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3

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No. 290/2000

R.A/C.P No.

E.P/M.A No.

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SECTION OFFICER (Judl.)

balis
20/12/17

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JUWAHATI BENCH: JUWAHATI. 5 (FORM NO. 4)
ORDER SHEET. (See Rule-42)

APPLICATION NO. 290/2000

Applicant(s) Sri Aron Angamiadon.

Respondents(s) Union of India and on.

Advocate for Applicant(s) Mr. B.K. Sharma

Advocate for Respondent(s) Mr. S. Sarma.

Notes of the Registry

DATE

ORDER OF THE TRIBUNAL

26.9.2000

Present: Hon'ble Mr Justice D.N. Chowdhury,
Vice-Chairman

Heard Mr B.K. Sharma, learned counsel
for the applicant and Mr B.C. Pathak, learned
Addl. C.G.S.C. The application is admitted.
Call for the records. List the matter for orders
on 31.10.00.

In the meantime the respondents are
directed not to make any recovery of SCA
(RL) and FSC as proposed in Annexure 7 dated
10.4.1999, Annexure 8 dated 5.5.1999 and
Annexure 9 dated 25.4.2000.

Vice-Chairman

nkm

31.10.2000

No written statement has been filed.
Four weeks further time allowed for filing
of written statement on the prayer of Mr B.C.
Pathak, learned Addl. C.G.S.C. Mr S. Sarma
learned counsel for the applicants is present.
List it for orders on 30.11.00.

Vice-Chairman

nkm

30.11.00

Four weeks time is granted to file
written statement on the prayer of Mr B.
C.Pathak, learned Addl.C.G.S.C.
List on 3.1.2001 for order.

Vice-Chairman

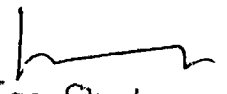
30-10-2000

Service copy is not
Completed.

3.1.2001

List for hearing on 2.2.2001.

In the meantime the respondents may
file written statement, if any.


Vice-Chairman

Respondent No. 9 Returned
and Office Remarks that he
Should not be a respondent
of the above OA 290/2000.

pg

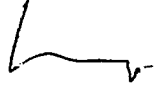
2-2 Admitted to 2-3-2001,

M/O
A/P
2-2

7.3.2001

Heard learned counsel for the

parties. Hearing concluded. Judgement
delivered in the open court, kept in
separate sheets. The application is
allowed to the extent indicated in the
order. No. costs.


Vice-Chairman

① Service report was
still awaited.

② No. wfs has been filed.

2-4-2001

Notice duly served on
respondent No. 1, 3, 5, 7,
11, 12 & 13. Others are
still awaited

trd

by
11/12/00

Notice & order returned of
Respondent No 6 - due to
incomplete address.

No. written Statement
has been filed.

2-1-2001

11-1-2000

Written Statement
has been filed by
the respondents.

7-3-01

Case is ready for hearing.

29-3-2001
Case has been put to
rest.

CENTRAL ADMINISTRATIVE TRIBUNAL :
GUWAHATI BENCH.

O.A./R.A. No. 290/2000 of

7.3.2000
DATE OF DECISION

SHri Ahon Angami

PETITIONER(S)

Mr. S. Sarma

ADVOCATE FOR THE
PETITIONER(S)

VERSUS -

Union of India & Ors.

RESPONDENT(S)

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

ADVOCATE FOR THE
RESPONDENTS

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

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 290 of 2000.

Date of order : This the 7th day of March, 2001.

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

Shri Ahon Angami,

MES No. 434025

Chowkidar,

O/o the Garrison Engineer,
869 E.W.S.

C/o 99 APO & 20 Ors.

...Applicants

By Advocate Mr. S. Sarma.

-versus-

1. Union of India,
represented by the Secretary to
the Government of India, Ministry
of Defence, South Block,
R.K.Puram, New Delhi-1.
2. Army Headquarters,
Engineer in Chief,
DHE, P.O. New Delhi-11.
3. Controller General of Defence Accounts,
R.K.Puram, West Block-V,
New Delhi-22.
4. Controller General of Defence
Account, Udayan Bihar, Narengi,
Guwahati.
5. Area Accounts Officer,
Shillong.
6. Area Accounts Officer,
C/o 99 APO.
7. The Garrison Engineer, 869,
E.W.S., C/o 99 APO.
8. The Asstt. Garrison Engineer(I),
Kumbhirgram.
9. The Garrison Engineer, Air Force, Jorhat.
10. The Garrison Engineer, Dinjan.
11. The C.D.S. (I) Jhansi,
12. The Asstt. Garrison Engineer(I),
R & D Kanpur.
13. The Garrison Engineer(P),
Tripura, Agartala.

Contd..

14. The Asstt. Garrison Engineer,
Baithak Tal, Lucknow

...Respondents

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

O R D E R (ORAL)

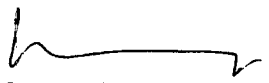
CHOWDHURY, J.(V.C.).

Heard Mr. S.Sarma, learned counsel for the applicants and Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents.

2. It has been stated at the bar that the case is squarely covered by the series of Judgements rendered by this Tribunal.

3. In the light of the judgement passed in O.A. No. 212/2000 dated 7.3.2000 we direct the respondents to pay Field Service Concession, the applicants shall however seemingly not be entitled for Special Compensatory (Remote Locality) Allowance. As regards recovery any direction for recovery of the amount prior to the communication issued would not be fair and accordingly no recovery shall be made so far the Special Compensatory (Remote Locality) Allowance ^{proced by} is concerned ~~ie~~ 16.3.1998.

4. 3. The application is allowed to the extent indicted above. There shall however, be no order as to costs.


(D.N. Chowdhury)
Vice-Chairman

trd

61' 25 SEP 2000

গুৱাহাটী বেঞ্চ
Guwahati Bench

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An application under section 19 of the Central Administrative Tribunal Act, 1985)

O.A.No. 290 of 2000.

- BETWEEN -

Shri Ahon Angami & ors. Applicants.

- AND -

Union of India & Ors. Respondents.

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Filed By :

Regd No :

File :- C:WS7\AHON

Date :

গুৱাহাটী বেঞ্চ
Central Administrative Tribunal
25 SEP 2000
গুৱাহাটী বেঞ্চ

8
Filed by
Sunder
for

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An application under section 19 of the Administrative Tribunal
Act 1985.)

290
O.A. No. 2000.

- Between -

Sl.No.	MES No.	Name	Designation
1.	434025	Shri Ahon Angami.	Choukider.
2.	243913	Shri M.L.Longsholiang	-do-
3.	243618	Shri Ramji Rai	-do-
4.	220220	Shri Sher Bahadur Gurung	-do-
5.	220172	Shri Mohan Ram	-do-
6.	243605	Sri Murulidhran Nair	Mazdoor.
7.	243623	Shri A. Victor	-do-
8.	243822	Shri Madhabendra Das	Electrician (SK)
9.	237279	Sri Jetendra Barman	Mazdoor.
10.	243592	Sri K.G. Rabindran Nair.	Mate.
11.	243466	Sri Chandravan Paul	Feon.
12.	280526	Sri Morpal Balmiki	Safaiwala.
13.	237526	Sri Trailckya Nath Talukdar	Sorekeeper.
14.	264072	Sri Arjun Kumar Deb Nath.	Draftman.
15.	243632	Sri Sish Paul	Mazdoor.
16.	13699214	Sri Naubat	Mate.
17.	237293	Sri Rameshwar Prasad.	Fitter General Mech.
18.	238394	Sri Rabindra Nath	Elec (4S-II)

25 Oct 83

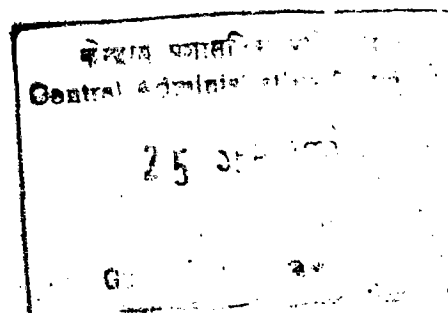
19. 220179 Sri Gopi Ram Sarma. Chowkider.
 20. 220210 Sri Ramadhar, -do-
 21. 238310. Sri Dilip Kr. Saikia -do-

All the applicants are Defence Civilian Employees working under the Respondents in Group C & D capacities and their presently posted at various places and some of them are retired employees who worked under the respondents.

... Applicants

- AND -

1. Union of India, represented by the Secretary to the Government of India, Ministry of Defence, South Block, RK Puram, New Delhi-1.
2. Army Headquarters, Engineer in Chief, DHE, P.O. New Delhi-11.
3. Controller General of Defence Accounts, RK Puram, West Block-V, New Delhi-22.
4. Controller General of Defence Account, Udayan Bihar, Narengi, Guwahati.
5. Area Accounts Officer, Shillong.
6. Area Accounts Officer, C/o. 99 APD.
7. The Garrison Engineer, 869, E.W.S. C/O 99 A.P.O.
8. The Asstt. Garrison Engineer (I) Kumbhirgram.
9. The garrison Engineer Air Force Jorhat.
10. The garrison Engineer, Dinjan.
11. The C.D.S (I) Jhansi,



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12. The Asstt. Garrison Engineer (I),
R & D Kanpur.

13. The Garrison Engineer (P), Tripura,
Agartala.

14. The Asstt. Garrison Engineer, Baithak Tal
Lucknow.

... Respondents

DETAILS OF THE APPLICATION.

1. PARTICULARS OF ORDER AGAINST WHICH THIS APPLICATION IS MADE.

The present application is directed against the action of the Respondents for non-payment of Special Compensatory Allowance Remote Locality (SCA)(RL) which was stopped with effect from 17.4.1995 and Field Service Concession (FSC) which was stopped with effect from April '99, by issuing various orders as mentioned in the following paragraphs "FACTS OF THE CASE. This application is also directed against the action of the respondents in recovering the amounts already paid to them under the head FSC and SCA.

