

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI-5.

O.A. NO. 135 of 1997 & O.A.No.194 of 1997
T.A. NO.

DATE OF DECISION 26.9.1997

Shri W. Megha Singh and 112 others (O.A.No.135/97)
Shri Ulla Gouda and 84 others (O.A.No.194/97)

(PETITIONER(S))

Mr A. Ahmed

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India and others

RESPONDENT (S)

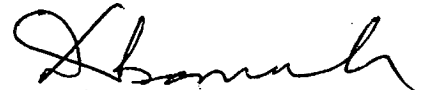
Mr S. Ali, Sr. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (S)

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN
THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ? *NO*
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.135 of 1997

And

Original Application No.194 of 1997

Date of decision: This the 26th day of September 1997

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

O.A.No.135/97

Shri W. Megha Singh and 112 others

Working in the office of the Office of the
Garrison Engineer, 869 E.W.S., C/o 99 APO

.....Applicants

By Advocate Mr A. Ahmed

- versus -

1. Union of India, represented by the
Secretary of Defence, Government of India,
New Delhi.

2. The Garrison Engineer,
869 E.W.S., C/o 99 APO.

.....Respondents

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

O.A.No.194/97

Shri Ulla Gouda and 84 others

Working in the Office of the
Commanding Officer, 50 Company, A.S.C. (Supply),
Type-C, C/o 99 APO.

.....Applicants

By Advocate Mr A. Ahmed

- versus -

1. Union of India, represented by the
Secretary of Defence, Government of India,
New Delhi.

2. The Commanding Officer, 50 Company,
A.S.C. (Supply), Type-C, C/o 99 APO.

.....Respondents

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

.....

AB

O R D E R

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BARUAH.J. (V.C.)

Both the above applications involve common questions of law and similar facts. Therefore, I propose to dispose of both the applications by this common order. The facts are:

2. All the applicants are Group III and 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.37269/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 repeated requests and demands the respondents have refused to give the said benefit. Hence the present applications.


3. Heard Mr A. Ahmed, learned counsel for the applicants and Mr S. Ali, learned Sr. C.G.S.C. appearing on behalf of the respondents. Mr Ahmed submits that the present cases are covered by the decision of this Tribunal, namely, the decision of O.A. No.267 of 1996 and others dated 10.6.1997. By the said decision this Tribunal directed the respondents to give the benefit of Field Service Concession to the applicants of the above original applications. The present applicants are also similarly situated and so they are also entitled to the said benefit. Mr Ali, very fairly

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concedes that this Tribunal in similar facts and circumstances of the cases directed the authority to give such benefit to those applicants and he also confirms that the present cases are covered by the said order.

4. On hearing the learned counsel for the parties and on perusal of the records I am of the opinion that the present cases are covered by the decision of this Tribunal passed in O.A.No.267 of 1996 and others, and therefore, I direct the respondents to pay Field Service Concession to the present applicants. This must be done as early as possible, at any rate within a period of two months from the date of receipt of the order.

5. Both the applications are accordingly disposed of. However, considering the facts and circumstances of the cases I make no order as to costs.


(D. N. BARUAH)
VICE-CHAIRMAN