

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH

Jaipur, this the 19<sup>th</sup> day of May, 2011

**ORIGINAL APPLICATION NO. 358/2008**  
**WITH**  
**MISC. APPLICATION NO. 233/2010**

**CORAM**

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER

M.S. Parihar son of Late Shri B.S. Parihar aged about 62 years, resident of Near Govind Nagar, Ram Ganj, Ajmer and last worked on the post of Principal/STC, Ajmer.

.....Applicant

(By Advocate: Mr. Ramesh Chand)

**VERSUS**

1. Union of India through the Chairman, Railway Board, Rail Bhawan, New Delhi.
2. General Manager, N.W. Railway, Jaipur.
3. Chief Works Manager, N.W. Railway, Loco Workshop, Ajmer.
4. Sr. Assistant, Financial Advisor, N.W. Railway, Ajmer.

.....Respondents

(By Advocate: Ms. Sonal Singh proxy counsel to Mr. Alok Garg)

**ORDER (ORAL)**

The short controversy involved in this OA is that teaching allowance has not been paid to the applicant. The Railway Board Circular dated 22.08.2005 regarding monetary incentive in the form of Training Allowance to faculty members deputed to Training for Group 'C' and 'D' staff has been placed on record and in view of Clause 5(a), faculty members, both gazetted and non-gazetted, who are drawn from the field and whose duty is to impart training/education to the trainees may be granted 'Training Allowance' at the rate of 15% of the basis pay in the revised scales of pay. The same teaching allowance has been refused to the applicant. The applicant submitted that

similarly situated person like Shri R.C. Gupta has been paid teaching allowance vide order at Annexure A/11.

2. The respondents have strongly controverted the submission made on behalf of the applicant and submits that vide order dated 03.09.2007, written to the Principal, STS, Ajmer, it was clarified that payment of Principal is done by Headquarters only and there was no order for appointment in case of the applicant as faculty member. It was also clarified in the letter that the matter of the applicant was scrutinized in detail and in view of amendment slip 68 of the Railway Establishment Manual 1985 and Railway Board's letter dated 22.08.2005, more particularly, clauses 5A to 5G. The case of the applicant is not covered and hence no payment as is payable to the applicant, as demanded.

3. I have considered the rival submissions of the respective parties. I have also carefully gone through the material available on record. The payment of teaching allowance has been paid to one Shri R.C. Gupta but the applicant has been refused for such payment. It is not disputed that the applicant had retired from service after attaining the age of superannuation. Thus in such circumstances, I deemed it proper to remit the case of the applicant back to the respondents to reconsider his case whether the applicant is entitled for teaching allowance as benefit has been extended in favour of one Shri R.C. Gupta vide Annexure A/11. The respondents are directed to examine each and every aspect and circular issued from time to time on the subject and to pass a reasoned and speaking order expeditiously and



not later than three months from the date of receipt of a copy of this order.

4. With these observations, the OA shall stands disposed of with no order as to costs.

5. In view of the order passed in the OA, there is no need to pass any order in MA No. 233/2010, which is accordingly disposed of.

*K. S. Rathore*  
(JUSTICE K.S. RATHORE)  
MEMBER (J)

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