

30/100  
**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 241/2000

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SECTION OFFICER (Judl.)

*[Signature]*  
19/12/17

## In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

## ORDER SHEET

APPLICATION NO. 244/2000 OF 199

Applicant(s) Mrs. Georrialda Khoangstaelo

Respondent(s) Union of India and others.

Advocate for Applicant(s) Mr. G. K. Bhattacharyya  
Mr. G. N. Das,

Advocate for Respondent(s) C.G. S.C.

Notes of the Registry	Date	Order of the Tribunal
25/9/00 Notice prepared and sent to D/section for hearing the respondents No 1 to 5 vide D/No 2005 2008 dtd 26/9/00	21.9.2000 mk	Present : Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman Heard Mr. G.N. Das, learned counsel for the applicants. Application is admitted. Issue usual notices. List on 24.10.00 for written statement and further orders.
25/9/00 Notice prepared and sent to D/section for hearing the respondents No 1 to 5 vide D/No 2005 2008 dtd 26/9/00	24.10.00 trd	Heard learned counsel for the parties. Hearing concluded. Judgement delivered in the open court, kept in separate sheets. The application is allowed. No costs.

Notes of the Registry	Date	Order of the Tribunal
<p>(1) Service report are still awaited.</p> <p>(2) <del>W/S</del> w/s has been filed by the Resps.</p> <p><u>Zy</u> 23.1.2000</p>		

CENTRAL ADMINISTRATIVE TRIBUNAL ::  
GUWAHATI BENCH.

O.A./R.A. No. 244/2000 of

DATE OF DECISION 24.10.2000

Mrs. Yeorialda Khongsit & 23 Ors.

PETITIONER(S)

Mrs. N. Devi.

ADVOCATE FOR THE  
PETITIONER(S)

VERSUS -

Union of India & Ors.

RESPONDENT(S)

Mr. B.S. Basumatary, Addl. C.G.S.C.

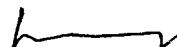
ADVOCATE FOR THE  
RESPONDENTS

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.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 244 of 2000.

Date of Order : This the 24th day of October, 2000.

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

Mrs. Yeorialda Khongsit,  
Daughter of Late K.S. Swer  
Assistant  
Office of the Divisional Organiser,  
S.S.B., Shillong (Meghalaya) & 23 Others.

Applicants

By Advocate Mr. N. Devi.

-versus-

1. Union of India (Represented by the Cabinet Secretary, Department of Cabinet Affairs, Bikaner House, Sahjahan Road, New Delhi).
2. Director General of Security, Block-V (East) R.K.Puram, New Delhi-66.
3. Director, S.S.B. Block -V(East) R.K.Puram, New Delhi-66.
4. Divisional Organiser, S.S.B., Shillong(Meghalaya).

...Respondents

By Advocate Mr. B.S.Basuametary, Addl. C.G.S.C.

O R D E R (ORAL)

CHOWDHURY J.(V.C.).

All the 24 applicants are non-executive personnel serving in the office of the Special Service Bureau (for short SSB), Shillong who have come to this Tribunal with common grievance bearing common interest in the matter and the relief sought for are also of similar nature. Accordingly leave is granted to espouse their grievance by a single application in consonance with Rule 4 (5) (a) of the Central Administrative Tribunal

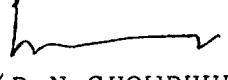
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(Procedure) Rules, 1987.

2. Heard Mrs. N. Devi, learned counsel for the applicants and Mr. B.S. Basumatary, learned Addl. C.G.S.C. for the respondents.
3. The grievance made out in this application pertaining to grant of concession more particularly Ration Allowance to the employees who are employed in Shillong. The respondents have filed written statement. It has been stated at the bar that this case is squarely covered by a number of decisions rendered by this Tribunal, more particularly O.A. No. 245/95 and 89/96 disposed of on 14.6.1996 and 17.7.1998 respectively. The applicants are working under Divisional Organiser, SSB, Shillong, Meghalaya and the Shillong is declared category B station with effect from 27.4.1992 for the purpose for grant of various concessions as mentioned at Annexure-I Cabinet Secretariat letter dated 18.12.1987. Some concessions were extended from time to time and latest upto 26.4.2001. Ration Allowance is one of the concessions provided by these orders as alluded by the Tribunal on 14.6.95 and 17.7.98 in O.A. Nos. 245/95 and 89/96 ordered for grant of Rational Allowance to those applicants.
4. On hearing the learned counsel for the parties it is ordered that the respondents to grant similar benefit of Ration Allowance to the applicants also with effect from 27.4.1992 i.e. from the date Shillong was declared as Category 'B' station or from the respective date of joining whichever is later. Accordingly the respondents are directed to pay to the applicants Ration Allowance with effect from 27.4.92 or from their respective date of joining whichever is later, within a

period of three months from the date of receipt of this order.

5. The application is allowed. No costs.

  
(D.N.CHOWDHURY)  
Vice-Chairman

trd

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH

Bom 21 JUL 2000 GUWAHATI.

2000  
Guwahati Bench O. NO.

244 /2000.

Mrs. Yeorialda Khongsit & Ors.

... Applicants.

-versus-

Union of India and others.

... Respondents.

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Filed by :-

(Advocate)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH

Guwahati.

(An application U/S 19 of the Administrative Tribunals Act, 1985 ).

O. A. NO. /2000.

1. Mrs. Yeorialda Khongsit

D/O Late K. S. Swer

Assistant

Office of the Divisional Organiser, S. S. B.,  
Shillong (Meghalaya ).

2. Shri Kandarpa Narayan Choudhury

Son of Late Kripamoy Choudhury

Junior Accountant

Office of the Divisional Organiser, S. S. B.,  
Shillong (Presently serving in the office  
of the Divisional Organiser, S. S. B.,  
Imphal, Manipur ).

3. Shri Swapan Shyam

Son of Late Shantimoy Shyam

U. D. C.

Office of the Divisional Organiser, S. S. B.,  
Shillong .

4. Shri Naresh Chandra Debnath

Son of Late Debendra Chandra Debnath

U. D. C.

Office of the Divisional Organiser, S. S. B.,  
Shillong .

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filled by the Petitioner  
Yeorialda Khongsit  
through Neelam

2.

5. Shri Pravash Chandra Parida  
Son of Shri Kshirasindhu Parida  
Pharmacist  
Office of the Divisional Organiser, S. S. B.,  
Shillong.

6. Miss Maushumi Chakraborty  
D/O Shri D.R. Chakraborty  
Steno  
Office of the Divisional Organiser, S. S. B.,  
Shillong.

7. Shri Sunil Chandra Das  
Son of Late Jogendra Chandra Das  
Peon  
Office of the Divisional Organiser, S. S. B.,  
Shillong.

8. Shri Samarendra K. Das  
Son of Late Sailesh Ranjan Das  
Peon  
Office of the Divisional Organiser, S. S. B.,  
Shillong.

9. Shri Pares Ch. Sarma  
Son of Late Humeswar Sarma  
Assistant  
Office of the Divisional Organiser, S. S. B.,  
Shillong.

10. Shri Prince Basumatary  
Son of Shri Baneswar Basumatary  
Assistant  
Office of the Divisional Organiser, S. S. B.,  
Shillong.

contd...

3.

11. Shri Bholanath Barman

Son of Shri Harimohan Barman

U.D.C.

Office of the Divisional Organiser,

S.S.B., Shillong .

12. Shri Sunil Kumar

Son of Shri Jagadish Prasad Mahto

Pharmacist

Office of the Divisional Organiser,

S.S.B., Shillong.

13. Shri Mrinal Kanti Ghose

Son of Santosh Ghose

Steno

Office of the Divisional Organiser ,

S.S.B., Shillong .

14. Shri Dipak Bhattacharjee

Son of Late Amar Bhattacharjee

Steno

Office of the Divisional Organiser ,

S.S.B., Shillong .

15. Shri Himangshu Dey

Son of Late Hemanta Kr. Dey

Driver

Office of the Divisional Organiser ,

S.S.B., Shillong .

16. Shri Badal Chandra Dey

Son of Late Nagesh Chandra Dey

Driver

Office of the Divisional Organiser ,

S.S.B., Shillong .

contd...

17. Shri Arabinda Dutta  
 Son of Late Ashwini Kumar Dutta  
 Peon  
 Office of the Divisional Organiser ,  
 S.S.B., Shillong .

18. Shri Sunil Chandra Dey  
 Son of Late Upendra Chandra Dey  
 Peon  
 Office of the Divisional Organiser ,  
 S.S.B., Shillong .

19. Shri Gopal Sarkar  
 Son of Late Jagat Bandhu Sarkar  
 Peon  
 Office of the Divisional Organiser ,  
 S.S.B., Shillong .

20. Shri Parimal Ch. Das  
 Son of Late Manindra Chandra Das  
 Peon  
 Office of the Divisional Organiser ,  
 S.S.B., Shillong .

21. Shri Paresh Ch. Deb  
 Son of Late Prasanna Chandra Deb  
 Peon  
 Office of the Divisional Organiser ,  
 S.S.B., Shillong .

22. Shri Ratish Ch. Chaudhury  
 Son of Late Narendra Mohan Chaudhury  
 Peon  
 Office of the Divisional Organiser ,  
 S.S.B., Shillong .

23. Shri Srikanta Roy

Son of Late Rajmani Roy

U.D.C.

Office of the Divisional Organiser,  
S.S.B., Shillong .

24. Shri Prahlad Ch. Roy

Son of Late Nilambar Roy

Assistant

Office of the Divisional Organiser,  
S.S.B., Shillong .

(All the applicants are non-executive personnel serving in the office of the Divisional Organiser, Special Service Bureau-S.S.B. in Short, Shillong .)

... Applicants.

-versus-

1. Union of India (Represented by the Cabinet Secretary, Department of Cabinet Affairs, Bikaner House, Sahjahan Road, New Delhi ).

2. Director General of Security ,  
Block-V (East )  
R.K. Puram , New Delhi -66 .

3. Director , S.S.B.  
Block -V (East )  
R.K. Puram , New Delhi-66 .

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19  
Date

4. Divisional Organiser, S.S.B.,  
Shillong (Meghalaya ).

.... Respondents.

1: PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE :-

I) Illegal and arbitrary action of the respondent-authorities in not allowing the applicants to draw *ration allowance* only on the ground that they are not applicants in various original applications including O.A. NO. 367/99 filed by some of the colleagues of the present applicants which have since been disposed of by this Hon'ble Tribunal directing payment of Ration Allowance to the applicants from the dates due to them .