2. JURISDICTION OF THE TRIBUNAL

That the applicants declare that the subject matter of the present application is well within the Jurisdiction of this Hon'ble Tribunal.

3. LIMITATION

The applicants declare that the present application have been filed within the limitation period prescribed under Section 21 of the Administrative Tribunal Act 1985.

4. FACTS OF THE CASE

4.1. That the applicants are citizens of India and as such they are entitled to all the rights and privileges as guaranteed

under the Constitution of India and laws framed thereunder. All the applicants are Civilian Employees belonging to Group C & D under the Ministry of Defence.

4.2. That all the applicants have got at common grievance, common cause of action and the nature of relief prayed for is also said they belong to the lower stratum of the service and hence having been regard to the facts and circumstances, they intended to prefer this application jointly and accordingly they crave leave of this Hon'ble Tribunal and pray that they may be allowed to joint together in this present application invoking Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987.

4.3. That the applicants are entitled to Special Compensatory (Remote Locality) allowance and Field Service Concession as have been granted by the Government of India by issuing various circulars. However, the Respondents inspite of repeated persuasion by the applicants have not granted the said benefits to the applicants. It is therefore the applicants having no other alternative, have come before this Hon'ble Tribunal seeking an appropriate direction for payment of aforesaid allowances including the arrears due thereon and not to recover any amount already paid to them as SCA (RL) and FSC.

4.4. That the applicants states that they are all Central Government Civilian Employees working in various places as stated above and ever since their entry in to their respective service, they have been rendering their sincere and dedicated service to the satisfaction of all concerned. Some of the applicants initially worked under the respondents at Nagaland but subsequently they have been transferred to some other places.

4.5. That apart from the other benefits, the applicants are

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entitled to Field Service Concession in terms of Government of India's letters dated 31.1.95, 13.1.94 and 25.1.94. The Respondents inspite of repeated requests have stop the said allowance with effect from April'99 which was paid to them till the month of March'99.

Copies of the said letters dated 31.1.94, 13.1.94 and 25.1.94 are annexed hereto as Annexure-1, 2 and 3 respectively.

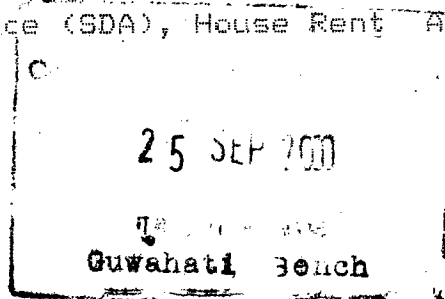
4.6. That the applicants as stated above being Defence Civilian Employees are also entitled to grant of Special Compensatory (Remote Locality) Allowance in terms of Office Memorandum No. 20014/9/86-E.IV dated 23.9.86. The aforesaid payment of Special Compensatory (Remote Locality) allowances has been denied to the applicants with effect from 17.4.95.

A copy of the OM dated 23.9.86 is annexed herewith and marked as Annexure-4.

4.7. That the applicants claiming the aforesaid benefit of two allowances namely Special Compensatory, (Remote Locality) Allowance and Field Service Concession Allowances along with other allowances like HRA and SDA had filed OA No. 148/95 before this Hon'ble Tribunal. The Hon'ble Tribunal after hearing the parties was pleased to allow all the allowances vide its order dated 24.8.95 along with other connected matters.

A copy of the aforesaid judgment and order dated 24.8.95 is annexed herewith and marked as Annexure-5.

4.8. That it is pertinent to mention here that in the aforesaid OA 148/95 the applicants had prayed for grant of four allowances i.e. Special Duty Allowance (SDA), House Rent Allow-



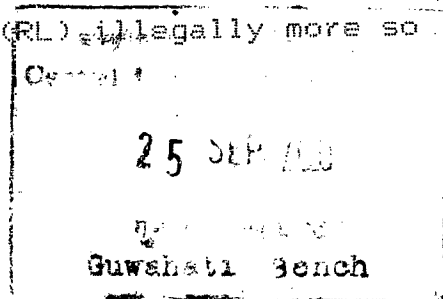
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ance (HRA), Special Compensatory (Remote Locality) Allowance (SCA)(RL) and Field Service Concession (FSC). All these prayers made by the applicants for payment of aforesaid allowances were allowed by the Hon'ble Tribunal vide Annexure-5 judgment and order dated 24.8.95. The Hon'ble Tribunal in its judgments allowed the SCA(RL) with effect from 1.10.86 and FSC with effect from 1.4.93.

4.9. That the Respondents thereafter challenging the aforesaid judgment and order had approached the Hon'ble Supreme Court by way of filing Civil Appeal No. 1572/97 along with some other connected Appeals. The Respondents in the said Civil Appeal has taken the various grounds before the Hon'ble Apex Court regarding Field Service Concession and SCA(RL), but while disposing of the said Civil Appeal, the Hon'ble Apex Court have only dealt with the question of payment of SDA and SCA(RL). In regard to payment of SCA(RL) the Hon'ble Supreme Court has held that the applicants are entitled to the benefit of the said allowance i.e. SCA(RL).

A copy of the said Appeal dated annexed herewith and marked as Annexure-6.

4.10. That the applicants begs to state that Respondent No. 4 Controller of Defence Account on 10.4.99 issued an order to the Garrison Engineer directing him to make recoveries of payments already made in regard to FSC to the applicants. It is pertinent to mention here that as per the judgment and order passed in OA No. 148/95 they were enjoying the benefit of FSC. Thereafter the Respondents challenging the said judgment and order approached the Hon'ble Apex Court and the Hon'ble Apex Court was pleased to confirmed the said benefit vide Annexure -6 judgment. Again the Respondents miss interpreting the judgment of the Hon'ble Supreme Court has stopped the payment of SCA (RL) illegally more so when



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there is a clear cut direction of this Hon'ble Tribunal as well as Hon'ble Supreme Court.

A copy of the order dated 10.4.99 is annexed herewith and marked as Annexure-7

4.11. That the applicants begs to state that the Respondents have been issuing various orders regarding stoppage and recovery of the aforesaid allowances i.e. FSC and SCA(RL). It is pertinent to mention here that the Respondents without applying the mind have issued various orders in the form of clarifications as well as directions to the Local Offices regarding stoppage and recovery of arrear payments made towards FSC and SCA(RL) from the applicants. Mention may be made of one of such order dated 5.5.99 by which the amount already paid towards FSC has been sought to be recovered from the applicants.

A copy of the order dated 5.5.99 is annexed herewith and marked as Annexure-8

The applicants inspite of their best effort could not collect those orders and hence crave leave of the Hon'ble Tribunal for a direction to the respondents to produce all the records at the time of hearing of the case.

4.12. That the applicants states that the action of the Respondents issuing the aforesaid impugned orders are contemptuous in nature and for that the concerned officers are liable to be punished under the contempt of courts order as well as for their willful and deliberate violation of the same, since the orders are in violation of clear cut direction issued by the Hon'ble Supreme Court as well as this Hon'ble Tribunal.

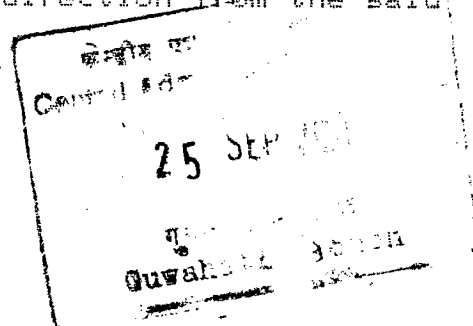
4.13 That the applicants beg to state that from the above impugned orders and its other connected orders which could not be obtained by the applicants from the office of the Respondents in relation to non-payment, stoppage and recovery of FSC and SCA(RL)

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it can be presumed that the same has been issued violating the clear cut directives of this Hon'ble Tribunal and Hon'ble Apex Court. It is noteworthy to mention here that through the correspondences of the Respondents from one office to another regarding the aforesaid allowance it is crystal clear that they are yet to understand the contents and legal implications of the aforesaid judgments and orders of the Hon'ble Tribunal as well as Hon'ble Supreme Court, inspite of its clear and unambiguous wordings directing them to pay the aforesaid allowances. As stated above the Respondents have not applied their mind in issuing the aforesaid impugned orders.

The applicants inspite of best effort could not collect the other connected orders regarding non-payment, stoppage as well as recovery of the aforesaid two allowances i.e. FSC and SCA(RL) and hence they pray before this Hon'ble Tribunal for an appropriate direction for production of the said orders at the time of hearing the case.

4.14. That the applicants beg to state that other similarly situated employees are still getting the benefit of the aforesaid allowances i.e. SCA(RL) and FSC pursuant to passing of interim orders by the Hon'ble Tribunal and some are getting the said benefit even without approaching this Hon'ble Tribunal. The law is well settled that if an allowance is fixed under a prescribed circumstances and service conditions, same should be applicable to all the similarly situated employees without discriminating them with each other.

4.15. That the applicants beg to state that since long they have been pursuing the matter before the legal forums but the Respondents even after clear cut direction from the said forums



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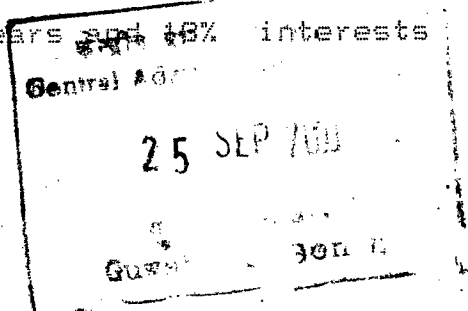
more specifically the Hon'ble Apex Court have been denying the said benefit which has resulted in gross arbitrariness in their action towards issuance of the impugned orders and on this score along the aforesaid impugned orders are liable to set aside and quashed directing the Respondents to pay current as well as arrear payments towards the aforesaid allowance in question including due interest on such payments.

