

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 264/2000

OF 199

Applicant(s) Sri Bhupendra Nath Das and ones.

Respondent(s) Union of India and ones.

Advocate for Applicant(s) Mr. K. K. Phukan.

Mr. S. Chandrajoti.

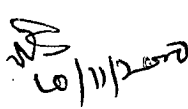
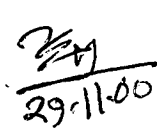
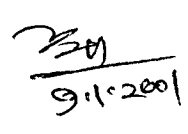
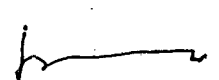
Advocate for Respondent(s) C. G. S. C.

Notes of the Registry	Date	Order of the Tribunal
19.9.2000 Form and return filed D. T. of 19.9.2000 deposited with IPO B.D.N. 762032 Dated 26.2.000 20/9/2000 Notice preferred and sent to D/Section for issuing lto Respondents No 1 to 4 vide D/No 1946 to 1949 dtd 21/9/00 20/9/00 No. show cause has been filed.	19.9.2000 pg 2.11.00	Present : The Hon'ble Mr Justice D.N. Choudhury, Vice-Chairman. Heard Mr K.K.Phukan, learned counsel for the applicants. Issue notice to show cause as to why this application shall not be admitted. Returnable by 2.11.2000. List on 2.11.2000 for filing reply to the show cause and admission. Vice-Chairman Four weeks further time is allowed to the respondents to file written statement on the prayer of Mr B.S.Basumatary, learned Addl.C.G.S.C. List on 30.11.2000 for order. Vice-Chairman

✓

O.A. 264/2000

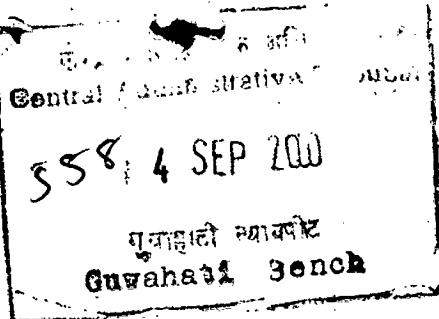
-2-

Notes of the Registry	Date	Order of the Tribunal
NO Wfs has been filed.  10/11/2000 29-11-2000 ① Service report are still awaited. ② No. Wfs has been filed.  29-11-00 13-12-2000 Written statement has been filed by the respondents.  Wfs has been filed.  9.1.2001	30.11.00 pg 8.12.00 lm 10.1.2001	List on 8.12.2000 so as to enable the respondents to file reply to the show cause.  Vice-Chairman On the prayer of learned counsel for the respondents four weeks time is allowed for filing of show cause. List on 9.1.2001 for Admission.  Vice-Chairman Heard the learned counsel for the parties. It has been stated this application is squarely covered by a series of decisions rendered by this Tribunal in O.A.No.245/1995, O.A.No.119/2000 and other like cases. The applicants are twentytwo in number, who are serving in the Special Service Bureau (SSB for short), Salanibari, Assam. All the applicants are non-executive personnel in the SSB. The applicants have moved this Tribunal with a common grievance and interest and accordingly leave was granted to file a single application under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987. The grievance of the applicants relates to grant of the benefit of Ration Allowance with effect from 27.11.1996 as was granted to persons similarly situated in the different establishments like Aviation Research Centre, Doomdooima, Numaligarh and SSG, Itanagar, Arunachal Pradesh and SSB, North Assam Division, Tezpur.

Notes of the Registry	Date	Order of the Tribunal
19.1.2001 Copy of the order has been sent to the office for issuing the same to IS L/Admn for the parties. nk	10.1.2001 nk	Upon hearing Mr K.K. Phukan, learned counsel for the applicants and Mr B.S. Basumatary, learned Addl. C.G.S.C. and considering the materials on record, in the light of the earlier decisions of the Tribunal, I hold that the present applicants are entitled for Ration Allowance. The respondents are, therefore, directed to pay Ration Allowance to the applicants with effect from the date the allowance became admissible to Salanibari or from the date of their actual posting at Salanibari, whichever is later. The application is accordingly allowed. No order as to costs.  Vice-Chairman

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Notes of the Registry	Date	Order of the Tribunal



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH
GUWAHATI.

O.A. NO. 214 OF 2000

Sri Bhupendra Nath Das & Ors.. Applicants

-vs-

Union of India & Ors.

.. Respondents

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Filed by: Surajit Chakravarty
Advocate

Filed by

Bhupendra Nath Das

Applicant

Through

Swrajit Chakravarty

Advocate

26-7-2000

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH
GUWAHATI

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

O.A. NO. _____ OF 2000

1. Shri Bhupendra Nath Das,
S/o Late Hahiram Das
2. Miss Aruna Devi,
D/o Shri Ph Ibopishak Singh
3. Sri Mathew Stepen
S/o Sri M.M. Stephen
4. Th Shbhash Ch. Singh
S/o Sri Th Babu Singh
5. Sri Anil Kumar Bhardwaj
S/o Sri Chhedhalal
6. Sri Barun Kumar Goswami
S/o Sri Benoy Krishna Goswami
7. Sri Poal Ch Das
S/o Late Nabin Ch Das
8. Smt Mamoni Das
D/o Late Dambaru Nath
9. Smt Sonali Saikia
D/o Late Khargeswar Duwarah
10. Sri Debodhar Borah
S/o Late Kush Ram Borah

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11. Sri Dara Singh
S/o Sri Sutta Singh
12. Sri Kamlesh Choudhury
Sri Rameshwar Choudhury
13. Sri Nabin Chandra Bharali
S/o Late Parmananda Bharali
14. Sri Niru Ch Ray
S/o Late Girish Ch Ray
15. Sri Ratish Suklabaidya
S/o Late Harindra Suklabaidya
16. Sri Amar Babu Sinha
S/o Sri Arun Babu Sinha
17. Sri Sujan Boro
Hemo Boro
S/o Late ~~Bxxxxx~~ Chakxy
18. Sri Kajimon Chetry
S/o Late Batra Chetry
19. Sri Bidyut Saha
S/o Sri Nisith Kr. Saha
20. Sri D.C. Lahkar
S/o Late Ramesh Ch Lahkar
21. Sri Ajay Kr Das
S/o Late Shyamsundar Das
22. Smt Joyotsna Lodh
W/o H.K. Lodh

All the applicants are serving in the
Training Centre, SSB, Salanibari.

.. Applicants

-Versus-

Das

-3-

1. Union of India
represented by the Cabinet Secretary
to the Govt. of India,
Bikaner House, Sahjahan Road,
New Delhi.
2. The Director General of Security,
Block-V(East) R.K. Puram,
New Delhi.
3. The Director,
SSB Directorate, R.K. Puram,
New Delhi.
4. The Deputy Inspector General
Training Centre, SSB,
Salanibari.

.. Respondents

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

Illegal and arbitrary action of the authorities
in not allowing the applicants to draw Ration Allowance
although Ration Allowance has already been granted to
the executive staff with effect from 8.11.94.

2. JURISDICTION OF THE TRIBUNAL:

The applicants declare that the subject matter
of the order against they want redress~~a~~ is within the
jurisdiction of the Hon'ble Tribunal.

3. LIMITATION:

The applicants further declare that the instant application prescribed under section 21 of the Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE:

i) That the applicants hereof are all non-executive personnel serving in the Special Service Bureau (herein after referred to as SSB) at the disposal of the Deputy Inspector General, Training Centre, SSB, Salanibari, Assam, which is a Department under Cabinet Secretary to the Govt. of India in different posts and the services particulars of each Applicant are shown in Annexure- A.

ii) That the applicants have a common grievance and interest in the matter in question and as such they are filing a common and single application inasmuch as the relief sought and, if granted, to them will be equally applicable to all of them as they are similarly situated and in order to avoid multiplicity of litigations. As such the applicants crave leave of this Hon'ble Tribunal to allow them to file a common and single application as provided in Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

iii) That the applicants respectfully state that the Govt. of India set up the Directorate General of Security (DGS in short) in the year 1962 under the

6/2/83

Administrative Control of the Cabinet Security for some specific purposes which in a multi-role, multi-disciplinary organisation comprising for agencies, viz. Special Service Bureau (SSB), Aviation Research Centre(ARC), Special Frontier Force (SFF) and Chief Inspector of Armaments (CIOA).

iv) That the applicants respectfully state that the Cabinet Secretariate, vide letter No.A-27011/4/86-EA-II dtd. 18/12/87 addressed to the Director, Planning, Directorate General of Security, informed that certain concessions were granted to the staff of SSB, SSF, CIOA and Director of Accounts and the said 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 of Staff, the equation of posts as listed in Annexure-II to the Cabinet Secretariat order dtd. 28/10/86 would also be applicable in respect of the staff of SSB, SSF, CIOA and Director of Accounts.

