

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.333 of 1996

DATE OF JUDGEMENT: -8th-October, -1996

BETWEEN:

R.M.KRISHNA PRASAD

.. Applicant

and

1. The Comptroller & Auditor General of India,
10, Bahadurshah Zafar Marg,
New Delhi 110 002,

2. The Principal Accountant General (Audit-I),
Andhra Pradesh, Hyderabad.

.. Respondents

COUNSEL FOR THE APPLICANT: SHR I.DAKSHINA MURTHY

COUNSEL FOR THE RESPONDENTS: SHRI G.PARAMESWARA RAO, CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

JUDGEMENT

(ORAL ORDER PER HON'BLE SHRI R.RANGARAJAN, MEMBER(ADMN.))

Though this O.A. is posted today at the request of the applicant's counsel, the applicant's counsel was not present. Heard Ms.Shakti for Shri G.Parameswara Rao, learned standing counsel for the respondents.

2. The OA is disposed of after hearing the learned standing counsel for the respondents and on the basis of the



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records available.


3. The applicant herein while working as Audit Officer in the office of R-2 at Hyderabad was transferred as Resident Audit Officer, Port Audit, Visakhapatnam. He was paid transfer TA advance of Rs.4,600/-. It is stated by the applicant that he engaged a lorry from M/s New Vijaya Lakshmi Transport, Door No.26-24-50/1, Stadium Road, Visakhapatnam for transporting his house hold personal goods from Hyderabad to Visakhapatnam. It is also stated that the house hold articles were transported in the lorry No.AAT 5599 and he paid a sum of Rs.3,200/- and obtained receipt from the transport company. The receipt given by the transport company is at Annexure-I. After undertaking journey, the applicant submitted a detailed TA bill for a sum of Rs.8,123/-, the break up of which is available at Page 3 of the OA. As he has drawn an advance of Rs.4,600/-, he claimed for payment of the balance amount of Rs.3,523/-. It is stated that he was paid only a sum of Rs.203/- against the balance amount of Rs.3,523/- on 18.10.94. The applicant submitted a representation for the balance amount after accepting the amount of Rs.203/-. But he was replied by the letter No.Prl.AG(AU).I/Bills.II/95-96//TA.I&II/1 dated 24.4.95 in regard to his entitlements. It is seen from the above reply that the amount paid by him for transportation of his personal effects was not paid to him. In view of the above, he sent a lawyer's notice dated 1.8.95 (Annexure-III) to the respondents and that was replied by the letter No.Prl.AG/(AU).I/Bills.II/TA.I&II/ dated 13.11.95

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(Annexure IV). It is stated in the reply that as the applicant herein expressed his inability to produce a machine numbered printed receipt stating that he had transported the goods through a transport Agent who takes commission from Lorry people and he had not weighed the goods before transporting them, he is not entitled for the reimbursement of the transport charges for transporting his personal effects.

4. This OA is filed for a direction to R-2 to arrange payment of transportation charges of personal effects amounting to Rs.3,200/- based on the lorry receipt given by the New Vijaya Lakshmi Transport, Visakhapatnam.

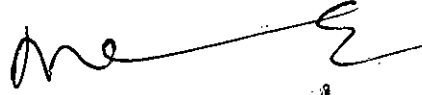
5. The respondents have filed a reply. They submit that as per the TA rules, the controlling officer has to satisfy himself about the genuineness of the claim by scrutinising the Railway/Bus ticket produced in respect of the journeys performed by the officials/their family members and in respect of the claim for transportation of personal effects he has to scrutinise the details and see that the claim is reasonable. They further submit that the receipt from New Vijaya Lakshmi Transport dated 27.2.94 submitted by the applicant does not bear any serially machined number and contain full details such as vehicle number, quantity transported and the actual distance covered etc. In view of the above, the applicant is not entitled for reimbursement of Rs.3,200/-. To substantiate their contention, they have filed Circular No.A.G.Audit-II/Bills II/T.T.A/88-89 dated



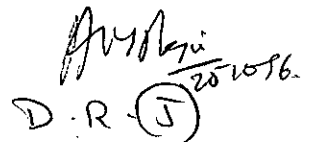
25.4.88 (Annexure-II). It is also seen that the respondents have also addressed a letter to the Regional Transport Authority, Visakhapatnam vide letter dated 28.8.94 (Annexure-III) to obtain certain details in regard to the transportation of the material in Lorry No.AAT 5599 of New Vijaya Lakshmi Transport. It is stated that the reply to this letter is yet to be received. But a copy of the letter has not been endorsed to the applicant.

6. The controlling officer cannot pass claim unless scrutiny of such claim is proved to ^{be} hilt and to the satisfaction of the controlling officer. The circular dated 29.4.88 is very specific in that respect. Unless the applicant satisfy the rule incorporated in the circular dated 29.4.88, he cannot claim reimbursement of Rs.3,200/- for transportation of his personal goods through New Vijaya Lakshmi Transport, Visakhapatnam. To assist him to get the details, the respondents may now send a copy of the letter dated 28.8.94 addressed to the Regional Transport Authority, Visakhapatnam so that the applicant can contact the RTA, Visakhapatnam for getting necessary details. The respondents on receipt of the details should reconsider the issue for reimbursement of Rs.3,200/- to the applicant in accordance with the rules and pay him that amount if he is eligible.

7. The O.A. is disposed of as above. No costs.


(R. RANGARAJAN)
MEMBER (ADMN.)

DATED: 8th October, -1996
Open court dictation.


D.R. (J)

O.A.NO.333/96

Copy to:

1. The Comptroller and Auditor General of India,
10, Bahadurshah Zafar Marg, New Delhi.
2. The Principal Accountant General (Audit-I),
Andhra Pradesh, Hyderabad.
3. One copy to Mr.I.Dakshina Murthy, Advocate,
CAT, Hyderabad.
4. One copy to Mr.G.Parameswar Rao, Addl.GSC,
CAT, Hyderabad.
5. One copy to Library, CAT, Hyderabad.
6. One copy for duplicate.

YLKR

OA 333/96

8/11/96

Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 8.10.96

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

in
O.A. NO. 333/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED
~~DISPOSED OF WITH DIRECTIONS~~
DISMISSED
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS.

YLKR

II COURT

