

**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR**

ORIGINAL APPLICATION NO.205/2009

Date of Order: 26.08.2010

HON'BLE Dr. K.B. SURESH, JUDICIAL MEMBER
HON'BLE Mr. V.K. KAPOOR, ADMINISTRATIVE MEMBER

1. Brijlal Soni S/o Shri Sunderlal, aged 44 years,
2. Laxman Singh S/o Shri Moti Lal, aged 53 years,
3. Babulal S/o Shri Pema Ram Ji, aged 47 years,
4. Babulal S/o Shri Lukaram, aged 46 years,
5. Jalam Singh S/o Shri Vishan Singh, aged 44 years,
6. Punjraj Singh S/o Shri Girdhari Singh, aged 51 years,
7. Kishore Kumar S/o Shri Vishan Das, aged 51 years,
8. Bhojraj S/o Shri Tolaram, aged 53 years,
9. Bheraram S/o Shri Devaram, aged 44 years,
10. Chutraram S/o Shri Pemaram, aged 56 years,
11. Jassaram S/o Shri Kanaram, age 48 years,
12. Pannalal S/o Shri Mishrilal, aged 56 years,
13. Smt. Geeta Devi Wd/o Ashok Kumar, aged 43 years,
14. Hussain Khan S/o Shri Fajre Khan, aged 47 years,
15. Chatrapal S/o Shri Ramdeen, aged 57 years,
16. Om Prakash S/o Shri Mohan Lal, aged 53 years,
17. Kishan Lal S/o Shri Mangilal, aged 49 years,
18. Jugal Kishore S/o Shri Devkishan, aged 45 years,
19. Chainaram S/o Shri Sohanraj, aged 47 years,
20. Parsaram S/o Shri Khinyaram, aged 56 years,
21. Roshan Lal S/o Shri Gyani Ram, aged 56 years,
22. Shesh Karan S/o Shri Devidan, aged 46 years,
23. Chotu Singh S/o Shri Hazari Singh, aged 46 years,
24. Shaitan Singh S/o Shri Bheru Singh, aged 55 years,
25. Jetharam S/o Shri Devaram, aged 43 years,
26. Salen Mohd. S/o Shri Jalal Khan, aged 47 years,
27. Nand Lal S/o Shri Shanker Lal, aged 50 years,
28. Madhav Ram S/o Shri Babu Lal, aged 47 years,
29. Smt. Saroj Kanwar Wd/o Shri Nathu Singh, aged 43 years,
30. Nand Kishore S/o Shri Ganesh Lal, aged 43 years,
31. Jagdish Prasad S/o Shri Sheraram, aged 46 years,
32. Parmanand S/o Shri Hansraj, aged 50 years,
33. Magaram S/o Shri Chetan Ram, aged 49 years,
34. Ganpat Ram S/o Shri Kanaram, aged 49 years,
35. Lunaram S/o Shri Tulsaram, aged 56 years,
36. Manohar Singh S/o Shri Nepal Singh, aged 49 years,
37. Bhanwar Lal S/o Shri Gorkharam, aged 49 years,

All working as Defence Civilians at 12 Rapid Ordnance Unit,
C/o 56 APO.

38. Smt. Yata Khatun Wd/o Shri Ali Mohammad, aged 42 years, Nat Basti, BJS, Banar Road, Jodhpur.

....Applicants

Mr. K.K. Shah, counsel for applicants.



VERSUS

1. Union of India, through the Secretary, Ministry of Defence, New Delhi.
2. The Chief of Army Staff, Army Headquarters, Sena Bhawan, New Delhi.
3. GOC-IN-C, HQ, Southern Command, Pune (Maharashtra).
4. GOC, 12 Rapid (Infantry Division), C/o 56 APO.
5. Principal Controller of Defence Accounts, Southern Command, Pune (Maharashtra).
6. C.O., 12 Rapid Ordnance Unit, PIN 909012, C/o 56 APO.

.....Respondents

Mr. Mr. M. Godara, proxy counsel for
Mr. Vinit Mathur, counsel for respondents

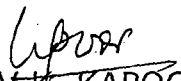
ORDER (ORAL) **(Per Hon'ble Dr. K.B. Suresh, Judicial Member)**

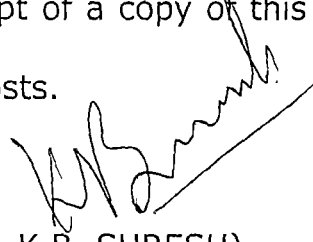
Applicants are civilians, who had participated in "Operation Parakram" for which they were entitled to Field Service Concessions. Earlier this Tribunal had directed the respondents in OA No.199/2008 (Brijlal & Ors. vs. UOI & Ors) dated 27.02.2009 to consider the case of the applicants vide Annexure-A/1 of that O.A. which was rejected on the ground that alongwith combatants these people were also issued free ration during their deployment.

2. The learned counsel for the applicant took us through the Annexure-A/4 which is a proposal of 12 RAPID Ord Unit. The question for Ex Post Facto Sanction for GOC 12 RAPID for grant of Field Service Concessions to 38 Defence Civilians Industrial Personnel of 12 RAPID Ord Unit for a period of 12 months w.e.f. 19th Dec. 2001 to 19th Dec. 2002 for their duration of deployment in Operation Parakram will be Rs.3,39,816/-. The statement show how the applicants had worked alongwith combatants of the unit

and therefore as per Government orders they are entitled to Field Service Concessions. Ex Post Facto Sanction under Ministry of Defence letter No. 4(9)/2003/D (Civ) dated 06th March 2006 is also granted but somewhere below in the hierarchy in defence ministry took a view that since these people were provided free ration, they are not entitled to concessions fully.

3. We have heard this matter in detail and it appeared that other combatants were given the field area concession alongwith free rations and, therefore, these applicants who had done the same job are also entitled to similar concessions. Therefore, Annexure-A/1 is hereby quashed and respondents are directed to pay Field Service Concessions as explained in the annexure mentioned above and sanction the amount to the applicants within a period of three months from the date of receipt of a copy of this order. OA is allowed as above no order as to costs.


(V.K. KAPOOR)
Administrative Member


(Dr. K.B. SURESH)
Judicial Member

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