A photo copy of the said letter dated 18/12/87 along with two annexures are annexed herewith as Annexure - B.

v) That the applicants respectfully state that from the said letter and annexures, it would be ample clear that certain concessions were granted and in the instant case the concessions mentioned at Sl. No.1 i.e. Ration Allowance and serial No.7, i.e. House Rent allowance would be relevant.

The house rent allowances to the executive cadre was made admissible to the personnel of other cadre also of the corresponding level except in the case of SSB Battalions personnel and Deputy Commandants/ Company Commanders/Assistant Company Commandants of SFF and also those on deputation in the SFF from the Army.

The Ration allowance was granted to the ranks of Field officers and below to the personnel serving in the locations categorised as 'B' and 'C'.

vi) That the applicants respectfully state that the order dtd. 28/10/86 mentioned in letter dtd. 18/12/87 (Annexure - B) was an order from the Cabinet Secretariat whereby the sanction of the President of India was conveyed to the equation of posts listed in Annexure-B 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 photo copy of the said letter dtd. '28/10/86 alongwith enclosures is annexed herewith as Annexure - C hereof.

vii) That the applicants respectfully state that as per Annexure-II, Salanibari was not categorised as either 'B' or 'C' locations and as such the personnel serving at Salanibari were not granted the Ration Allowance concession initially. Be it stated that the Directorate General of Security, by order No.9/SSB/A2/96(1)-NA dtd. 27th November, 1996 in exercise of powers conferred in him as the Head of the Department, sanctioned the classification of Salanibari as category 'B' station for the purpose of various concessions granted.

A photostate copy of the said letter dated 27/11/96 is annexed herewith as Annexure- D.

viii) That the applicants respectfully state that after Salanibari was categorised as 'B' category station the employees of the SSB serving at Salanibari became eligible for getting the ration allowance.

ix) That the applicants respectfully state that the Directorate General of Security by order No.9/SSB/A-2/86(1)-AP dtd. 8.11.94 in exercise of powers conferred

in him as the Head of the Department, sanctioned the classification of certain stations in Arunachal Pradesh Division as category 'B' and 'C' stations for the purpose of various concessions granted.

Be it further stated that Additional concessions including the Ration Allowance was made admissible to the ARC personnel vide letter No.A-27011/4/86-EA-II(A) dated 6.12.87.

A photostat copy of the said letter dtd. 6/12/87 is annexed hereto as Annexure - E hereof.

However, while the concerned authorities of both the SSB Arunachal Division and ARC Doondoma declined to grant the ration allowances in pursuance of the aforesaid letters, the SSB personnel of Itanagar of Arunachal Division on earlier occasion filed an O.A. being No.103/99 (Shri G.S.Rao and others - VS-UIO & Others) before this Hon'ble Tribunal which was finally disposed of vide Judgment & order dtd. 8/9/99 allowing the prayer of the applicants.

A photostat copy of the aforesaid judgment dtd. 8/9/99 is annexed hereto as Annexure- F.

That apart a reference may be made to O.A. No.245/95(Sri Bishnu Prasad Saikia & Ors. Vs. UIO & Ors) which were filed by the ARC personnel before this

Res.

Hon'ble Tribunal while the concerned authorities denied to grant ration allowances and the Hon'ble Tribunal finally disposed of the matter vide judgment and orders dtd. 14/6/96 and 21/4/99 respectively allowing the prayer of the applicant in both the cases.

A photostat copy of the said judgment dtd. 14/6/96 passed in OA No. 245/95 and 21/4/99 passed in OA No. 228/98 are annexed herewith as Annexures- G & H respectively.

x) That apart a reference may be made to O.A. No. 353/99 (Sri Tua Ram Gogoi & Others -Vs- UOI & Ors) and OA No. 119/2000 (Sri Hem Prasad Borah & Ors. -Vs- UOI & Ors.) which were filed by the SSB staff of North Assam Division, Tezpur before this Hon'ble Tribunal while the concerned authorities declined to grant the Ration Allowances and the Hon'ble Tribunal finally disposed of the matter vide Judgment and orders dtd. 1/12/99 and 5/6/2000 respectively allowing the applicants for drawal of Ration allowances.

Photostat copy of the said judgments dtd. 1/12/99 and 5/6/2000 passed on OA No. 353/99 and OA No. 119/2000 respectively are annexed herewith as Annexures- I & J respectively.

xi) That the applicants respectfully state that the applicants took up the matter with the appropriate authorities praying that they be paid Ration Allowance due to them and the same was duly forwarded by the Commandant Training Centre, SSB, Salanibari to the Assistant Director (EA-I) for necessary actions vide his letter dtd. 19th May, 2000 and in reply Joint Deputy Director (EA) vide his Memorandum dtd. 1/6/2000 informed to the Deputy Inspector General Training Centre, Salanibari that the non-applicants of OA are not entitled to draw ration allowance.

Few similar nature of photostat copies of representations and photostat copies of aforesaid Memorandum dtd. 19/5/2000 and 1/6/2000 are annexed hereto as Annexures- K series, L & M respectively.

xii) That the applicants respectfully state that the Ministry of Finance, Department of Expenditure vide their UO No.C-228/E.III(B)/99 dtd. 6/10/99 informed the all concerned that the benefit of Judgment of the CAT is given only to the petitioners and the same is not automatically extended to the non petitioners.

A photo copy of the aforesaid UO is annexed hereto as Annexure - N.

xiii) That the applicants respectfully state that though as per concessions granted vide letter dated 18/12/87 the applicants were entitled to Ration Allowance after Salanibari was categorised as a 'B' station, the authorities had not granted the same to the applicants. The applicants had represented before the authorities and action was taken by the respondents and applicants were expecting that the authorities would give them the benefit otherwise due to them and as such the applicants being faithful and loyal Government servants, were waiting for the outcome of their representations.

xiv) That the applicants most respectfully submit that the similarly situated persons have been granted ration allowance, however, the applicants have been deprived of from the same.

xv) That the applicants most respectfully submit that the instant O.A. is squarely covered by the Judgment and orders dtd. 14/6/98 passed in OA No. 245/95 by this Hon'ble Tribunal, Judgment and order dated 17/7/98 passed in OA No. 89/96, Judgment and order dtd. 21/4/99 passed in OA No. 226/98 and Judgment and order dated 8/9/99 passed in OA No. 103/99 and Judgment and order dtd. 1/12/99 in OA No. 353/99 and judgment and order dtd. 5/6/2000 passed in OA No. 119/2000 by this Hon'ble Tribunal.

5. GROUND'S FOR RELIEF WITH LEGAL PROVISIONS:

I) For that the action of the authorities in denying the Ration allowance to the applicants is illegal arbitrary and highly discriminatory and as such this is a fit case where this Hon'ble Tribunal will exercise jurisdiction and grant relief.

II) For that the applicants have been discriminated against in not allowing the benefit of Ration allowance although they are similarly situated with those of the Aviation Research Centre, Doomdoma, Numaligarh, SSB, Arunachal Pradesh Division, Itanagar and SSB, North Assam Division, Tezpur who have granted the benefit of Ration allowance as per order of this Hon'ble Tribunal and as such the action of the authorities is bad in law and liable to be set aside.

III) For that since the similarly situated person of the ARG, Doomdoma, Numaligarh as well as SSB, Itanagar, Arunachal Pradesh Division ~~xxxx~~ and SSB Tezpur, North Assam Division have been granted Ration allowance, the applicants are entitled to Ration Allowance and since the same has not been granted to them, the applicants have been seriously discriminated against resulting in violation of the provisions of Article-14 and 16 of the constitution of India.

6. DETAILS OF THE REMEDIES EXHAUSTED

RD The applicants had already submitted representations which were duly forwarded to the competent authorities but nothing tangible has been done so far.

7. MATTER 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.

8. RELIEF SOUGHT:

It is, therefore, most respectfully prayed that Your Lordships would graciously be pleased to admit this application, call for the entire records of the case, ask the respondents to show cause as to why the applicants should not be granted the benefit of Ration Allowances with effect from 27/11/96 as has been granted to others who are similarly situated persons and after perusing the cause or causes shown, if any, and hearing the parties, direct that in view of the facts and circumstances of the case, the applicants be granted Ration Allowance with effect from 27/11/96 as admissible as has been granted to the similarly situated persons of Aviation Research Centre, Doomdoma, Numaligarh and SSB, Itanagar, Arunachal Pradesh and SSB, North Assam Division, Tezpur and/or pass any other order/orders as your Lordships may deem fit and proper.

