

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 994/2000

New Delhi, this the 23rd day of March, 2001.

Hon'ble Shri M.P.Singh, Member(A),

Shri T.N. Banerjee,
Manager, Govt.of India Press(PLU),
R/o 179 Rouse Avenue,
New Delhi-110 002.

...Applicant.

(By Advocate: Shri K.B.S. Rajan)

Versus

1. The Union of India,
through the Secretary, Ministry of Finance,
Department of Expenditure,
North Block, New Delhi.
2. The Secretary,
Ministry of Urban Affairs & Employment
Norman Bhawan,
New Delhi-110011.
3. The Director,
Dte. of Printing,
'B' Wing, Nirman Bhawan,
New Delhi-110011.

..... Respondents

(By Advocate: Shri H.K. Gangwani)

ORDER (ORAL)

By Shri M.P. Singh, Member (A):-

The applicant has filed this OA challenging the order dated 8.9.1999 (Annexure-1) passed by Respondent No.3 whereby his claim for transport allowance at the rate of Rs.800/- per month from 1.8.1997 till date has been denied.

2. The brief facts of the case are that the applicant is working as Manager, Government of India Press, Minto Road and is provided with the government accommodation at 179, Rouse Avenue, New Delhi. On the recommendations of the 5th Central Pay Commission,



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Government had decided to grant transport allowance to its employees. As per instructions, those employees who are provided with government accommodation within a campus housing, the place of work and residence and those who are provided with the facility of government transport will not be paid the allowance. The distance from the Government of India Press, Minto Road to 179, Rouse Avenue is 1.8 Kms. As such, the applicant chose to claim ~~according to his pay~~ a sum of Rs.800/- per month as transport allowance w.e.f. 1.8.1997, the date from which such transport allowance is applicable to eligible government servants. It is stated by the applicant that while the distance between the place of duty and residence by following the normal route is 1.8. Kms, the same is shorter by virtue of the fact if one way route is followed. Respondent No.3 had earlier referred the matter to CPWD for measuring the exact distance from place of residence to place of duty and vice versa. In addition, they had re-checked the distance through its Manager which is stated as under:-

"179 Rouse Avenue to GIP (PLU) - 1 Km.
Minto Road, New Delhi.

GIP (PLU) to 179 Rouse Avenue, - 1.8. Km.
New Delhi."

Thereafter the respondents had unilaterally decided that the applicant is not entitled to transport allowance on the alleged fact that the distance between place of duty and residence is within 1 Km.


3. Respondents in their reply have stated that the shortest distance between the official residence of the



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The applicant (179, Rouse Avenue) and the Government of India Press, Minto Road is 791 mtrs, while on way back the distance is 1445 mtrs. The matter was also referred to the Ministry of Finance being the nodal Ministry. Ministry of Finance opined that since the residence of Shri T.N. Banerjee is within a distance of 1 Km from the Press, he is not entitled to the travelling allowance. Accordingly, the amount already paid to him on this account be recovered from him. Therefore, the claim of the applicant was turned down.

I 4. Heard both the learned counsel for rival contesting parties and perused the record.

V 5. As per rule, a government servant is not eligible for the grant of transport allowance, if he is provided with government accommodation within the distance of 1 Km. from the place of duty. It is not specified in the rules as to whether a person will be eligible for transport allowance, if he uses the conveyance to reach his office or if he covers the distance by walking. The purpose of granting travelling allowance is to compensate a government servant for the expenditure incurred by him in reaching his place of duty from his residence. In this case it is not in dispute the distance between the place of duty and the residence of the applicant by normal/direct route by using a vehicle is more than 1 Km and, therefore, the applicant is entitled for payment of travelling allowance.



(4)

6. In view of the reasons stated above, the OA is allowed and the respondents are directed to pay the travelling allowance to the applicant w.e.f. 1.8.1997 as per Rules within a period of three months from the date of receipt of a copy of this order. No costs.


(M.P. Singh)
Member (A)

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