

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A.2006/92

DATE OF DECISION: 18/1/93

Phool Chandra

.. APPLICANT.

Versus

Union of India &

.. RESPONDENTS.

others.

Sh.M.L.Chawla

.. Counsel for the applicant.

Sh.V.S.R.Krishna

.. Counsel for the respondents

CORAM:

The Hon'ble Sh.Justice Ram Pal Singh, Vice Chairman(J).

The hon'ble Sh.I.P.Gupta, Member(A).

J U D G E M E N T (ORAL)

Learned counsel for the applicant contends that the applicant should be entitled to 30% incentive allowance for instructional work, as provided for in the scheme. He drew our attention to annexure A -2 wherein it has been mentioned that training allowance @ 30% of basic pay drawn, is to be granted to Faculty members who are engaged in instructional work. Learned counsel for the respondents at this stage argued that this incentive allowance obviously was for Faculty members and not for Hindi Officers engaged in instructional work. He further added that even this incentive allowance has since been reduced.

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2. The learned counsel for the applicant further invited our attention to annexure A-1 wherein it has been said that for instructional purposes the services of the Hindi Officers posted to the training centre, shall be utilised. He, therefore, contended that the applicant was so utilised and the recommendation of C.G.M. at annexure A-3 dated 24.5.90 also iterated that the official was gainfully employed in imparting Hindi training for Group 'A' Probationary Officers. This letter of C.G.M. also mentioned about the concurrence of I.F.A. to the proposal of incentive allowance. The fact, however, remains that respondents did not finally issue any order granting incentive allowance to Hindi Officers imparting instructional training. The impugned order at annexure AA, also mention about the ineligibility of Hindi Officers for incentive allowance.

3. Learned counsel for the respondents argued that incentive allowance is given keeping in view the nature of training imparted, qualification of the members imparting the training and other relevant factors. Therefore, he contended that Hindi Officers cannot claim as a matter of right any incentive allowance and grant of such an allowance is not admissible according to any existing instructions of the respondents on the subject.

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4. While the arguments of the learned counsel for the respondents that incentive allowance is granted taking into account the totality of factors has weight, we would suggest for the consideration of the respondents, the grant of such incentive allowance to Hindi Officers imparting instructional training, keeping in view the nature of training being imparted by them and other factors. No direction as such can be given in the matter by the Bench since it would not be appropriate for the Bench to examine the nature of work being done by the Hindi Officers and the Faculty Members and other officers imparting training. The matter is left to the consideration of the respondents themselves with no legal direction as such in the matter. It is for the respondents to take into account factors such as the nature of training imparted by Hindi Officers, the examination conducted by them during the course of the instructional training, the recommendation of the C.G.M, the concurrence of I.F.A. mentioned in annexure A-3 and all other relevant factors.

5. With the above observations the case is disposed of with no order as to costs.

I.P. Gupta
(I.P. GUPTA) 18/1/93
MEMBER (A)

Ram Pal Singh
(RAM PAL SINGH) 18.1.93
VICE CHAIRMAN (J)