And for this the applicants as induty bound shall everpray

9. INTERIM ORDER IF ANY PRAYED FOR:

NIL

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

11. PARTICULARS OF THE BANK DRAFT/POSTAL ORDER IN

RESPECT OF THE APPLICATION FEE: 96203221.287.000

12. LIST OF ENCLOSURES.

As stated in the Index.

Bos.

..Verification..

VERIFICATION

I, Shri Bhupendra Nath Das, Son of Late Hahiram Das, aged about 52 years, at present working as Grade-II Driver in the Training Centre, SSB, Salanibari, do hereby solemnly affirm and state that I am one of the applicants in the accompanying application and the contents of paragraph 7,8,9,10 of the said application including those made in this verification are true to the best of my knowledge and belief and those made in Paragraphs 1,2,3 4(i),(ii),(iii),(iv),(v),(vi) (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv) and (xv), 6, 11 and 12 are true to the best of my information which have been derived from the records. I being one of the applicants have been authorised by other applicant to sign this verification on behalf of them. And I sign this verification on this day of July, 2000.

Bhupendra Nath Das

Signature

Date: Guwahati

Place; 25-7-2000

Particulars of petitioners

Sl. Name & Fathar's name	Designation	Date of birth	Date of appointment in service
1. Bhupendra Nath Das S/o Lt. Hahiram Das	Gr-II Driver 16x8x48	16-8-1948	24x10x1997 4-12-1965
2. Miss Aruna Devi Sh, Ph. Ibopishok Singh	Staff Nurse	1-2-1969	24.10.90
3. Mathew Stephen Sh M.M. Stephen	Radiographer	7-5-1968	26.9.90
4. Th. Subhash Ch Singh Sh. Th Babu Singh	Pharmacist	1-1-1965	14/8/93
5. Anil Kr. Bhardwaj Sh. Chhodhalal	Lab Technician	31.3.1966	14/8/89
6. Barun Kr. Goswami S/o Sh Benoy Krishna Goswami	-do-	18/7/1961	11/9/63
7. Poal Ch Das S/o Lt. Nabin Ch Das	Nursing Atttt	1/4/1943	13/7/63
8. Mamoni Das D/o Lt Dambaru Nath	-do-	18/7/1945	1/6/69
9. Sonali Saikia D/o Lt. Khargeswar Duwarah	-do-	1/3/1944	27/9/69
10. Debodhar Borah S/o Lt Kush Ram Borah	-da-	12/10/1946	1.1.68
11. Dara Singh S/o Sh Sutra Singh	Safaiwala	20/5/1975	23.1.94
12. Kamlesh Choudhury S/o Sh Rameswar Choudhury	Mali	19/1/1968	1.11.91
13. Nabin Ch Bharali S/o Lt Paramananda Bharali	Peon	25/3/1950	1.4.67
14. Niru Ch Ray S/o Lt Girish Ch Ray	Cleaner	8x8x48 25/3/1948	8/7/56

17

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15. Ratish Suklabaidya	Dhobi	3-3-1985	3.10.92
S/o Lt. Harindra Suklabaidya			
16. Amar Babu Sinha	Waterman	10/12/1971	10/9/90
S/o Sh Arun Babu Sinha			
17. Sujan Boro	Cook	17/5/1963	1/8/81
s/o Lt Hemo Boro			
18. Kajimen Chetry	Asstt Cook	5/10/1966	5/10/88
S/o Lt. Batra Chetry			
19. Bidyut Saha	Pharmacist	3/7/1974	24/9/98
S/o Sh Nisith Kr Saha			
20. D.C. Lakhar	UDC	3/2/1958	23/4/82
S/o Lt. Ramesh Ch Lakhar			
21. Ajay Kr Das	LDC	14/4/1962	7/4/93
S/o Lt. Shyamsundar Das			
22. Smt Joyotsna Lodh	LDC	23/11/1961	2/3/82
W/o J.K. Lodh			

All the applicants are serving in the
Training Centre, SSB, Salanibari.

certified to be
attested
S. Chakraborty
Advocate

~~Annexure - I~~

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

(18)

(15)

~~Annexure B~~

11/12/87
18/12/87
30

New Delhi, the 10.12.87.

To

The Director (Planning),
Directorate 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 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 & 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' & 'C' stations as indicated in Annexure-II to this letter. However, if the Heads of the Departments 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' & 'C' stations after recording the reasons in writing.

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-11016/6/86-DO-1, dated 28.10.86, will also be applicable in respect of the staff of SSB, SFF, CIOA and Directorate of

2

~~19~~

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(10)

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5. This issue with the concurrence of the Ministry of Finance vide their O.O. No. 5-1420/SE/87 dated 10.8.87 read with O.O. No. 1151/DIR.FI (S)/31, dated 2nd Dec.1987.

Yours faithfully

Sd/-

(R.K. GANGAR)

DEPUTY SECRETARY(SR)

Encl: Annexure-1 & 11.

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. Subramanian, Director IF),
6. Shri K.K. Mittal, Dy. Director of Accounts (SW).
7. Order File.

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

No. ME/P-9/97-98/27

Dated : 20/11/97

Copy to :-

1. The Comdt., CC:SSB/DIVN/Paser/Tezu - for information and necessary action. W.v.t.
your signal No. 4724 dt. 25.10.97.

Sd/- 111091010

AREA ORGANISER (S)

DIV. DIRS, SSB ITANAGAR.

attested
S. Chakravarty
Advocate

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

Sl. No.	Nature of the Concession.	Extent of the concession granted	Remarks.
1	2	3	4

1) Hardship Allowance

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 pay subject to maximum of Rs. 200/- p.m. to category 'B' stations other than those situated in the North-Eastern region.
Andaman & Nicobar Island and Lakshadweep, where special allowance is already sanctioned.

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.

2) Ration Allowance

Ration Allowance to the rank of Field Officers and below at the following rates excepting SSB Bn. personnel and Dy. Comdts/ Dy. Comdrs/Asst. Dy. Comdrs of SFF and also those on deputation in the SFF from the Army:-

- 2 -

1	2	3	4
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LocationRates

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

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

3) Clothing

i) A non-refundable clothing grant of Rs. 3000/- for staff other than SSB En. personnel and Dy. Comdrs/Coy. Comdrs/Asst.

Coy. Comdrs of SFF and also those 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 the hardship location and a certificate that the advance has been utilised for the purpose it was intended.

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ii) Renewal grant at the rate of 500/-
p.a. for locations at or higher
than 3000 Mtrs. above M.S.L. and
Rs. 300/- p.a. for locations
between 1500 and 3000 Mtrs. above
M.S.L. 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

Contd.4

1	2	3	4
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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 as admissible under Supplementary Rules (vide Min. of Fin.C.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.

1) 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.

climate 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.

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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

ii) In case of death, serious illness or 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' stations 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.

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.Comdts/Asstt.Coy.Comdts of SFF and also those on deputation in the SFF from the Army.

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8. Cash compensation for work on holidays

Cash compensation for work on holiday is 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 staff of Telecom, Cipher and M.T. cadres, who are drawing basic pay of Rs. 900/- (pre-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/S.P.A.	Rs. 100/- p.m.
v) Assistant Director/Area Organizer/Dy.Director of Accounts.	Rs. 200/- p.m.
	

affd
S. Chakravarty
Adv.

~~Annexure 14~~ (26) ~~27~~ Annexure 'C' (23)
ANNEXURE-14

Government of India,
Cabinet Secretariat,
Bikram House Annex, 3,
Shahjahan Road,
New Delhi.

No. A-11016/6/86-DOJ

Dtd., 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. DO No. ARC/E-1/88/85, dated the 15.9.1986.

2. In continuation of this Secretariat letter No. A-49011/8/86-DOJ 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 cadres.

3. This issues with the concurrence of the Director (IF) vide their Dy. No. 1799 dt. 1.10.1986.

SD/-
(R.K. Ganger)
Deputy Secretary (SR).