4.16. That the applicants as stated above that the Respondents have acted illegally and arbitrarily in issuing the impugned orders and the other connected orders by which the payment of FSC and SCA(RL) has been stopped with a further proposal for making recoveries of the same including its arrears. However, till date as per the said impugned orders follow up orders have been issued towards its recovery. In fact the Garrison Engineer has issued an order dated 25.4.2000 by which the decision of the Comptroller of Defence has been conveyed. It is therefore the applicants pray for an appropriate interim order directing the Respondents not to recover any amount paid towards SCA(RL) and FSC from the applicants during the pendency of this OA.

A copy of the order dated 25.4.2000 is annexed herewith and marked as ANNEXURE-9.

5. GROUND WITH LEGAL PROVISIONS:

5.1 For that the entire action on the part of the respondents in issuing the impugned orders dated 10.4.99 (Annexure-7), 5.5.99 (Annexure-8) AND 25.4.00 (ANNEXURE-9) is illegal, arbitrary and same is also violative Article 14 and 15 of the Constitution of India, and hence same is liable to be set aside and quashed directing the Respondents to pay the current FSC and SCA (RL) allowance to the Applicants with arrears and 18% interests on



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delayed payment.

5.2. For that action of the Respondents in treating the Applicants not at par with the other Central Government Employees who are receipt of aforesaid allowances are highly discriminatory and same is violative of Article 14 and 16 of the Constitution of India. The Respondents being a model employer should have extended the said benefit to the Applicants without requiring them to approach this Hon'ble Tribunal. Hence the entire action of the Respondents is illegal and not sustainable in the eye of law.

5.3. For that the Respondents have acted contrary to the clear cut direction issued by the Hon'ble Tribunal and which was confirmed by the Hon'ble Apex Court, and hence the entire action of the Respondents in issuing the aforesaid impugned orders dated 10.4.99 , 5.5.99 and 25.4.00 and other connected orders are illegal and liable to set aside and quashed.

5.4. For that in any view of the matter the action on the part of the Respondents is not sustainable in the eye of law and liable to be set aside and quashed.

5.5. For that the applicants are Defence Civilian Employees and presently they are posted at Nagaland and they are attached with armforced personnel in the Field areas and as such they are entitled to FSC and SCA(RL) in view of Annexures 1 to 4 Office Memorandum and denial of same by the Respondents have resulted in hostile discrimination more so when the Hon'ble Apex Court has affirmed the said benefit to the applicants. On this score along the impugned orders are not sustainable and liable to be set aside and quash.

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The Applicants crave leave of this Hon'ble Tribunal to advance more grounds both legal as well as factual at the time of hearing of this case.

6. DETAILS OF THE REMEDIES EXHAUSTED:

That the Applicants declare that they have exhausted all the possible departmental remedies towards the redressal of the grievances in regard to which the present application has been made and presently they have got no other alternative than approached this Hon'ble Tribunal.

7. MATTER PENDING WITH ANY OTHER COURTS:

That the applicants declare that the matter regarding this application is not pending in any other Court of Law or any other authority or any other branch of the Hon'ble Tribunal.

8. RELIEF SOUGHT:

Under the facts and circumstances stand above the Applicants pray that the instant application be admitted, records be call for and upon hearing the parties on the cause or causes that may be shown and on perusal of records be pleased to grant the following reliefs.

8.1. To set aside and quash Annexure-7 order dated 10.4.99, Annexure-8 order dated 5.5.99 and Annexure-9 order dated 25.4.00.

8.2. To set aside and quash other connected orders by which SCA(RL) and FSC has been stopped and direction has been issued for recovery of the same from the applicants.

8.3 To direct the Respondents to pay FSC and SCA(RL) to the applicants and to pay the arrears due to them with an interest of 18% p.a. on the delayed payment.

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8.4. Cost of the application.

8.5. Any other relief/reliefs to which the present Applicants are entitled to under the facts and circumstances of the case and as may be deemed fit and proper by the Hon'ble Tribunal.

9. INTERIM ORDER PRAYED FOR:

Under the facts and circumstances of the case the Applicants pray for interim order directing the Respondents not to recover any amount already paid to them towards SCA(RL) and FSC during the pendency of the OA.

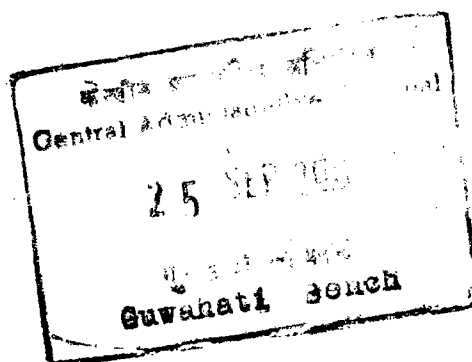
10. THE APPLICATION IS FILED THROUGH ADVOCATE.

11. PARTICULARS OF THE POSTAL ORDER :

- (i) I.P.O. No.: 26. 50/884
(ii) Date: 25-9-2000
(iii) payable at Guwahati

12. LIST OF ENCLOSURES :

As stated in the Index.



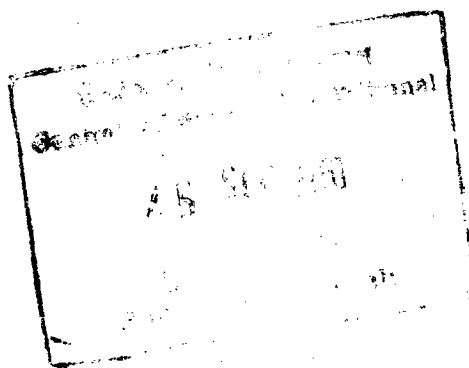
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VERIFICATION

I, Shri Ahon Angami, MES No 434025, S/o I Angami, aged about 36 years, presently working as Chowkider, in the office of the G.E. 869 E.W.S. do here by solemnly affirm and state that the statement made in this petition from paragraph 41-44, 48, 412-415 are true to my knowledge and those made in paragraphs 45-47, 49, 410, 411 & 416 are matters records of records informations derived therefrom which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal.

And I sign this verification on 23th day of Sept. 2000.

Ahon Angami



-74--80-

18-

(Annexure-3(1))

Annexure-3(1)

OFFICE OF THE C.D.O. UDAYAN VASER, HILLTOP, GUWAHATI-781
Part.1.00. No. 21 Dated 9.9.95.

Sub:- Field Service Concessions to Defence Civilians
serving in the newly defined Field Areas.

Govt. of India, Ministry of Defence, New Delhi letter
Nos.B/37269/AG/PS3(a)/165/D/(Pay)/Services dated 31.1.95 and
B/37269/AG/PS3(a)/730/D/(Pay)/Services dated 17.4.95 are
reproduced below for information and necessary action.

Please acknowledge receipt.

No.Pay/01/IX
Dated: 30/9/95

Sr..A.O. (Pay)

Distribution:-

- a) All sub-offices :- As per standard List.
- B) All section in M.O.
- c) Spare

Sr..AO.(Pay)

I am directed to refer to para 13 of Govt. letter No.37269/AG/-
PS3(a)/D(Pay/Services) dated 13.1.1994 and to convey the
sanction of the President to the following Field Service
concessions to Defence Civilians in the newly defined Field
Areas and Modified Field Areas as defined in the above mentioned
letter:-

- (i) Defence Civilian employees serving in the newly
defined Field Areas will continue to be extended the
concessions enumerated in Annexure 'C' to Govt.letter
No.A/02584/AG/PS3(a)/97-S/D(Pay)Services dated 25.1.1964
Defence Civilian employees serving in newly defined
Modified Field ~~xxxxxxx~~ Areas will continue to be extended
the concessions enumerated in Appendix 'D' to Govt.letter
No.A/25751/AG/PS3(b)/146-S/2/D(Pay/Services) dated 2nd
March, 1968.
- (ii) In addition to above, the Defence Civilian employees
serving in the newly defined Field Areas and Modified
Field Areas will be entitled to payment of special
compensatory (Remote locality) allowance and other
allowances as admissible to Defence civilians as per the
existing instructions issued by the Ministry from time
to time.
- 2. These orders will come into force w.e.f. 1st April, 95.
- 3. This issues with the concurrence of Finance Division of
Ministry vide their LO 13.5(1)/BS-XI(14-PA) dated
9.1.1995.

Attested.

Attente.

Sd/-
(L.T. Thanga)
Under Secretary to the Government
of India.

RESTRICTED

No.B/37239/G/PS3(a)/730/D(Pay/Service)
Government of India
Ministry of Defence

New Delhi, the 17th April, 1995.

CORRIGENDUM

The following amendment is made to this Ministry's letter No.B/3/269/G/PS3(-)/165/D(Pay/Services) dated 31.1.1995, regarding Field Service Concessions to Defence Civilians serving in the newly defined Field Areas:-

Para 1(ii) may be deleted and substituted as under :-

"The Defence Civilian employees, serving in the newly defined modified Field Areas, will continue to be entitled to the Special Compensatory (Remote Locality) Allowance and other allowances as admissible to Defence Civilians, as hitherto, under existing instructions issued by this Ministry from time to time. However, in respect of Defence Civilians employed in the newly defined Field Areas, special compensatory (Remote Locality) Allowance and other allowances are not concurrently admissible along with Field Service."

2. This corrigendum issues with the concurrence of the Finance Division/A of this Ministry vide their L.D.No.300/i dated 5.4.1995.

Yours faithfully

(L.T. Thunga)
Under Secretary to the Govt. of India
Tele: 3012739

To

The Chief of the Army Staff
New Delhi

Copy to:-

As per list attached.

TRUE COPY

[Signature]
C. J. Registrar (J) 25/12/96
Administrative Tribunal
Small Bench Guwahati

ANNEXURE

To

Sub : Field Service concessions to Army Personnel
Implementation of the recommendation of the
4th Central Pay Commission.

I am directed to say that the 4th Central Pay Commission in Para 28,98 of their Report, has recommended that the existing classification of areas for the grant of field service concessions and the concessions admissible in field areas to Armed Forces personnel should be reviewed by the Govt. The structure of field service concessions has since been reviewed. I am directed to convey ~~existing concessions~~ the sanction of the President to implementation of the following decisions taken in this regard in so far as the offrs and personnel below officer rank of army (including army postal service) are concerned.