II) Memorandum No. E.I/1-82/SD/99/14/99 dated 29.11.99 issued by the Divisional Organiser, S.S.B., Shillong (Respondent ) with reference to the representation dated 2.11.99 submitted by the applicant No.2 praying for grant of ration allowance annexing a copy of the memorandum No. 9/SSB/A 2/96 (1)-Haflong -3007 dated 27.10.99 issued by the Respondent No.3 to the Respondent No.4 whereby it has been clarified that non-applicants in original applications disposed of by this Hon'ble Tribunal are not entitled *to* get ration allowance on the basis of judgements delivered by this Hon'ble Tribunal .

III) Order conveyed by the Respondent No.3 under cover of his office memorandum No.9/SSB/A 2/86 (1)- SHILLONG-3045 dated 2.11.99 regarding grant of ~~ration~~

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allowance to the non-executive personnel of S.S.B., Shillong posted to category "B" and "C" stations whereby the Respondent No.3 intimated the Respondent No.4 explaining the position of the matter vide their memorandum of even no dated 27.10.99 (Annexure- ) and again reiterating that the applicants are not applicants in various original applications disposed of by this Hon'ble Tribunal directing payment of ration allowance and as such they are not entitled to the grant of ration allowance as per judgement of this Hon'ble Tribunal .

2 : JURISDICTION OF THE TRIBUNAL :-

The applicants declare that the subject-matter of the order against which they want redressal is within the jurisdiction of the Tribunal .

3 : LIMITATION :-

The applicants further declare that the application is within the limitation prescribed u/s 21 of the Administrative Tribunals Act , 1985 .

4 : FACTS OF THE CASE :-

1) That the applicants are all non-executive personnel serving in various capacities in the special Service Bureau (S.S.B. in short ) which is a department of the Govt. of India directly under the Cabinet Secretary .

The applicants have a common grievance and interest in the matter and as such they are filing a single application inasmuch as the relief granted

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*Shillong*

to one of them will be equally applicable to all others as they are similarly situated with a view to avoiding multiplicity of litigations . The applicants crave leave of this Hon'ble Tribunal to allow them to file a single application as provided in Rule 4(5) of the C.A.T. (Procedure) Rules, 1987.

2) That the Government of India, in 1962 , set up the Directorate General of Security (D.G.S. in short ) under the administrative control of the Cabinet Secretariat for some specific purposes which is a multi-role, multidisciplinary organisation comprising four agencies, namely , Special Service Bureau (S.S.B. in short), Aviation Research Centre (A.R.C. in short ), Special Frontier Force (S.F.F. in short ) and Chief Inspectorate of Armaments .

3) <sup>That</sup> That the applicants beg to state , the Cabinet Secretariat, vide letter No. A.27011/4/86-EA-II dated 18.12.87 addressed to the Director , Planning, Directorate General of Security, informed that certain concessions were granted to the Staff of S.S.B., S.F.F., C.I.O.A. (Chief Inspectorate of Armaments ) and Directorate of Accounts and the concessions were listed in Annexure-I. In the said letter it was also mentioned that for some of the concessions, the various hardship locations had been categorised as "B" and "C" stations as mentioned in the Annexure-II to the letter. In the said letter, it was also mentioned that for the purpose of House Rent allowance, concessions to the various categories to staff, the equation of posts as

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*Ans-*

listed in Annexure-A to the Cabinet Secretariat order dated 28.10.86 would also be applicable in respect of the staff of S.S.B., S.F.F., C.I.O.A. and Directorate of Accounts .

Copy of the said letter dated 18.12.87  
P/ alongwith two Annexures is annexed here-  
with and marked as Annexure -I .

4) *That*, the applicants beg to state that, from ~~the~~ the said letter and Annexures, it would be apparent that certain concessions were granted and in the case of the applicants, the concession referred to against serial No.2 in Annexure-I, i.e. Ration Allowance, would be relevant. The House Rent Allowance to the executive cadre was made admissible to the personnel of other cadres also ~~of~~ the corresponding level except in the case of S.S.B. Battalion personnel and Deputy Commandants/Company Commanders/Assistant Company Commander of S.F.F. and also those on deputation in the S.F.F. from the Army .

5) That the applicants beg to state that the order dated 28.10.86 mentioned in letter dated 18.12.87 (Annexure-I) was an order from the Cabinet Secretariat whereby the sanction of the President was conveyed to the equation of posts listed at Annexure-A in various cadres of corresponding level in Aviation Research Centre to that of the executive cadre. The present applicants have been equalised with the Field Officers and below and as per the said equation, the applicants were paid House Rent Allowance from 1987 itself .

A copy of the said letter dated 28.10.86  
alongwith enclosures is annexed herewith  
and marked as Annexure-II .

(8)

6) That the applicants beg to state that as per Cabinet Secretariat letter 18.12.87 (Annexure-I) Shillong was not categorised as either "B" or "C" locations and as such the S.S.B., personnel serving in Shillong were not granted Ration Allowance concessions initially. In exercise of powers vested in him as head of the Department and in terms of para 3 of the Cabinet Secretariat letter 18.12.87 (Annexure-I), the Director, S.S.B. (Respondent No.3), by order No. 9/S.S.B./A-2/86 (1)/IV-2065 dated 27.4.92, conveyed his sanction to the classification of Shillong (Meghalaya) as category "B" station for the purpose of granting various concessions as referred to in letter dated 18.12.87 (Annexure-I) for a period of three years with effect from date of issue of that order i.e. 27.4.92. Subsequently, by another order No. 9/S.S.B./A-2/86 (1)-Shillong/1257 dated 21.6.95, the categorisation of Shillong (Meghalaya) as 'B' station for a further period of three years with effect from 27.4.95 to 26.4.98 was sanctioned. By another order No. 9/SSB/A-2/86(I)-IV-Shillong-4426 dated 15.10.98, the categorisation of Shillong as 'B' station was extended for a further period three years with effect from 27.4.98 to 26.4.2001.

Copies of the aforesaid orders regarding categorisation of Shillong as 'B' station dated 27.4.92, 21.6.95 and 15.10.98 are annexed herewith and marked as Annexure-III, IV and V respectively.

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7) That, after Shillong was categorised as 'B' station, the employees of the S.S.B. serving in Shillong became eligible for getting Ration Allowance with effect from 27.4.92, i.e. from date of categorisation of Shillong as 'B' station and accordingly the Field Officers and below were being paid Ration Allowance. However, for reasons best known to the authority, the applicants who had been equated with Field Officers and below were not paid Ration Allowance in a most illegal and arbitrary manner.

8) That the applicants beg to state that the Aviation Research Centre is a part of Directorate General of Security alongwith S.S.B. and two other organisations. Similar concessions including Ration allowance were granted to the employees of the Aviation Research Centre and the non-executive staff of the Aviation Research Centre were also deprived of the Ration allowance and only executive staff was given the same. Some employees of Aviation Research Centre, Doombodoma had filed an application before this Tribunal claiming that being non-executive staff, they were also entitled to get the Ration Allowance as was being given to the executive staff, according to the equalisation done as per order dated 28.10.86 (Annexure-II) and the same was numbered as O.A. 245/95. A Division Bench of this Tribunal, by judgement dated 14.6.96, held that the Ration Allowance was admissible to the applicants and directed that the Ration Allowance be paid to the applicants at the rate applicable to them with effect from the due date and to pay the arrear amounts within a ~~ps~~ fixed period. The Aviation Research Centre

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*Murad*

authorities, instead of granting the concessions, filed and S.L.P. in the Hon'ble Supreme Court challenging the order passed by this Hon'ble Tribunal granting Ration Allowance to the non-executive staff and the same was numbered as Special Leave to appeal (Civil) No. 1706/97.

The Hon'ble Supreme Court, by order dated 16.3.98, <sup>dismissed</sup> submitted the Special Leave to Appeal and directed that the order be punctually observed and carried into execution by all concerned.

copies of the judgment dated 14.6.96 passed by this Hon'ble Tribunal and the order dated 16.3.98 passed by the Hon'ble Supreme Court are annexed herewith and marked as Annexure- VI and VII respectively.

9) That the applicants beg to state that in pursuance of the said judgement, the Cabinet Secretariat, vide their order No. A-27011/4/86/EA.II/1483 dated 16.6.98, sanctioned the Ration Allowance to the non-executive staff of the Aviation Research Centre and all payments have since been made to the staff who are still continuing at Doon Dooma which has been categorised as "B" station.

10) That the applicants beg to state that some other non-executive personnel of Aviation Research Centre (ARC) in short ), F.R.U. Numaligarh who were also deprived of getting the Ration Allowance had also filed an application before this Hon'ble Tribunal claiming Ration Allowance and the same was numbered as O.A. 89/96. This Hon'ble Tribunal, by order dated 17.7.98,

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*Bind*

disposed of the application directing the department to pay Ration Allowance with effect from 22.2.94 alongwith arrears within 3 months .

Copy of the said order dated 17.7.98 is annexed herewith and marked as  
Annexure- VIII.

11) That the applicants beg to state that after the non-executive cadre employees of the Aviation Research Centre, Doonooma and of Aviation Research Centre, Field Research Unit (F.R.U.), Numaligarh were granted Ration Allowance ,as stated above, in terms of orders passed by this Hon'ble Tribunal which was not interfered by the Hon'ble Supreme Court, the non-executive personnel serving in the S.S.B., Itanagar in Arunachal Pradesh filed an application before this Hon'ble Tribunal which was registered as O.A. NO. 103 of 1999 claiming grant of Ration Allowance with effect from 8.11.94, date from which Itanagar was categorised as "B" station. This Hon'ble Tribunal, by order dated 8.9.99, disposed of the application by directing the respondent-authorities to pay ration allowance to the applicants with effect from the date on which the allowance became admissible. It was further directed that the arrear amount, as admissible to each applicant, should be paid within 90 days from the date of receipt of the order.

Copy of the said order dated 8.9.99 passed by this Tribunal in O.A.NO.103 of 1999 is annexed herewith and marked as  
Annexure- IX.

12) That the applicants beg to state and submit that the applicants as stated above, are non-executive personnel serving in the S.S.B. under the administrative control of the Divisional Organiser, SSB, Shillong. The applicants are entitled to ration allowance with effect from 27.4.92, date from which Shillong was categorised as "B" station by the competent authority or from their respective date of joining in the Office of the Divisional Organiser, SSB, Shillong whichever is later.

A statement reflecting the exact period for which the applicants are entitled to ration allowance is annexed herewith and marked as Annexure-X.

