

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated : This the 12th day of September 2003.

Original Application no. 1068 of 2003.

Hon'ble Maj Gen K K Srivastava, Member (A).

1. Anil Kumar Srivastava, Carpet Training Officer,  
S/o Sri K L Srivastava.
2. Niaz Ahmad, Store Deeper,  
S/o late Mohd. Khan.
3. Pancham Ram, Assistant Instructor,  
S/o Sri JN Yadav.
4. Dina Nath Chawkidar, S/o Sri R.C. Tiwari
- 4A. Jhinkoo Ram Chaukidar, S/o Jakhoo Ram.
5. Abhai Raj Singh, Carpet Training Officer,  
S/o late D.P. Singh
6. Yadu Nath Yadav, Instructor,  
S/o late Sri Jokhai Yadav.
7. Bal Chandra, Assistant Instructor,  
S/o late Baij Nath
8. M.A. Siddique, Store Keeper Cum Accounts Clerk,  
S/o late Sri Mohd. Siddique.
9. Israr Ahmad, Store Deeper Cum Accounts Clerk,  
S/o Munauvar Ali.
10. Shiv Chandra Mishra, Instructor,  
S/o late Sri R.N. Mishra
11. Jai Govind, Assistant Instructor,  
S/o Sri Ram Lakan.
12. Smt. Prabhawati Srivastava, Assistant Instructor,  
W/o Sri B.L. Srivastava.
13. H.C. Maurya, Instructor,  
S/o Sri G.S. Maurya
14. Lal Bahadur Singh, Instructor,  
S/o late Sri S.M. Singh
15. Sri Asha Ram, Instructor,  
S/o late Sri R.A. Bind.
16. Samar Bahadur Singh, Instructor,  
S/o late Sri B.N. Singh.
17. Santoshi Ram, Instructor,  
S/o late K Rama

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18. Kamlesh Singh, Assistant Instructor,  
S/o Sri Lalji Singh.
19. Ram Giri, Instructor,  
S/o Sri L.N. Giri
20. Ram Somujh, Chaukidar,  
S/o Sri Mahabeer.
21. A.M. Sheikh, Instructor,  
S/o Sri Azimullah.

(All are posted at regional carpet Store, Lekhrajpur,  
Jhunsi, Allahabad.)

... Applicants

By Adv : Sri N.L. Srivastava

Versus

1. Union of India, Ministry of Textile, New Delhi,  
through its Secretary.
2. Development Commissioner (Handicrafts),  
Ministry of Textile, West Block No. 7, R.K. Puram,  
New Delhi.
3. Director (Central Region) Office of the Development  
Commissioner (Handicrafts), Kendriya Bhawan 7th Floor,  
Aliganj, Sector-H, Lucknow.
4. Assistant Director (A & C) Carpet Weaving Training  
Centre, Office of the Development Commissioner  
(Handicrafts) 1A/3A, Ram Priya Road, Allahabad.

..... Respondents

By Adv : Sri R.C. Joshi

O R D E R

By Maj Gen K K Srivastava, Member-A.

By this OA, filed under Section 19 of the A.T. Act,  
1985, the applicants have prayed for direction to pay  
Traveling allowances/Daily allowances/Transfer travelling  
allowances to the applicants according to Rules and to  
quash the order dated 13/14.8.2003 passed by the respondent  
no. 4.

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2. The facts, in short, are that the applicants are working in the establishment of respondent no. 2 and are posted at Regional Carpet Store, Lekhrajpur, Jhunsi, Distt. Allahabad on different posts. Earlier to posting at Allahabad, all the applicants were posted in different stations and on closure of various training centres they have been posted at Allahabad during March 2002.

3. The grievance of the applicant is that when they prefered their TA bills, the same has been returned unpassed by respondent no. 4. Hence, this OA.

4. I have heard learned counsel for the parties, considered their submissions and perused the record.

5. It is an admitted fact that the applicants have been posted to Allahabad from various stations by order dated 18.3.2002 (Ann A2, A4, A6, A7 & A8) and also by order dated 4.3.2002 (Ann A5) in respect of officers <sup>and</sup> staff including the applicants on closure of various training centres. The applicants have annexed the TA bills as annexure 9. The allegation of the applicants <sup>is</sup> that they have been transferred by order of respondent no. 4 who has passed the impugned order dated 13/14.8.2003 and <sup>he himself has</sup> returned <sup>their</sup> claims <sup>has</sup> substance. I have perused the impugned order. The TA bills <sup>have</sup> been returned on the ground that they have to annex the order of the Competent Authority under which they have been transferred from different stations. I fail to understand as to what does respondent no. 4 want to say specially when the

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orders have been issued by him. In the various transfer orders, the following is mentioned :-

"....This is only a temporary arrangement and final decision is to be taken from Regional Office, Lucknow/H Qrs Office New Delhi."

It is also admitted that so far no decision has been communicated from the Regional Office, Lucknow or H Qrs. Office, New Delhi and the applicants are still working at Allahabad. Since the applicants have moved to Allahabad from different stations, <sup>And this fact</sup> is not in dispute, the applicants are entitled either for the Transfer allowances<sup>h</sup> or Daily allowances<sup>h</sup> as admissible under Rules. Respondent no. 4 should have decided the issue as per Rules, which he has chosen not to do. Such an action on the part of respondent no. 4 is not appreciated.

6. Learned counsel for the respondents has prayed for time to file counter affidavit, which I do not consider necessary because it is a fit case to be decided at the admission stage itself.

7. In my considered opinion, the ends of justice shall be better served, if the applicants file<sup>h</sup> detailed representations before respondent no. 3 who should decide the same by a reasoned and speaking order within specified time.

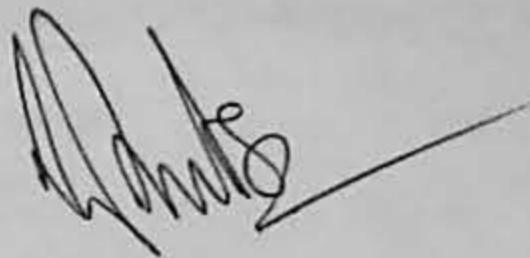
.....5/-



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8. For the aforesaid, the OA is finally disposed of at the admission stage with direction to respondent no. 3 to decide the representations of the applicants by a reasoned and speaking order within a period of two months from the date of communication of this order alongwith representations. The applicants are allowed three weeks time to file their representations before respondent no. 3.

9. There shall be no order as to costs.



Member (A)

/pc/