2.2 Pre-requisites for classifying an area as Field Area and Modified Field area will be as follows :-

Modified Field Area. Modified Field area is an area where troops are deployed in support of Combat echelons/troops in an operational support role. Degree of operational readiness is slightly lower than that in Field Area, Though sustained surveillance continues.

2.4 Alteration, if any, the Field/Modified Areas will be notified by the Government of India from time to time.

RESTRICTED

Advocate.

TRUE COPY

City Registrar
General Administrative Inbun
Guwahati Bench, Guwahati

2.8 Areas classified as field areas and modified Field Areas will be reviewed every three years. The review process will commence one year in advance of the completion of three years.

3.1 Concessions.- Monetary Allowance. Personnel serving in Field areas and modified field areas will be eligible to the grant of compensatory field areas allowance and compensatory modified area allowance, respectively.

3.2 The rates of the allowances are given below :-

Sl No	Rank.	Rate of compensatory field area allowance	Rate of compensatory modified filed area allowance
		In Rs PM	In Rs PM
1.	Lt Col & above	975	375
2.	Lt Col(TS) & Maj	895	350
3.	Captain	820	325
4.	2 Lt/Lt	780	300
5.	JCOs including Hon'y Commissioned Offrs	650	225
6.	Havildar	450	175
7.	Sep/Hk including erstwhile NCs (E)	375	150

3.3 The conditions governing the grant of compensatory filed Area allowance and modified field area allowance in the case of Offrs will be as follows :-

Admissibility of compensatory field area allowance and compensatory modified field area allowance will commence from the date on which an Offr arrives in field area/modified field area on being posted to a unit/Formation field area subject to the following exceptions :-

Exceptions. An Offr who is absent from a field area/modified field area in any one or more of the following circumstances shall be eligible for compensatory field area allowance/compensatory modified field area allowance.

(i) For a maximum period of 15 days :-

(a) When placed on the sick list provided that immediately on the expiry of the period on the sick list, he returns to an area at which the allowances is admissible.

(b) When on Casual leave

(c) While on transit from one field area/modified field area to another.

Contd....3/-

RESTRICTED

Attes.ed.
P.
Attorney.

(11) For a maximum period of 3 months. While on temporary duty subject to the fulfilment of the following conditions :-

(a) The officer continues to be borne on the strength of the Unit/Formation in the field/modified field area.

(b) The officer in the ordinary course returns to duty to a post field/modified field area (not necessary/ the one from which he went) on termination of the temporary duty.

(c) The period of absence is spent wholly on duty.

NOTE : Compensatory field area allowance/compensatory modified field area allowance will not be admissible to officers holding posts elsewhere who proceed on temporary duty from field/modified field area.

3.3.2. Compensatory field area allowances/compensatory modified field area allowances will not be admissible in the following circumstances :-

(a) When an officer is absent from the field area/modified field area on Annual leave or sick leave or any other leave except casual leave.

(b) When an officer from a peace area is especially appointed to officiate in a vacancy of less than 3 months duration if the permanent incumbent continues to draw the compensatory field area allowance/compensatory modified field area allowance under the exceptions mentioned above.

NOTE : Compensatory field area allowance/compensatory modified field area allowance will not be admissible in addition to
to
allowance, foreign allowance,
compensatory daily allowance for serving ex-India.

3.4 The conditions for the drawal of compensatory field area allowance and modified field area allowance in the case of JCOs/OR including NCOs(S) will be the same as given in Para 1 of annexure A to this Ministry's letter No A/02584/AG/PS3(a)/97-S/D(Pay/services) dated 25-1-64 as amended.

4.1 **Admissibility.** These rates of allowances will be admissible to :-

(a) Personnel serving in Detachments, Units and Fms in areas mentioned in Appendices A & B.

(b) Personnel of Defence Security Corps employed with Unit whose personnel are eligible for the grant of those concessions.

4.2 Lists of Fms/Units which are in field area of modified field area and are eligible to field service concessions will be notified by the Corps Commander to PACs concerned quarterly in for the QE May, Aug Nov and Feb every year by the 15th of the month subsequent to the close of the quarter.

Contd....4/-

Attes.ed.

Advocate.

RESTRICTED

4.3 Other concessions : Other concessions in kind at present admissible in full field areas as per details given in Annexure A to the Ministry's letter No A/02584/AG/PS3(a)/97/S/D(Pay/Services) dated 25-1-64, as amended will continue to be admissible in the newly defined field areas as given in Appx A to this letter. Similarly, the concessions admissible in Modified field areas as per details given in Appendix A to this Ministry's letter No A/25761/AG/PS3(b)/146-3/2/D(Pay/Services) dated 2.3.64 as amended will be admissible in the modified field areas as per appendix B to this letter.

5. Three allowances will, however, not be admissible to :-

(a) Static formations/Units eg. Military farms, MES, Recruiting Office, Training Centres & Establishments.

(b) NCC Directorates and Units.

(c) IA Units unless embodied.

(d) Record Offices and similar Establishments.

5.1 High altitude/Uncongenial Climate Allowance. Personnel serving in Field areas which are situated at a height of 9000ft and above including uncongenial climate areas below height of 9000 ft will be entitled to High Altitude/Uncongenial climate allowance. A lower rate would be applicable for areas at with an altitude of 9000 ft to 15,000 ft and higher rate for areas above 15,000 ft (excluding Siachen). The details of these areas are given in Appx C. The rates of High Altitude/Uncongenial climate allowance are given as under :-

Sl No	Rank	Cat-I (Height from 9000 ft to 15000 ft incl uncongenial climate areas below heights of 9000 ft)	Cat II (Heights above 15000 ft (excluding Siachen))
1.	Lt Col & above	400	600
2.	Lt Col (TS) & Maj	350	525
3.	Captain	250	375
4.	2Lt/Lt	125 200	125 300
5.	JCOs incl Hon'y commissioned offrs	180	270
6.	Headclerk	140	210
7.	Sep/Nk including erstwhile MC(E)	100	150

5.2 High Altitude/Uncongenial climate allowance will be admissible in addition to the compensatory field area allowance and other concessions in kind

Contd....3/-

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92.
Advocate.

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- 24 -

The other conditions governing the grant of high altitude/uncongenial climate allowance as given in this Ministry's letter No F.69/3/75/D(Pay/Services) dated 28.2.75, as amended will continue to be applicable.

6.1. Siachen Allowance. Personnel serving in Siachen Glacier area will be eligible to the grant of Siachen allowance at the following enhanced rates :-

- (a) Officers - B. 1,200/- PM
- (b) JCOs/OR - C. 800/- PM

6.2. Siachen allowances will be admissible in addition to compensatory field area allowances but not with high altitude Uncongenial climate allowance. Other conditions governing grant of Siachen allowance as contained in this Ministry's letter No 1(2)/91/D (Pay/Services) dated 01 May 91 will continue to be applicable.

7.1. Consequential Effects : Officers/JCOs/OR who have been allowed to retain family accommodation at the last duty station as on the date of issue of these orders and who on issue of these orders will cease to be entitled to retain such accommodation may continue to retain the accommodation till such time as married accommodation at the present duty station is made available. Alternatively, their families may be allowed to move to a selected place or residence/home at Government expense, if they so choose, in accordance with existing instructions.

7.2. Personnel of formations/Units who will not be eligible to the grant of field service concessions, consequent upon the formation/Unit being outside the newly defined concessional areas will be governed by normal conditions applicable in peace area for all purposes.

8. Concessions on Attachment

(a) Individuals/Detachments from form/Units not served by these orders but who are attached for operational purposes to formations or key units drawing the field service concessions will if the attachment is for less than two weeks, be entitled to the concessions at present admissible under para 6 of Annexure A to this Ministry's letter No 402584/AG/PS3(a)/97-S/D (Pay/Services) dt 25.1.64 as amended.

(b) If the attachment is for two weeks or more, the allowance; compensatory field area allowance/compensatory modified field area allowance under these orders as also the concessions as applicable as per orders referred to in para 8 (a) above be admissible.

(c) No cash TA/DA will be admissible in either case.

9.1. Date of Effect These orders will come into force with effect from 1st April 1993.

Contd.....6/-

Antes.ed.
Advocate.

9.2. Consequent upon the coming into force of the revised orders, the following monetary allowances will stand withdrawn from 1.4.93 except in cases referred to in para 11.2. below :-

(a) Special adhoc allowance of Rs. 70/- PM admissible for officers.

(b) Separation allowance of Rs. 140/- PM admissible for Offrs.

(c) Special compensatory (field) allowance ranging from Rs. 53 to Rs. 23 PM admissible for JCOs/OR incl NC(E).

10. Special compensatory (Remote Locality) allowance. This allowance which is at present admissible in notified field areas/peace areas on the civilian pattern will also stand withdrawn but w.e.f. 1st Feb 1994.

11.1. Adjustments : The allowances mentioned in para 9.2 above drawn by the individuals concerned after 1st April, 1993 will be adjusted against the compensatory field area allowance and compensatory modified field area allowance, if admissible, under these orders.

11.2. Where, however, an individual has become disentitled to any monetary allowance consequent upon change in the classification of area, no recovery will be made of the monetary allowance already availed of by an indl under the existing orders upto the date of issue of this letter.

12. The existing orders on the subject of field service concessions will stand modified to the extent indicated above.

13. The concessions to be admissible to defence civilians serving in the newly defined field areas will be notified separately.

14. Suitable administrative instructions for implementation of these orders will be issued by the Ministry, in consultation with CGMA.

15. This issues with the concurrence of Finance Division of this Ministry's vide Order No 5(1)/MB-AG(8-PA) dated 12.1.94.

Yours faithfully,

Sd/- x x x x x

(IA Khar)

(Under Secy to the Govt of India)

RESTRICTED

Attes.ed.

Advocate.