13) That, thereafter, one Manik Sapkota and 36 others who were non-executive personnel serving in the S.S.B. under the administrative control of the Divisional Organiser, S.S.B., Shillong, Meghalaya who were similarly denied ration allowance also filed an application before this Hon'ble Tribunal praying for grant of ration allowance with effect from 27.4.92 (date from which Shillong was categorised as "B" station by the competent authority). The said application was registered and admitted as O.A. NO. 367/99. This Hon'ble Tribunal, by order dated 12.1.2000, disposed of the application by directing the respondents to pay ~~xx~~ ration allowance from due date, i.e., with effect from 27.4.92. In pursuance of the said order, the applicants in the above-noted application have since been paid ration allowance with effect from 27.4.92 including arrears.

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*Manik*

copy of the said order dated 12.1.2000 is annexed herewith and marked as Annexure-XI.

14) That the applicants beg to state and submit that they are similarly situated like the applicants in the afore-said original applications and as such the case of the present applicants for granting ration allowance is fully covered by the orders passed by this Hon'ble Tribunal in the above-noted applications, specially orders passed in O.A.NO. 103/99 and 367/99.

The applicants are, therefore, relying on the order dated 14.6.96 passed in O.A.NO. 245/95 (Annexure- VII ), order dated 17.7.98 passed in O.A.NO. 89/96 (Annexure- VIII ), order dated 8.9.99 passed in O.A.NO. 103/99 (Annexure- IX ) and order dated 12.1.2000 passed in O.A.NO. 367/99 (Annexure-X ), are entitled to be granted ration allowance with effect from 27.4.92, date from which Shillong was categorised as "B" station inasmuch as they are similarly situated like the applicants in the above-noted applications.

15) That the applicants beg to state and submit that the present applicants could not join with their colleagues who , were given the benefit of ration allowance with effect from 27.4.92 by filing O.A.NO. 367/99 for various reasons and as such they are now approaching this Hon'ble Tribunal praying for grant of ration allowance as has been granted to their colleagues who ~~was~~ were applicants in O.A.NO. 367/99.

contd...

*Ansar*

16) That Shri K.N.Choudhury (applicant No.2) who is now serving as Junior Accountant in the Office of the Divisional Organiser, Manipur and Nagaland Division, S.S.B., Imphal (Manipur) submitted a representation, on 2.11.99, to the Respondent No.3 praying for grant of ration allowance for the period from 27.4.92 to August , 1996 when he served at Shillong under the Respondent No.4 . The Respondent No.4 , by his impugned memorandum No. E 1/1-82/SD/99/14/99 dated 29.11.99 informed Shri K.N. Choudhury that his case would be governed by the Office memorandum No. 9/SSB/A 2/86 (1 )-Haflong-3007 dated 27.10.99 addressed to the Respondent No.4 whereby, reiterating to the earlier communication dated 19.2.99, it was clarified that non-applicants in original applications are not entitled to get ration allowance on the basis of judgments of Central Administration Tribunal, Guwahati Bench and that being the policy decision taken by the Respondent-authorities at the highest level, the other applicants felt that this policy decision would cover their cases also . Because of the illegal and arbitrary action of the respondent-authorities, as stated above, the applicants are convinced that no useful purpose would be served by waiting any longer and as such they are approaching this Hon'ble Tribunal praying for relief .

The copy of the said impugned memorandum dated 29.11.99 annexing the copy of the memorandum dated 27.10.99 is annexed herewith and marked as Annexure- XII.

contd...

*Shri*

17) That the applicants also beg to state and submit that the Divisional Organiser, S.S.B., Shillong (Respondent No.4) took up the matter of granting ration allowance to the non-executive personnel of the S.S.B. posted at Category "B" and "C" stations with the Respondent No.3 but, unfortunately, the Respondent No.3, by his memorandum No.9/SSB/A.2/86 (1)-SHILLONG-3045 dated 2.11.99 intimated the Respondent No.4 that only the applicants of original applications would be entitled to ration allowance and non-applicants would not be entitled to ration allowance on the basis of judgments passed by this Hon'ble Tribunal.

Copy of the said memorandum dated 2.11.99 is annexed herewith and marked as Annexure-XIII.

5: GROUND FOR RELIEF WITH LEGAL PROVISIONS:-

I) For that the action of the respondent-authorities in denying ration allowance to the applicants is illegal, arbitrary and extremely discriminatory and as such this is a fit case where this Hon'ble Tribunal will exercise jurisdiction and grant relief otherwise due to them .

II) For that the applicants have been illegally discriminated against in not allowing the benefit of ration allowance although they are similarly situated with those of the A.R.C. ,Doomdooma,

contd...

*Murt*

ARC, FRU, Numaligarh, S.S.B., Itanagar, and SSB, Shillong who have since been granted the benefit of ration allowance as per order of this Hon'ble Tribunal and as such the action of the respondent-authorities is bad in law and liable to be set aside .

III) For that the respondent-authorities are required to extend the benefit of ration allowance to the applicants of their own in pursuance of the order dated 14.6.96 passed in O.A. 245/95 (Annexure-VI), order dated 17.7.98 passed in OA NO. 89/96 (Annexure-VII), order dated 8.9.99 passed in OA 103/99 (Annexure-VIII) and order dated 12.1.2000 passed in OA NO. 367/99 (Annexure- VIII ) inasmuch as the present applicants are similarly situated with the applicants in the above-noted original applications, specially those in OA 103/99 and OA 367/99 and that not having been done, the action of the respondent-authorities is bad in law and liable to be set aside.

IV) For that the respondent-authorities, instead of extending the benefit of ration allowance to the applicants of their own, as directed by this Hon'ble Tribunal, committed a serious illegality by driving and harassing the applicants to approach this Hon'ble Tribunal causing multiplicity of litigations and as such the action of the authorities in denying ration allowance to the applicants deserves to be struck down as unsustainable in law .

v) For that the action of the authorities in not allowing the applicants to draw ration allowance

contd...

*Vinod*

has amounted to serious discrimination offending the equality provisions contained in Articles 14 and 16 of the Constitution of India and as such the action of the authority is bad in law and liable to be set aside.

VI) For that, in any view of the matter, the action of the authorities in subjecting the applicants to serious and illegal discrimination and denying them the ration allowance otherwise due to them is bad in law and liable to be set aside.

6 : DETAILS OF THE REMEDIES EXHAUSTED :-

The applicants had represented before the competent authority through proper channel but the authorities declined to grant the ration allowance to the applicants only on the ground that they were not applicants in earlier cases allowed by this Hon'ble Tribunal granting the ration allowance to the applicants.

7 : MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT :-

The applicants further declare that they have not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

contd...

Writ

8 : RELIEF SOUGHT :-

It is, therefore, prayed that Your Lordships would be pleased to admit this application, call for the entire records of the case, ~~call for the entire records of the case,~~ ask the respondents to ~~xxx~~ show cause as to why the applicants should not be granted the benefit of ration allowance with effect from 27.4.92 (date from which Shillong was categorised as "B" station as has been granted to others who are similarly situated like the applicants and after perusing the causes shown, if any and hearing the parties, direct that, in view of the attending facts and circumstances of the case, the applicants be granted ration allowance with effect from 27.4.92 (date from which Shillong was categorised as "B" station by the competent authority or from the date of their actual joining in the office of the Divisional Organiser, S.S.B., Shillong whichever is later including arrears as has been granted to the similarly situated non-executive employees of ARC, Doordooma, ARC, FRU, Numaligarh, SSB, Itanagar and SSB, Shillong and/or order/orders as Your Lordships may deem fit and proper.

And for this act of kindness, the applicants, as in duty bound, shall ever pray.

contd...

*[Signature]*

21.

9 : INTERIM ORDER , IF ANY, PRAYED FOR :-

Nil .

10 : Does not arise. The application will be presented personally by the Advocate of the applicants.

11 : PARTICULARS OF THE BANK DRAFT/POSTAL ORDER IN  
RESPECT OF THE APPLICATION FEE :-

I.P.O. NO. 499265 dated 28.7.2011 issued by the Guwahati Post Office payable at Guwahati is annexed .

12 : LIST OF ENCLOSURES :-

As stated in the Index .

contd...

*Wirt*

VERIFICATION

I, Mrs. Yeoriadla Khongsit , daughter of Late K. S. Swer , aged about years, presently serving as the Assistant in the office of the Divisional Organiser, S. S. B., Shillong (Meghalaya) , do, hereby ,verify that the statements made in paragraphs No. 1, 2, 4, 7, 9, 14, and 15  
 —x— as true to my personal knowledge, and the statements made in paragraphs No. 3, 5, 6, 8, 10, 11, 12, 13, 16 and 17. and believed to be true on legal advice, and that I have not suppressed any material fact. I, being one of the applicants, have been authorised by other applicants to sign this verification of behalf of them .

Place :- Guwahati

Date :- 27-7-2000

Yeoriadla Khongsit  
SIGNATURE OF THE APPLICANT.

No. A. 27011/4/86-EA-II  
 Government of India,  
 Cabinet Secretariat,  
 Bikaner House (Annexe),  
 Shahjahan Road,  
 New Delhi.

New Delhi, the 18.12.87.

To,

The Director (Planning),  
 Director General of Security,  
 East Block, R.K. Puram,  
 New Delhi- 66.

Subject:- / Grant of concessions to the Staff of SSB, SFF,  
 C.I.O.A. and Directorate of Accounts .

Sir,

I am directed to convey to the sanction of the President to the grant of concessions mentioned in the Annexure-I to the various categories of Staff of SSB, SFF, CIOA and Directorate of Accounts subject to the restrictions indicated therein on the pattern of the Research and Analysis Wing of this Secretariat.

2. These orders will take effect w.e.f. 1st August, 1987.

3. For some of the concessions the various hardship locations have been categorised as 'B' and 'C' Stations as indicated in Annexure- II to this letter. However, if the Heads of the Department feel at certain times that certain locations or assignments have become specially hazardous and there is a specific increase in the threat to the personnel and/or premises, they can determine on merits the criteria of hardship and the period for which such locations may be categorised as belonging to category 'B' and 'C' stations after recording the reasons in writing.

contd...

(24)

32

2.

4. For the purpose of House Rent Allowance concessions to the various categories of Staff, the equation of posts as listed in Annexure-'A' to the Cabinet Secretariat's order No. A-11016/86-DO-I, dated 28.10.86, will also be applicable in respect of the Staff of SSB, CIOA and Directorate of Accounts.