To

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

(R.K. Ganger)
Deputy Secretary (SR)

(33) (27) (24) 33

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

1 2 3

1. S.F.O. Rs. 650-30-740-35- 810-EB-35-880-4)- 1000-EB-4)-12(X)/-	1. Section Officer 2. Accounts Officer 3. Private Secretary 4. Sr. P.A. 5. Asstt. Fire Officer 6. Asstt. Commandant 7. Asstt. Engineer 8. Asstt. (Civil) Surgeon Gr.I. 9. Deputy Works Suptt. 10. Asstt. Technical Officer 11. Asstt. Aerodrome Officer 12. Asstt. Meteorologist 13. Librarian	650-1200/- 840-1200/- 775-1200/- 650-1040/- 650-1200/- 650-1200/- 650-1200/- 650-1200/- 650-1200/- 650-1200/- 650-1200/- 650-1200/- 650-1200/-
2. Field Officer Rs. 550-25-750- EB-30-900/-	1. Assistant 2. Steno Gr.II(P.A.) 3. Accountant 4. Station Officer 5. Asstt. Librarian 6. Foreman 7. Jt. Technical Officer Grade.I 8. Jt. Stores Officer Gr.I 9. Technical Asstt (Air wing) 10. Communication Asstt. 11. Professional Asstt. 12. Jr. Accounts Officer 13. Sr. Medical Asstt.	425-800/- 425-800/- 500-900/- 550-750/- 550-900/- 550-900/- 550-900/- 550-750/- 550-750/- 550-900/- 550-900/- 550-900/- 550-900/-

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* 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
Re.425-15-530-1B-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. Regiographer	425-640/-
	9. Lab. technician	380-560/-
	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. Masseuse (Physiotherapist)	455-700/-
	16. Dictician	425-640/-
	17. Junior Technical Officer Gr.II	425-700/-
	18. Jr. Stores Officer Gr.II	425-700/-
	19. P.O.I. Supervisor	425-600/-
	20. Head Clerk (Accounts)	425-600/-
	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	330-560/-
	26. Radio Operator	330-560/-
	27. Scientific Asstt.	425-700/-
	28. Senior Observer	330-560/-
	29. Junior Accountant	425-700/-

Contd....

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4. F.A.O.
Rs. 330-8-370-10-
400-EB-10-480/-

- | | |
|---|-----------|
| 1. LDA | 260-400/- |
| 2. Asstt. Station Officer | 330-480/- |
| 3. Leading Firman/M.T.
Fitter Driver-Driver
Havilder. | 320-400/- |
| 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. S.F.A.
Rs. 260-6-326-EB-
8-350/-.

- | | |
|------------------------------|-----------|
| 1. Senior Gestetnor Operator | 260-350/- |
| 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/- |
| 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/- |

6. Field Assistant
1) Rs.225-5-260-6-290-
LB-6-308/-
(Matriculate)

- | | |
|-------------------|-----------|
| 1. Lab. Attendant | 210-270/- |
| 2. Ayah | 196-232/- |
| 3. Daftry | 200-250/- |

Contd....

1	2	3
11)	Rs.210-4-250-LB-5-270/- (Non-Matriculate)	4. Peon 196-232/-
		5. Sweeper (Safaiwala) 196-232/-
111)	Rs.225-5-260-6-290- LB-6-308/- (Non-Matriculate after 15 years of regular service).	6. Farash 196-232/-
		7. Chowkidar/Watchman 196-232/-
		8. Gardener/Mali 196-232/-
		9. Lineman 210-270/-
		10. Lab. Attendant/ Butler. 210-270/-
		11. Carpenter (Airwing) 210-290/-
		12. Carpenter Gr.II (M.V. Workshop) 210-290/-
		13. Head Gardener 210-270/-
		14. Jamadar (Sweeper) 200-250/-
		15. Cook 200-250/-
		16. Paramaintenance Assistant (Packer) 210-290/-
		17. Cobbler 210-290/-
		18. Grass cutter 196-232/-
		19. Waterman/ water carrier. 196-232/-
		20. Loader 196-232/-
		21. Dresser 210-270/-
		22. Ayah (Para Medical staff) 200-250/-
		23. Bathor 200-250/-
		24. Ward Boy/Waiter Vahar up 196-232/-
		25. Dhobi 196-232/-
		26. Helper 210-290/-
		27. Cleaner 196-232/-
		28. Junior Electrician 210-290/-
		29. Blacksmith Gr.II 210-290/-
		30. Welder Grade.II 210-290/-
		31. Plant Room Attendant 210-270/-
		32. Aircraft Assistant 210-290/-
		33. Traffic Hand 200-250/-
		34. Observer; Attendant 210-250/-

affected
S. Chakravarty
Adv.

(31)

Annexure - D

No. 9/SSB/A2/96(1)-NA
Director General of Security
Office of the Director, SSB
East Block-V, HK Puram
New Delhi-110066

Dated the 27 November, 1996

ORDER

In exercise of the powers vested in him as Head of the Deptt. in terms of para 3 of the Cabinet Sectt. 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 Training Centre Salonibari as category 'B' station for the purpose of various concessions as mentioned in Annexure-I (other than Clothing grant) of the above quoted Cabinet Sectt. letter dated 18/12/87 for a period of 3 years (three) with effect from the date of issue of this order.

sd/-

Karan Singh
Assistant Director (EA)

Copy to:

1. The Director of Accounts, Cabinet Sectt. RK Puram, New Delhi.
2. The Dy. Inspector General IC Salonibari
3. The Divisional Organiser: UP/HP/J&K/R&B/NB/SB/NA/AP/Shillong/M&N
4. The Dy. Inspector General: FA Gwaldam/TC Haflong/Sanaha Kumarsain/Jammu
5. CSD&W Bhopal/TC Faridabad
6. Accounts officer SSB A-1/A-4/F-1/E-II Branch
7. order file.

attached
S. Chakravarty

AN-32
~~ANNEXURE IV~~

Annexure - E

~~ANNEXURE IV~~

Photocopy

(29)

DD/2120-20.

No.A.49011/4/86-1(A)

Govt. of India,

Cabinet Secretariat

Bikaner House (Annex)

Shahjahan Road,

New Delhi. Dated 26th Dec, 1987.

To

Sri N. S. Sathyan,
Director, (ARC)
Director General of the City,
Cabinet Secretariat,
New Delhi.

Sub: 1- Grant of Concession to the staff of ARC).

Sir,

In continuation to this Cabinet Secretariat's letter No.A.49011/4/86-DI-1(b) dated 10th May, 1986 on the subject mentioned above I am directed to convey the sanction of the President to the grant of additional concessions mentioned in the Annexure to this letter to the various categories of the staff of ARC except those on deputation from Indian Air Force.

2. This will take effect from 1st August 1987.

3. This is done with the concurrence of the Ministry of Finance vide their U.O. No.3-1420/SC-87 dtd. 10.8.87 read with UO No.1151/Director (F/S)/BI dat d 2nd Dec.1987.

Yours faithfully,

(P. S. Gangar),

Dy. Secy.

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Encls. Attached-

Copy to:-

1. Shri J. Baburamdas Director (P) Cabinet Sectt.
2. Shri G. Mathur, Dy. Director Accounts, Cabinet Secretariat, New Delhi.
3. Shri K.K. Mathur, Dy. Director of Accounts (SW) office of the DACS, New Delhi with reference to his notes recorded on the file.
4. File No. A.49011/P/96-DO-I.

SV-

Dy. Secretary.

Shri

...
affixed
S. Chakravarty
Adv.

Affixed
for
A. H. Chakravarty

... CONCERNED TO

~~(32)~~

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Annexure to the Cabinet Secretariat letter
No.A.27011/4/2004-2A dt.10.12.1997.

Sl.No.	Nature of the concession.	Extent of the concession granted	Remarks
1.	As on 1.1.1997		

Region Allowance upto rank of FC and below to the following rates
Location
1. Category A As admissible from time to time in the ISF in peace areas.
2. Category B As admissible from time to time in ISF in operational areas.

Security allowance at the following rates to the following category of the staff working in Top secret projects subject to a maximum of 15% in each grade

Designation	Amount
S.D.O.	Rs.20/- pm.
Steno Gr.III/JOC	Rs.30/-pm.
Steno Gr-II/Asstt.	Rs.50/- pm
SO/S/Sr.P.A.	Rs.100/-pm.
Asstt. Director	Rs.200/-pm.

Handwritten signature
1.1.1997

Handwritten signature
S. Chakravarty
Advocate

Handwritten signature

Annexure to the Cabinet Secretariat letter

ANNEXURE - ~~F~~ F 1 (35) 35

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,

Bikram House,

Sanjahan Road, New Delhi and 4 others.

Respondents.

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

ORDER

G.L.SANGLYINE, ADMIN. 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. Ration 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 1.1.1999. They claim that consequent to

37 27 47
respect of the Aviation Research Centre relied on by the
applicants, the applicants are entitled to the ration
allowance. Mr B.S. Basumatary, learned Addl. C.G.S.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.As 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 arrear 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 of. No order as to costs.

Sd/-
Member (A)

Certified to be true Copy

16/11/99

attested
S. Chakravarty
Adv.

16/11/99

(38) ~~ANNEXURE~~ ~~7~~ G (35)

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. Bhattacharjya
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.

5. Deputy Director,
Aviation Research Centre,
Doomdooma.

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

O R D E R

G.L. SANGLYINO, 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. 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

contd. 2...

