

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH
NEW BOMBAY

7

Original Application No.716/89

Shri N.K.Mitra

...

Applicant

vs

The Union of India
through the Secretary
Ministry of Railway
New Delhi & 3 others.

...

Respondents

Coram: Hon'ble Mr. Justice U.C.Srivastava, Vice-Chairman.
Hon'ble Mr. M.Y.Priolkar, Member(A)

Appearances:

Mr. E.Thomas for the
applicant

Mr. Subodh Joshi
for the respondents.

Dated: 23-4-1991

Tribunal's Order

(Per: Mr. Justice U.C.Srivastava, Vice-Chairman).

The applicant joined as untrained Commercial Clerk on 18-10-1971 and thereafter was promoted as Junior Commercial Clerk after six months and continued in the said post upto 20-4-1981. According to the applicant, he worked at the Dombivali station from 1972 to 1981 and has claimed for consequential benefits and officiating allowance for working in a higher post for certain periods.

2. During this period from 1973 to 1981, the applicants states that he had officiated as Sr.Asstt.Coaching Clerk for the following periods.

1973 19-2-73 to 12-3-73, 1-4-73 to 30-4-73
paysheets of June, July, Aug. and Sept. 1973 & Dec.73

1974 Paysheets of January 74, February, May, July August,
September, October & December fully performed.

1975 From January 1975 to 17-4-75 fully performed,
13-5-75 to 24-6-75, from July 1975 to December 1975
fully performed.

1976: 12-1-76 to 16-4-76, 4-5-76 to 25-8-76 performed officiating.

1977: January 1977 to February 1977 paysheets not available, March 1977 onwards officiated upto 20-4-1981.

3. The applicant submits that he had made representations for officiating allowance and took up the issue with the N.R.M.U. Union. In the counter affidavit it has been stated that the applicant has been paid his due allowances. The period has been shown in the written statement. It appears that joint inspection of the record of Dombivali Station Commercial staff was conducted. In the report of the joint inspection, it is mentioned that from the office copies of the pay sheets for the relevant periods, it was found that he performed duties from 7-00 to 15-00, 15-00 to 23-00 and 14-00 to 22-00 Hrs. in main C.T.window and from 6-00 to 14-00 hrs and 14-00 to 22-00 Hrs in the Main Season Ticket window which is rostered ^{for} ~~for~~ 330-560 (RS) Sr.ACC but in pay sheets Office Copies there is no remark to that effect and that he has officiated in Sr. ACC Gr. 330-560(RS).

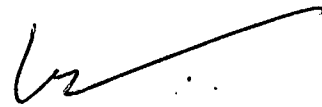
It is clear from the joint inspection report that he had worked on the Main Season Ticket window during certain period from 1973 to Dec.77. But the record from January 1978 to April 1981 was not inspected.

4. We direct, therefore, that for the period of January 1978 to April 1981 also a similar joint inspection may be conducted, and the applicant may be given officiating allowance, in case it is established from the relevant records, S.M.Duty Roster etc. after such joint inspection, that the applicant had in fact officiated in the higher grade during any time of this period, and the chapter in this respect should be closed.

This application is disposed of accordingly. Payment if due, may be made to the applicant within 4 months from the date of receipt of a copy of this order.



(M.Y. Priolkar)
Member(A)



(U.C. Srivastava)
Vice-Chairman