

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI-5

O.A. No. 275 of 1998

Date of decision 12.2.99

shri Bal Bahadur Sharma & 15 Ors.

PETITIONER(S)

Mr. A. Ahmed

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union of India & Ors.

RESPONDENT(S)

Mr. A. Deb Roy, 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 Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether the Judgement is to be circulated to the other Benches?

Judgement delivered by Hon'ble Vice-Chairman.



Original Application No. 275 of 1998.

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

Shri Bal Bahadur Sharma & 15 Ors.
Working as labourer in the
office of the Officer Commanding,
302 ASC(Supply), Type-A,
57 Mountain Division,
C/o 99 APO.

Applicants

By Advocate Mr. A.Ahmed.

-versus-

1. The Union of India,
represented by the Secretary to
the Govt. of India,
Defence Department,
New Delhi.
2. The Officer Commanding,
302 A.S.C.(Supply), Type-A,
57 Mountain Division,
C/o 99 APO

Respondents

By Advocate Mr. A.Deb Roy, learned Sr. C.G.S.C.

O R D E R

BARUAH J.(V.C.).

This application has been filed by the applicants seeking certain directions to the respondents for payment of Field Service Concessions.

The facts are :

All the applicants are Group 'D' employees serving under the Defence Department since long time. They are now posted in Manipur. The applicants state that Central Government by various circulars gave directions that the Civilian Employees serving under the Defence Department in N.E. Region including Manipur are eligible for certain benefits for taking risk of their life. They further state that as per various Government circulars and Office Memorandum the Civilian Employees are entitled to get the benefit of Field Service Concession. As per the Government letter...Contd.

Service Concession. The Government of India's 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 Manipur 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 to the applicants. Hence the present application.


2. Heard (Mr. A. Ahmed) learned counsel appearing on behalf of the applicants and Mr. A. Deb Roy, 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 order passed in 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. This is not only arbitrary, and discriminatory but also unreasonable and unfair. Mr. Deb Roy, 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. Deb Roy also confirms that the present case is covered by the said order.

13
Contd..

3. On hearing the counsel for the parties and on perusal of the records I am of the opinion that the present case is covered by the decision of this Tribunal passed in O.A. No. 124/95 and 125/95 and therefore the respondents are directed to pay Field Service Concession to the present applicants. This must be done as early as possible at any rate within a period of 3 (three) months from the date of receipt of this order.

4. With the above directions, the application is disposed of.

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



(D.N. BARUAH)
Vice-Chairman