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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No. 363/93

Date of Order: 24.6.1993

BETWEEN :

1. Y.Balaiah
2. A.Kambhagiri

.. Applicants.

A N D

1. The Telecom District Manager,
Krishnadevaraya Sadan, Anantapur.
2. The Chief General Manager,
Telecommunications, A.P.Circle,
Sanchar Bhavan, Nampally Station
Road, Hyderabad.
3. The Director General, Telecom,
Sanchar Bhavan, New Delhi.

.. Respondents

Counsel for the Applicants .. Mr.Krishna Devan

Counsel for the Respondents .. Mr.V.Bhimanna.

CORAM:

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

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

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to declare that the applicants are entitled to get the daily allowance for the period of training obtained outside the headquarters and pass such other order or orders as may deem fit and proper in the circumstances of the case.

The facts giving rise to this O.A. in brief are as follows:-

2. The ^{first} applicant was working as Transmission Assistant, Carrier Station, Telephone Exchange, Guntakal, Anantapur District and the Second applicant was working as Phone Inspector, Dharmavaram Telephone exchange, Anantapur District. The applicants were deputed to undergo training in RTTC Trivendram from 18.3.1991 to 29.11.1991 as per the orders of the 1st respondent dated 27.1.1991. The respondents have paid only Travelling Allowance to the applicants for performing journey to Trivendram where the applicants underwent the said training. The applicants were not paid Daily Allowance during the period of training. The applicants themselves borne all the expenses at Trivendram during the period of training. The applicants have filed this OA for the relief as already indicated above.

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3. Today we have heard Mr.Krishna Davan, Advocate for the applicant and Mr V.Bhimanna, Standing Counsel for the respondents.

4. Admittedly the applicants had to undergo the said training in pursuance of the proceedings dated 27-1-1991. The fact that the applicants herein had completed training ^{at} Trivandram in pursuance of the said orders of the respondents is not in dispute in this O.A. Admittedly while undergoing the said training ~~the applicants~~ the applicants should have spent some amount towards boarding and lodging charges. For all purposes it has got to be taken that the applicants were "outside the headquarters on official duty while undergoing the said training." So, as the applicants had been on official duty outside the headquarters, it will be fit and proper to direct the respondents to pay the applicants the D.A. to which they are entitled in accordance with the rules.

5. Apart from what we have stated above, the Ernakulam Bench of C.A.T. in similar matters, had held that the applicants therein (Bench had decided batch of C.As, O.A.548/91 and 567/91 on 9-8-91) were entitled to get DA during the period of their training for appointment to the higher post of Assistant Superintendent of Telegraph, Traffic and the respondents were directed to draw and reimburse the said amount to the applicants for the said period of training. The facts of this OA and the facts of the OAs before the Ernakulam Bench are identical and same. So, it will be reasonable to allow the applicants ^{herein} to draw the DA that they are entitled in accordance with rules and regulations, for the period of training they had undergone.

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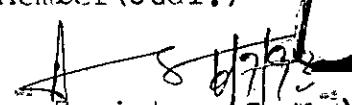
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6. Hence, we direct the respondents to reimburse the applicants the daily allowance for which they are entitled in accordance with the rules for the period of training from 18-3-91 to 29-11-91 they underwent at Trivendram. If any payments had already been made, the same shall be deducted from out of the amount that is payable to them in pursuance of this order of this Tribunal. This order shall be implemented within three months from the date of communication of the same.

7. With the above directions, the OA is allowed accordingly, leaving the parties to bear their own costs.

T. Chandrasekara Reddy

(T. CHANDRASEKHARA REDDY)
Member (Judl.)


Dated: 24th June 1993 Dy. Registrar (Judl.)

(Dictated in Open Court)

Copy to:-

1. The Telecom District Manager, Krishnadevaraya Sadan, Anantapur.
2. The Chief General Manager, Telecommunications, A.P. Circle, Sanchar Bhavan, Nampally Station Road, Hyd.
3. The Director General, Telecom, Sanchar Bhavan, New Delhi.
4. One copy to Sri. Krishna Duvan, advocate, CAT, Hyd.
5. One copy to Sri. V. Bhimanna, Addl. CCCC, CAT, Hyd.
6. One spare copy.

Rem/-

AP 22/6
for 9.6.7/3

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CHECKED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. K. BALASUBRAMANIAN :
MEMBER (ADMN)

AND

THE HON'BLE MR. T. CHANDRASEKHAR
REDDY : MEMBER (JUDL)

DATED: 24/6/-1993

ORDER/JUDGMENT

R.P. / C.P. / M.A. NO.

in
363/93

O.A. No.

T.A. No. (W.P. No)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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