

F.No.17-01/2013-PAP  
GOVERNMENT OF INDIA  
MINISTRY OF COMMUNICATION AND IT  
DEPARTMENT OF POSTS  
(ESTABLISHMENT DIVISION)  
DAK BHAWAN, SANSAD MARG, NEW DELHI – 110 001

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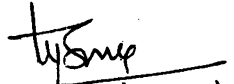
Dated, the 18 October, 2016

To

**ALL HEADS OF CIRCLES,  
ALL GM (PAF)/DAS (P),  
ALL DIRECTORS POSTAL STAFF COLLEGE INDIA/PTCs.**

**Sub: Clarification on admissibility of Transport Allowance in the cases where the officers are drawing Grade Pay of Rs.10,000/- in PB - 4 – reg.**

I am directed to forward herewith a copy of the Ministry of Finance, Department of Expenditure's Office Memorandum No.21(2)/2016-E.II(B) dated 19<sup>th</sup> August,2016 on the subject cited above for kind information and further necessary action in this regard.


  
( K.V. Vijayakumar )  
Assistant Director General (Estt.)

Encl: As above.

Copy to:

1. Sr. PPS to Secretary (Posts)/PPS to DG (Posts).
2. All Members of Postal Services Board.
3. JS&FA (Posts).
4. DDG (PAF)/Secy. (PSB))/GM (F) BDD/CGM (PLI).
5. All other DDs. (G) in Postal Directorate.
6. CPMG, Delhi Circle, New Delhi – 110 001.
- 7.8 Guard File/Spare Copy.
9. **DEPTL WEB SITE Through: PTC MYSORE.**

Centre for Excellence in Postal Technology, Mysore-570010		
21 OCT 2016		
G.M.	Director	A.D.(A)

  
(Narender Prakash)  
Section Officer (PAP)

**No. 21(2)/2016-E.II(B)**  
**Government of India**  
**Ministry of Finance**  
**Department of Expenditure**

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New Delhi, 19<sup>th</sup> August, 2016.

**OFFICE MEMORANDUM**

**Subject:- Clarification on admissibility of Transport Allowance in the cases where the officers are drawing Grade Pay of Rs.10,000/- in PB-4 – regarding.**

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Reference is invited to this Department's Office Memorandum No.21(2)/2008-E.II(B) dated 29.08.2008. Para '3' of the O.M. stipulates that Officers drawing Grade Pay of Rs.10,000/- & above and those in the HAG\* Scale, who are entitled to the use of official car in terms of Department of Expenditure (DoE) O.M. No. 20(5)/E.II(A)/93 dated 28.01.1994, shall be given the option to avail themselves of the existing facility or to draw the Transport Allowance at the rate of Rs.7,000/- p.m. plus Dearness Allowance thereon.

2. Several references have been received in this Department seeking clarification on the admissibility of Transport Allowance to officers drawing Grade Pay Rs. Rs.10,000/- under Dynamic ACP Scheme or NFU Scheme. A few cases have also been filed in the Courts in this regard. Hon'ble Central Administrative Tribunal (CAT), Principal Bench, New Delhi, in Order dated 13.05.2014 in O.A. No.4062/2013 filed by Shri Radhacharan Shakiya & Others V/s Union of India & Others, held that the Applicants were not entitled to draw Transport Allowance @ Rs.7,000/- p.m. plus DA thereon. The said order of the Tribunal has also been upheld by Hon'ble High Court of Delhi in their Order dated 03.09.2014 passed in Writ Petition (Civil) No. 3445/2014, filed by Shri Radhacharan Shakiya & Others.

3. Accordingly, it is clarified that the officers, who are not entitled for the use of official car for commuting between residence to office and back, in terms of DoE's OM 20(5)/E-II(A)/93 dated 28.01.1994, are not eligible to opt for drawal of Transport Allowance @ Rs.7000/- p.m. + DA thereon, in terms of DoE O.M. No.21(2)/2008-E.II(B) dated 29.08.2008, even though they are drawing Grade Pay of Rs.10,000/- in PB-4 under Dynamic ACP Scheme or under the scheme of Non-Functional Upgradation (NFU).

4. Hindi version is attached.

  
19/08/2016  
(Nirmala Dev)

Deputy Secretary to the Govt. of India

Tel: 23093276

To

1. All Ministries/Departments of the Govt. of India as per standard distribution list.
2. Copy forwarded to C&AG and UPSC, etc. (with usual number of spare copies) as per standard endorsement list.
3. NIC for uploading on website.