

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

....

Original Application No. 145 of 1994.

this the 7th day of May' 2002.

HON'BLE MR. RAFIQ UDDIN, MEMBER (J)

1. C.M. Mahapatra, S/o late R.K. Mahapatra.
2. S.S. Singh, S/o late C.P. Singh.
3. R.A. Yadav, S/o Sri Kallu Ram Yadav.
4. Bachan Sharma, S/o Sri Bidhan Sharma.
5. Ram Gopal, S/o Sri Sukhnandan.
6. Ratan Lal, S/o late Pyare Lal.
7. S.C. Tewari, S/o late R.A. Tewari.
8. Triloki Prasad, S/o late Sharda Prasad.
9. Vinod Kumar, S/o late Mahabir Prasad.
10. Gullu Chand, S/o late Chhattri Lal.
11. Chirannji Lal, S/o late Chhote Lal.
12. Radhey Shyam, S/o late Prare Lal Sonkar.
13. Ram Avtar, S/o late Gaju Ram.
14. Jeevan Singh, S/o late Chandan Singh.

Applicants.

By Advocate : Sri R.C. Pathak.

Versus.

1. Union of India through the Defence Secretary,
Ministry of Defence, Govt. of India, South Block,
New Delhi.
2. The Engineer-in-Chief, Engineer-in-Chief Branch
AHQ, Kashmir House, Rajaji Marg, New Delhi.
3. The Controller Defence Account (CDA), Central
Command, Meerut Cantt.,
4. The Chief Engineer, Central Command, Lucknow.
5. The Chief Engineer, Lucknow zone, Lucknow.
6. The Commander Works Engineer (CWE) MES, Allahabad.

7. The Garrison Engineer (West), MES, Allahabad Cantt.

Respondents.

By Advocate : Sri P. Srivastava for Sri S. Chaturvedi.

O R D E R (ORAL)

By means of this O.A., the applicants, who are working on various posts under G.E. (West), MES, Allahabad Cantt., Allahabad (respondent no. 7) seek direction to the respondents to pay revised conveyance allowance to them according to the recommendations made by the 4th pay Commission which has been communicated vide office Memorandum dated 18.12.91.

2. According to the applicants, they are civilian class III employees and are working as Artisans Industrial Workers. They are required to travel within 16 km per day for their Govt./official duties, and they used to travel on different travelling modes except cycle. It is stated that all the applicants average travelling is 10 km. per day. The applicants' claim is that they are entitled for minimum conveyance allowance Rs. 125/- per month in terms of the O.M. dated 18.12.91 issued by the Govt. of India, but the respondent no. 7 prepared their wrong bills at the rate of Rs. 20/- per month in the month of November '91 to September '92.

3. I have heard the learned counsel for the parties and have also gone through the record of the case.

4. The learned counsel for the respondents has pointed-out ~~that~~ ^{to be R} on the basis of the averments made in para 10 of the Counter filed by the respondents that the Government order dated 18.12.91 is applicable for petrol vehicles and log books of the journey are maintained by the applicants. It is alleged that ^{neither R} neither the applicants ~~were~~ maintained log books, nor

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they have ² never been deputed to perform journey by motor cycle/car. Therefore, the same is not applicable in respect of the applicants.

5. It is clear from the perusal of the G.O., in question, that it provides the revised rates for journey for own motor car as well as by other modes of conveyance. There is no indication in this G.O. which provides that maintenance of log book is necessary. The learned counsel for the applicants has also stated that the applicants duly maintained the log book and have also submitted before the respondent no.7. Under the circumstances, it is clear that the G.O., in question, ^{It provides} merely ^{it} revised rates of conveyance allowance, ~~and~~ ^{and} so far as the question of entitlement of the applicants for conveyance allowance is concerned, it is not in dispute because the applicants are already being paid the conveyance allowance. I do not find any justification on the part of the respondents to deny the revised rates of conveyance allowance in terms of the G.O. dated 18.12.91. The O.A. is accordingly allowed and the respondents are directed to pay the conveyance allowance to the applicants as per the extant rules and also in terms of the revised rates mentioned in the G.O. dated 18.12.91. There shall be no order as to costs.

Zafiquddin
MEMBER (J)

GIRISH/-