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Appendix 'A' to Govt of India
Ministry of Defence letter No
37269/AG/PS 3(a)/90/D(Pay/Services)
dated 13 Jan 94
(Refers to Para 2.3)

LIST OF FIELD AREAS

1. EASTERN COMMAND

(a) Arunachal Pradesh

(1) Tirap and Chunglang Districts.

(11) All areas North of line joining point 4448 in
LZ 4179-Nukme Dong MS 3272-Sepia MT 2969-Palin MO
9213 Daparijo NI 5841 Along NL-1273-Hunli NM 0170
Tawaken MI 8136-Champai Bun NM 8814 all inclusive.

✓(b) Manipur and Nagaland States.

(c) Sikkim : All areas North and NE of line joining Phalut
LV 4750-Gozing LV 7059-Mangkha LV 6160-Penlang La LW 0666
Rungli LW 1448-DP 1 in LW 1453 on Indo-Bhutan Border - all
inclusive.

2. WESTERN COMMAND

Himachal Pradesh : All areas East of line joining Umasila
NV 3951 Udaipur NY 8663 Mani Karan SB 2300 - Pir Parbati
Pass TA 1459 - Taranda TA 2335 - Barasua Pass TA 8801 all
inclusive.

3. CENTRAL COMMAND

Uttar Pradesh : All area North and NE of line joining
Barasua Pass Gangnani TG 1362- Govind Chat TG 0937-Tapevan
TH-1822-Munsiari TH 8980-Relagad TO 2466 all inclusive.

4. NORTHERN COMMAND

(a) Ladakh Sector : Areas North and East of line joining
Zojila MU 3036 Baralachala NE 6672 along the great Himala-
yan Range all inclusive.

(b) Valley Sector : All areas west of line joining point
1556 in IR 5470 Gulmarg MT 3105 Naushara MY 3105 Rm Ringapat
MI 2133 Handwara MT 2043 Laingyal MT 2339 Point 8405 in NG
4365 North of line joining point 8403 Dunakut MT 5453 Razan
NW 2239 Zojila all inclusive.

(c) Jammu-Bajaur Sector : All Areas west of line joining
Tip of Chicken Neck RD 7073 Canal Junction RD 6364 Mawa
Brahmane MY 3854 Point 1556 in IR 5470 all inclusive.

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Attes.ed.
9.

Attocate.

Appendix E

LIST OF COMIFIED FIELD AREAS

SOUTHERN AND WESTERN COMMAND

(a) Rajasthan and Punjab : Areas West of line joining Jassal, Barmer, Jaissalmer, Pokharan, Udasar, Mahajan, Ranges, Suratgarh, Lalgarh, Jattan, Alohah, Govindgarh, Fazilka, Jandiala Guru, Moga, Dholewari, Beas, Sir Sarangwal, Hussainiwala, Dera Daba Nanak, Laisoin Sulge upto the International Border all inclusive.

(b) Haryana : Satrod (Hissar)

(c) Himachal Pradesh : Areas North of line joining Narkhanda, Keylong upto field area line/high altitude line.

EASTERN COMMAND

(a) Assam and Arunachal Pradesh :

(i) Cachar and North Cachar Dists of Assam including Silchar.

(ii) All areas of Arunachal Pradesh and Assam North of River Bramaputra less Tejpur, Misamari and field areas.

(b) State of Mizoram and Tripura.

(c) Sikkim and West Bengal : Areas Northwards of line joining Sevoke LV 9112 Burdong LV 9850 Sherweni LV 9453 Bagrakot LW 0113 Darjiling LW 1109 New Mal Hasimara QH 7894 Ganga Ram Tea Estate CA 1377 upto the High altitude line/field area line/International border all inclusive.

CENTRAL COMMAND

Areas North of line joining Uttarkashi, Karen Prayag, Gauchar, Joshimath, Chameli, Rudra Prayag, Askete, Charamagad, Uharichula, Kasouli and Narandira Nagar upto International Border all inclusive.

NORTHERN COMMAND

(a) Valley Sector : Areas West of line joining Dattan, Baramulla, Kupwara, Drugmulla, Panges, Mankes, Bunyar, Pantha Chowk, Khanabal, Anantnag, Khundru and Khru upto the existing High Altitude line all inclusive.

(b) Jammu Region : Areas West of line joining LB 19 Brahmana-di-Bart, Jindra, Dhansal, Katra, Sanjhi Chatt, Batote, Patni Top, Ramban and Bonihal upto the existing High altitude line all inclusive.

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Autos.ed.
Advocate.

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Appendix 'C' to Govt of India
Min of Def letter No 37269/AG/PS3
(a)/90/D (Pay/Services) dt 13 Jan 94

(Refers to para 5.1)

LIST OF HIGH ALTITUDE (UNCONGENIAL CLIMATE) AREA

1. JAMMU AND KASHMIR - Area along the following line beyond:-

Conse Fire Line Nullah crossing NN 2100 SOUTH along Nullah to MALA Junc NH 1969 SOUTH along Nullah to NICHINAI BAR NH 2048 SOUTH EAST along KASHMIR/LADAKH boundary passing through heights 17573 (NN 73) 19590 (NN 72) 19830 (NN 91) 17672 (NN 80) FARIADAD (No 10) SOUTH EAST along boundary to GR NT 2490 SOUTH along boundary to point 21570 (NT 2456) again along boundary to GR NT 2758 EAST AND NORTH EAST along boundary to GR NT 4269 SOUTH EAST along boundary to HAGSHULA (NT 5662) SOUTH EAST along boundary to UMASILA (NT 6850) SOUTH and SOUTH EAST along boundary to KANGLA JOT (NT 9420) KAZALWAN CUREZ REGION, RING PAIN AND RING BALA REGION, TITHRAL AND TANCHAR REGION AND DODA.

2. HIMACHAL PRADESH : Area along the following line and beyond :-

Along foot path and then nullah to point 12380 (NZ 0891) along MIYAR nullah to its junction with CHENAB at NY 8663) SOUTH EAST along R CHENAB to KHOKEAR (NZ 43) to RAHLA (NZ 47) and straight line to MANI KARAN (SE 6486) along line to PARBATI R TO PIR PARBATI.

3. UTTAR PRADESH : Area along the following line and beyond, BARSAU pass (944875) point 20370 (949859) HARSIL (973852) KEDARNATH (TG 5555) BADRINATH (TG 9053) PAN KECHAR (TH 0739) (excluding town limits) to JUMATGARH (TH 3530) KALANKA (TH 5028) MILAM (TH 7423) SELA (TO 2593) CHIMYALEKH (TO 4994) and area above 9000 ft in the designated field areas in Annex 'A'.

4. NEFA : Area along the following line and beyond :-

Point 14600 (MS 2881) to SENTE OZONG (MS 2888) MATAU (MS 6777) SALPMG (MT 1379) LAPUNT (MT 2289) KHANSHA (MO 2603) NYARIN (MD 7525) to 8th mile stone (One ZIRO NYAMIN Road) 8th mile stone (on DAPORIJO - LIMEKING ROAD) poyom 8th (MT 9379) 2nd mile stone north of YARE (MD 9575) DOSING (NL 3592) DAMROH (NE 16208) AHINKOLIN (NF 8844) KHONLI (NG 2401) GURUKON (NN 4592) LAFON (NM 7579) HAYLIANG (NH 6199) CHOMAH (NI 9943) KANAPHU (NK 0125) point 6490 (NN 1402) VIJAYNAGAR (NS 4366)

5. SIKKIM

North and North East of the line running from point 12785 (IN 96) point 10140 (LI 17) point 10405 (LT 38) point 9010 (LT 88 45) Hala Junction (LT 5373) PAS UTHEN (LT 5751) point 0030 (LT 64)

RESTRICTED

Attested.
Advocate.

/Copy/

Annexure - 4 8

R. STRICT D - 45 -

ANNEXURE - 3

Tele : 2016433

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A per Min. order dt 13 Jan 94
Org 4 (Civ) (d)
Adjutant General B. S. S.
Smt. Vishyatiya
Adj. Dto Gen of C. (Org 4 (Civ)) -
(S)

Adjutant General B. S. S.
Army Headquarters
M. S. 101 110 011

16729/Org 4 (Civ) (d)

25 Apr 94

Headquarters

Southern Command
Eastern Command
Western Command
Central Command
Northern Command

FIELD SERVICE CONCESSIONS TO DEFENCE CIVILIANS EMPLOYED IN THE FIELD AREAS AND MODIFIED FIELD AREAS (BOTH FOSTER AND LOCALLY RECRUITED)

1. On the basis of the fourth central pay commission recommendation, the existing classification of areas for grant of field service concessions has been revised recently vide Min of Def letter No 37.69/AF/PS 3(a)20/D(Pay/Services) dt 13 Jan 94. Some of the concessions/compensatory allowances have also been revised in respect of service personnel. As per the ibid Govt order field areas are still to be classified as field areas and modified field areas only. The details of newly defined field areas and modified field areas are contained in Appx 'A' and 'B' respectively to this letter.

2. It is proposed to extend the same concessions to Defence civilians employed in the field areas as they serve side by side with services personnel under similar conditions in the given areas. They are also required to move in to the border areas and also serve in dense jungles risking their lives for performing duties assigned to them.

3. The following proposals for concessions/allowances to defence civilians posted in these areas have been proposed to "in of Def for consideration :-

(a) Defence civilians serving in field areas and modified field areas to be eligible to the grant of field area allowances and compensatory modification allowances respectively at the following rates :-

	Date of field area allowances	Rate of concess-modified field area allowance
For pay upto 900/- per month	Rs. 375/-PM	Rs. 175/-PM
For pay exceeding Rs. 900/- but not exceeding Rs. 1500/-PM	Rs. 450/-PM	Rs. 175/-PM
For pay exceeding Rs. 1500/-PM but not exceeding Rs. 2300/-PM	Rs. 550/-PM	Rs. 175/-PM
For pay exceeding Rs. 2300/-PM	Rs. 750/-PM	Rs. 300/-PM

Attested.