5. This issues with the concurrence of the Ministry of Finance vide their U.O. No. S-1428/SE/87 dated 10.8.87 read with UO No.

1151/Dir.Fi (s)/31, dated 2nd December, 1987.

yours faithfully,

Sd/-

(R.K. GANGAR)

Deputy Secretary (SR).

Enclo:- Annexure-I & II.

Copy to :-

1. Shri H.B.Joshi, Director, SSB.
2. Maj. Genl. S.K. Sharma, PVSM, IG SFF.
3. G.B. Mathur, Dy. Director of Accounts.
4. Lt. Col. K.K. Bhandari, CIOA.
5. Shri J. Subramaniam, Director (IF).
6. Shri K.K. Mittal, Dy. Director of Accounts (SW).
7. Order File.

contd...

(25)

37

3.

OFFICE OF THE DIVISIONAL ORGANISER, SSB: A.P. DIVN. ITANAGAR:

NO. NCE/F-9/97-98/27

Dated 20.11.97.

Copy to :-

1. The Comdts. ,CC,SSB.Dirang/Paser/Tezu-for information and necessary action w.v.t. your signal No. 4724 dated 25.10.97.

Sd/- Illegible,

AREA ORGANISER (S)  
DIVL. HQRS. SSB: ITANAGAR.

contd...

ANNEXURE TO THE CABINET SECTT. LETTER NO. A. 27011/4/86-EA-II DATED 15 DECEMBER, 1987.

Sl. NO:	Nature of the concession.	Extent of the concession granted	Remarks.
1	2	3	4
<hr/>			
1) Hardship Allowance.			
<p>A hardship allowance @ Rs.25% of basic pay subject to maximum of Rs.400/- p.m. in respect of category 'C' and 12.5% of basic subject to maximum of Rs.200/- p.m. to category 'B' stations, other than those situated in the North-Eastern region, Andman &amp; Nicobar Island and Laksh-dweep, where special allowance is already sanctioned.</p>			
<p>For the stations which are declared as belonging to category 'B' and 'C' by the Head of the Department under the powers now delegated to him, the same rates will apply.</p>			

contd...

## 2) Ration Allowance .

Ration Allowande to the rank of Field

Officers and below at the following rates

excepting SSB Bn. personnel and Dy.Cmdts./

Dey. Cmdrs./Asstt. Dey.Cmdrs of SFF and

also those on deputation in the SFF from

the Army :-

contd....

1	2	3	4
<u>Location</u>		<u>Rates</u>	

i) Category 'B' As admissible from time to stations. time in the Border Security Force in peace areas .

ii) Category 'C' As admissible from time to stations. time in the BSF in operational areas .

3) Clothing i) A non-refundable clothing grant of Rs. 3000/- for staff other than SSB Bn. personnel and Dy. Comdts/Coy. Comdrs/Asstt. Coy. Comdrs of SFF and also these on deputation in the SFF from the Army, posted in category B & C stations and located at or higher than 3000 Mtrs. above MSL and Rs. 2000/- for staff posted at category B & C stations and located between 1500 and 3000 Mtrs. above MSL as a one time grant .

i) The amount will be paid as an advance and will be adjusted on receipt of the joining report at the hardship location and a certificate that the advance has been utilised for the purpose it was intended .

contd....

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ii) Renewal grant at the rate of 500/- p.a. for location at or higher than 3000 Mtrs. above MSL and Rs.300/- p.a. for locations between 1500 and 3000 Mtrs. above MSL in category 'B' & 'C' stations.

(ii) This one time non-refundable allowance will be admissible only to those personnel who are posted in category 'B' & 'C' locations for a period of not less than 2 years. In case the Officer returns from posting from category 'B' & 'C' locations earlier than 2 years at his own request, he will be asked to refund proportionate share of the clothing grant.

(iii) The Head of the organisations at their own discretion within approved parameters, can classify any location as belonging to category 'B' & 'C' station for the purpose of clothing grant (Though on the basis of height alone it may not so qualify) based on other factors such as severe climate

contd....

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4. special TA/DA Daily allowance at increased rates for classified 'A' class cities will be admissible during tour to category 'B' & 'C' stations.

Porterage and animal transport charges admissible under Supplementary Rules (vide Min. of Fin. O.M. NO. 5(34)-E. IV (B)/64 dated 6.10.65), for classified areas in Himachal Pradesh will be admissible for tours to all category 'B' & 'C' stations.

5. Leave Travel concession.

(i) Employees other than SSB Bn. personnel and those on deputation in the SFF from the Army posted in category 'B' & 'C' locations will be entitled to Leave Travel concession once a year against the normal Rules of one in 2 years.

etc. (e.g. in a narrow valley). The Head of the organisation will get approved, well in advance, from the Cabinet Sectt., the parameters for declaring any location as equivalent to the category 'B' & 'C' stations.

In case the employees posted at category 'B' & 'C' locations has already availed the LTC for the block year 1986-87 before issue of this order, that concession will be treated as pertaining to the calendar year, 1986.

contd...

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(ii) In case of death, serious illness of marriage of a family member, where the family resides separately, the employees will be entitled to 50% of the Rail Fare of the entitled class for travel to place of residence of the family. If the employees are to travel more than 50 Kms. By Road either at the end of the journey, full Bus fare for this journey will also be reimbursed .

6. Journey time while proceeding on leave .

Employees posted in category 'B' & 'C' station will be entitled to joining time between the point of duty and nearest Rail head .

Leave in their case will commence and terminate on the date the employee reaches the Rail head nearest to the place of duty at category 'B' & 'C' station.

(ii) The journey time should be reasonable and will be determined by the respective Units .

contd....

10.

7. House Rent  
Allowance .

House Rent Allowance facilities admissible to the Executive cadre will be admissible to the personnel of other cadres also of corresponding levels except in the case of SSB Bn. personnel and Dy. Comdts/Coy. Comdrs/Asstt. Coy. Comdrs of SFF and also those on deputation in the SFF from the Army .

contd...

11.

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8. Cash compensation for work on holidays.

cash compensation for work on holiday as admissible to the staff of the executive cadre upto the rank of Field Officers, in the IB & R & AW, will be admissible to personal Assistants, stenographers and other of Telecom, cipher and M.T. cadres, who are drawing basic pay of Rs.900/- (pra-revised) and below are not entitled to overtime allowance.

9. Government transport.

Government transport will be provided to the staff engaged in night shifts for picking them up and to enable them to return to their residence .

10. security allowance to Ministerial, Secretarial and Accounts cadres.

security allowance at the following rates is sanctioned to the following category of the staff working in TOP secret. Branches subject to a maximum of 15% in each grade:-

<u>Designation</u>	<u>Amount.</u>
i) L.D.C.	Rs.20/- P.M.
ii) Steno.Gr. III/UDC	Rs.30/- P.M.
iii) Steno.Gr. II/Assistant.	Rs.50/- P.M.
iv) Section Officer/Private Secretary/Sr. P.A.	Rs.100/- P.M.
v) Assistant Director/ Area organiser/Dy. Director of Accounts.	Rs.200/- P.M.

contd....

## ANNEXURE-II TO THE CABINET SECTT. LETTER NO. DATED :-

<u>STATE</u>	<u>CATEGORY 'B' LOCATIONS</u>	<u>CATEGORY 'C' LOCATI.</u>
ARUNACHAL PRADESH	BOMDILA TAWANG DAPARIDO ALONG YINGKIONG ROING HAULIANG MIAO NAMPONG SEPPA	C/TAZO KOLORIANG MONIGAONG MECHUKA TUTING WAKKA HAWAI LADU LONGDING PANCHAO (TIRAP) CHANGLONG ANINI
GLURAT	RADHANPUR	
HIMACHAL PRADESH	KALPT (REKONG-PEO) POOH	KAJA KALONG
J & K		NYOMA HANLE LEH KHALSI MORCH CHAKRP/ EKARONG CHANDEL CHURACHANDPUR MONGHBA TAMENGLONG UKHROOL CHASSAD KHULLAN
MANIPUR		
MEGHALAYA	JOWAI NONGSTOIN	
TRIPURA	KAILASEHAR UDAIPUR KHOWAI SONEMURA	
UTTAR PRADESH	DHARCHULAI JOSHIMATH SUKIAPOKHRI NAXALBARI	MUNSYARI
WEST BENGAL		

GOVERNMENT OF INDIA,  
CABINET SECRETARIAT,  
BIKANER HOUSE ANNEXE,  
SHAHJAHAN ROAD,  
NEW DELHI.

No. A-11016/6/86-DOI

Dated the 28th Oct. 1986

ORDER

Subject: Extension of House Rent Allowance concession to other cadres of ARC at par with executive cadres. Reference ARC Dtd. UO No. ARC/E-I/88/85, dated the 15.9.1986.

2. In continuation of this secretariat letter No. A-49011/8/86-DO-I dated the 10.5.1986, sanction of the president is hereby conveyed to the equation of posts listed at Annexure 'A' to this order in various cadres of corresponding levels in the ARC to that of the executive cadres in the said organisation exclusively for the purpose of payment of House Rent Allowance as admissible to the executive cadre.

3. This issues with the concurrence of the Director (IF) vide thier dy. No. 1799 dated 1.10.1986.

Sd/-

(R.K.Ganger)

Deputy Secretary (SR).

## To:

1. Shri R. Swaminathan, Director, ARC, New Delhi.
2. Shri M.C. Roy Choudhury, Director of Accounts, Cabinet Secretariat, New Delhi.
3. Shri G. Subramaniam, Director (IF), Cabinet Secretariat, New Delhi.
4. Guard File.

(R.K.Ganger)

Deputy Secretary (SR).

contd...

Sl. No. Designation and Pay scale of executive cadre. Corresponding pay scale of other cadres.

1 2

3

1. S.F.O.  
Rs. 650-30-740-35-  
810-EB-36-880-40-  
1000-EB-40-1200/-

1. Section Officer	650-1200/-
2. Accounts Officer	840-1200/-
3. Private Secretary	775-1200/-
4. Sr. P.A.	650-1040/-
5. Asstt. Fire Officer	650-1200/-
6. Asstt. Commandant	650-1200/-
7. Asstt. Engineer	650-1200/-
8. Asstt. (Civil) Surgeon GE-I.	650-1200/-
9. Deputy Works Supdt.	650-1200/-
10. Asstt. Technical Officer	650-1200/-
11. Asstt. Aerodrome Officer	650-1200/-
12. Asstt. Meteorologist	650-1200/-
13. Librarian	650-1200/-
1. Assistant	425-800/-
2. Steno Gr. II (P.A.)	425-800/-
3. Accountant	500-900/-
4. Station Officer	550-750/-
5. Asstt. Librarian	5550-900/-
6. Foreman	550-900/-
7. Jt. Technical Officer Grade. I.	550-900/-
8. Jt. Stores Officer Gr. I.	550-900/-
9. Technical Asstt. (Air wing)	5550-750/-
10. Communication Asstt.	550-750/-
11. Professional Asstt.	550-900/-
12. Jr. Accounts Officer	550-900/-
13. Sr. Medical Asstt.	550-900/-

contd.... p/2

1 2 3

\* Group "B" posts : Though FO is a Group 'C' post their equivalent with FO (Group 'C') post is shown as there is no equivalent post of Assistant/STENO.II(PA)/Asstt. Librarian in junior executive cadre.

