

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 544 of 1999

Allahabad this the 22nd day of January, 2002

Hon'ble Mr.C.S. Chadha, Member (A)

Krishana Chandra Misra, S/o Late Sri R.P. Misra,  
r/o P-8/7, M.E.S. Colony, C.O.D. Cheoki, Allahabad.

Applicant

By Advocate Shri A.K. Srivastava

Versus

1. Union of India through its Secretary, Ministry of Defence, New Delhi.
2. Garrison Engineer, (West), Allahabad.
3. Area Account Office, 1, Ashoka Road, New Cantt. Alld.
4. Chief Central Defence Account(Pension), Dropati Ghat, Allahabad.
5. Central Defence Account(Central Command), Lucknow
6. Central Govt.Defence Account, R.K. Puram Block, New Delhi.

Respondents

By Advocate Shri Satish Chaturvedi.

O R D E R ( Oral)

Hon'ble Mr.C.S. Chadha, Member (A)

The case of the applicant is that he had been asked by the authorities to work 10 days at Cheoki and remaining days in the month at Allahabad



as a result of this he had to perform a journey by the Auto Rickshaw, for which he has claimed mileage at the rate of Rs4/- per kilometer in accordance with the Circular of Govt. of India annexed as annexure-2 to this O.A.. That rules states as under;

"Rate of road mileage - Actual fare will be paid for travel by public bus. Mileage allowance at 60 P. per km will be admissible for journey by bicycle/foot.

For journeys by autorickshaw/taxi/car, entitlement will be at the rates notified by the concerned Director of Transport.

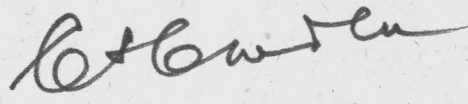
If no rates have been notified/prescribed, prevailing rates in the Metropolitan city of the State may be adopted. If no such rates have been fixed, then the rates of the neighbouring State be adopted. When no rates become available even after this, following rates may be fixed:-

For journeys performed in own car/ taxi-Rs.8/km  
For journeys performed by autorickshaw/  
scooter Rs. 4/km "

2. According to the applicant, there were notified rates by the State Government, therefore, he should be paid at the rate of Rs.4/- per km. Counsel for the respondents states that vide notification dated 02.11.98 rate for travel by Auto Rickshaw had been fixed at Rs.1.60 per k.m. and, therefore, the applicant is not entitled to Rs.4/- per k.m. He also claimed that vide order dated 08.06.94 the rates of such transport mileage were fixed at Rs.120 per k.m. after the first k.m. which entitled payment of Rs.2.90 . The rule cited by the learned counsel ...pg.3/-

*[Handwritten Signature]*

for the applicant at page 13 of the O.A. itself clearly states that for journeys by Auto Rickshaw, entitlement will be at the rate notified by the concerned Director of Transports. In view of the clear notification issued in 1994 and 1998 which gives the rates of Rs.1.20 per k.m. and Rs.1.60 per k.m., the applicant is not entitled to claim Rs.4/- per k.m. The O.A. is, therefore, dismissed. There shall be no order as to costs.



Member (A)

/M.M./