Advocate.

-20-
30 - 35 - 40 - 45 - 50 -
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but not exceeding Rs. 3000/-PM
For pay exceeding Rs. 3000/-PM

Rs. 975/-PM

Rs. 325/-PM

(b) The special compensatory allowce such as Hill Compensatory and winter allowcs, Bad climate allowcs etc not be in addition to this allowances.

(c) The other concessions in kind at Pr sent admissibl in full field areas as per details given in Annexure 'C' to Min of Def OM No A 02584/AG/PS-3(a)/97-SB (Pay/Services) dt 25 Jan 64 as amended from time to time to continue to be admissible in the newly defined field area listed at appx 'B' to this letter.

(d) The above mentioned allowances will not be admissible to :-

(i) Static formation/units eg, military forms, MES, Recruiting office, Training centres and establishments.

(ii) NOC Directorates and Units.

(iii) IA units unless embodied.

(iv) Record office and similar establishments.

4. High altitude/Uncongenial climate allowce Civilians serving in field areas which area situated at a height of 9000 ft and above including uncongenial climate areas below the height of 9000 ft to be entitled. The details of these areas are given in Appx 'C' to this letter. The rates of High Altitude/Uncongenial climate allowances are given as under :-

Pay	Cat -I (Height from 9000 ft to 15000 ft incl uncongenial climate areas of 9000 ft	Cat-II (Height above 15000 ft excl Siachen)
For pay not exceeding Rs. 950/-	Rs. 100/-PM	Rs. 150/-PM
For pay exceedin, Rs. 950/-PM	Rs. 140/-PM	Rs. 210/-PM
but not exceeding Rs. 2300/-PM	Rs. 180/-PM	
For pay exceeding Rs. 1500/-PM	Rs. 180/-PM	Rs. 270/-PM
but not exceeding Rs. 3000/-PM		
For pay exceedin, Rs. 3000/-PM	Rs. 300/-PM	Rs. 325/-PM

The High Altitude/Uncongenial climate allowance to be admissible in addition to the field compensatory allowances and other concession in kind.

5. Command Headquarters are requested to examine the above proposal submitted to Ministry of Defence and given their comments /views. Annual financial implication on the above proposal may please be worked out separately in respect of field allowce modified field area allowce and High altitude/Uncongenial climate allowce and ~~am~~ furnished to this Headquarters latest by 20 May 94.

(sd/- x x x x x)
(Promod Ji Saxena)
SCSO
Director (M)
Org 4 (Civ)(d)
for Adjutant General

Attested.
Advocate.

RESTRICTED

ANNEX 1

- 31 -

- 22 -

ANNEX 1

4

Ministry of Finance (Department of Expenditure) ON No 20014/9/86
dated 28 Sep 86 regarding Grant of Special Compensatory (Remote Locality)
allowance to Central Government employees posted in Negaland received under
HQ 3 Corps, O/S 99, Letter No 120 1/6/83 dated 26 Dec 82

**SUBJECT: GRANT OF SPECIAL COMPENSATORY (REMOTE LOCALITY) ALLOWANCE
TO CENTRAL GOVERNMENT EMPLOYEES POSTED IN NEGALAND**

The undersigned is directed to say that consequent upon decisions taken by
the Government on the recommendations of the Fourth Pay Commission in regard to
the grant of Special Compensatory (Remote Locality) Allowance to Central Govern-
ment employees posted in Negaland, vide Resolution No 14(1)/IC/86 dated
15.2.86, sanction of the President is hereby conveyed, in supersession of all
the existing orders on the subject, to the grant of Special Compensatory
(Remote Locality) Allowance to Central Government employees posted in Negaland
at the following revised rates:

Pay ranges	Rate of the Special Compensatory allowance per month
Basic pay below Rs. 950/-	125/-
Basic pay of Rs. 950/- & above but below Rs. 1500/-	200/-
Basic pay of Rs. 1500/- & above but below Rs. 2000/-	275/-
Basic pay of Rs. 2000/- & above but below Rs. 3000/-	400/-
Basic pay of Rs. 3000/- & above	525/-

2. These order take effect from 01.10.86. For the period from 01.1.1986 to
30.9.86, the above allowance will be drawn at existing rates on the
notified pay in the pre-revised scale.

3. Pay means pay in the revised series of pay introduced under the CCS (R.F.)
Rules, 1986. In the case of those who retain the existing scale of pay, the
allowance, besides pay in the pre-revised scale of pay, appropriate to the
at the rates results in a loss to an employee, who has been continuously drawing
the allowance from a date prior to 1.10.1986 the amount drawn by him is made fully
prior to that date will be protected by treating the difference between the
allowance as drawn and that admissible at the revised rates as personal advance.
This provision will continue till the employee remains posted in the said
region and becomes eligible to higher amount either on promotion or otherwise.

4. Pay means pay as defined under Sec 9(21) (c) (1).

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Antes.ed.
Advocate.

4. The Central Government employees in receipt of Special Compensatory Allowance under these orders will not be entitled to composite Hill Compensatory Allowance in addition. However, where the Hill Compensatory Allowance or any other Compensatory Allowance admissible in more beneficial the same may be allowed in lieu of the Special Compensatory Allowance.
5. The Special Compensatory Allowance will be regulated during leave, joining time and suspension in the same manner as City Compensatory Allowance under this Ministry's office Memorandum No 2(37)-III(D)/64 dated the 27th November, 1965 as amended from time to time.
6. These orders will apply to civilian employees of the Central Government belonging to Groups 'B', 'C' and 'D' only. The orders will also apply to Groups 'B7C' & 'D' civilian employees paid from the Defence Services Estimates. In regard to Armed Forces Personnel and Railway employees separate orders will be issued by the Ministry of Defence and Department of Railways respectively.
7. In their application to the staff of Indian Audit and Accounts Departments, these orders issue in consultation with Comptroller & Auditor General of India.
8. Hindi version of the order is attached.

Sd/-Y-Y-Y-Y-X
(BP Varma)

Joint Secretary to the Government of India

To

All Ministries/Departments of the Govt of India Etc.

TRUE COPY

[Signature]
Deputy Registrar (Joint)
Central Administrative Services
Gandhinagar Bench, Guwahati

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22 -

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.148 of 1995

Date of decision: This the 19th day of September 1995

The Hon'ble Justice Shri M.G. Chaudhari, Vice-Chairman

The Hon'ble Shri G.L. Sanglyine, Member (Administrative)

Shri Chandra Dev Yadav and 213 others

Applicant Nos.1 to 196 are working under
Garrison Engineer, 869, EWS, C/o 99 APO.

Applicant Nos.197 to 214 are working under
557, ASC Battalion, 12 Compu (ASC Supply Point),
Zakhama.Applicants

By Advocate Shri B.K. Sharma with Shri B. Mehta
and Shri S. Sarma.

- versus -

1. The Union of India
represented by the Secretary,
Government of India,
Ministry of Defence, New Delhi.
2. The Controller General of Defence Accounts(CGO),
A.A.O., Shillong.
3. The Controller of Defence Accounts (CDA),
Basistha, Guwahati.
4. The Garrison Engineer,
869, EWS, C/o 99 APO.
5. HQ 137, Command Works Engineer,
C/o 99 APO.
6. OC, Supply Point, Zakhama (Nagaland),
C/o 99 APO.Respondents

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

.....

ORDER

CHAUDHARI.J. V.C.



Mr B.K. Sharma for the applicants.

S. Ali, Sr. C.G.S.C., for the respondents.

S. Ali states that he has not received any

written statement so far from the respondents and hence it

cannot be filed. This is an application filed by 214

here

-34-

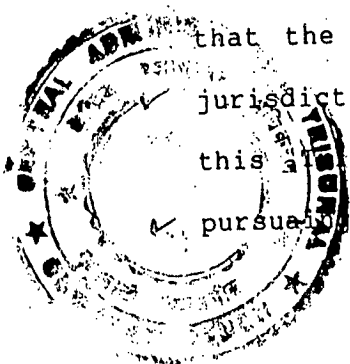
applicants who are working under the Garrison Engineer, 869, EWS, C/o 99 APO and 557, ASC Battalion, 12 Compu (ASC Supply Point), Zakhama, which falls under the Ministry of Defence, Government of India.

2. Relying upon O.M.No.20014/3/83-E-IV dated 14.12.1983 the applicants claim that they being civilian employees serving in the N.E. Region are entitled to get Special (Duty) Allowance (SDA) in terms of the modified O.M.No.20014/16/86-E.IV/E/II(B) dated 1.12.1988. They contend that as they have All India transfer liability they are covered by the aforesaid memoranda.

3. The applicants further claim Special Compensatory (Remote Locality) Allowance (SCA(RL)) in terms of office memorandum No.20014/9/86-E.IV dated 23.9.1986. The applicants further claim that they are entitled to get House Rent Allowance (HRA) at the rate of 15% on the monthly salary in terms of the recommendations of the Fourth Pay Commission with effect from 1.1.1986. Lastly, the applicants claim that they are eligible for Field Service Concession (FSC) in terms of Government of India's letter dated 13.1.1994, 25.1.1994 and 31.1.1995.

4. It is stated by the applicants that despite repeated demands the aforesaid benefits were not being given to them by the respondents and, therefore, they had filed Civil Suit No.255/88 in the Court of the Deputy Commissioner (Judicial), Nagaland at Dimapur and obtained a decree dated 19.12.1994, but as they have been advised that the decree is a nullity as the civil court has no jurisdiction to entertain the matter they have approached this Tribunal. They contend that the time spent in pursuing a wrong remedy should be excluded for the

purpose.....



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- 35 -
3! - 23 -

purpose of calculation of limitation and they be granted the relief.

