

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A./T.A. No. 1074/95 /19 Decided on: 20.2.1996

A.A. Ansari APPLICANT (S)
(By Shri S.Y. Khan Advocate)

VERSUS

U.O.I. & Ors. RESPONDENTS
(By Shri V.S.R. Krishna Advocate)

CO RAM

THE HON'BLE SHRI S.R. ADIGE, MEMBER (A)

THE HON'BLE ~~SHRI~~ / ~~XXX.XXX.~~ XXXXXXXX

1. To be referred to the Reporter or not? Yes
2. Whether to be circulated to other Benches of the Tribunal? No

S.R. ADIGE
(S.R. ADIGE)
Member (A)

(F)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No. 1074/95

New Delhi: this the 20 February, 1996.

HON'BLE MR.S.R.ADIGE, MEMBER(A)

Mr. Abdul Aziz Ansari,
S/o Mr. Idu Ansari,
R/o Q.No.2,
Laxmi Bai Nagar,
New Delhi - 110 023

.....Applicant.

By Advocate Shri S.Y.Khan.

Versus

Union of India through
the Secretary, Ministry of Information &
Broadcasting,
Govt. of India,
Shastry Bhawan,
New Delhi.

2. Director General,

All India Radio,
Akashwani Bhawan,
Parliament Street,
New Delhi - 1100 01

.....Respondents.

By Advocate Shri V.S.R.Krishna.

JUDGMENT

Hon'ble Mr. S.R.Adige, Member (A).

I have heard Shri Khan for the applicant
and Shri Krishna for the respondents.

2. The applicant claims Training Allowance
@ 15% of his basic pay for working as faculty
member of Staff Training Institute (Programme) of AIR
New Delhi w.e.f. 17.6.93 to 23.10.94.

3. DPAI's O.M. dated 9.7.92 lays down that Govt.
employees joining training institution meant for
training Govt. officials as faculty members, other

A

than as permanent faculty members would be entitled to Training allowance @ 15% of their basic pay. Paragraph 3 of this O.M. further clarifies that it applies to those who are working as faculty members in training institutions.

4. The respondents do not deny that the applicant was posted to Staff Training Institute (Programme) vide order dated 14.6.93 (Annexure-II), which admittedly is a training institution, and in which the applicant has performed his duties as a faculty member by giving lectures. In fact, he has filed a copy of the training programme for the foundational course for Broadcasting Officers for the period 4.4.94 to 16.4.94 in which he was the Course Director. Details of his participation as Instructor, Director, Lecturer etc. and other programmes have also been filed.

5. It appears that the reason why the respondents have denied him the Training Allowance is because his posting in STI(P) AIR, New Delhi did not have the clearance of the duly constituted Screening Committee, ^{set up} for the purpose, and because his posting in STI(P) was on an informal request received from him for retention at Delhi.

6. If in the background of DPAT's O.M. dated 9.7.92 the applicant has worked as faculty member in STI(P), a fact which the respondents have not denied, he cannot legitimately be refused the Training Allowance at the rates admissible, for the duration he worked, merely because the Screening Committee's approval was not taken. For the duration he did work as Faculty Member in STI (P) AIR, New Delhi

91

he would be entitled to the Training Allowance at the prescribed rates.

7. Under the circumstances, this OA is allowed and the respondents are directed to release the Training Allowance at the prescribed rates to the applicant for the period he worked as faculty member in STI(P) AIR, New Delhi. These directions should be implemented within 2 months from the date of receipt of a copy of this judgment, failing which the respondents will be liable to pay interest @ 12% per annum thereon till the date of actual payment. No costs.

My/19
(S.R.ADIGE)
MEMBER (A).

/ug/