

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH.

No. O.A. 1401 of 1996.

Present : Hon'ble Dr. B.C.Sarma, Member (A)

HON'ble D. Purkayastha, Member (J)

BIKSH KUMAR BANIK

Vs.

1. Union of India, through the Secretary, Ministry of Home Affairs, New Delhi.

2. The Director of Intelligence Bureau, Ministry of Home Affairs, New Delhi.

3. The Joint Director, Subsidiary Intelligence Bureau, Min. of Home Affairs, Kohima, Nagaland.

4. The Asstt. Director, S.I.B., Min. of Home Affairs, Kohima, Nagaland.

5. The Asstt. Director (E), S.I.B., Min. of Home Affairs, 9/1, Gariahat Road, Calcutta -19.

.. Respondents.

For applicant : Mr. S.K.Dutta, Counsel.

Mr. T.K.Biswas, Counsel.

For respondents : Ms. B. Ray, Counsel.

Heard on : 16.6.97 :: Ordered on : 16.6.97.

O R D E R

B.C.Sarma, AM

The limited dispute raised in this application is about the grant of ration allowance to the applicant for the period of his posting at S.I.B., Kohima, Nagaland from 26.9.86 to 31.1.90. The applicant contends that during the period he was functioning under the respondents as Junior Intelligence Officer (JIO) II in the S.I.B. and as per the notification dated 13th May, 1986 he was entitled to receive




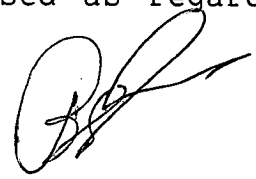
ration allowance. The applicant further contends that O.A. bearing No. 124 of 1994 was filed before the Guwahati Bench of the Central Administrative Tribunal and that application was allowed by an order dated 25.7.94 and the benefit of ration allowance was given to the applicants in the rank of JIO-II. The applicant made representation, but that has been turned down on the ground that direction given in the said judgement has been implemented in respect of that applicants only and the instant applicant cannot get that benefit.

2. The case has been resisted by the respondents by filing a reply, as directed at the stage of admission.

3. We have heard the ld. counsel for both the parties, perused records and considered the facts and circumstances of the case. We have also perused the contents of the Ministry of Home Affairs, Govt. of India, notification dated 13.5.86 regarding implementation of the report of the One-Man-Committee Part IV- General recommendation of One-Man Cadre Review Committee of Intelligence Bureau and Review. It is clear from the said notification that officers of the rank of ACIO-I and below are entitled to get the ration allowance. Undisputedly the applicant, who was a JIO-II under the respondents, was an officer below the rank of ACIO-I. This being the position, it is not clear to us why the benefit of ration allowance was denied to the applicant by the respondents.

4. In view of the above, the application is allowed. the respondents are directed to grant the benefit of ration allowance to the applicant for the said period. We further direct the respondents to grant similar benefit to all similarly circumstanced persons in the rank of ACIO-I and below under the respondents. The above order shall be implemented within a period of four months from the date of communication of this order. No order is passed as regards costs.


(D. Purkayastha)
MEMBER (J)


(B. C. Sarma)
MEMBER (A)