

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.443/95

dt. 24-7-96

Between

Harish Chandra Mishra : Applicant

and

1. Union of India, rep. by
the Secretary, GOI,
Min. of Environment & Forests
Paryavaran Bhavan, CGO Complex
Lodhi Road, New Delhi

2. Chief Secretary
Govt. of Andhra Pradesh
AP Sectt. Hyderabad

3. Principal Chief Conservator
of Forests, AP,
Aranya Bhavan, Saifabad,
Hyderabad

4. Conservator of Forests
Rajahmundry Circle, Rajahmundry
Near Arts College, Rajahmundry
East Godavari Dist. A.P.

5. Divnl. Forest Officer
Kakinada, at/PO Madhav Nagar
Kakinada, East Godavari Dist.
Andhra Pradesh : Respondents

Counsel for the applicant : P. Naveen Rao
Advocate

Counsel for the respondents : K. Bhaskar Rao
Addl. CGSC

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

Judgement

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn))

Heard Sri P. Naveen Rao for the applicant and Sri K. Bhaskar Rao for the respondents.

2. The applicant was sent on training to Dehradun by the A.P. State by G.O. RT.3205 dated 29-6-1993 for 10 months course from 13-7-1993. The applicant applied for TTA (Transfer Travelling Allowance) which was paid to him. However, the applicant requests for TA & DA treating the training period at the outstation as on deputation.

3. This OA was filed for a declaration that he is fully eligible to draw all allowances under GO Ms.No.148, GA(AR&T.III) Dept., dated 14-3-1986 which was in vogue during the course of his training and for a consequential direction to the respondents to implement para-3(iii) of GO Ms.148 GA(AR&T.III) Dept. dated 14-3-1986 and pay the benefits of full DA (Daily Allowance) in lieu of training allowance in relaxation of rule 102(a) of APTA Rules with interest.

4. This case was heard at length. However, learned counsel for the applicant submitted that the applicant will be satisfied if he is paid the allowances in accordance with rules as applicable at Dehradun for an official of his rank in IFS Cadre stationed at Dehradun during his training period even if it is treated as temporary transfer.

5. Learned standing counsel submitted that he will be paid the allowance as applicable to Dehradun location and as applicable to All India Services IFS Officers during his temporary transfer period to Dehradun. As the respondents themselves have conceded as above, there is no need to

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have any further adjudication in this case.

6. In view of the above submission the following direction is given :

The applicant should be paid the allowances in accordance with rules applicable to All India Services IFS Officers during his training at Dehradun treating his posting at Dehradun as a temporary transfer. The applicant should be informed in due course about his entitlement as above. Arrears if any should be paid to him on that basis within a period of four months from the date of receipt of copy of the order.

7. OA is ordered accordingly. No costs.

On

(R. Rangarajan)
Member (Admn.)

Dated : July 24, 96
Dictated in Open Court

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Regd 1000 (3)*

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O.A.443/95.

Copy to:-

1. The Secretary, Govt. of India, Ministry of Environment & Forests, Union of India, Paryavaran Bhavan, CGO Complex, Lodhi road, New Delhi.
2. Chief Secretary, Govt. of Andhra Pradesh A.P. Secretariat, Hyderabad.
3. Principal Chief Conservator of Forests, A.P. Aranya Bhavan, Saifabad, Hyd.
4. Conservator of Forests Rajahmundry Circle, Rajahmundry Near Arts colleg., Rajahmundry, East Godavari Dist, AP
5. Divisional Forest Officer, Kakinada, at P^U Madhavnagar Kakinada, East Godavari District, A.P.
6. One copy to Sri. P.Naveen Rao, advocate, CAT, Hyd.
7. One copy to Sri. K.Bhaskar Rao, Addl. CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

Rsm/-

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APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN: M(A)

DATED: 24/7/95

ORDER/JUDGEMENT

O.A. NO. /R.F. /C.P. NO.

O.A. NO.

443/95

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR

II COURT

No Spare Copy

केन्द्रीय प्रशासनिक अधिकार अधिकार

Central Administrative Tribunal

DESPATCH

9 AUG 1995

हैदराबाद न्यायालय
HYDERABAD BENCH