

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A.No. 228 of 1998.

DATE OF DECISION...21-4-1999.....

Sri Kiran Shankar Deb & 59 others. (PETITIONER(S))

Sri G.N.Das. ADVOCATE FOR THE  
PETITIONER(S)

-VERSUS-

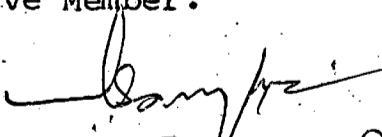
Union of India & Ors. RESPONDENT(S)

Sri B.S.Basumatary, Addl.C.G.S.C. ADVOCATE FOR THE  
RESPONDENTS.

THE HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER.  
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 ?
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 Administrative Member.

  
21-4-99

X

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 228 of 1998.

Date of Order : This the 21st Day of April, 1999.

Shri G.L.Sanglyine, Administrative Member.

Shri Kiran Shankar Deb & 59 others . . . Applicants.

All the applicants are serving in Aviation Research Centre, Doomdooma in the District of Tinsukia, Assam.

By Advocate Sri G.N.Das.

- Versus -

1. Union of India  
represented by the Cabinet Secretary,  
Department of Cabinet Affairs,  
New Delhi.
2. Directorate General of Security,  
Block-V (East), R.K.Puram,  
New Delhi-66.
3. Director,  
Aviation Research Centre,  
Block-V (East),  
R.K.Puram, New Delhi-66.
4. Deputy Director,  
Aviation Research Centre,  
Doomdooma, District Tinsukia. . . . Respondents.

By Advocate Sri B.S.Basumatary, Addl.C.G.S.C.

ORDER

G.L.SANGLYINE, ADMN.MEMBER,

This application has been submitted by 60 (sixty) applicants with the prayer to allow them to file a single application as provided in Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987. Prayer granted.

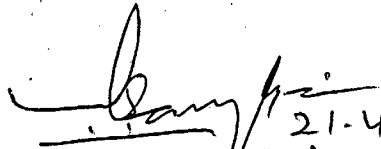
2. The applicants are employees of Aviation Research Centre (ARC for short), Doomdooma in various categories. In this application they prayed that Ration Allowance be granted to them with effect from 22.2.1994 as admissible and as has been granted to similarly situated employees of

the ARC pursuant to the order of the Tribunal dated 14.6.1996 passed in O.A.245/95 and order dated 17.7.1998 passed in O.A. No.89/96. The respondents have contested the application and submitted written statement. According to the respondents the allowance is not admissible to the applicants as they do not belong to the executive cadre of employees of the ARC.

3. I have heard Mr G.N.Das, learned counsel for the applicants and Mr B.S.Basumatary, learned Addl.C.G.S.C. for the respondents. The issue of grant of Ration Allowance to the employees of ARC Doomdooma was considered in the order dated 14.6.1996 in O.A.No.245/95 as mentioned above. It was held that the Ration Allowance was admissible to the applicants in that O.A and the respondents were directed to pay Ration Allowance to them at the rate applicable to them with effect from the due date, namely, 22.2.1994. Ration Allowance to the staff of ARC in general was granted initially by the order No.A. 27011/4/86-EA-II(A) dated 6.12.1987. The grant of Ration Allowance in respect of the employees of ARC Doomdooma in particular was effective from 22.2.1994 only. The order dated 6.12.1987, Annexure-III was issued in continuation to the letter No.A-49011/8/86-DO-I(B) dated 10.5.1986, Annexure-I. Neither in the order dated 10.5.1986 nor in the order dated 6.12.1987 it has been mentioned that only the employees belonging to executive cadres can enjoy the benefit of Ration Allowance. In the letter No.ARC/Coord/30(B)/87-III-186, dated 22.2.1994, Annexure-IV also there is no mention that the Ration Allowance is to be granted to the employees of the ARC belonging to the executive cadres. The allowance was granted from the date of issue of the letter for a period till such time it is categorised otherwise. After hearing both sides I am of the view that

the applicants are similarly situated with the applicants in O.A.No.245/95. Before allowing that allowance to the applicants in that O.A. reasoning had been given particularly in para 4 of the order. The respondents preferred Special Leave Application before the Hon'ble Supreme Court against this order but the Special Leave Application was dismissed by the Hon'ble Supreme Court. In view of the letters dated 10.5.1986, 6.12.1987 and 22.2.1994 and the facts mentioned above, I am of the view that the respondents have arbitrarily denied the benefit of Ration Allowance to the present applicants, who are the employees of ARC Doomdooma. The applicants are entitled to receive Ration Allowance with effect from 22.2.1994 till such time ARC Doomdooma is categorised otherwise and the respondents are therefore directed to pay the arrears amount as admissible to each applicant within 90 days from the date of receipt of this order.

The application is allowed. No order as to costs.

  
21-4-1999  
( G.L. SANGLYNE )  
ADMINISTRATIVE MEMBER