3. Deputy Field Officer	1. Steno Gr. III	330-560/-
Rs. 425-15-530-EB-15-	2. U.D.C.	330-560/-
560-20-600/-	3. Technical Assistant (Librarian)	425-700/-
	4. Overseer	425-700/-
	5. Teacher	290-560/-
	6. Nursing Sister	455-700/-
	7. Staff Nurse	425-640/-
	8. Sr. Radiographer	425-640/-
	9. Lab. technician	390-560/-
	10. pharmacist (qualified)	330-560/-
	11. Sanitary Inspector	330-560/-
	12. Operation theatre (Technician)	330-560/-
	13. Sr. Lab. technician	425-700/-
	14. Asstt. Foreman	425-700/-
	15. Masscours (Physiotherapist)	425-700/-
	16. Dictation	425-640/-
	17. Junior Technical Officer Gr. II.	425-700/-
	18. Jr. Stores Officer Gr. III.	425-700/-
	19. P.O.I. Supervisor	425-600/-
	20. Head Clerk (Accounts)	425-600/-

(25)

-2-

21. Pay Accounts Clerk	330-560/-
22. Medical Asstt. (Dental)	425-600/-
23. Medical Asstt. (General)	425-600/-
24. Aerodrome Operator	380-560/-
25. Radio Technician	380-560/-
26. Radio Operator	380-560/-
27. Scientific Asstt.	425-700/-
28. Senior Observer	330-560/-
29. Junior Accountant	425-700/-

contd...  
8

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4. F.A.O.	1. LDA	260-400/-
Rs.330-8-370-10-	2. Asstt. Station Officer	330-480/-
400-EB-10-480/-	3. Leading Fireman/M.C.P.	310-400/-
	Fitter Driver-	
	Driver Havilder.	
	4. Fireman/Fire Operator	260-400/-
	5. Lab. Asstt.	260-400/-
	6. Telephone Operator	260-400/-
	7. Carpenter (Air wing)	320-400/-
	8. Carpenter (MV workshop)	260-400/-
	9. Tailor (Air wing) (present incumbent)	320-400/-
	10. Tailor (Airwing Future Incumbent)	260-400/-
	11. Driver Operator Crane	330-480/-
	12. Pharmacist (unqualified)	330-400/-
	13. Mechanic	260-400/-
	14. Electrician	260-400/-
5. 507As	1. senior Gestetnor	260-350/-
Rs. 260-6-326-EB-	operator	
8-350/-	2. Driver	260-350/-
	3. Lines Sub-Inspector	225-350/-
	4. Carpenter (Medical unit)	260-350/-
	5. Tailor (Medical unit	260-350/-
	6. Fitter	260-350/-

contd...

(70)

(37)

-2-

7. Senior Examiner (Tyre)	260-350/-		
8. Vulcanisor Fitter	260-350/-		
9. Blacksmith Gr.I	260/-350/-		
10. Welder Grade.I	260-350/-		
11. Upholster	260-350/-		
12. Mechanist (Turner)	260-350/-		
13. Painter	260-350/-		
14. Mistri	260-350/-		
1. Lab.Attendant	210-270/-		
6. Field Assistant	2. Ayah	196-232/-	
1) Rs.225-5-260-6-290-	EB-6-306/-	3. Daftary	200-250/-
	(Matriculate)		
11) Rs.210-4-250-	4. Peon	196-232/-	
EB-5-270/-	5. Sweeper (Sufaiwala)	196-232/-	
(Non-Matriculatg)	6. Farash	196-232/-	
111) Rs.225-5-260-	7. Chowkider/Watchman	196-232/-	
6-290-EB-6-308/-			
(Non -Matriculate			
after 15 years of			
regular service).			
8. Gardener/Mail	196-232/-		
9. Lineman	210-270/-		
10. Lab.Attendant,	210-270/-		
- Bearer.			
11. Carpenter (Air wing)	210-290/-		
12. Carpenter Gr.II	210-290/-		
(M.V. Workshop)			
13. Head Gardener	210-270/-		
14. Janadar (sweeper)	200-250/-		
15. Cook	200-250/-		
16. Paramaintenance	210-290/-		
Assistant (paker)			

contd...

(38)

(41)

17. Cobbler	210-290/-
18. Grass cutter	196-232/-
19. Waterman/ water carrier.	196-232/-
20. Leader	196-232/-
21. Dresser	210-270/-
22. Ayah (Para Medical staff)	200-250/-
23. Barber	200-250/-
24. ward boy/waiter washer up	196-232/-
25. Dhobi	196-232/-
26. Helper	210-290/-
27. Cleaner	196-232/-
28. Junior Electrician	210-290/-
29. Blacksmith Cr.II	210-290/-
30. Welder Grade II	210-290/-
31. Blant Room Attendant	210-270/-
32. Aircraft Assistant	210-290/-
33. Traffic Hand	200-250/-
34. Observatory Attendant	210-250/-

\*\*\*

42

## ANNEXURE-III

6-5-92

1 MAY 1992

5608

No. 9/SSB/R-2/86(1)-V  
 Direct. rate General of Security,  
 Office of the Direct. r, SSB,  
 East Block-V, R.K. Puram,  
 New Delhi-110066.

Dated, the

27/1/92

## ORDER

In exercise of the powers vested in him as Head of Department & in terms of para-3 of the Cabinet Secretariat letter No. A-27011/4/86-EA-II dated 18.12.87, sanction of the Direct. r, SSB is hereby conveyed to the classification of the undermentioned stations as category 'B' stations for the purpose of grant of various concession as mentioned in Annexure (other than clothing grant) of the above quoted Cabinet Secretariat Order dated 18.12.87 for a period of 3 years with effect from the date of issue of this order.

- (i) Tura (Meghalaya) - 'B'
- (ii) Barengapara (Meghalaya) - 'B'
- (iii) Dawk (Meghalaya) - 'B'
- (iv) Balonia (Tripura) - 'B'
- (v) Sabroom (Tripura) - 'B'
- (vi) Aizawl (Mizoram) - 'B'
- (vii) Shillong (Meghalaya) - 'B'

*For Ref*  
 (B.D. ADHIKARI)  
 ASSISTANT DIRECTOR (EA)

Copy to:

1. The Director of Accounts, Cabinet Secretariat, R.K. Puram, New Delhi.
2. 'F' Branch.
3. Divisional Organisers: Shillong/Manipur/HP/UP/SB/NB/NA/AP/R&G/J&K.
4. Deputy Inspector General: FA Gwladam/Salonibari/Haflong/Sarahan.
5. Commandant/TC Faridabad/CSU&W Bhopal.
6. A-I/E-I/E-II Branch.
7. Guard file.

0/15  
02  
Points

W.G& 4/90/87-92 | 27-5-92 | Date 13-5-92

27 JUN 1995

60  
RECORDED. REC'D (No. 9/SSB/12/661) - ShillongSecty to the Director General of Security,  
Office of the Director, SSB,  
East Block-V, R.K. Puram,  
New Delhi-110066.pls. kindly give copy to  
Secty to the Director General of Security,  
Office of the Director, SSB,  
East Block-V, R.K. Puram,  
New Delhi-110066.AP/6  
AP/6

Dated, the 21/6/95

ORDER

In exercise of the powers vested in him as Head of Department, in terms of para 3 of the Cabinet Secretariat letter No. A-27011/4/86-EA-II dated 18.12.87, the sanction of the Director, SSB is hereby conveyed to the classification of the undermentioned stations as category 'B' stations for the purpose of various concessions mentioned in Annexure I (other than clothing grant) of the above quoted Secretarial letter dated 18.12.87 for a further period of 3 years with effect from 27.4.95 to 26.4.98.

- (i) Tura (Meghalaya), Shillong Division.
- (ii) Berengapara (Meghalaya) -do-
- (iii) Dawki (Meghalaya) -do-
- (iv) Dhalong (Tripura) -do-
- (v) Sabroom (Tripura) -do-
- (vi) Aizawl (Mizoram) -do-
- ✓ (vii) Shillong (Meghalaya) -do-

*B. D. Adhikari*  
B. D. ADHIKARI  
ASSISTANT DIRECTOR (EA)  
16/6/95

## Copy to:

1. The Director of Accounts, Cabinet Secretariat, R.K. Puram, New Delhi.
2. Divisional Officer, SSB, Shillong.
3. Divisional Officers: HP/J&K/UP/SB/NB/NA/AP/Manipur.
4. Dy. Inspector General: TC Sambalpur/Dehradoon/Jammu/Srinagar/FA Gwadar.
5. Accounts Officer, SSB Directorate.
6. A-1/-1/-11 Branches, SSB Directorate.
7. Guard file.

Memo. No. 9B-A/8B/92/6394

Dtd 27-6-95

## Copy to :

1. The Accounts Branch (Local), SSB, Div. Hqrs. Shillong.
2. G. file.

*Q. M. 27/6/95*  
Area Organised (Admin) \*  
Shillong Division, Shillong.

No. 9/SSB/A2/80(1)-IV-Shillong  
DIRECTORATE GENERAL OF SECURITY,  
OFFICE OF THE DIRECTOR : SSB,  
EAST BLOCK, V. R. K. PURAM,  
NEW DELHI-110066.

Dated, the 15th October, 1998.

