

CENTRAL ADMINISTRATIVE TRIBUNAL

JABALPUR BENCH, JABALPUR

O.A. No. 827 of 2004

Date of order : 5th May, 2005

C O R A M

Hon'ble Mr. M.P.Singh, Vice-Chairman

Hon'ble Ms. Sadhna Srivastava, Member(J)

M.Krishna Kumar, son of Shri R.Muthusubramanian, L.I.G.-48, Housing Board Colony,
Near Head Post Office, Jabalpur. Applicant's

(By Advocate- Ku. Jai Laxmi Airya)
Vrs.

1. Union of India through the Chairman, Railway Board, Rail Bhawan, New Delhi.
2. General Manager, West Central Railway, Jabalpur.
3. Divisional Railway Manager, West Central Railway, Jabalpur.
4. Chief Signal Telecommunication Engineer, West Central Railway, Jabalpur.
5. Senior Divisional Signal Telecommunication Engineer, West Central Railway, Jabalpur.
6. Shri Neeraj Kumar Pandey, Deputy Signal Telecommunication Engineer, Jabalpur. Respondents.

(By Advocate- Shri H.B. Shrivastava)

ORDER

By Sadhna Srivastava, Member(J):-

The grievance raised in this application is that the applicant has not been paid traveling conveyance and overtime allowances (for extra hour duties) and other expenses as duly certified by the office of the Regional Workers Education Centre, Jabalpur (Annexure-10) for the period the applicant attended the Workers Teachers

Training . The applicant is a Railway employee posted at Jabalpur. By letter dated 22.10.1996 contained in Annexure-2, the applicant was nominated for the Workers Teachers Training course. The allegation in the application is that the applicant during the said training was made to perform duty in control office during evening or night or holidays. During the, course of training, the applicant was required to make industrial tours. On completion of the course, the applicant was granted a certificate by the Regional Director, Workers Education Centre on 20.1.1997 (Annexure-7). The applicant claimed that despite several representations, he has not been paid. At a late stage of the proceedings the respondents have filed a cryptic reply saying that the claim of the applicant, on scrutiny has been passed for Rs.7,331/- only on 9.2.2005.

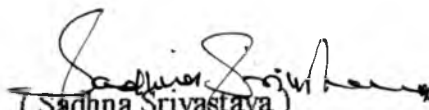
2. The applicant in reply to the above said written statement of the respondents has filed rejoinder affidavit on 29.3.2005. The applicant is not satisfied with the reply and alleges that he has not been paid overtime allowance, expenses incurred during the training and compensation due to him as directed in O.A. 69 of 2000.

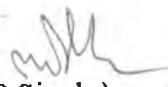
3. We have not been provided the details of the overtime allowance or the expenses incurred during the training beyond Rs. 7331/- already paid as mentioned above or the amount of compensation in lieu of one set of Railway pass if due to the applicant. It is also not known on what basis the respondents have arrived at the figure of Rs.7331/-.

4. Under the circumstances, we are of the opinion that in order to settle the accounts, the department has to do spade work. We, therefore, propose to send the matter to the Divisional Railway Manager, West Central Railway who will seek details of the claim from the applicant and thereafter pass speaking order making it clear how t he amount of Rs. 7331/- was calculated and whether any further amount is due and if not,

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why it is not considered to be due. The DRM can depute a responsible office of Accounts or any other section for the spade work but himself must scrutinise the same and provide his comments as to his satisfaction about the details of the claim of the applicant and payment made or due to the applicant. The purpose of this exercise to be undertaken by the DRM is that the claim of the applicant has to be settled according to rules at the level of DRM or his sub-ordinate. The applicant, for this purpose must provide specific details of the amount he considers due to him. He must also provide rule under which the amount he claims is due. The applicant has to satisfy the DRM or other office deputed by DRM that he is entitled to be paid beyond Rs.7331/- already paid to him. The applicant can provide specific details on his own or on demand. This exercise shall be completed within three months from the date of receipt of a copy of this order. Registry will ensure that a copy of this order is served on DRM at an early date.


(Sadhna Srivastava)
Member(Judicial)


(M.P. Singh)
Vice-Chairman

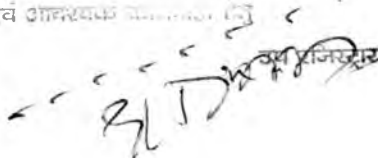
mps.

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....

पंक्तिविधि अन्तर्गत:-

- (1) सचिव, उच्च न्यायालय, जबलपुर
 - (2) आदेशदाता, उच्च न्यायालय, जबलपुर
 - (3) फाइलिंग ऑफिस, उच्च न्यायालय, जबलपुर
 - (4) वकील, उच्च न्यायालय, जबलपुर
- सचिव एवं आदेशदाता के नाम पर

sh. J. Doudhary HCTBB
sh. HB Shrivastava HCTBB
DRM WCRB JBP


J. Doudhary

used
9/5/05