1000 Doona as a Category B station with effect from

2. Annexure IV to this O.A., namely No.A.27011/11

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 applicants 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.P. Bhattacharya, 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. J. S. G.S.C., submitted that the applicants have made the objection on a wrong notion 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 20.10.1986 (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.P. Bhattacharya submitted that

Contd... P/3

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this ground taken by the respondents 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 of Ration Allowance was restored. In this connection he has referred to the orders in the O.A. of 163 of 1991 and No. ^{179/91} 199/91 of this Bench.

A-II
8/15
A-III
8/16
A-IV
8/20

4. We have perused the records and heard the ~~respondent~~ counsel of the parties in this G.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 applicant was entitled to draw House rent allowance. Under letter No.A.27011/4/86-EX-11(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 ~~XXXX~~ are non-executive staff. We are not impressed by such stand of the respondents. Unlike 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

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contd. 4...

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Sl. Nature of Extent of the concession granted
No. the con-
cession

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(A) Ration Allowance

Ration allowance upto the rank of FO and below at the following rates:-

Location

Rates

(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.

Separate orders will be issued on corresponding levels."

14.6.96

The respondents cannot bring to what is not there or what is not intended to be there by O.A. No. A 27011/4/86-EA-II(C) dated 6.12.1987 as indicated. This letter simply clearly states that the allowance is admissible to the various categories of the staff of ABC up to a limit upto the rank of FO and below. In O.A. 103/92 and O.A. 179/91 of this Bench on the strength of the recommendations of the same 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 27.9.93 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

contd. 5...

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 22.2.1994. The arrear amount shall be paid upto 31.10.1996.

The application is allowed. No order as to costs.

Sd/- Member (A)

Sd/- Member (S)

attested
S. Chakravarty
Secy.

(48)
ANNEXURE ~~44~~ H 38

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 220 of 1990.

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

Shri G.L. Sanglyine, Administrative Member.

Shri Kiran Shankar Deb & 59 others

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

By Advocate Sri G.H. Das.

... Applicants.

- Various -

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

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

3. Director,
Aviation Research Centre,
Block-V (East),
R.K. Puram, New Delhi-66.

4. Deputy Director,
Aviation Research Centre,
Dooardoona, District Tinsukia.

... Respondents.

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

O R D E R

G. L. SANGLYINE, ADM. MEMBER.



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

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

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

3. I have heard Mr G.N.Das, learned counsel for the applicants and Mr B.S.Basumatary, learned Addl.C.G.S.C. for the respondents. The issue of grant of Ration Allowance to the employees of ARC Doondooma was considered in the order dated 14.6.1996 in O.A.No.245/95 as mentioned above. It was held that the Ration Allowance was admissible to the applicants in that O.A and the respondents were directed to pay Ration Allowance to them at the rate applicable to them with effect from the due date, namely, 22.2.1994. Ration Allowance to the staff of ARC in general was granted initially by the order No.A. 27011/4/HG-EA-11(A) dated 6.12.1987. The grant of Ration Allowance in respect of the employees of ARC Doondooma in particular was effective from 22.2.1994 only. The order dated 6.12.1987, Annexure-III was issued in continuation to the letter No.A-49011/8/86-DO-I(B) dated 10.5.1986, Annexure-I. Neither in the order dated 10.5.1986 nor in the order dated 6.12.1987 it has been mentioned that only the employees belonging to executive cadres can enjoy the benefit of Ration Allowance. In the letter No.ARC/Coord/30(B)/87-III-186 dated 22.2.1994, Annexure-IV also there is no mention that the Ration Allowance is to be granted

to the employees of the ARC belonging to the executive cadres. The allowance was granted from the date of issue of letter for a period till such time it is categorised otherwise. After hearing both sides I am of the view that

(N / 0



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

The application is allowed. No order as to costs.

Sd/- Member (A)



attested
S. Chakravarty
Adv.

Certified to be true Copy
সত্যিৰ সত্যি

[Signature]
23/11/99

Section Officer (A)
Central Administrative Tribunal
Guwahati Bench, Guwahati
23/11/99

Issued at Itanagar. According to the

(46) ANNEXURE - VII
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.353 of 1999

Date of decision: This the 1st day of December 1999

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

Shri Tua Ram Gogoi and 53 others

.....Applicants

All the applicants are employees of the
Special Service Bureau,
North Assam Division, Tezpur, Assam.

By Advocates Mr K.K. Phukan and
Mr M. Sarania.

- versus -

1. The Union of India, represented by the
Cabinet Secretary to the
Government of India,
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.,
East Block-V, R.K. Puram,
New Delhi.

4. The Divisional Organiser, S.S.B.,
North Assam Division,
Tezpur, Assam.

.....Respondents

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

O R D E R

BARUAH.J. (V.C.)

In this application the applicants have prayed for
certain directions to the respondents.

2. The applicants are employees of Special Service
Bureau (SSB for short), North Assam Division, Tezpur,
Assam, in various categories. They pray that Ration
Allowance be granted to them with effect from 23.9.1997 as
admissible and as has been granted to similarly situated
employees of the SSB, Itanagar. According to the

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applicants, in spite of several requests and demands authority have refused to pay Ration Allowance to them. Hence the present application. 59

3. I have heard Mr M. Sarania, learned counsel for the applicants and Mr B.S. Basumatary, learned Addl. C.G.S.C. appearing on behalf of the respondents. Mr Sarania submits that the present case is squarely covered by the decision of this Tribunal given in O.A.No.103/99. He further submits that the present applicants being similiary situated with that of the applicants of the aforesaid O.A. they are also entitled to Ration Allowance. Mr Basumatary, very fairly submits that the present case is squarely covered by the decision of O.A.No.103/99.

4. On hearing the learned counsel for the parties and on perusal of the order dated 8.9.1999 passed in O.A.No.103/99, I am of the view that the prsent applicants are similiary situated with the applicants of the aforesaid O.A. Accordingly I hold that the respondents have arbitrarily denied the benefit of Ration Allowance to the present applicants. Therefore, the respondents are directed to pay Ration Allowance to the applicants with effect from the date the allowance became admissibile to Tezpur on the strength of the Annexure III order dated 23.9.1997 or from the date of their actual posting in Tezpur, whichever is later. This must be done as early as possible, at any rate within a period of three months from the date of receipt of this order.

5. The appliction is accordingly disposed of. No order as to costs.

Certified to be true Cop.

प्रमाणित प्रतिलिपि

Section Officer (S)

प्रमुख अधिकारी (न्यायिक शाखा)
Central Administrative Tribunal

केन्द्रीय प्रशासनिक उपकरण
Tezpur Bench, Guwahati-6

Sd/-VICE CHAIRMAN.

attested
S. Chakravarty
Adv.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. NO. 112 OF 2000.

Date of Order - June 3, 2000.

THE HON'BLE MR. D.C. VERMA, JUDICIAL MEMBER

1. Shri Hem Prasad Borah,
S/O Late Umesh Ch Borah,
Upper Division Clerk, S.S.B.,
North Assam Division,
Tezpur, Assam.
2. Shri Surya Kumar Saikia,
S/O Late Mukheswar Saikia,
Upper Division Clerk,
North Assam Division,
Tezpur, Assam.
3. Shri Bhupani Sharma,
S/O Late J. Sharma,
Upper Division Clerk,
North Assam Division,
Tezpur, Assam.
4. Shri Lakhi Phukon,
S/O Late D. Phukon,
Upper Division Clerk,
North Assam Division,
Tezpur, Assam.
5. Shrimoti Kunjalata Rava,
Daughter of Late Jogen Rava,
Upper Division Clerk,
North Assam Division,
Tezpur, Assam.
6. Shri Ashok Kumar Das,
S/O Late Haren Das,
Assistant,
North Assam Division,
Tezpur, Assam.
7. Shri B.N. Saikia,
S/O Late C. Saikia,
Assistant,
North Assam Division,
Tezpur, Assam.

