

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 265 of 96 (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. 265 of 1996.

Ram Bachan & 14 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. 270 of 1996.

Nomal Chandra Das & 57 Ors.

Applicants.

By Advocate Mr. A.Ahmed.

-versus-

Union of India & Ors.

Respondents

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

O.A. No. 15 of 1997.

Sri Hari Bahadur Gurung & 12 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.).

All the above applications involve common questions of law and similar facts, therefore we propose to dispose of all the above applications by a common order.

....2. In these

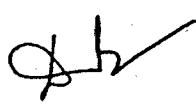
2. In these applications the applicants have prayed for direction to the respondents to pay Special (Duty) Allowance (in short SDA). The facts are ;

All the applicants of the above Original Applications are working as civilian employees under Defence Department at Dimapur, Nagaland.

3. We have heard Mr. A.Amhed, learned counsel appearing on behalf of the applicants and Mr. S.Ali, learned Sr.C.G.S.C. Learned counsel Mr. Ahemd submits that as per Notification of the Govt. of India, Ministry of Finance, the persons appointed outside the North Eastern Region and posted in this region are entitled to S.D.A. In the above applications the applicants have not clearly stated as to whether they were appointed outside the North Eastern Region and therefore it is not possible for this Tribunal to give a clear direction to the Respondents to pay the SDA. We, only hold that the persons who were appointed outside the North Eastern Region and posted within the region are entitled to SDA.

4. In view of the above, we direct the respondents to make enquiry as to whether the applicants were appointed outside the North Eastern Region or not. If on enquiry it is found that applicants were appointed outside the North Eastern Region and now posted in this region, then they shall be paid SDA in terms of the decision of the Apex Court in Civil Appeal No. 1572/97 dated 17.2.97 (Union of India & Ors. VS. B. Prasad, B.S.O & Ors.).

.....5. With



5. With the above directions the applications are disposed of.

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

Sd/-VICE CHAIRMAN

Sd/-MEMBER (A)