

Central Administrative Tribunal
Lucknow Bench Lucknow

Original Application No: 146/2009.

This, the 26th day of March, 2010

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

1. Hari Prasad, aged about adult, S/o Shri A.P. Tewari.
2. Ram Saran Verma, aged about adult, S/o Shri Sewa Ram. (Address c/o working as Ticket Collector under Chief Ticket Inspector, Northern Railwa, Hardoi.)

Applicants

By Advocate Sri Praveen Kumar.

Versus

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Moradabad.
3. The Chief Ticket Inspector, Northern Railway, Hardoi.

Respondents

By Advocate Sri B.B. Tripathi for Sri N.K. Agarwal.

ORDER

By Hon'ble Dr. A. K. Mishra, M(A)

At the time of hearing, the short point canvassed before me was that the applicants had been granted Officiating Allowance for the period 2001 to 2004 for discharging the higher responsibilities attached to the post of Enquiry cum Reservation Clerk (ERC) in addition to their own duty of Ticket Collector in pursuance of the direction of this Tribunal in O.A. No. 581/2005. For the sake of reference paragraph 9 of this order is extracted below:

"9. In view of the above circumstances and for fair and just disposal of the proceedings, the O.A. is disposed of with a direction to the respondents to consider the claims of the applicants for their officiating duty allowance which they made in their representations after verifying their pending bills with records and pass a reasoned order as per rules

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and regulations and also make payment for their entitlement, within a period of three months from the date of the receipt of the certified copy of this order. If the applicants are aggrieved with the findings of the respondents, they are at liberty to file fresh O.A. and with these findings, O.A. is disposed of."

2. It is the grievance of the applicants that Officiating Allowance for the period from 15.12.2004 onwards has not been paid even though the applicants have been asked to continue to discharge the higher responsibilities of the post of Enquiry cum Reservation Clerk(ERC) in addition to their duties.

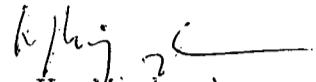
3. The respondents have not denied that the applicants have been asked to discharge the duties of ERC. Their only contention is that the applicants have since been promoted to the post of Senior Ticket Examiner in the pay scale of Rs. 4000-6000 and that a large number of public relation staff was required due to opening of large number of such centers. The respondents had to deploy the applicants in the exigencies of work.

4. Since the facts are not disputed, it would be appropriate for the competent respondent authorities to examine the claims of the applicants for officiating allowance with reference to office records and dispose of such claims on merits according to rules. The fact that the applicants were promoted to the rank of Senior Ticket Examiner (4000-6000) does not make any difference, because the Enquiry cum Reservation Clerk post carries a higher pay scale 4500-7000. The respondents may treat the present O.A. as additional representation on the part of the applicants and dispose of the matter within a

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period of three months from the date a copy of this order along with copy of the application with enclosures is supplied.

5. O.A. is accordingly disposed of. No costs.


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

W.M.C.