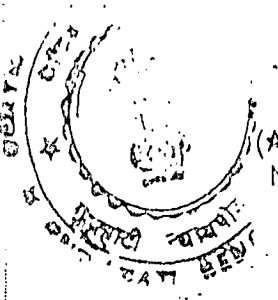
49

8. Shri Colap Ch Saikia,
S/O Late Nomal Ch Saikia,
Accountant,
North Assam Division,
Tezpur, Assam.
9. Shri Jew Ram Boruah,
S/O Late Sobha Ram Boruah,
Driver,
North Assam Division,
Tezpur, Assam.
10. Shri Bidya Nanda Das,
S/O Late Ghana Kanta Das,
Driver,
North Assam Division,
Tezpur, Assam.
11. Shri Bhadreswar Das,
S/O Late Homeswar Das,
Driver,
North Assam Division,
Tezpur, Assam.
12. Shri Kalyan Singh Mahato,
S/O Late Ramsing Mahato,
Driver,
North Assam Division,
Tezpur, Assam.
13. Shri Tankeswar Nath,
S/O Late Tulai Ram Nath,
Steno.III,
North Assam Division,
Tezpur, Assam.
14. Shri Nitul Saikia,
S/O Shri Munin Kr. Saikia,
Lab. Technician,
North Assam Division,
Tezpur, Assam.
15. Shri Ravendra Chamoli,
S/O Shri M.N. Chamoli,
Stenographer,
North Assam Division,
Tezpur, Assam.
16. Shri Krishna Kumbhakar,
S/O Late Sidhi Kumar,
Nursing Assistant,
North Assam Division,
Tezpur, Assam.
- Shri Gaya Prosad Balmiki,
S/O Late Sutelai Balmiki,
Peon,
North Assam Division,
Tezpur, Assam.

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18. Shri Lila Ballav Sharma,
Late Deo Narayan Sharma,
Peon,
North Assam Division,
Tezpur, Assam.
19. Shri Chandra Kanta Borah,
S/O Late Dharmeswar Borah,
Peon,
North Assam Division,
Tezpur, Assam.
20. Shri B. Prosad, Peon,
S/O Late S. Sharma,
North Assam Division,
Tezpur, Assam.
21. Shri Ganesh Malakar,
S/O Late Radha Kt. Malakar,
Peon,
North Assam Division,
Tezpur, Assam.
22. Shri Dhansingh Sonari,
S/O Late Harka Sonari,
Peon,
North Assam Division,
Tezpur, Assam.
23. Shri Quabor Roy,
S/O Late Lawa Ram Roy,
Peon,
North Assam Division,
Tezpur, Assam.
24. Shri Ranjit Dutta,
S/O Late Kunsilal Dutta,
Peon,
North Assam Division,
Tezpur, Assam.



(All the applicants are serving in the SSB,
North Assam Division, Tezpur, Assam).

- APPLICANTS

By Advocate Mr. K.K. Phukan.

- Versus -

1. Union of India,
represented by the Cabinet Secretary
to the Govt of India, Bikaner House,
Sahjahan Road, New Delhi.
2. The Director General of Security
Block-V (East) R.K. Puram,
New Delhi.

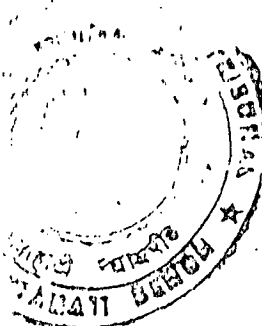
(5V)

3. The Director,
S.S.B. Directorate,
R.K. Puram, New Delhi.
4. The Divisional Organiser, S.S.B.,
North Assam Division, Tezpur,
Assam.

- RESPONDENTS

By Advocate Mr. B.S. Basumatary, Addl. CGSC.

JUDGMENT AND ORDER
(ORAL)



Heard Mr. K.K. Phukan, learned counsel for the
applicant and Mr. B.S. Basumatary, learned Addl. C.G.S.C.
for the respondents.

2. All the 24 applicants in the present O.A. are
serving in the Special Service Bureau, North Assam
Division, Tezpur. All the applicants belong to non-executive
personnel and their grievance is that 54 applicants in O.A.
No. 553/99 have been granted Ration Allowance which has been
refused to the present applicants only on the ground that
they were not the parties in the earlier O.A. and the
benefit of judgment in the Central Administrative Tribunal
is not automatically extendable to the non-applicants. The
applicants have claimed payment of Ration Money Allowance
as has been allowed by the respondents to the similarly
situated non-executive personnel in pursuance of various
decisions of this Tribunal.

3. The learned counsel for the respondents has raised
two objections - (1) that the applicants were not the

parties

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parties in the O.A. filed earlier. The second objection is that the applicants are non-executive.

4. The earlier decision of the C.A.T. given in O.A. No.103/99, 245/95, 220/98 and 353/99, copies of which have been annexed as Annexures-V to VIII to the present O.A. has been relied on by the applicants. A perusal of these decisions show that the Tribunal granted Ration Money Allowance to non-executives by these orders. It has been also found that the respondents have paid Ration Money Allowance to the non-executive personnel. The earlier orders were complied by the respondents and Ration Money Allowance was paid to the non-executive staff who were parties to the earlier O.A. This has not been denied by the learned counsel for the respondents. As the present applicants are also similarly situated persons they are entitled for Ration Money Allowance even though they belong to non-executive.

5. The other ground of the learned counsel for the respondents, that the applicants are not parties in the earlier O.A. and so they are not entitled to the said allowance has no merit. Even if the present applicants were not parties to any earlier O.As, the applicants are entitled to relief which has been granted to similarly situated persons. Deviation therefrom would amount to arbitrariness and discrimination. The respondents' refusal to grant Ration Money Allowance on the ground that the applicants were not parties to the earlier O.A., thus, has no merit.

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- 6 -

6. In view of the discussion made above, I hold that the respondents have arbitrarily denied the benefit of Ration Money Allowance to the present applicants. Accordingly, the respondents are directed to pay Ration Money Allowance to the applicants with effect from the date the allowance became admissible to Tezpur on the strength of Annexure-III dated 23.9.97 or from the date of their actual posting in Tezpur whichever is later. The compliance of the order shall be made within 3 (three) months from the date of communication of this order.

7. O.A. is accordingly, allowed. No order as to costs.

sd/MEMBER(J)

mk

TRUE COPY

प्रतिनिधि

16/6/2000

Section Officer (J)

राष्ट्रिय प्रशासनिक आयोग
Central Administrative Tribunal

राष्ट्रीय प्रशासनिक आयोग
Guwahati Bench, Guwahati-8

आचार्य प्रमुख, गुवाहाटी

16/6/2000

attested
S. Chakravarty
Adv.

To,

The 'Deputy' Inspector General,
Training Centre, SSB,
Salonibari.

(Through Proper Channel)

Sub: Prayer for drawing RATION MONEY ALLOWANCES.

Sir,

With due respect and humble submission, I beg to lay down the following few lines for favour of your kind consideration and necessary action please.

That sir, I have been transferred from Head Constable I.C.
SSB and joined here at Training Centre,
SSB, Salonibari on 11th Nov 1995 as Head Constable

That sir, it is learnt from the reliable sources, the RATION MONEY ALLOWANCES is drawing some of the staff members under the DG (S) services posted at 'B' and 'C' stations like Tezpur (Assam).

The staffs those who are working at Div. Hqr. North Assam Division (HAD), SSB, Tezpur are drawing RATION MONEY ALLOWANCES, vide Cabinet Secretariat order No. C-18012/5/99-EA 11-373 dated 08-02-2000.

That sir, the Training Centre, SSB, Salonibari has also been declared as 'B' station by the Competent Authority vide order No. 9/SSB/A 2/96(1)-HA dated 27-11-1996.

Therefore it is requested the matter may please be considered to draw me RATION MONEY ALLOWANCES as drawing by the staffs of Div. Hqr. SSB, Tezpur at your early date please.

Salonibari

Dated the 15th March '2000.

Yours faithfully,

(Barun Kr. Goswami)
I.C., SSB Salonibari

all set
S. Chakravarty
Adv.

55 Annexe 'K' series.

To,

The Deputy Inspector General,
Training Centre, SSB,
Calcutta.

(Through Proper Channel)

Sub: PRAYER for drawing RATION SECURITY ALLOWANCES.

Sir,

With due respect and humble submission, I beg to lay down the following few lines for favour of your kind consideration and necessary action please.

That sir, I have been transferred from 11th Bn. SSB and joined here at Training Centre, SSB, Calcutta on 1-11-1996 as Deputy Assistant.

That sir, it is learnt from the reliable sources, the RATION SECURITY ALLOWANCES is drawing some of the staff members under the DA (S) services posted at 'B' and 'C' stations like Tezpur (Assam).

The staffs these who are working at Div. Hqr. North Assam Division (HAD), SSB, Tezpur are drawing RATION SECURITY ALLOWANCES, vide Cabinet Secretariat order No. C-18312/5/99-BA 11-373 dated 08-02-2000.

That sir, the Training Centre, SSB, Calcutta has also been declared as 'B' station by the Competent Authority vide order No. 9/SSB/A 2/96(1)-1 dated 27-11-1996.

Therefore it is requested the matter may please be considered to draw me RATION SECURITY ALLOWANCES as drawing by the staffs of Div. Hqr. SSB, Tezpur at your early date please.

