

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 3/2009

This the 22nd day of April , 2010

Hon'ble Dr. A.K. Mishra, Member-A)

Suraj Narain Tiwari, Aged about 54 years, S/o Sri Pyare Lal Tiwari,
R/o 1-5B Barha Railway Colony, Alambagh, Lucknow.

.....Applicant.

By Advocate: Sri Praveen Kumar.

Versus

1. Union of India through the G.M. N.R., Baroda House, New Delhi.
2. The DRM, N.R., Lucknow.
3. The Sr. Division Operating Manager, N.R., Lucknow.

.....Respondents

By Advocate: Sri V.K. Srivastava

ORDER

At the time of hearing, learned counsel for the applicant submits that the applicant was working as a regular Clerk in the scale of Rs. 950-1500/- since 21.3.95 (later revised to Rs. 3050-4590/-). He was asked by the competent authority to discharge the responsibilities of a higher post in the safety branch, which carried the payscale of Rs. 5000-8000/- when that post fell vacant after transfer of Sri N.K. Srivastava on 26.9.2000. The applicant was promoted to the rank of Senior Clerk in the pay scale of Rs. 4500-7000/- and was again asked to continue to discharge the responsibilities of the higher post in the payscale of Rs. 5000-8000/-.

2. The applicant had been representing time and again and his case had been recommended by the relevant higher officers from time to time, but so far he has not been given any benefit. He further submits that the grievance of the applicant would be redressed in case officiating allowance is granted to him as per Rules for the period for which he was discharging the higher responsibilities.



3. The learned counsel for the respondents points out that the applicant has claimed difference of salary attached to the post of Head Clerk (Rs.5000-8000/-) and his original substantive post of clerk (Rs. 3050-4590/-) from 26.9.2000 upto 12.10.2007 and difference between the pay scale of Rs. 5000-8000/- and the payscale of Senior Clerk (Rs.4000-6000/-) which he is eligible because of his promotion to the rank of Senior Clerk on 12.10.2007. However, he has submitted a bill for officiating allowance.

4. It is admitted that an employee is entitled to officiating allowance as per rules when ever he is called upon to discharge the higher responsibilities. Admittedly, the applicant has been discharging the responsibilities attached to a post which carries higher pay scale since 26.9.2000; therefore, he is entitled to officiating allowance permissible under the Rules for the period he was discharging the higher responsibilities. The applicant is directed to file a fresh representation containing his claims relying on specific rules/ Railway Board Circular within a period of one month. The competent respondent authority shall dispose of his claim within a period of two months thereafter by passing a reasoned and speaking order in accordance with Rules/Railway Board circular.

5. The Application is disposed of accordingly. No costs.


(Dr. A.K. Mishra)
Member-A

Girish/-