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CENTRAL ADMINISTRATIVE TRIBUNAL ::  
GUWAHATI BENCH.

O.A./R.A. No. 143/98 of

DATE OF DECISION 18.9.2000

Shri M.M.Beg & 52 Ors.

PETITIONER(S)

Mr. A. Ahmedza.

ADVOCATE FOR THE  
PETITIONER(S)

VERSUS -

Union of India & Ors.

RESPONDENT(S)

Mr. A. Deb Roy.

ADVOCATE FOR THE  
RESPONDENTS

THE HON'BLE MR. JUSTICE D.N.CHOWDHURY, 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 ?
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



CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 143 of 1998.

Date of decision : This the 18th day of September, 2000.

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

Shri M.M.Beg,  
MES 467160  
B.S.O.  
Serving in the office of  
the Garrison Engineer, 868 EWS,  
C/o 99 APO & 52 Ors.

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,  
868 EWS, C/o 99 APO.
3. The Garrison Engineer,  
869 EWS, C/o 99 APO.
4. Head Quarter,  
137 Command Works Engineer,  
C/O 99 APO.
5. The Area Accounts Officer,  
Bivar Road, Shillong.

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

...Respondents

O R D E R

D.N.CHOUDHURY, J.(V.C.).

Heard Mr. A. Ahmed, learned counsel appearing on behalf of the applicants and Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents.

The matter is squarely covered by earlier decision of this Bench of the Central Administrative Tribunal pertaining to payment of House Rent Allowance. The applicants are 53 in number who are serving as Mazdoor, Chowkidar, B.S.O. Gr. II, U.D.C., F.G.M. Carpenter etc.

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3. The grievance of these applicants and reliefs sought for are similar. Permission is granted under the provisions of Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

4. All the 53 applicants are now posted in various parts of the State of Nagaland are claiming House Rent Allowance (For short HRA) at the rate applicable to the employees of 'B' class cities of the country on the basis of Office Memorandum No. 11013/2/86-E.II(B) dated 23.9.1986 issued by the Joint Secreary to the Govt. of India, Ministry of Finance(Dept. of Expenditure), New Delhi, for their posting at Nagaland.

5. The grievance raised in this application has already been adjudicated by the Hon'ble Supreme Court as well as by this Bench of the Tribunal in O.A. No. 266/96 in a batch of applications. The applications were allowed and directed the respondents to pay to the applicants 10% compensation in lieu of rent free accommodation.

6. In the light of the various decision the respondents including the respondent no.5 - Area Accounts Officer, Shillong is ordered to make necessary payment of the House Rent Allowance as per Circular No. 11013/2/86-E-II(B) issued by the Govt. of India, Ministry of Finance (Department of Expenditure), New Delhi, 23.9.1986.

7. The application is allowed. Considering the facts and circumstances of the case, however I make no order as to costs.

  
(D.N.CHOWDHURY)  
Vice-Chairman

trd