

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.21/1062/2014

**Order reserved on 16.07.2019
Order pronounced on: 23.07.2019**

Between:

A. Mahaboob Subhan
S/o Late Alli Hussain
Aged about 65 years
Occ: Retired BCR Sub Postmaster, Jandrapeta S.O.
Prakasham Division
R/o D.No.1-1-2/127
Sai Priya Colony Kapra, ECIL
Hyderabad 500 062.

.. Applicant

AND

1. Union of India Represented by its Secretary
Ministry of Communications & IT
Department of Posts – India
Dak Bhavan, Sansad Marg
New Delhi – 110 001.

2. The Chief Postmaster General
A.P.Circle, “Dak Sadan”
Abids
Hyderabad 500001.

3. The Superintendent of Post Offices
Prakasam Division
ONGOLE – 523001. Respondents

Counsel for the Applicant ... Mr. M. Venkanna.
Counsel for the Respondents ... Mr. M. Venkata Swamy, Addl. CGSC

CORAM:

Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORDER

2. The OA is filed challenging the rejection of claim, for reimbursement of Travelling Allowance Bill, pertaining to personal effects, made by the applicant, on the eve of his retirement.

3. Brief facts of the case are that the applicant has retired from the respondents organization on 31.07.2008. After retirement, he has moved from his last working station to Hyderabad. For shifting his personal effects, the applicant preferred TA Bill for Rs.37000/- towards transportation, including his personal effects. Against the bill submitted, according to the applicant, respondents have released an amount of Rs.12384/-. Hence, the OA.

4. The contentions of the applicant are that applicant is eligible for transporting of his personal effects upto a maximum of 1500 kgs irrespective of the distance. Applicant has not taken any advance towards transportation of his personal effects. Respondents' curtailing the claim made is irregular.

5. Respondents, in their reply statement opposed the contentions of the applicant by stating that the basic pay drawn by the applicant at the time of his retirement was Rs.8000/- with Dearness Pay of Rs.4000/-. Therefore, based on this pay, he was allowed the Travelling Allowances as is due to him. However, consequent to implementation of the

recommendations of the 6th Central Pay Commission, during 2008, the Basic Pay plus Grade Pay of the applicant at the time of his retirement was refixed at Rs.16,060/- plus Grade Pay of Rs.4200/- w.e.f. 01.01.2006. The cost towards carriage of personal effects on transfer is admissible either by Rail or Road depending upon the pay range of the employee. Applicant preferred a TA Bill after retirement for a total amount of Rs.30,454/- and not Rs.37,000/-, which was passed for an amount of Rs.12,394/- as per Rules. Applicant took the payment of the said amount on 26.11.2010 without raising any objection. Applicant has claimed and received the amount and, therefore, he is precluded for making any further claim after lapse of 4 years from the date of his retirement. Applicant has not made any representation to the respondents after he took payment of the amount sanctioned to him towards Travelling Allowances. Respondents have also stated that he has not submitted any bills/vouchers for the amount incurred towards the personal effects. Applicant approached the respondents on 24.08.2013, by way of representation and when queried through RTI, he was informed vide letter dated 13.06.2014 that the Bill has been settled as per the admissibility of the applicant. On re-verification of his file in regard to his claim, it was observed that the applicant was paid the amount eligible. Applicant claiming that a sum of Rs.37,000/- has been disallowed, is incorrect. Applicant also claiming that he was waiting 5

years to get his TA Bill settled is not true in view of the facts stated above.

6. Heard both the counsel and perused the pleadings on record.

7. (I) Applicant after his retirement, made a claim of Rs.37000/- towards transportation of personal effects. Respondents have clarified that the applicant has actually made a claim of Rs.30,454/- out of which Rs.12,394/- was allowed. Respondents have also submitted in reply statement that applicant has not submitted vouchers/bills towards transportation of personal effects. In response applicant states that a composite bill was submitted wherein bill for transportation of personal effects was appended. In the absence of vouchers/bills, the TA Bill raised for transportation of personal effects cannot be allowed.

(II) However, the core issue is that the pay scale of the applicant was revised based on the recommendations of the 6th CPC w.e.f. 01.01.2006. The amount of TA is to be allowed depending upon the pay scale of the applicant. Based on the revised pay scale, applicant has submitted a representation to the respondents to pay as per the new scale. Revised TA Rules framed, based on the recommendations of the 6th CPC, were given effect to w.e.f. 01.09.2008 by Government of India OM No.F.19030/3/2008-E.IV, dated the 23.09.2008, wherein at Para 6 makes it clear that the claim submitted in respect of journey made on or

after 01.09.2008, may be regulated in accordance with these orders. Applicant retired on 31.07.2008. Therefore, he is entitled to move his personal effects within the period of one year, i.e., upto 31.07.2009. In case he has moved his personal effects on or after 01.09.2008 and submitted the bill also within that period, then the TA has to be allowed as per the OM dated 23.09.2008 to the extent he is eligible. Neither in the OA nor in the reply statement either the applicant or the respondents indicated the date of movement of the personal effects of the applicant. However, as the rule provides for considering the revised TA claim based on the OM cited above, the respondents are directed to examine the issue afresh. In case the applicant satisfies the claim for personal effects and had submitted the relevant vouchers and if he has travelled/moved his personal effects before 31.07.2009, then his TA claim may be regulated as per the OM referred to hereinbefore.

(III) With the above direction, the respondents may scrutinize the TA Bill of the applicant and pass the same to the extent the applicant is eligible as per TA Rules prevalent within a period of three months from the date of receipt of a copy of this order. No order as to costs.

**(B.V. SUDHAKAR)
MEMBER (ADMN.)**

Dated, the 23rd day of July, 2019

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