

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

(9)

O.A. No. 2018 of 1993.

New Delhi, this the 18th day of April, 1994.

Hon'ble Mr B.N.Dhoudiyal, Member(A).

Shri R.C.Srivastava,
Retired Dy.CSTE/HQ, Northern Railway,
New Delhi. C/O Mr A.P.Srivastava, B-7/50, Safdarjang
Enclave, (in person)
New Delhi 29

Applicant.

vs.

1. Union of India - through Secretary,
Ministry of Railways, Rail Bhawan,
New Delhi.
2. General Manager, Northern Railway,
New Delhi - through
FA & CAO, N.Rly, New Delhi. Respondents.
(through Mr H.K.Gangwani, Advocate)

Order(oral)
(delivered by Hon'ble Mr B.N.Dhoudiyal, Member(A))

The issue raised in this O.A. is whether transfer grant/package allowance is permissible between Noida and New Delhi.

2. The applicant Shri R.C.Srivastava, retired from Railway service on 31.5.1992. He was in possession of Railway Quarter 7B, Railway Board's Flat, Sarojini Nagar, New Delhi, which he vacated on 5.2.1993. He applied for packing allowance due to shifting of his residence to Noida - No.374 Sector -37. His claim was not admitted on the ground that it was not covered under the Rules circulated vide Rly. Boards letter No.F(E)1/87/AL-28/1 dated 9.3.1989.

3. The applicant, who is present in person has contended that there are two routes from Sarojini Nagar to Noida - one via Sarita Vihar bridge and the other via Nizamudin Bridge over Yamuna River. The distance between the Railway Flat at Sarojini Nagar and his house in Sector 37 Noida is 21 KMs via

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Sarita Vihar Bridge and via Nizamuddin Bridge it is about 27 Kms. On the relevant day, goods truck were not allowed to be plied via Sarita Vihar Bridge between 6 A.M. to 8 P.M. Also the truck owners are not plying via this bridge due to payment of heavy road tax/toll tax on the bridge post.

4. Normally, for the purpose of transfer/retirement, the payment of packing allowance, the distance between the nearest railway stations are taken into account.

5. The application is disposed of with the following directions:

i) the respondents shall take into account the distance between the Sarojini Nagar Railway Station, if such journey was possible from that station, or any other Railway station from where such a journey was possible and ^{b/n} Sahibabad, which is stated to be the Railway Station ^{b/n} nearest to Noida.

ii) if the distance between such station is more than 20 K.Ms, the applicant shall be entitled to packing allowance as well as transfer grant. In that case he can also claim expenditure for transporting his goods to his residence from the Railway Station, as permissible under the rules.

iii) it will be open to the respondents to restrict the claims on actual basis.

These orders will be implemented expeditiously and preferably within a period of three months from the date of receipt of the order.

No costs.

B.N.Dhondiyal
(B.N.Dhondiyal)
Member(A)