

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.
O.A.No.98/92

Bhuvneshwar Ram ::::: Applicant

Vs.

Union of India &
Others. ::::: Respondents.

Hon.Mr. K. Obayya, A.M.

Hon. Mr. Maharaj Din, J.M.

(By Hon. Mr. K. Obayya, A.M.)

The applicant, Inspector of Post Offices, Jhansi, has approached this Tribunal aggrieved by the deduction of Rs.13,253.70 from his Travelling Allowance Bills, for the period September 1988 to November, 1989. His claim is that he was entitled for road mileage allowance of Rs.1 per K.M. and instead of that, he was only paid at the rate of Re.0-50 per K.M. which resulted in loss of an amount of Rs.13,253.70 to him. By means of this application the applicant prayed that necessary directions may be issued to the respondents that the amount of Rs.13,253.70 deducted from his T.A. Bills should be paid back to him with interest admissible thereon.

2. The respondents have opposed the case and it is pointed out that the T.A. Bills related to the period prior to 6/9/89 and as such the benefit of increased mileage are not applicable to the case of the applicant. It has also been pointed that as per Note B of Government of India's instructions on this subject, full Road Mileage is admissible only in those cases where travel by road was performed by the Govt. servant in public interest and sanction of the competent authority under supplementary Rule 31 is necessary. According to the respondents, in this case no sanction has been accorded under supplementary

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Rule 31 by the competent authority and as such the amended order dated 6/9/89 is not applicable in this case. It is also pointed out that these bills were passed in accordance with supplementary rule 46 which is applicable to the case of the applicant.

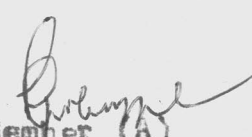
The learned counsel for the applicant stated that the T.A. rules and instructions issued, as contained in annexure to S.R. 46 underwent a change from 18/8/87 and the rates of Road Mileage were revised. Moreover, the applicant ~~never~~ travelled by his Scooter between the places connected by Rail. The mode of transport used by the applicant is also not at all in dispute. The dispute is only regarding the rate of Road Milage.

The counsel for the respondents states that the amount admissible will be half of the prescribed rate or of the actual rate of journey whichever is less in case the journey is performed by taxi/auto rikshaw. The learned counsel for the applicant contended that the journey was performed by the applicant on 2 wheeler which belongs to the applicant and this fact is not in dispute, and as such the rate applicable in U.P. State as per annexure ~~in~~ (A 5) is applicable to the applicant inasmuch as the Govt. has notified the said rate which is prevalent since 1988. Under these circumstances we do not see that there is any reason for reducing the claim of the applicant. The application is allowed and the respondents are directed to verify the T.A.Claim of the applicant and grant him the appropriate amount as per the amended rates applicable. If any deductions have ^{been} made, the same shall be refunded to the applicant within a period of 3 months from the date of communication of this order.

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The application stands disposed of finally in the
above terms. No order as to the costs.


Member (J)


Member (A)

Dated: 4 December, 1992, Allahabad.

(tgk)