

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 270 1988
T.A. No.

DATE OF DECISION 16.2.1988

Shri Dhara Singh Applicant
Petitioner

Applicant in person.

Advocate for the Petitioner(s)

Versus

Director, S.I.S.I, Okhla, New Delhi Respondents
& others

None.

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice K. Madhava Reddy, Chairman

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *Yes*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether to be circulated to all the Benches? *No*

Kaushal Kumar
(Kaushal Kumar)
Member

K. Madhava Reddy
(K. Madhava Reddy)
Chairman

16.2.88

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PRINCIPAL BENCH: NEW DELHI.

REGN. No. O.A. 270/88

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Shri Dhara Singh

.... Applicant

Versus

The Director S.I.S.I
Okhla, New Delhi & Others

.... Respondents.

CORAM:- Hon'ble Mr. Justice K. Madhava Reddy, Chairman
Hon'ble Mr. Kaushal Kumar, Member.

For the applicant Applicant in person

For the respondents None.

(Judgement of the Bench delivered by Hon'ble
Mr. Justice K. Madhava Reddy, Chairman)

The applicant who was initially appointed as a Lower Division Clerk and later on promoted to the post of Upper Division Clerk was asked to take over the charge of Stores from one Shri Sant Lal, Upper Division Clerk vide order dated 16.4.1987 with effect from 20.4.87. A person in charge of stores is allowed special pay of Rs. 70/- per month as sanctioned by the Ministry of Finance, Department of Expenditure Office Memorandum No. F.7(52) E-3/78 dated 5.5.1979 and communicated to the Pay & Accounts Officer (Small Scale Industries) Nirman Bhavan, New Delhi, by the Director, Regional Testing Centre (NR), Government of India, Okhla, New Delhi, on 15.5.1987. It is the grievance of the applicant that now he is being transferred from that

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Deputy

post vide order dated 10.2.1988 which will deprive him of the Special Pay of Rs.70/- per month. Having **been** promoted as Upper Division Clerk, he could be posted either as Upper Division Clerk in-charge of Stores or put in-charge of some other work. Under the aforesaid Memorandum, Special Pay is admissible only to a person put in-charge of Stores. It is not a Special Pay allowed to the applicant as such. He is an Upper Division Clerk and he could claim payment of Rs.70/- per month only so long as he is placed in-charge of Stores and not otherwise. He is not entitled to claim Special Pay as of right nor has he a right to claim that he should be kept in-charge of Stores so that he may get Special Pay. An Upper Division Clerk could be posted to any of the posts so long as it does not affect his scale of pay. The impugned order does not affect the emoluments except in regard to Special Pay. This application is, therefore, without any merit and is accordingly dismissed.



(Kaushal Kumar)
Member



(K. Madhava Reddy)
Chairman

16.2.1988