ORDER

In continuation of this Directorate Order of even number dated, 21.6.95, the sanction of Director, SSB, is hereby conveyed to the classification of the under mentioned stations as Category 'B' stations for the purpose of various concession (other than clothing grant) as mentioned in Annexure-I of Cabinet Secretariat, letter No. A-27011/4/36-EA-II dated, 18.12.87 for a further period of three years with effect from 27.1.98 to 26.1.2001.

i)	Tura (Meghalaya), Shillong Division.	
ii)	Berengapara (Meghalaya)	-do-
ii.i)	Dawki (Meghalaya)	-do-
ii.v)	Bolongia (Tripura)	-do-
v)	Sabroom (Tripura)	-do-
v.i)	Aizawl (Mizoram)	-do-
v.ii)	Shillong (Meghalaya)	-do-

( S.S. Bora )  
Joint Deputy Director (EA)

## Distribution

1. The Director of Accounts, Oab. Secretariat, R.K. Puram,  
New Delhi-66.

2. Divisional Organisers (HP/UP/J&K/SB/NB/NA/AP/MBN) DIVISIONAL  
3. Divisional Organiser, Shillong.

4. SGT/TC Sarahan/Haflong/Jammu/Salonibari/FA Gwadah.

5. Accounts Officer, SSB Directorate, New Delhi.

6. A1/S1/B2 Branches of SSB Directorate, New Delhi.

7. Ex-SSB Officers.

• Kr. Wat

Copy cassette to all ComCeterm video files

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH  
 ORIGINAL APPLICATION NO. 245 OF 1995.

Date of order : This the 14th Day of June, 1996.

Hon'ble Shri G.L. Sanglyino, Member (A)  
 Hon'ble Shri D.C. Verma, Member (J)

1. Sri Bishnu Prasad Saikia  
 Sanitary Inspector,  
 Aviation Research Centre,  
 Doomdooma .
2. Sri Dipak Nandi,  
 Radio Mistri,  
 ARC, Doomdooma.

... Applicants.

By Advocate S/Shri G.K. Bhattacharyya  
 with G.N. Das .

- Versus -

1. Union of India  
 represented by Cabinet Secretary,  
 Department Cabinet Affairs,  
 New Delhi .
2. Directorate General of Security Block  
 V (East) R.K. Puram,  
 New Delhi- 110066.
3. Director, Aviation Research Centre,  
 Block-V (East), R.K. Puram,  
 New Delhi .
4. Deputy Director,  
 Aviation Research Centre,  
 Doomdooma.

... Respondents.

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

ORDER

G. L. SANGLYINE, MEMBER (A)

The applicants are employees of the Aviation Research Centre, Doomdooma (ARC for short). Applicant No.1 is a Sanitary Inspector a post which is equivalent to Deputy Field Officer and is below Field Officer. The applicant No.2 is a Radio Mistri.

contd...

2.

The post of Mistri falls under the category of Senior Field Assistant . This is also below Field Officer . The competent authority of ARC has classified Doomdooma as a category B Station with effect from 22.2.94 .

2. Annexure-IV to this O.A. , namely No. A. 27011/4/86-EA-II (A) dated 6.12.1987 conveyed the sanction of the President to the grant of additional concessions mentioned in the Annexure thereto to the various categories of the Staff of ARC except those on deputation from the Indian Air Force. According to the Annexure Ration Allowance at the rate admissible in the BSF in peace areas is admissible upto the rank of F.O. and below in category B areas of ARC. The applicant had requested the authorities concerned to allow them the Ration Allowance but this was declined by the authorities. Hence this Original Application under Section 19 of Administrative Tribunals Act, 1985 .

3. Mr. G.K. Bhattacharyya, learned counsel for the applicants submitted that the applicants are entitled to the Ration Allowance with effect from 22.2.1994. This allowance was denied to them because of wrong interpretation of the order dated 6.12.1987 by which payment of the allowance was sanctioned. Relying on the written statement Mr. S.Ali, Sr. C.G.S.C., submitted that the applicants have made the claim on a wrong motion that Government had equated various non-executive posts with different executive cadres for all concessions. The fact however remains that the Equation of posts vide order No. A.-11016/6/86-DOI dated 28.10.1986 (Annexure-III) is for the purpose of House Rent Allowance only. Further, the concession of Ration Allowance has been extended to the employees of junior executive cadre only upto the rank of Field Officer on the analogy of the Junior Executive Staff, of R & AW and the applicants who do not fall in this category cannot get the benefit of Ration Allowance. Mr. G.K. Bhattacharyya submitted that this ground taken by the respondents

contd...

3.

is not tenable as in the case of intelligence Bureau the Ration Allowance was allowed to the non-executive staff also and when the allowance was stopped to be paid applications were submitted before the Central Administrative Tribunal and the payment Ration Allowance was restored. In this connection he has referred to the orders in the O.A. of 163 of 1991 and No. 199/91 of this Bench.

4. We have perused the records and heard the counsel of the parties in this O.A. letter No. A-49011/8/86-DO.1(B) dated 10.5.1986 shows that the president is pleased to sanction 8 (eight) concessions to the various categories of Staff of ARC. One of the concessions is House Rent Allowance and it has been stated that House Rent Allowance admissible to the Executive cadre will be admissible to the personnel of other cadres also of corresponding levels. Consequently equation of posts was ordered by the order No. A-11016/6/86-DOI dated 28.10.1986 exclusively for the purpose of payment of House Rent Allowance. Under this order the applicants was entitled to draw House Rent Allowance. Under letter No. A.27011/4/86-EA-II(A) dated 6.12.1987 Additional concessions were granted and one of them was Ration Allowance to the various categories of the Staff of ARC. The claim of the respondents is that since there is no equation of posts in respect of Ration Allowance this allowance cannot be granted to the applicants who are non-executive staff. We are not impressed by such stand of the respondents. Until in the case of granting House Rent Allowance for the purpose of granting Ration Allowance such equation of posts is not required by the authorising letters. This position is clear from the following:-

contd...

4.

Sl. No.	Nature of the concession.	Extent of granted remarks	the concession.
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1	2	3	4
---	---	---	---

(A) Ration Allowance      Ration Allowance upto the rank of F.O. and below at the following rates :-

<u>Location</u>	<u>Rates</u>
(1) Category B stations.	As admissible from time to time in the Border Security Force in peace areas.

(B) House Rent Allowance.      House Rent Allowance facilities admissible to the Executive cadre will be admissible to the personnel of other cadres also of corresponding levels.

The respondents cannot bring in what is not there or what is not intended to be there by the letter No. A 27011/4/86-EA-II (A) dated 6.12.1987 as indicated above. This letter simply clearly states that the allowance is admissible to the various categories of the Staff of ARC by placing a limit upto the rank of FO and below. In O.A. 163/91 and O.A. 179/9 of this Bench on the

5.

strength of the recommendations of the ~~one~~ man Committee referred to in this O.A. Ration Allowance was paid to the non-executive Staff of the Intelligence Bureau but the payment was stopped in 1991. This Tribunal in the order dated 17.12.1993 (to which one of us was party ) after discussion and relying on the order dated 27. 93 of the Central Administrative Tribunal, Chandigarh Bench, Circuit at Jammu in O.A. NO. 381/JK/92 had held that Ration Allowance was admissible to the applicants in those two O.As. the facts in those two O.As and of the present O.A. insofar as they relate to Ration Allowance and House Rent Allowance are almost identical. The conditions in those two O.As is in respect of Ration Allowance that the personnel posted in category B locations will be entitled to Ration Allowance at non qualifying area rate for BSF. For house rent allowance it is stipulated that House Rent Allowance would be applicable to all other cadres of the IB under the same terms applicable to the executive cadres of corresponding levels. In view of the facts mentioned above we hold that Ration Allowance is admissible to the applicants in this O.A. The respondents are directed to pay Ration Allowance to the applicants at the rate applicable to them with effect from the due date 22.2.94. The arrear amount shall be paid within 31.10.1996 .

The application is allowed, No order as to costs .

Sd/- Member(A)

Sd/- Member(J).

.....

## IN THE SUPREME COURT OF INDIA

## CRIMINAL/CIVIL APPELLATE JURISDICTION.

248256 .

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 1706 OF 97.

(Petition/ under Article 136 of the Constitution of India for Special Leave to Appeal from the Judgement and order dated 14th June, 1996 of the Central Administrative Tribunal, Gauhati Bench of Gauhati in Original Application No. 245 of 1995).

WITHINTERLOCUTORY APPLICATION NO. 2.

(Application for stay after notice).

Union of India and others.

... petitioners.

-Versus-

Sri Bishnu Prasad Saikia and others.

... Respondents.

(FOR FULL CAUSE TITLE PLEASE SEE SCHEDULE 'A'  
ATTACHED HEREWITH ).

16th MARCH , 1998.

CORAM:-

HON'BLE MR. JUSTICE S. C. AGARWAL

HON'BLE MR. JUSTICE S. SAGHIR ARWAD

HON'BLE MR. JUSTICE M. SRINIVASAN

contd..... P/2

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2.

For the petitioners :- Mr. V. V. Vaje, Senior Advocate  
( M/S. Ranji Thomas and P. Parmeswaran,  
Advocates with him ).

For the Respondent Nos. 1 to 87.

89-142, 144-170 : Mr. P. K. Misra, Advocate

For Respondent Nos. 88 and 143: Mr. C. S. Srinivasa Rao,  
Advocate.

THE PETITION FOR SPECIAL LEAVE TO APPEAL AND THE  
APPLICATION FOR STAY above-mentioned being called on for bearing  
before this Court on the 16th day of March, 1998 upon hearing  
counsel for the appearing parties herein THIS COURT DOTH ORDER  
that petition for Special Leave to Appeal above-mentioned be and  
is hereby dismissed and consequently this Court's order dated  
21st January, 1997 made in interlocutory Application No. 2 above-  
mentioned granting ex-parte stay be and is hereby vacated :

AND THIS COURT DOTH FURTHER ORDER that this  
Order be punctually observed and carried into execution by all  
concerned.

WITNESS the Hon'ble Shri Madan Mohan Punchhi ,  
Chief Justice of India at the Supreme Court, New Delhi ,  
dated this, the 16th day of March, 1998 .

Sd/- (R. N. LAKHANPAL)

DEPUTY REGISTRAR.

.....

(52)

(49)

ANNEXURE-VIII

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 89 of 1996

Date of decision: This the 17th day of July 1996

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

1. Shri Rajen Rajkhowa,  
Pharmacist, Aviation Research Centre,  
F.R.U., Numaligarh, Golaghat.

2. Shri Atul Chandra Baruah,  
L/A Aviation Research Centre,  
F.R.U., Numaligarh, Golaghat.

By Advocate Mr G.K. Bhattacharyya and Applicants  
Mr G.N. Das.

- versus -

1. The Union of India, represented by the  
Cabinet Secretary,  
Department of Cabinet Affairs,  
New Delhi.

2. The Director General of Security Block-V (East),  
New Delhi.

3. The Director, Aviation Research Centre,  
Block-V (East),  
New Delhi.

4. The Deputy Director,  
Aviation Research Centre,  
Doomdooma.

5. Advocate Mr A.K. Choudhury, Addl. C.G.S.C. Respondents

O R D E R

BARUAH, D. (V.C.)

