

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI-5

O.A. No. 277 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, learned 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.



CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 277 of 1998.

Date of decision : This the 12th day of February 1999.

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 Special Compensatory (Remote Locality) Allowance. The facts are :

All the applicants are Group 'D' category serving under the Defence Department since long time. They are now posted in Manipur. The applicants

state that Govt. of India, Ministry of

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state that O.M. dated 31.1.1995 was issued by the Government of India, Ministry of Finance, granting Special Compensatory (Remote Locality) Allowance to the Defence Civilian employees posted in N.E. Region including Manipur.

As per the said O.M. dated 31.1.95 the applicants being Civilian Employees under the Defence Department and at present posted in Manipur are entitled to the benefit of Special Compensatory (Remote Locality) Allowance. 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 case is 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 Special Compensatory (Remote Locality) Allowance 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

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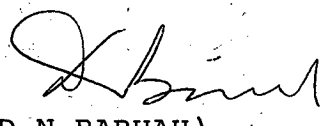
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which is not only arbitrary and discriminatory but also unreasonable and unfair. Mr. Deb Roy, learned Sr. C.G.S.C. very fairly concedes that this Tribunal in similar facts and circumstances of the case directed the authority to give such benefit to those applicants. Mr. Deb Roy also confirms that the present case is covered by the said order.

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. Nos. 124/95 and 125/95 and therefore I direct the respondents to pay Special Compensatory (Remote Locality) Allowance to the applicants with effect from the date of actual posting in Manipur on or after 1.10.1986 as the case may be ~~in~~ ^{to} the such applicants and to continue to pay the same so long as the concession is admissible. 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.

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



(D.N. BARUAH)

Vice-Chairman