

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.569/2005
This the 3rd day of August 2006

HON'BLE MR. M. KANTHAIAH, MEMBER (J)

R.D. Arya aged about 65 years son of Late Balj Nath R/o
554/214 D, Bhim Nagar, Alambagh, Lucknow.

...Applicant.

By Advocate: Shri R.S. Gupta.

Versus.

1. Union of India through the Secretary Ministry of Finance
Government of Indian, New Delhi.
2. The National Savings Commissioner Now Director National
Savings Institute C.G.O. Complex Seminary Hills Nagpur.

.... Respondents.

By Advocate: Shri S.P. Singh.

ORDER

BY HON'BLE MR. M. KANTHAIAH, MEMBER (J)

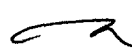
This is the application filed by the applicant to direct the respondents to sanction the amount of T.A. claims for the period of January 2000, April, May, June and July 2002 for total sum of Rs.20,328/= alongwith interest @ 24 % w.e.f. 1.9.2000 till the date of payment with the following averments.

2. The applicant while working as Deputy Regional Director, National Savings, Faizabad he was given additional charge of the post of Regional Director, National Savings, Allahabad on 30.11.1999 and accordingly, he discharge the duties of additional charge for which he had been visiting Allahabad and stayed there for performing duties assigned to him up to July 2002. The respondents have sanctioned

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and paid T.A. claim of the applicant for the month of December 1999, February and March 2002. Similarly, for the month of June 2002 when he made T.A. bills for Rs.4151/- they have sanctioned Rs. 1636/- only. His T.A. claim of Rs.4528/- for the month of January 2000, Rs. 3897/- for the month of April 2000, Rs. 3908/- for the month of May 2000, Rs. 3884/- for the month of July 2000 and Rs. 4151/- for the month of June 2000 total of 20,328/- are still pending. It is further stated that the respondents did not raise any such objection about the tour Programme of the applicant instead of ask him to submit the reasons for the delay in submission of T.A. claims which are properly replied and Annexure-9 dated 11.7.2002 of the respondents also reveals the same. Thus, he filed this application for directions to the respondents for sanctioning of T.A. Bills and to pay his T.A. claims.

3. The respondents have filed Counter-Affidavit stating that the tour Programme pertains to the month of January 2000 and July 2000 is not received by the competent authority from the applicant nor developments of tour was reported to the competent authority as such the said T.A. bills were rejected . In respect of the claims of T.A. Bill for the month of May and July 2000, they stated that the tour programme for such period was disapproved with the competent authority vide letter dated 8.8.2000 and 13.7.2000 and the same is also intimated to the applicant and thus, the said T.A. Bills are rejected. In respect of the claim of June 2000 they stated that tour programme for the month of June was approved and T.A. claim is allowed for Rs.1636/- and sent the same to the applicant. Thus, he opposed the claim of the applicant with a prayer to dismiss the application was also made.




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4. The applicant filed Rejoinder-Affidavit stating that he being D.D.O. and Head of Office he has to visit from Allahabad from his Headquarter at Faizabad to discharge duties and functioning as such no further approval is required. He also stated that tour programme submitted in time and no objection has been received from him and as such he is entitled for all the claims of T.A. Bills as prayed for.

5. Heard both sides.

6. The points for consideration is whether the applicant is entitled for the relief as prayed for.

7. The admitted facts of the case are that the applicant while working as Deputy Regional Director National Savings Faizabad he was given additional charge of the post of Regional Director , National Savings, Allahabad w.e.f. 13.11.1988 and in pursuance of such additional duties he discharge up to July 2000. Ex-A-2 dated 30.11.2002 issued by the 2nd Respondent reveals the same . Thereafter the applicant claimed T.A. Bills for his additional duties as Regional Director, National Savings at Allahabad and also made representation to the 2nd Respondent and subsequently, he also filed O.A. No.336/2004 in respect of his claim for T.A. Bills and representations dated 2.2.2000 and 27.11.2001 pending before the competent authority and the said O.A. was disposed of on 21.12.2004 with direction to the competent authority to dispose of the said representation of the applicant by passing a reasoned and speaking order within a period of three months and Ex- A-10 is the order passed in O.A.No.366/2004 dated 21.12.2004 reveals the same. In pursuance of the said order, the respondents passed orders covered under Ex-A-1 dated 25.5.2005 stating that the tour programme for



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the month of January 2000 and April 2000 was not received by the competent authority and for the months of May and July 2000 were disposed of on the ground that the claim of such T.A. Bills was rejected and he allowed T.A. claims for Rs.1636/- for the month of June, 2000 and thus, passed orders. Aggrieved by the said order, the applicant has filed the present application.

8. The main objection of the respondents is that the tour programme for the month of January 2000 and April 2000 was not received by the competent authority and tour programme for the month of May and July 2000 was disapproved and as such T.A. Bill were rejected. In respect of the tour programme for the month of June 2000 he says that the same was approved only for Rs. 1636/- out of Rs. 4151/-.

9. The applicant also filed copies of T.A. Bills for the months of January, April, May, June and July which are marked as Ex. A-4 to Ex. A-8. The applicant also filed Annexure-3 dated 13.7.2002 under which the 2nd Respondent directed the applicant not to undertake any tour in the month of July 2000.

10. In the order dated 25.5.2005 covered under Ex.A-1, the respondents stated that the tour programme pertains to the month of January and April 2000 were not received by the competent authority. There is no material placed by the respondents to show that there was any approval of tour programme for certain period. Without showing any such approved programme for the sanctioned bill for the other month, it is not open to the respondents to reject the T.A. Bills for the months of January and April 2000. Though, the respondents contended that T.A. Bills for the month of May 2000 was rejected on the ground

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that the tour programme for the said month was disapproved by the competent authority, he has not placed such proceedings and further, after attending the work rejecting the said T.A. Bill is not at all maintainable. Thus the applicant is justified in claiming T.A. Bills for the months of January, April and May 2000 i.e. for three months.

11. Coming to the claim of the T.A. Bill for the month of July 2000, the documents filed by the respondents i.e. Ex.A-3 itself shows that he was directed not to take any tour in the month of July 2000 and in view of such specific order from the respondents, the applicant is not at all entitled for T.A. Bill for the month of July 2000.

12. It is the specific case of the respondents that they have partly allowed the claim of T.A. bill for the month of June and thus disallowed the entire bill amount of Rs.4151/- and in the circumstances, the applicant is not entitled for any other amount, other than the allowed amount.

13. In view of the above discussions, the claim of the applicant for T.A. bill of Rs.4528/- for the month of January, Rs.3897/- for the month of April and Rs.3897/- for the month of May 2000 is allowed and the remaining claim is disallowed.

14. These are the T.A bills for the period of 2000 and inspite of entitlement, the respondents have not considered and paid to him and as such the applicant is also entitled for interest at 6 % simple interest on the allowed T.A. bills from the date of petition till payment is made. No costs.


(M. KANTHAIYAH)
MEMBER (J)

3-8-06

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