanna, Addl.CGSC.

CORAM:

THE HON'BLE SHRI A. B. GORTHI : MEMBER (ADMN.)

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To

1. The Secretary, Ministry of Defence,
Union of India, New Delhi.
2. The Scientific Adviser to the Minister of Defence
and Directorate of Research & Development,
Dte. of Personnel, Ministry of Defence,
DHQ PO, New Delhi.
3. The Director, DLRL, Defence
Electronics Research Laboratory,
Chandrayanagutta Lines, Hyderabad-5.
4. One copy to Mr.K.Sudhakar Reddy, Advocate, CAT.Hyd.
5. One copy to Mr.v.Bhimanna, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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The applicant, an employee of the Defence Electronics Research Laboratory, Hyderabad was placed under suspension on 4.8.76. He is in receipt of subsistence allowance. His claim in this OA is for a direction to the respondents to pay him bonus which was due to him from the year 1982-83 to 1992-93.

2. The respondents in their reply affidavit have clarified that during 1983 the Government decided to grant adhoc bonus to those Central Government employees who are not covered by the Productivity Linked Bonus Scheme. The respondents have relied on Ministry of Finance memo dated 8.3.84 which clarified that subsistence allowance given to an employee under suspension cannot be treated as "emoluments". Such an employee would become eligible for the benefit of adhoc bonus if and when reinstated with the benefit of "emoluments" for the period of suspension.

3. The applicant, in support of his claim placed reliance on a letter dated 15.9.84 issued by the D.G.P&T, New Delhi. It is needless to examine the content of this letter as it would have no application to the employees of the Defence and Research Organisation. As the applicant herein is an employee of the D.L.R.L., the clarification issued by the Ministry of Finance vide its letter dated 8.3.84 would apply.

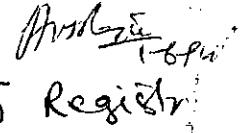
4. In view of the above we see no merit in the OA and the same is hereby dismissed. No costs.


(A.B. GORTHI)
Member (Admn.)

Dated : 30th May, 1994

(Dictated in Open Court)

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Deputy Registrar

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(AD)

AND

THE HON'BLE MR.TCCHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMN)

Dated: 30-5-1994

ORDER/JUDGMENT

M.A/R.A/C.A/No.

in

O.A.No. 1564/93

T.A.No. (w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