The applicants have filed this present application seeking certain directions by this Tribunal to the respondents.

2. At the relevant time the applicants were working in the Aviation Research Centre, Field Research Unit, Numaligarh. This Aviation Research Centre is a department of the Government of India directly under the Cabinet Secretariat. The grievance of both the applicants are as follows:

3. The applicants state that like them there are other similarly situated employees, as mentioned in Annexure I, who are also entitled to the benefits.

4. By Annexure III letter dated 28.10.1986 the Deputy Secretary (SR), Government of India, informed the Director, Aviation Research Centre that House Rent Allowance, as admissible to the executive cadre will be admissible to the personnel of other cadres also of the corresponding levels. According to the applicants they are personnel of other cadre of corresponding levels. Thereafter, ration allowance was also given as per Annexure IV letter dated 6.12.1987 issued by the Deputy Secretary, Government of India, to the Director, Aviation Research Centre, New Delhi. On the basis of Annexure IV letter the applicants and other similarly situated persons are entitled to ration allowance which was, however, denied to them. Hence the present application.

We have heard Mr. G.K. Bhattacharyya, learned counsel for the applicants and Mr. A.K. Choudhury, learned Addl. C.G.S.C. Mr. Bhattacharyya submits that the present case is squarely covered by this Tribunal's order dated 14.6.1996 passed in original application No. 245 of 1995. The learned counsel further submits that against the said judgment the respondents (in that case) appealed to the Apex Court by filing Special Leave Petition No. 1706/97 which was dismissed by the Apex Court by order dated 16.3.1998. Mr. A.K. Choudhury also confirms the same.

(51)

(64)

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5. On hearing the learned counsel for the parties and following the decision of this Tribunal passed in O.A.No.245 of 1995, I dispose of this application with direction to the respondents to pay arrears allowance with effect from 22.2.1994 and the arrears must be paid as early as possible, at any rate within a period of three months from the date of receipt of this order.

6. The application is accordingly disposed of. No order as to costs.

Smt. Meenakshi Chaturvedi

Certified to be true Copy  
by me in my capacity

Asstt. Commr. (J)  
and dated 10/8/95.

Attd. by (Signature) (J)

Commr. (Signature) (J)

Commr. (Signature) (J)

10/8/95

## CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 103 of 1999.

Date of Order : This the 8th Day of September, 1999.

The Hon'ble Mr. G.L.Sanglyine, Administrative Member.

Shri N. Venugopal and 69 others . . .

All the applicants are serving in the S.S.B., Itanagar in Arunachal Pradesh. . . . Applicants.

By Advocate Shri G.N.Das.

- Versus -

1. Union of India,  
represented by the Cabinet Secretary,  
Department of Cabinet Affairs,  
Bikaner House,  
Saljahan Road, New Delhi and 4 others . . . Respondents.

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

## O R D E R

G.L.SANGLYINE, ADMN. MEMBER,

All these 70 applicants in this Original Application are employees in the Special Service Bureau (SSB for short), Itanagar, Arunachal Pradesh. They were permitted to pursue this Original Application jointly under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987.

Station allowance was granted to the personnel of the rank of Field Officers and below serving in the locations categorised as 'B' and 'C'. The applicants stated that they are in the rank of Field Officers and below. By order dated 8.11.1994 certain stations in Arunachal Pradesh were classified as category 'B' and 'C' stations for the purpose of various concessions granted to the employees. In the said order Itanagar was categorised as 'B' station and its categorisation was renewed for a further period of 3 years with effect from 8.11.1998. They claim that consequent to the categorisation of Itanagar station as a 'B' station the

contd.: 2

employees of the SSB serving in Itanagar, become eligible for getting the ration allowance from 8.11.1994. However, according to them, for some inexplicable reasons the respondents denied the allowance to the applicants in a most illegal and arbitrary manner. Consequently they submitted representations praying for payment of the allowance to them. But there was no response from the respondents. They submitted that in the case of employees of the Aviation Research Centre, Doon dooma the Tribunal directed payment of Ration Allowance in the order dated 14.6.1996 in O.A.No.245 of 1995, order dated 17.7.1998 in O.A.No.89 of 1996 and order dated 21.4.1999 in O.A.No.228 of 1998. The executive cadre of the SSB Itanagar were also granted ration allowance. They submitted that they are similarly situated with the employees of the Aviation Research Centre and the executive cadre of SSB, Itanagar and have prayed that the respondents may be directed to allow them ration allowance with effect from 8.11.1994.

2. The respondents have contested the application and submitted written statement. According to them the applicants are holding non-executive cadre in the SSB, Arunachal Division and the ration allowance is not admissible to them. The ration allowance is admissible only to the executive staff of the rank of Field Officer and below posted in category 'B' or 'C' station. They also submitted that the orders of the Tribunal in the case of Aviation Research Centre cannot be extended to the applicants in this O.A. who were not applicants in those Original Applications decided by the Tribunal. This is also the view taken by the respondents in their Office Memorandum dated 19.2.1999, Annexure-R to the written statement.

3. I have heard learned counsel of both sides. Mr G.N.Das, learned counsel for the applicants submitted that according to the equation of posts and the orders of the Tribunal in

respect of the Aviation Research Centre relied on by the applicants, the applicants are entitled to the ration allowance. Mr B.S.Banumathy, learned Addl.C.O.O.C for the respondents did not dispute the contention of Mr Das.

I have perused the application as well as the judgments in the 3 Original Applications relied on by the learned counsel for the applicants, particularly, judgment at para 4 of the order dated 14.6.1996 and judgment at para 3 of the order dated 21.4.1999 in which detail discussions and reasons for allowing payment of ration allowance in those cases had been recorded. I am of the view that the applicants in the O.A. presently under consideration are similarly situated with the applicants in those cases and the judgments in those O.A.s covered the case of the applicants in the present O.A. I therefore, direct the respondents to pay ration allowance to the applicants with effect from the date the allowance became admissible to Itanagar on the strength of order dated 8.11.1994 and subsequent orders extending payment of the allowance or from the date of their actual posting in Itanagar, whichever is later. The payment of the arrears amount as admissible to each applicant shall be made by the respondents within 90 days from the date of receipt of this order.

Application is disposed off. No order as to costs.

sd/-MEMBER (Adm)

TRUE COPY

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*9Myc 21/3*  
Deputy Registrar (Adm)  
Central Administrative Tribunal  
Guwahati Branch

11/2/13

## STATEMENT SHOWING THE EXACT PERIOD FOR WHICH APPLICANTS ARE ENTITLED TO

RATION ALLOWANCE.

Sl. No.	Name	Rank	<u>Posted at Shillong</u>		Remarks.
			From	To	
1.	Mrs. Yeorialda Khongsit	Assistant	1) 27.4.92	to Aug '97	
			2) Dec '99	till date	
2.	Shri Kandarpa Narayan Choudhury	Jr. Accountant	27.4.92	Aug '96	
3.	Shri Swapan Shyam	U.D.C.	1) 27.4.92	Oct '95	
			2) Dec '99	till date	
4.	Shri Naresh Ch. Debnath	U.D.C.	13.12.99	till date	
5.	Shri Pravash Ch. Parida	Pharmacist	Jan '2000	till date	

contd...

Sl. No.	Name	Rank	<u>Posted at Shillong</u>		Remarks.
			From	To	
6.	Miss Maushmi Chakraborty	Steno	31.3.2000	till date	
7.	Shri Sunil Ch. Das	Peon	13.12.99	till date	
8.	Shri Samarendra Kr. Das	Techn	13.12.99	till date	
9.	Shri Paresh Ch. Sarma	Assistant	1-2-95 to	30.9.97	
10.	Shri Prince Basumatary	Assistant	27-4-92 to	4.12.95	
11.	Shri Bholanath Barman	U.D.C.	27-4-92 to	4.12.95	

contd...

Sl. No.	Name	Rank	<u>Posted at Shillong</u>		Remarks
			From	To	
12.	Shri Sunil Kumar	Pharmacist.	27.4.92	to 27.5.97	
13.	Shri Mrinal Kanti Ghose.	Steno	27.4.92	to 31.5.94	
14.	Shri Dipak Bhattacharjee.	Steno	13.9.94	to 30.4.98	
15.	Shri Himangshu Dey.	Driver.	27.4.92	to 30.6.94	
16.	Shri Badal Ch.Dey.	Driver	28.12.94	to 28.2.98	

contd...

Sl. No.	Name	Rank	Posted at shillong	Remarks.
			From	to
17.	shri Arabinda Dutta	Peon	12.8.93 to 29.8.97	
18.	Shri Sunil Ch. Dey	Peon	10.9.93 to 31.10.96	
19.	Shri Gopal Sarker	Peon	27.4.92 to 31.5.94	
20.	Shri Parimal Ch. Das	Peon	12.7.94 to 5.11.96	
21.	Shri Paresh Ch. Deb	Peon	10.9.93 to 31.10.96	

contd...

Sl. No.	Name	Rank	<u>Posted at Shillong</u>		Remarks.
			From	To	
22.	Shri Ratish Ch. Choudhury	Peon	27.4.92	to 31.8.92	
23.	Shri Srikanta Roy	U.D.C.	27.4.92	to 19.8.97	
24.	Shri Prahlad Ch. Roy.	Assistant	12.5.97	to 14.8.99	

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.367 of 1999

Date of decision: This the 12th day of January 2000

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri Manik Sapkota and 36 others ...Applicants  
 All the applicants are non-executive staff serving in the Office of the Divisional Organiser, S.S.B., Shillong, Meghalaya.

By Advocated Mr G.K. Bhattacharyya, Mr G.N. Das and Mrs N. Devi.

- versus -

1. The Union of India, represented by the Cabinet Secretary, Department of Cabinet Affairs, New Delhi.
2. The Director General of Security, Block-V (East) R.K. Puram, New Delhi.
3. The Director, S.S.B., Block-V (East) R.K. Puram, New Delhi.
4. The Divisional Organiser, S.S.B., Shillong, Meghalaya.

...Respondents

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

.....

O R D E R

G.L. SANGLYINE (ADMINISTRATIVE MEMBER)

The 37 applicants are permitted to pursue this application jointly under Rule 4(5)(a) under Central Administrative Tribunal (Procedure) Rules, 1987.