Calcutta

Dated the 16th March '2000.

Yours faithfully,

Sd/- Sankar
Lt. Col. SSB (Hq. Calcutta)

attested
S. Chakravarty
Adv.

56

Annexure 'K' Series

72
62

To,

The Deputy Inspector General,
Training Centre, SSB,
Salonibari.

(Through Proper Channel)

Sub: Prayer for drawing RATION MONEY ALLOWANCES.

Sir,

With due respect and humble submission, I beg to lay down the following few lines for favour of your kind consideration and necessary action please.

That sir, I have been transferred from C/O SSB and joined here at Training Centre, SSB, Salonibari on 20.11.1996 as Rev

That sir, it is learnt from the reliable sources, the RATION MONEY ALLOWANCES is drawing some of the staff members under the DG (S) services posted at 'B' and 'C' stations like Tezpur (Assam).

The staffs those who are working at Div. Hqr. North Assam Division (HAD), SSB, Tezpur are drawing RATION MONEY ALLOWANCES vide Cabinet Secretariat order No. C-18012/5/99-NA 11-373 dated 08-02-2000.

That sir, the Training Centre, SSB, Salonibari has also been declared as 'B' station by the Competent Authority vide order No. 9/SSB/A 2/96(1)-NA dated 27-11-1996.

Therefore it is requested the matter may please be considered to draw me RATION MONEY ALLOWANCES as drawing by the staffs of Div. Hqr. SSB, Tezpur at your early date please.

Salonibari

Dated the 15th March '2000.

Yours faithfully,

attested
S. Chakravarty
Adv.

(Narinch. Bhattacharya)
T.C. SSB Salonibari

TO

(57)
The Joint Deputy Director (EA),
O/O the Director, SSB,
East Block-V, Level-5
R.I. Puri, New Delhi-110 066.

Annexure "K" Series.

(THROUGH PROPER CHANNEL)

Subject:- Request for drawing Ration Money Allowances.

Sir,

With due respect and humble submission,
I beg to lay down the following few lines for favour of
your kind consideration and necessary action please.

That sir, I have been transferred from
North Bengal & Sikkim Division, Siliguri and joined at CSD, &
Workshop, Salonibari on 11/07/2000.

That sir, it is learnt from the reliable sources
that the Ration Money Allowances is being drawn
by some of Staff members under the DG(S) Service posted
at 'B' stations like Tezpur (Assam).

That Sir, the staff those who are working
at Divisional Hqs. Tezpur, North Assam, Division are
drawing Ration Money Allowances Vide Cabinet Secretariat,
Order No.13012/3/99/EA-II-573 dated 08.02.2000.

That Sir, the Training Centre, and CSD &
Workshop, Salonibari has also been declared as 'B' Station
by the competent authority vide Order No.9/SSB/A2/96(1)
3263 dated 27.11.1996.

Therefore, it is requested that the matter
may please be considered and the Ration Money Allowances
may please be allowed to me as the same drawn by the
Staffs of Division Hqs., SSB, Tezpur for which I shall
ever be grateful to you and oblige.

Yours faithfully,

Tyotsna Lochh
(LDC)
CSD & Workshop,
Salonibari.

Place: Salonibari.

Date: 15/05/2000.

attested
S. Chakravarty
Adv.

-1(0)1-

TO

The Joint Deputy Director,
O/o the Director, SSB,
East Block- V, R.K. Puram,
New Delhi- 110066.

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Annexure-'K' Series

11/1

16/5

64

(THROUGH PROPER CHANNEL)

Subject:- Prayer for drawing Ration Money Allowances.

Sir,

With due respect and humble submission, I beg to lay down the following for favour of your kind consideration and necessary action please.

That Sir, I have been transferred from ARC from Tezpur and joined at C.S.D. & Workshop, Salonibari on 11/05/96 as DDC.

That Sir, it is learnt from the reliable sources that the Ration Money Allowances is being drawn by some of staff members under the IX(S) services posted at 'B' and 'C' stations like Tezpur, Assam.

That Sir, the staff those who are working at Divisional HQR.SSB, Tezpur, North Assam Division are drawing Ration Money Allowances vide Cabinet Secret, Order No.18012/5/99/SSB-IX-375 dated 03-02-2000.

That Sir, the Training Centre and C.S.D. & Workshop, Salonibari has also been declared as 'B' station by the competent authority vide Order No.9/SSB/A2/26(1) 3263 dated 27-11-1996.

Therefore, it is requested that the matter may please be considered and the Ration Money Allowances may please be allowed to me at the rate drawn by the staffs of Division H.Q., Tezpur, for which I shall ever be grateful to you and oblige.

Yours faithfully,

Place: Salonibari.

Date : 15-5-2000

(Signature)
D.D. CHAKRA, DDC
CSD & WORKSHOP, SALONIBARI.

attached of
S. Chakraborty
Adv.

10/5/00

59

Annexure - 1

No.TCS/II/J-12/2000/6230
Directorate General of Security
Office of the Dy. Inspector General
Training Centre SSB Salonibari
Po: Salonibari - 784104
Distt: Sonitpur (Assam)
Dated, the 19th May '2000

MEMORANDUM

It is submitted that Para Medical Staff and Civilian Staff posted in this Training Centre SSB Salonibari have submitted their application regarding drawing Ration Allowances from the date of their joining in this Training Centre Salonibari on transfer.

In this regard it is submitted that as per C.O.T. Guwahati Bench decision, Vide Cab.Sectt.Order No.C-18012/5/99-EA-II-373 dated 8.2.2000 ration allowance will be paid at the rate specified by this Sectt.Order No.A-27011/4/86-EA-II (C.T. dated 18.12.1987 to Shri Tua Ram Gogoi and others (total 54 personnel) so long as they are posted in the specified area i.e. Tezpur, North Assam Division (Copy enclosed for ready reference).

Hence it is requested to kindly confirm whether Para Medical Staff/Civilian Staff posted in this Training Centre SSB Salonibari are also eligible for drawal of Ration Allowance from the date of their joining at this Training Centre as per Cab.Sectt.Order under reference or otherwise. Status position may kindly be clarified so that individuals concerned may be informed accordingly.

An early information on the subject is requested, please.

Encl: As above.

To,

Commandant
Training Centre SSB
Salonibari

The Assistant Director(EA-I)
Office of the Director SSB
East Block-V. R.K.Puram
New Delhi.

NCO

Copy to : The Chief Medical Officer for information, Please

CMO (S)

CMO

M.O

attested
S. Chakravarty

Commandant

No. 156
Date JUN 2000
DAG
Const.
Adm.

60

Directorate General for Security
Office of the Director
East Block-V, R.K. Puram,
New Delhi-110066.

Dated the, 1/6/2000

MEMORANDUM

SUBJECT:- Grant of ration allowance to non-executive personnel.

Please refer to your Memo. No.TCS/11/J-12/2000/6230 dated 19.5.2000 on the subject mentioned above.

2. We have already circulated vide our Memo. of even number dated 19.2.1999 that the non-applicants of OA are not entitled to draw ration allowance on the basis of judgement & order issued by the Cabinet Sectt. vide their order No.C-18012/5/99-EA-II-373 dated 8.2.2000. However, our proposal to the grant of ration allowance to all non-executive personnel is under consideration of the Ministry of Finance. Decision as and when received will be communicated to all concerned including T.C. Salonibari.

S.S.Bora

(S.S.BORA)
JOINT DEPUTY DIRECTOR (EA)

To,
The Deputy Inspector General
Training Centre, Salonibari;

Enclst. No. TCS/11/J-12/2000 9429 Dated 14-6-2000

Copy to the Chief Medical Officer for information and n/a, please.

All Staff to
non
as copy may be given

(MO (SG) - *KS* 16/6)

Adju

Adjutant
TC SSR, Salonibari

CMO - *11*

attested
S. Chakravarty
Adv.

