

भारत सरकार GOVERNMENT OF INDIA

रेल मंत्रालय MINISTRY OF RAILWAYS

(रेलवे बोर्ड RAILWAY BOARD)

No.E(P&A)II-2011/RS-37

New Delhi, dated 24.01.2014.

**The General Manager(P),  
All Indian Railways & Production Units.**

**Sub :** Judgement of the Hon'ble Supreme Court of India in Civil Appeal No. 7298 of 2013 (Arising out of SLP(C) No. 3446 of 2012) in the matter of UOI Vs B. Banerjee regarding denial of ALK to medically decategorised Running Staff of the Indian Railways working as a Crew Controller with stationary duties.

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In SLP (C) 7298/2013- Union of India and Ors Vs. B. Banerjee – the issue that arose before the Hon'ble Supreme Court for determination was whether a Driver, on being medically decategorised, and working as Crew Controller, would be entitled for Allowance in lieu of Kilometerage (ALK) or not. This SLP was filed against the order dated 26-10-2011 of Hon'ble High Court of Kolkata and Order dated 10-02-2011 of Hon'ble CAT/Kolkata.

Upon hearing both the parties, Hon'ble Supreme Court vide its order dated 6-09-2013, while allowing the Petition, has held that as a medically decategorized Driver working as a Crew Controller is not a member of the running staff or engaged in performance of running duties as defined by the provisions of Running Allowance Rules, he is not entitled to ALK. Further, the Hon'ble Supreme Court has also held that Running Allowance to which the Respondent Sh. Banerjee was entitled while he was a member of the running staff has been protected as a part of his pay in the post of Crew Controller and in such circumstances, any further grant of ALK will not be justified.

A Copy of the judgment may be downloaded from the website of the Hon'ble Supreme Court of India for information and necessary action, if any, in similar cases.



(K.Shankar)

Director E(P&A)

Railway Board

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**Copy to : 1. FA & CAO's of All Indian Railways and Production Units**

**2. EDE(N), EDF(E),RBCC.**