

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 267 of 1996 (Series)

Date of decision : This the 10th day of June, 1997.

Hon'ble Mr. Justice D.N.Baruah, Vice-Chairman.

Hon'ble Shri G.L.Sanglyine, Administrative Member.

O.A. No. 267 of 1996.

Ram Bachan & 14 Ors.

By Advocate Mr. A.Ahmed.

.....Applicants

-versus-

Union of India & Ors.

...Respondents

By Advocate Mr. S.Ali, learned Sr. C.G.S.C.

O.A. No. 280 of 1996.

D.D.Bhattacharjee & 31 Ors.

....Applicants

By Advocate Mr. A.Ahmed

-versus-

Union of India & Ors.

...Respondents.

By Advocate Mr. S.Ali, learned Sr.C.G.S.C.

O.A. No. 17 of 1997.

Shri Hari Krishna Mazumdar & 24 Ors.

....Applicants

By Advocate Mr. A.Ahmed.

-versus-

Union of India & Ors.

...Respondents.

By Advocate Mr. S.Ali, learned Sr.C.G.S.C.

O.A. No. 12 of 1997.

Sri Jatin Chandra Kalita & 19 Ors.

....Applicants.

By Advocate Mr. A.Ahmed.

-versus-

Union of India & Ors.

....Respondents

By Advocate Mr. S.Ali, learned Sr. C.G.S.C.

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Attested
S.S. Advocate

O.A.
Compulsorily filed
Some concession allowed

O.A. No. 269 of 1996.

Nomal Chandra Das & 94 Ors.

....Applicants.

By Advocate Mr. A.Ahmed.

-Versus-

Union of India & Ors.

....Respondents

By Advocate Mr. S.Ali, learned Sr.C.G.S.C.

O R D E R

BARUAH J. (V.C.).

1. The above applications involve common questions of law and similar facts therefore we are disposing of all the applications by this common order. The facts are;

2. All the applicants are Group III & IV Civilian Employees serving under the Defence Department since long time. They are now posted in Nagaland. The applicants state that Central Government by various circulars gave directions that the Civilian Employees serving under the Defence Department in Nagaland are eligible for Certain benefits for taking risk of their life. They further state that as per the various Government circulars and Office Memorandum the Civilian Employees are entitled to get the benefit of Field Service Concession. As per the Government letter No. 372/AG/PS 3(a)/D(Pay)/Services dated 13.1.1994, the applicants being Civilian Employees under the Defence Department and at present posted in Nagaland are entitled to the benefit of Field Service Concession. In spite of

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repeated requests and demands the respondents have refused to give the said benefit. Hence the present application.

3. We have heard learned counsel appearing on behalf of the applicants and Mr. S.Ali, learned Sr. C.G.S.C. Learned counsel for the applicants submits that the present cases are covered by the decision of this Tribunal namely, the decision of O.A. Nos. 124 & 125 of 1995 dated 24.8.1995. By the said order this Tribunal directed the respondents to give the benefit of Field Service Concessions to the applicants of the above two Original Applications. The present applicants are also similarly situated and so they are also entitled to the said benefit. Learned counsel for the applicants further submits that in spite of repeated requests and demands respondents have till now denied such benefit to the present applicants which is not only arbitrary, discriminatory but also unreasonable and unfair. Mr. Ali, learned Sr.C.G.S.C. very fairly concedes that this Tribunal in similar facts and circumstances of the case directed the authority to give such benefit to those applicants and Mr. Ali also confirms that the present is covered by the said order.

4. On hearing the counsel for the parties and on perusal of the records we are of the opinion that the present cases are covered by the decision of this Tribunal passed in O.A. Nos. 124/95 and 125/95 and therefore we direct the respondents to pay Field Service Concession to the present applicants. This

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must be done as early as possible at any rate within 3 (three) months from the date of receipt of the copy of this order.

5. The application is allowed.

6. Considering the entire facts and circumstances of the case, however we make no order as to costs.

sd/- Vice-Chairman

sd/- Member (A)

Certified to be true copy

प्राप्तागत प्रतिलिपि

23/1/67

Deputy Registrar (A)
Central Administrative Tribunal
Gurugram Bench

23/1/67

Attested
S. C. Advani