~~ANNEXURE~~ ^(A) ~~(B)~~ ~~(C)~~ ~~(D)~~ ~~(E)~~ ~~(F)~~ ~~(G)~~ ~~(H)~~ ~~(I)~~ ~~(J)~~ ~~(K)~~ ~~(L)~~ ~~(M)~~ ~~(N)~~ ~~(O)~~ ~~(P)~~ ~~(Q)~~ ~~(R)~~ ~~(S)~~ ~~(T)~~ ~~(U)~~ ~~(V)~~ ~~(W)~~ ~~(X)~~ ~~(Y)~~ ~~(Z)~~ ~~(AA)~~ ~~(AB)~~ ~~(AC)~~ ~~(AD)~~ ~~(AE)~~ ~~(AF)~~ ~~(AG)~~ ~~(AH)~~ ~~(AI)~~ ~~(AJ)~~ ~~(AK)~~ ~~(AL)~~ ~~(AM)~~ ~~(AN)~~ ~~(AO)~~ ~~(AP)~~ ~~(AQ)~~ ~~(AR)~~ ~~(AS)~~ ~~(AT)~~ ~~(AU)~~ ~~(AV)~~ ~~(AW)~~ ~~(AX)~~ ~~(AY)~~ ~~(AZ)~~ ~~(BA)~~ ~~(BB)~~ ~~(BC)~~ ~~(BD)~~ ~~(BE)~~ ~~(BF)~~ ~~(BG)~~ ~~(BH)~~ ~~(BI)~~ ~~(BJ)~~ ~~(BK)~~ ~~(BL)~~ ~~(BM)~~ ~~(BN)~~ ~~(BO)~~ ~~(BP)~~ ~~(BQ)~~ ~~(BR)~~ ~~(BS)~~ ~~(BT)~~ ~~(BU)~~ ~~(BV)~~ ~~(BW)~~ ~~(BX)~~ ~~(BY)~~ ~~(BZ)~~ ~~(CA)~~ ~~(CB)~~ ~~(CC)~~ ~~(CD)~~ ~~(CE)~~ ~~(CF)~~ ~~(CG)~~ ~~(CH)~~ ~~(CI)~~ ~~(CJ)~~ ~~(CK)~~ ~~(CL)~~ ~~(CM)~~ ~~(CN)~~ ~~(CO)~~ ~~(CP)~~ ~~(CQ)~~ ~~(CR)~~ ~~(CS)~~ ~~(CT)~~ ~~(CU)~~ ~~(CV)~~ ~~(CW)~~ ~~(CX)~~ ~~(CY)~~ ~~(CZ)~~ ~~(DA)~~ ~~(DB)~~ ~~(DC)~~ ~~(DD)~~ ~~(DE)~~ ~~(DF)~~ ~~(DG)~~ ~~(DH)~~ ~~(DI)~~ 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Ministry of Finance

Department of Expenditure

L.II(3)Branch

Cabinet Sectt. may kindly refer to their notes on pre-
pages regarding extension of the benefit of order of the Court
to the non Matric Field Assistants who were non petitioners in
O.A. No.57/86 filed in Cuttak Bench and Civil Appeal No.3567/
in the Supreme Court.

2. The benefit of the Judgement of the CAT is given only to
the petitioners and the same is not automatically extended to
the non-petitioners. This policy is being adopted uniformly in
all the cases. Cabinet Sectt. are requested not to grant the
benefit of Order of the CAT to the non-petitioners in the presc
case also. Cabinet Sectt. are also requested to intimate the
sons for not obtaining the approval of this Ministry while
implementing the judgement of CAT, Cuttak Bench in O.A. No.57/
and Supreme Court judgement in Civil Appeal No.3567/93.

3. J.S. (Per) has seen.

SO/-
(T.S. BHATTIA)
Under Secretary (E.II-N)
5.10.1999

Director (SR) Cabinet Sectt.

M.O.F. (Ex.) D.O. No. 228/L.II(3)/99 dated 3.10.99

affd
S. Chakravarty
Adv.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH

O.A.NO. 264 OF 2000

IN THE MATTER OF :

Written statement filed by respondents 1 to 4.

AND

IN THE MATTER OF

O.A.NO. 264 OF 2000

Title Shri Bhupendra Nath Das and others

- VS -

Union of India & others.

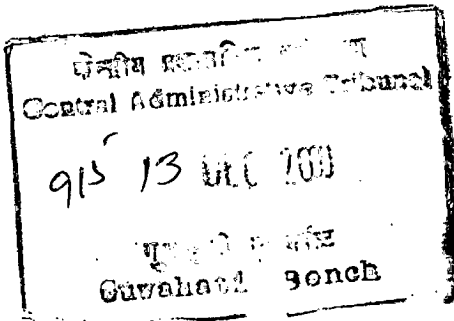
I, Shri T.N.Shanoo, Deputy Inspector General,
Training Centre, Salonibari do hereby solemnly affirm and state as follows :-

WRITTEN STATEMENT

The humble Respondents begs to submit their written
statement as follows :-

1. That I am Shri T.N.Shanoo, Deputy Inspector General, Training Centre SSB
Salonibari and I have been impled as party. Received the copy of the said OA

Contd.....P/2.....



62
Filed by
Shri T.N.Shanoo,
Dy. Inspector General
Training Centre SSB Salonibari
Ad. CSSC, CAT
29/11/2013

through Registrar, CAT Guwahati alongwith order dated 19/9/2000. I have gone through, understood the contents thereof, as such, I am well acquainted with the facts and circumstances of the instant case. Thus I am competent to verify and sign the written statement on behalf of Union Of India and other official respondents.

2. The said department does not admit any of the facts, statements, allegations and averments made in the said O.A. save and except those specifically admitted in this written statement as under :-
3. That as regard the contention of Para-1 of the application, this Deponent respectfully state that the applicants are non-executive staff and thereby they are not entitled to ration allowances granted vide Cabinet Sectt. Letter No.A-27011/4/86-EA-II dated 18/12/87 (Annexure B of the OA) as the ration allowances was granted to Executive staff up to the rank of FO vide above mentioned letter.
4. That as regards of contents of Para 2, 3 and 4(i) to 4(vii) of the said OA, this Deponent does not make any comment, since those are matters of record.
5. That with regard to Para 4(viii) of the O.A., the Deponent begs to submit that the ration allowance was granted to the executive staff of SSB posted at Salanibari (B category station) w.e.f. 27th November, 1996 vide letter dated 27/11/96 (Annexure D of the OA) but not to non executive staff. The applicants of the OA are non-executive staff.

Contd.....P/3.....

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11/11/83
Dy. Inspector General
Training Centre SSB Salanibari

6. That as regards the contents of Para 4(ix) to 4(xii) of the said O.A., this Deponent does not make any comments since those are matter of records.
7. That with regard to Para 4(xiii) of the O.A. Deponent begs to state that the Cabinet Secretariat, New Delhi vide their letter dated 18/12/87 (Annexure 'A' to the O.A.) granted ration allowance to the Executive staff up to the rank of Field Officers, but not to the non-executive staff. The applicants of the O.A. are all non-executive staff for which no ration allowance could be authorized.
8. That with regard the contentions of the Para 4(xiv) of the O.A., the Deponent respectfully states that the Ministry of Finance, Department of Expenditure vide their UO No. C-228/E.III(B)/99 dated 6/10/99 notified that the benefit of the judgement of the CAT is given only the petitioners and the same is not automatically extended to the non-petitioners for which no ration allowance could be paid.
9. That as regard of contents of Para 4(xv) of the said OA, this Deponent does not make any comments since this is matter of record.
10. That with regard to Para 5.I of the OA, this Deponent vehemently desires that any illegal, arbitrary and discriminatory acts have been done to the applicants by denying the ration allowance, as because neither they are executive staff of SSB nor applicants of OA of CAT by which ration allowances has been granted to them by the court.
11. That with regard to Para 5.II of the O.A., this Deponent begs to submit that

Contd.....P/4.....

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21/11/2000
Dy. Inspector General
Training Centre SSB Salanibari

although the applicants are similarly situated persons with those of the ARC, Doomdoma, Numaligarh, SSB Itanagar, SSB NAD Tezpur they are neither executive staff of SSB nor the applicants of OA of CAT to authorize ration allowance.

12. That with regard to Para 5.III of the OA, this Deponent begs to submit that all the non-executive staff of ARC Doomdoma, Numoligarh, SSB Itanagar, Arunachal Pradesh, SSB Tezpur have been granted ration allowances in view of the different CAT judgements. All the applicants of the OA could not be paid ration allowances as because they are not the applicants of any OA of CAT judgements.
13. That with regard to Para 6 of the OA, the Deponent begs to submit that the applicants submitted their representations for granting ration allowances, which have been disposed off vide Memorandum No. 30/SSB/A2/97(17)-1516 dated 1/6/2000 intimating that due to non-applicants of the OA, their case of granting ration allowance could not be considered. (Annexure – M of the OA)
14. That as regards of contents of Para 7 of the said OA, this Deponent does not make any comments as those are matter of record.

Contd.....P/5....

VERIFICATION :

I, Shri T.N.Shanoo, Deputy Inspector General, Training Centre, SSB Salonibari do hereby verify that the contents stated in the written statements are true to my knowledge, belief and information and no material fact has been suppressed.

AND I sign this verification to day on this day of 29th November, 2000.

DECLARANT
Dy. Inspector General
Training Centre SSB Salonibari

29/11/24.