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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1185/91

Date of Order: 4.9.1992

BETWEEN:

K.Chiranjeevi *Rao*

.. Applicant.

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1. The Senior Supdt. of Post Offices,
Bhimavaram Division, Bhimavaram.
2. The Director of Accounts (Postal),
Andhra Circle, Daksadan, Abids,
Hyderabad.
3. The PostMaster General,
Vijayawada-2.
4. The Chief Post Master General,
A.P.Circle, Daksadan, Abids,
Hyderabad.
5. The Director General of Posts,
IYth Floor, Dak Bhavan, Sansad Marg,
New Delhi.
6. The Union of India, rep. by its
Secretary to Government (Communications)
Dept. of Posts, New Delhi. .. Respondents.

Counsel for the Applicant

.. Mr.KrishnaDevan

Counsel for the Respondents

.. Mr.N.R.Devraj *Sr.Case*

CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Single Member Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)).

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This is an application filed under Section 19 of the Administrative Tribunals Act to declare that the applicant is entitled to draw the daily allowance for the period of training or promotion as Junior Accounts Officer which commenced from 4.1.1990 to 29.3.1990.

Counter is filed by the respondents opposing the CA.

2. We have heard today Mr.Krishna Devan, Advocate for the applicant and Mr.N.R.Devraj, Standing Counsel for the respondents.

3. Admittedly, the applicant had been sent for training on the promotion as Junior Accounts Offices from Bhimavaram to different field units of the department as per the orders of the 2nd respondent. Admittedly, at the places where the applicant had to undergo the training, the Government had not provided lodging and boarding facilities to the applicant free of cost. For all purposes, the applicant should be deemed to have been on "official duty" while undergoing the said training. As the applicant had been sent for training as per the orders of the 2nd respondent and as the applicant should be deemed to be an "official duty" while undergoing the said training, it will be just and proper to give a direction to the respondents to pay the daily allowance to the applicant for the period of training in accordance with rules.

Mr.N.R.Devraj, Standing Counsel for the respondents vehemently opposed this CA and contended in view of the D.Gs Circular 8.10.1990, that the applicant is not entitled to the daily allowance during the period of training. But when a person is deputed for training by the Government to a station other than the station on the applicant is working we are unable to understand how the said person could be deprived

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of the benefit of the daily allowance etc. So, in view of this position, we are ~~at~~ not prepared to give any credence to the said letter dated 8.10.1990 of the Director General of Posts, New Delhi. Hence, we declare that the applicant is entitled for the daily allowance during the period of training from 14.1.1990 to 29.3.1990 as Junior Accounts Officer in accordance with rules and regulations. The said payment of the daily allowance which the applicant is entitled shall be made within three months from the date of receipt of this order. OA is allowed accordingly, leaving the parties to bear their own costs.

T. Chandrasekara Reddy
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 4th September, 1992 Dy. Registrar (Judl.)

(Dictated in the Open Court)

Copy to:-

1. The Senior Supdt. of Post Offices, Bhimavaram Division, Bhimavaram.
2. The Director of Accounts (Postal), Andhra Circle, Baksadan, Abids, Hyd.
3. The Post Master General, Vijayawada-2.
4. The Chief Post Master General, A.P. Circle, Daksadan, abids, Hyd.
5. The Director General of Posts, IV Floor, Dak Bhavan, Sansad Marg, New Delhi.
6. Secretary to Govt. (Communications) Department of Posts, Union of India, New Delhi.
7. One copy to Sri. Mr. Krishna Devan, advocate, CAT, Hyd.
8. One copy to Sri. N.R. Devaraj Sr. CGSC, CAT, Hyd.
9. One spare copy.

Rsm/-

Reddy
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