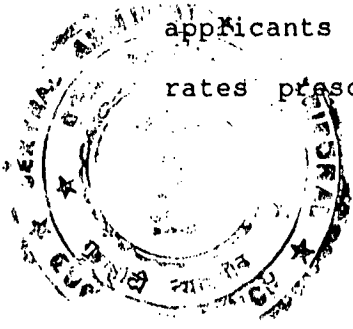
5. In the civil suit which was contested by the present respondents their stand was that since the applicants are enjoying Free Field Concessions they are not entitled to claim other allowances. They also denied that the service conditions of the applicants were the same as that of other Central Government employees.

6. Now the aforesaid contentions of the respondents urged in the civil suit which may also be taken as their defence in the present application have been examined by us in our judgment in the case of S.C. Omar, Asstt. Executive Engineer, -vs- Garrison Engineer and another (O.A.No.174/93), reported in SLJ -1995(1) CAT (Guwahati Bench) 74. We have held in that case that SDA and SCA(RL) are payable to Central Government employees posted in N.E. Region even if they get FSC. We have not accepted the plea that admissibility of FSC deprives them of these benefits.

In arriving at that conclusion we had also referred to the earlier decisions in O.A.Nos. 48/89 and 49/89 dated 29.3.1994. We held that the applicant in that case was entitled to get SDA and SCA(RL) apart from the FSC. We have also followed that decision in our order on O.A.No.124/95 with O.A.No.125/95 decided on 24.8.1995. Consistently with the view so taken we are of the view that the claim made by the applicants must be upheld.

7. As far as HRA is concerned the applicants will be covered by the rates prescribed by the Central Government from time to time for B (B1 - B2) and C class cities. The applicants will be entitled to get the allowance at the rates prescribed from time to time depending upon the nature.....

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- 36 -
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59 nature of classification applicable to them.

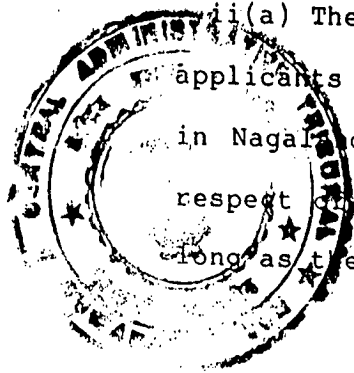
8. In the instant application the applicants have raised a contention that they are entitled also to get compensation in lieu of rent free accommodation in terms of O.M.No.11015/4/86-E.II(B)/87 dated 13.11.1987. Mr B.K. Sharma, however, submits that he does not press that claim in the instant application without prejudice to make the claim if so advised by filing a fresh application.

9. It is, however, necessary to mention that as held by the Hon'ble Supreme Court the benefit of SDA is admissible only to those employees who are appointed outside the N.E. Region and are posted inside the N.E. Region. It will be up to the respondents to ascertain the case of each applicant, if necessary, to make the benefit available to such applicants who are entitled to get the same.

10. The SDA will be payable to the applicants who satisfy the above mentioned test with effect from 1.12.1988. They will be entitled to get SCA(RL) with effect from 1.10.1986. We hold that the applicants are entitled to get HRA at the prescribed rate. We also hold that the applicants are entitled to get FSC as admissible from 1.4.1993.

11. In the result following order is passed:

i) It is declared that SDA is payable from 1.12.1988.



ii(a) The respondents are directed to pay to the applicants SDA with effect from the date of actual posting in Nagaland on or after 1.12.1988 as the case may be in respect of each applicant and continue to pay the same so long as the concession is admissible.

hcd

- 87 - 24 -
: 5 :

(b) Arrears from the date of actual posting in Nagaland on or after 1.12.1988 upto date to be paid within three months from the date of receipt of copy of this order.

~~iii~~(a) It is declared that SCA(RL) is payable from 1.10.1986.

~~(b)~~ The respondents are directed to pay to the applicants SCA(RL) with effect from the date of actual posting in Nagaland on or after 1.10.1986 as the case may be in respect of each applicant and to continue to pay the same so long as the concession is admissible.

~~(c)~~ Arrears from the date of actual posting in Nagaland on or after 1.10.1986 upto date to be paid within a period of three months from the date of communication of this order.

iv(a) It is declared that FSC is admissible from 1.4.1993.

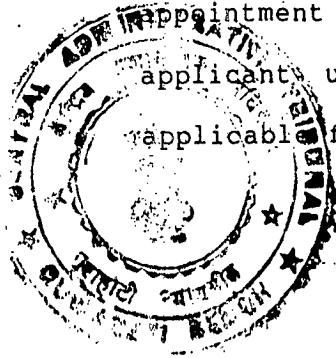
~~(b)~~ The respondents are directed to extend the FSC to the applicants in the prescribed manner with effect from 1.4.1993 or from the date of actual appointment as the case may be in respect of each applicant upto date and to continue to give the same so long as admissible.

v(a) It is declared that HRA is admissible as indicated below:

(c) The respondents are directed to pay HRA to the applicants at the rate as was applicable to the Central Government employees in B, B-1, B-2 class cities/towns for the period from 1.10.1986 or from the actual date of appointment as the case may be in respect of each applicant upto 28.2.1991 and at the rate as may be applicable from time to time as from 1.3.1991 upto date and

to.....

hll



to continue to pay the same at the rate prescribed hereafter.

(c) Arrears to be paid accordingly subject to the adjustment of the amount as may have already been paid to the respective applicants during the aforesaid period towards HRA.

(d) Future payment to be regulated in accordance with clause (a) above.

(e) Arrears to be paid as early as practicable, but not later than a period of three months from the date of communication of this order to the respondents.

The original application is allowed in terms of aforesaid order. No order as to costs.

Sd/-VICE CHAIRMAN

Sd/-MEMBER(ADM)

TRUE COPY

प्रतिनिधि

Section Officer (J)

मानुषाग प्रतिकारी (न्यायिक शाखा)
Central Administrative Tribunal

केन्द्रीय प्रशासनिक न्यायालय
Guwahati Bench, Guwahati-6
गुवाहाटी न्यायालय, गुवाहाटी-6

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ANNEXURE - 6

- 25 -

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1572 OF 1997
(Arising out of SLP (C) No. 14088 of 1996)

Union of India & Ors. etc.

... Appellants

Versus

B. Prasad, B.S.O. & Ors. etc.

... Respondents

WITH
CIVIL APPEAL NOS. 1573-1576, 1577, 1578, 1579, 1580-1585/97
(Arising out of SLP (C) Nos. 17236-39, 14104, 15141-42,
15740, 25108-10 of 1996, SLP (C) No. 4336/96 (CC-
5040/96) and SLP (C) No. 4338/96 (CC-6860/96))

O R D E R

Leave granted. We have heard learned counsel
for the parties.

These appeals by special leave arise from the
various orders passed by the Central Administrative
Tribunal, Gauhati Bench in different matters. The main
order was passed on 17.11.1995 in RA No. 4/95 in OA
No. 49/89.

The Government of India have been issuing
orders from time to time for payment of allowances and

facilities for civilian employees of the Central Government servants working in the States and Union Territories of the North-eastern region. It is not in dispute that Special Duty Allowance was ordered by the Government @ 25% of the basic pay subject to a ceiling of Rs.400/- per month on posting on any station in the North-eastern region. Subsequently, the Government have been issuing orders from time to time. In the proceedings dated April 17, 1995, the Government modified the payment of the Special Duty Allowance and Special Compensatory (Remote Locality) Allowance as under:

"The Defence Civilian employees, serving in the newly defined modified Field Areas, will continue to be entitled to the Special Compensatory (Remote Locality) Allowance and other allowances as admissible to Defence Civilians, as hitherto, under existing instructions issued by this Ministry from time to time. However, in respect of Defence Civilian employees in the newly defined Field Areas, Special Compensatory (Remote Locality) Allowance and other allowances not concurrently admissible along with Field Service Concessions."

It is contended by Mr. P.P. Malhotra, learned senior counsel appearing for the Union of India, that the view taken by the Tribunal that they are entitled to both, is not correct and that they would be entitled

-41-26-

to either of the allowances. Shri P.P. Rao, learned senior counsel appearing for some of the respondents has contended that those civilian employees working in the defence service at various stations in the North-eastern region were given Special Duty Allowance with a view to attract the competent persons and the persons having been deployed, are entitled to the same and the amended concessions would be applicable to those employees who are transferred after April 17, 1975. All those who were serving earlier would be entitled to both. Shri Arun Jaitley, learned senior counsel appearing for some of the respondents has drawn our attention to the distinction between Field area and Modified Field area and submitted that in cases where civilian employees are supporting the field defence persons deployed for the border operational requirements facing the immense hostilities, they will be denied the payment of both allowances while the personnel working in the Modified Field Area, in other words, in barracks, will be entitled to double benefit of both the allowance. This creates hostile discrimination and unjust results.

Having regard to the respective contentions, we are of the view that the Government having been

extending the benefit of payment of Special Duty Allowance to all the defence employees working in the North-eastern region as per the orders issued by the Government from time to time as on April 17, 1995, they are entitled to both the Special Duty Allowance as well as Field Area Special Compensatory (Remote Locality) Allowance. The same came to be modified w.e.f. that date. Therefore, irrespective of the fact whether or not they have been deployed earlier to that date, all are entitled to both the allowances only upto that date. Thereafter, all the personnel whether transferred earlier to that or transferred from on or after that date, shall be entitled to payment of only one set of Special Duty Allowance in terms of the above modified order.

As regards the payment of Special Duty Allowance to the defence civilian personnel deployed at the border area for support of operational requirement, they face the imminent hostilities supporting the army personnel deployed there. Necessarily, they alone require the double payment as ordered by the Government but they cannot be deprived of the same since they are facing imminent hostilities

- 43 - 27 -

in hilly areas risking their lives as envisaged in the proceedings of the Army dated January 13, 1994. But the Modified Field Area, in other words, in the defence terminology, "barracks" in that area is a lesser risking area; hence they shall not be entitled to double payment. Under these circumstances, Mr. P.P. Malholtra is right in saying that the wording of the order requires modification. The Government is directed to modify the order and issue the corrigendum accordingly.

