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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1382/2003

This the 29th day of October, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Shri C.H. Sharma,
U.D.C. (Retd.),
Office of the Dy. Commissioner,
Govt. of Delhi,
R/o Village & P.O. Kharawar,
Distt. Rohtak,
Haryana.

-Applicant.

(By Advocate: Sh. B.S. Mainee)

Versus

Govt. of N.C.T. of Delhi: through

1. The Lt. Governor,
Govt. of N.C.T. of Delhi,
Delhi Secretariat,
New Delhi.
2. The Chief Secretary,
Govt. of N.C.T. of Delhi,
Delhi Secretariat,
New Delhi.
3. The Secretary (Finance),
Govt. of N.C.T. of Delhi,
Delhi Secretariat,
New Delhi.
4. The Secretary,
Ministry of Health,
Govt. of N.C.T. of Delhi,
New Delhi.
5. The Dy. Controller of Accounts,
Office of the Principal Pay and Accounts Officer,
Govt. of N.C.T. of Delhi,
Vikash Bhawan, Near I.T.O.,
I.P. Estate, New Delhi.

-Respondents

(By Advocate: Mrs. Sumedha Sharma)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Applicant has filed this OA seeking a relief that the respondents be directed to implement the Vth Pay Commission with regard to the payment of fixed medical allowance of

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Rs.100/- p.m. to the applicant who has retired from the Govt. of NCT of Delhi from the date it was due according to the accepted recommendation of the Vth Pay Commission.

2. Applicant had retired as UDC from the office of the Dy. Commissioner, Govt. of NCT of Delhi on 30.6.1993 and after his superannuation he is residing at village & P.O. Kharawar, Distt. Rohtak, Distt. Haryana. It is further submitted that in accordance with the recommendations of the Vth Pay Commission, Central Govt. has granted the medical allowance at Rs.100/- p.m. to the pensioners who are settled at a place where CGHS medical facilities are not available. This allowance is meant only for day to day treatment of the pensioners and for indoor treatment he is entitled for full reimbursement of the Medical charges incurred in a recognized Hospital.

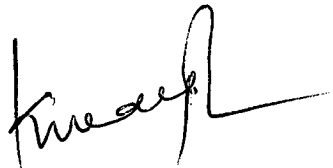
3. It is further stated that since the same scheme is not made available to the Delhi Govt. despite the fact that the recommendations of the Vth Pay Commission have been accepted, applicants made certain representations but to not effect. Applicant further alleges that such recommendations have been accepted. Applicant is also entitled to Rs.100/- p.m. for day to day expenses.

4. Respondents are contesting the OA. Respondents in their reply pleaded that there is a proposed scheme for employees of Delhi Govt. ^{which is} under process. In the draft scheme following provision has been mentioned for fixed medical allowance will be granted as per CGHS to the retired persons/pensioners residing in area not covered by the scheme. It is submitted that said scheme is not approved by the competent authority and it is still under process.

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5. In these circumstances, it is clear from the reply that the respondents have yet to take any decision or to formulate a scheme for paying fixed medical allowance for day to day reimbursement of expenses to employees which is at par with the CGHS scheme. In these circumstances, OA can be disposed of with a direction to the respondents to formulate a scheme as expeditiously as possible ^{in any case be} within a period of 6 months.



(KULDIP SINGH)
Member (J)

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