2. All the applicants are non-executive personnel of the Special Service Bureau (SSB for short), working under the Divisional Organiser, SSB, Shillong, Meghalaya. Shillong was declared as a category 'B' station with effect from 27.4.1992 for the purpose of grant of various concessions as mentioned in the annexure of the Cabinet

Secretariat order dated 18.12.1987, Annexure I, and it was extended from time to time, the latest one being upto 26.4.2001. Ration Allowance is one of the allowances mentioned in Annexure I of the said letter No.A.27011/4/86-EA-II dated 18.12.1987. This Tribunal had issued order dated 14.6.1996 in O.A.No.245 of 1995 and order dated 17.7.1998 in O.A.No.89 of 1996 in respect of employees of Aviation Research Centre. It was also decided on 8.9.1999 in O.A.No.103 of 1999 in the case of the employees of SSB, Itanagar. In all these orders ration allowance was allowed. Relying on these orders of the Tribunal the applicants submitted representations before the authorities of the respondents praying for payment of ration allowance. The respondents, however, denied the allowance to the applicants on the ground that the orders of the Tribunal are applicable only to the applicants in those O.A.s and not to the present applicants who were not parties to the earlier O.A. However, it was also intimated that the matter was under consideration and the decision will be communicated. The applicants did not wait for the result of such decision, if any. They have submitted this O.A. In this application they have prayed that they be granted the benefit of ration allowance with effect from the date from which Shillong was categorised has 'B' Station, namely, 27.4.1992. In support of the claim they have relied on the orders of the Tribunal as mentioned above. The respondents have contested the application and submitted written statement.

3. I have heard the learned counsel of both sides. This matter is similar with the case of the employees of IB, Itanagar, namely, Shri N. Venugopal and 69 others -vs- Union of India and others (O.A.No.103 of 1999) in which vide order dated 8.9.1999 this Tribunal had directed the respondents.....

respondents to pay ration allowance to those applicants with effect from the date the allowance became applicable to Itanagar. In the case of the employees in Itanagar, the ration allowance was admissible from 8.11.1994 when certain stations in Arunachal Pradesh were classified as category 'B' and 'C' stations for the purpose of various allowances and concessions granted to the employees. Now, in the case presently under consideration, the ration allowance became admissible to the employees of Shillong with effect from 27.4.1992, i.e. from the date Shillong was classified as category 'B' station for the purpose of the various concessions mentioned in the letter dated 18.12.1987.

4. In the light of the above the respondents are directed to pay the applicants ration allowance from 27.4.1992 onwards within four months from the date of receipt of this order.

5. The application is disposed of. No order as to costs.

Sd/ MEMBER (ADM)

nkm

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ANNEXURE - XII



No. E.I/1-82/SD/99/14197

Directorate General of Security,  
Office of the Divisional Organiser,  
SSB, Shillong Division, Shillong.

Dated the 29/11/99

Memorandum

669  
30/11/99

Please refer to representation submitted by Shri K.N. Choudhury, Jr. Accountant dated 2-11-99 addressed to Director, SSB and copy endorsed to D.O. Manipur & Nagaland Division regarding grant of ration allowance.

In this connection, SSB Dte Memo. No. 9/SSB/A2/86(1)Haflong/3007 dated 27-10-99 is sent herewith to inform the position to Shri Choudhury, Jt. Acctt. accordingly.

Encl : As stated.

*File No. 1*  
Area Organiser (Admn)  
Shillong Division, Shillong.

To  
The Area Organiser(Staff)  
O/o the Divisional Organiser, SSB  
Manipur & Nagaland Division,  
Imphal.

2-9848  
18/12

2-12-99

22.8.97  
AL 27.10.99  
SSB, GAILONG  
12088.12.21.11  
No. 9/SSB/A2/86(1)-Haflong.  
DIRECTORATE GENERAL OF SECURITY,  
OFFICE OF THE DIRECTOR:SSB,  
EAST BLOCK, V, RK PURAM,  
NEW DELHI-110066.

Dated, the, 27th Oct. 1999.

MEMORANDUM

Subject: Grant of Ration Allowance to the Ministerial Staff posted at Category 'B' & 'C' stations.

Please refer to your Memo No. E.1/1-82/59/99/11941 dated, 13.10.99 on the subject mentioned above.

2. We have already clarified vide our Memo No. 30/SSB/A2/97(17)-559-570 dated, 19.2.99, that the non-applicants of OA are not entitled to get ration allowance on the basis of judgement of CAT, Guwahati. The CAT judgement of Guwahati is meant for 70 non-executive personnel posted to Itanagar, AP Division. However, we have again taken up the matter with the Cabinet Secretariat, for grant of ration allowance to all non-executive personnel posted to Category 'B' and 'C' stations. The decision as and when received will be intimated in due course.

( S.S. Bora )  
Joint Deputy Director (EA)

To:

The Divisional Organiser,  
Shillong Division,  
Shillong.

No. E.1/1-82/SD/99/1297c-72.

Dt. 5.11.99

Copy forwarded for information to :

103) the Area Organisers, SSB, Cachar/Tripura/Meghalaya.

\*Rawat\*

Section Officer, SSB  
Shillong Division, Shillong.

21/3	1291	514	No. 9/SSB/A2/86(1)-Shillong. DIRECTORATE GENERAL OF SECURITY, OFFICE OF THE DIRECTOR:SSB, EAST BLOCK, V, RK PURAM, NEW DELHI-110066.
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Dated, the 2nd Nov. 1999.

MEMORANDUM

Subject: Grant of Ration Allowance to the Ministerial/other staff posted at Category 'B' & 'C' stations.

Please refer to your Memo No. E.1/1-92/ SN/99/2242 dated 20.10.99 on the subject mentioned above.

2. We have already explained the position vide our memo of even number dated, 27.10.99. However, it is again reiterated that the applicants are not the petitioners in the various judgement issued by CAT. As such, they are not entitled to the grant of ration allowance as per judgement of CAT. However, we have again taken up the matter separately for the grant of ration allowance to the non-executive personnel.

S. S. Bora  
( S. S. Bora )  
Joint Deputy Director (EA)

To,

The Divisional Organiser,  
Shillong Division,  
Shillong.

### Centri di

1. *Patent*

24 Oct 1900

69

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

**GUWAHATI BENCH : GUWAHATI**

O.A. No.244/2000

Mrs. Yeorialda Khongsit and 24 Others.

..... Applicant

## Versus

Union of India and others.

..... Respondents.

( Written statement of the respondents  
No.1 to 4 ).

The written statements of the respondents are as follows :-

Para 1- No comments, as no records are available in this office about the authorisation of Ration Allowance to ARC Doomdooma staff.

**PARA 2-** No comments as it is a matter of Law.

PARA 3- -do-

**PARA 4 (1) Admitted**

(2) Admitted

(3) Admitted

(4) Admitted

(5) Admitted

(6) Admitted

### (7) The Non-

at Div. Hqrs. Shillong have submitted representation to allow them to draw Ration Allowance in accordance with the instructions contained in Cabinet Sectt. letter No. A. 27011/4/86-EA-II dated 18.12.87 and accordingly their applications were forwarded to Director, SSB for according

P. PANT )

29  
for

-: 2 :-

sanction to draw Ration Allowance by the applicants but Director, SSB in turn vide Memo. No. 9/SSB/A2/86(1)-Haflong-3007 dated 27-10-1999 (Annexure XII of O.A. petition) and Memo. No. 9/SSB/A2/86(1)-Shillong-3045 dated 2-11-1999 (Annexure XIII of O.A. petition) have intimated that only those who had filed O.A. against the Department in the CAT have been allowed to draw the Ration Allowance in accordance with the judgement passed by the Hon'ble CAT and others are not entitled to grant of Ration Allowance. Therefore, the Ration Allowance was not allowed to the applicants in accordance with Administrative instructions issued by SSB Dte. vide their Memo. No. 9/SSB/A2/86(1) Shillong-3045 dated 2.11.99 (copy already enclosed as an Annexure XIII) and Memo. No. 9/SSB/A2/86(1)-Haflong-3007 dated 27-10-1999 (copy already enclosed as an Annexure XII in original O.A.).

*Ans*  
Ans  
P. P. M. T. I.

(8) It is admitted that Aviation Research Centre is also a part of DGS like SSB, but the concessions/allowances allowed to them are not known to this office as various concessions are being paid/allowed at par with the conditions of place of posting.

(9) No comments as matter of records.

(10) -do-

(11) -do-

(12) The pay and other allowances are being paid to the employees in accordance with the terms and conditions stipulated by the Govt. of India. The Ration Allowance was not made admissible to the

non-executive staff of SSB at Shillong by the Cabinet Sectt. as is evident from Annexure XII and XIII of original O.A.

(13) Admitted.

PARA 5- GROUNDS FOR RELIEF

As has been explained in the foregoing paragraphs, the instant O.A. is not tenable in the eye of law since it does not bear legal valid grounds in as much as the applicants are not entitled Ration Allowance as they have claimed.

PARA 6- REMEDIES EXHAUSTED

The representations of the petitioners received in Div. Hqrs. Shillong were forwarded to SSB Dte. but the same had been considered and rejected by SSB Dte. vide their Memo. No. 9/SSB/A2/86(1)-Shillong-3045 (Annexure XIII of O.A.) and Memo. No. 9/SSB/A2/86(1)-Haflong-3007 dated 27-10-1999 (Annexure XII of OA) intimating that the applicants are not entitled to the grant of Ration Allowance as per judgement of CAT which was applicable to 70 nos. of non-executive personnel. However, SSB Dte, further intimated that the matter for grant of Ration Allowance to the non-executive personnel has been again taken up with the Competent Authority and further decision is still awaited.

(L. P. RANT)

PARA 7- No relief can be allowed to the applicants until and unless Cabinet Sectt. specifically orders to draw the Ration Allowance which in the instant case has not been allowed by Administrative Authority vide Memos. as an Annexure XII and XIII of original O.A..

PARA 8,9, 10 &11 No comments.

- 4 -

V E R I F I C A T I O N

I, Shri ISWARI PRASAD PANT, S/o  
Late S.D. Pant presently working as Divisional  
Organiser, SSB being duly authorised and  
competent to sign this verification, do hereby  
solemnly affirm and declare that the statement s  
made in Paras 1 to 7 being matter of  
records are true to my information derived  
therefrom and the rest are my humble submission  
before this Hon'ble Tribunal.

And I sign this verification in on  
this 23 th day of October, 2000 at

S. Pant

(I. P. PANT)  
Divisional Organiser (SSB):  
Shillong.