The appeals are disposed of accordingly. It is made clear that the Union of India is not entitled to recover any payments made of the period prior to April 17, 1995. No costs.

.....J.
(K. RAMASWAMY)

.....J.
(G.T. NANAVATI)

NEW DELHI;
FEBRUARY 17, 1997.

Tel: 0361 - 550110 (H)
0361 - 550549 (H)
Fax: 0361 - 550204 (H)

रक्षा लेखा नियंत्रक
उदयन विहार, गुवाहाटी - 781 171
CONTROLLER OF DEFENCE ACCOUNTS
UDAYAN VIHAR, NAHAANGI,
GUWAHATI 781171

DO NO. PAY/TECH/025

Dated: 10th April, 1999

Dear General Chopra,

This is regarding the admissibility of Field Service concessions to Defence civilians serving in Field and in Modified Field areas in conformity with Government order issued from time to time.

2. The Defence civilians serving in Field and Modified Field areas as re-classified in Ministry of Defence letter No. 37269/AG/PS/3(a)/90/D(Pay/services) dated 13/1/94 are entitled to non-monetary field service concessions as envisaged in Appendix 'C' to Ministry of Defence letter No. A/02584/AG/PS-3(a)/97/S/D(Pay/services) dated 25/1/1994 and Appendix 'B' to Ministry of Defence letter No. 25761/AG/PS3(b)/146-5/27/D(Pay/services) dated 02/03/68 respectively.

3. Admissibility of only non-monetary field service concessions in Field and Modified Field areas was brought out in the following Govt. orders consequent upon reclassification of areas vide Ministry of Defence letter of 13/1/94.

- | | | |
|--|---------------------|--|
| (i) | Ministry of Defence | |
| No. B/37269/AG/PS3(a)/165/D(Pay/services) | dt. 31/1/95. | |
| (ii) | Ministry of Defence | |
| No. B/37269/AG/PS3(a)/130/D(Pay/services) | dt. 17/4/95. | |
| (iii) | Ministry of Defence | |
| No. B/37269/AG/PS3(a)/1862/D(Pay/services) | dt. 12/9/95. | |

4. The Field service concessions thus do not include any monetary allowance in the form of Compensatory Field Area Allowance (CFAA) or Compensatory Modified Field Area Allowance (CMFAA) as is applicable to service personnel but a large number of Defence civilians are being paid CFAA and CMFAA in the form of monetary allowance. A copy of Ministry of Defence letter No. 3014/96/D(Pay/services) dated 12/3/99 in this regard in response to a reference made and CGDA's instructions thereon is enclosed herewith which is self explanatory. Payment of monetary allowance in the form of CFAA or CMFAA to Defence civilians as a part of FSC has to be stopped immediately and payments made so far are to be recovered after giving show cause notice. The details of recoveries to be effected would be available with the Unit authorities and they may be advised accordingly.

Contd. P/2

5. In view of the above you are requested to kindly issue necessary instructions to various service branches of your HQ and lower formations to effect recoveries of payment already made earlier on the basis of Court judgements or otherwise after giving show cause notices. We are also instructing our sub-offices to stop payment of the monetary allowance from this month. Further, CAT judgements on the above account awaiting implementation are to be held in obedience and ongoing cases contested in CAT for payment of FSC are required to be defended on the basis of Ministry of Defence letter dated 12/3/99.

6. A copy of the instructions issued in this regard may kindly be endorsed to us.

With regards,

Yours sincerely,

V. S. Kripal

(VARDANA SRIVASTAVA)

Lt Gen S.C. Chopra
Chief of Staff
Hqrs. Eastern Command
Fort William,
CALCUTTA- 700 021

Copy to :-

1. Maj Gen S.D. Mahanti
Chief of Staff
HQ 3 Corps
C/O 99 APO
2. Maj Gen S.S. Chahal
Chief of Staff
HQ 4 Corps
C/O 99 APO
3. Maj Gen S.S. Puri
Chief Engineer
Hqrs. E.C.
Calcutta
4. Maj Gen V.K. Dua, VSM
G.O.C., 101 Area
C/O 99 APO
5. Brig. S.K. Sharma
Chief Engineer
Shillong Zone
6. Brig. D.S. Thukral
CE (Air Force)
Shillong Zone

Copies of MOD communication dated 12/3/99 and CGDA New Delhi letter dated 1/4/99 mentioned above are enclosed with request :

- i) to get claiming of payment of CFAA & CMFAA from April '99 pay bill stopped.
- ii) to get recoveries of payment whatsoever already made effected after serving show cause notice.
- iii) Withholding payment on above account against CAT judgement awaiting implementation.
- iv) to defend on going CAT cases/contempt proceedings based on MOD letter of 12/3/99.

(U.S. KRIPAL)

JT.CPA

Contd.....P/3

COPY/

- 48-29-

Recd

P/11/313/PSA/GE 869 EWS
Area Accounts Office
Shillong

dt 5/5/99

To

The GE 869 EWS
C/O 99 APOSub:- Sy Pay Bills on a/c of Arrears of FSC/HRARef :- Your Lt No. 1104/Basic/214/EIP dt 12/2/99, 1104/Basic/221/EIP
dt 15/2/99, 1104/Basic/243/EIP dt 12/3/99, 1104/Basic/224/EIP
dt 18/2/99, 1104/Basic/230/EIP dt 18/2/99.Sy Bills bearing Vr No. CV/869/01/229 dt 23.10.98, Vr No.
CV/869/01/328 dt 18/2/99, CV/869/02/91 dt 10.8.98, CV/869/01/198
dt 16.9.98, CV/869/02/200 dt 2.2.99, CV/869/06/67 dt 18.8.98,
CV/869/03/120 dt 1.2.99, CV/869/03/121 dt 1/2/99, CV/869/06/206
dt 4/2/99 are returned herewith unpassed with the following
remarks :-As per the recent order/clarification of Govt of India
Ministry of Defence, defence civilians who are in receipt of
Field Concessions in kind, as per relevant appendix of
letters No A/025/AG/PS - 3(a)/37/SID (Pay/Services) dt 25.1.64
are not entitled to other allowances viz. SGA, FRA, etc.
Area allowances SGA & FRA.In view of the above clarification the claims on a/c of
the above subject are returned herewith.Amt already paid towards the above mentioned allowances
are therefore treated as irregular and overpayments worked out
in each case and recovery of overpayment may be effected under
intimation to this office.

Encls :- As above.

Sd/- x x x x
A.O.

C. I. C.

(I Rajkumar)
AB
for Garrison Engineer

CONFIDENTIAL

30 -

ANNEXURE-9

PERSONAL ATTENTION OF AGES

Garrihon Engineer
062 Rupa W/O. Rupa
O/O DP APO

C/1000/ 02 /EAC

Apr 2000

✓ AGE F/07 Zafar
XII 12000

RECOVERY OF PDS ALICE

1. It has been decided by C.A. to effect recovery of PDS Alice from all persons who have been paid the said amount under various OAs issued on CAT direction. You are requested to send nominal roll of persons who are not involved in any OA so that further necessary action can be taken by this office.
2. Please fwd your reply by 30 Apr 2000 treat matter most urgent.

(Signature)
W K Gupta)
Garrihon Engineer

Copy to :-

AO CR 062 Rupa
O/O DP APO

HARAY

1. Alongwith copy of C.A.'s DO letter No 1000/100/12000 dt 12 Apr 2000.
2. Please recover amount of non applicants as per direction of C.A.

CONFIDENTIAL

51
Filed by
10/1/01
(B. C. Pathak)
Addl. Central Govt. Standing Counsel
Central Administrative Tribunal
Guwahati Bench : Guwahati

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI

কেন্দ্রীয় প্রশাসনিক আদালত
Central Administrative Tribunal
11 JAN 2001
Guwahati Bench

290
O.A. NO. 290 OF 2000

Shri Ahon Angami and Others.

.... Applicants.

- Versus -

Union of India and Others.

.... Respondents.

(Written Statements of the Respondents).

The written statements of the respondents
are as follows :-

1. That the copy of the O.A. No. 290/2000 along with a notice from this Hon'ble Tribunal has been served on the respondents with a direction to file written statements. The interest of all the respondents being common, a common written statements are filled in the case.

2. That before traversing the various paragraph of the O.A. No. 290/2000 (referred to as application), a brief history about the various changes in the mode of payment of various allowances to the defence Civilian employees from time to time is given below :-

(a) That the Government of India, Ministry of Defence vide its letter No. A/02584/AG/PS3(a)/97-S/D(Pay/Services) dated 25.01.64, made provisions for certain concessions to

to the civilians . These non-monetary concessions are detailed in the Annexure-'C' of the said letter dated 25.01.64. According to the said letter, these non-monetary concessions were subject to review after 2 years.

- (b) That the Government of India vide its letter No. A/25761/AG/PS3(B)/146-S/2/D(Pay/Services) dated 02.03.68 modified the Field Service Concessions. According to the said letter dated 02.03.68, the following modifications were effected.

(i) The rates of Special Compensatory Allowances were revised with effect from 01.03.68.

(ii) Field Service, concessions ceased to be admissible in the stations of Srinagar, Jammu, Jdampur, Darjeeling, with effect from 01.3.68 and Siliguri and Bagdogra with effect from 01.3.69.

(iii) Consequent upon the withdrawal of Field Service Concession in the above Stations, some other concession, were sanctioned to the service personnel as provided in Appendix -'A' and for defence civilians as in Appendix-'P' in the

said letter dated 02.03.68.

The non monetary Field Service Concession in other stations were continued as provided in Annexure - 'O' of the letter dated 25.01.64 for the Defence Civilians.

(c) That as a result of implementation of 4th Pay Commission recommendation, the Field Areas and Modified Field Areas were re-classified for entitlement of Field Service ~~Comm~~ Concession and other allowances to the Army (Services) Personnel. This was issued vide letter No. 87269/AG~~4~~ PS3(a)/90/D(Pay/Services) dated 13.01.94. By the said letter dated 13.01.94 it was clearly stated that the concessions to be admissible to Defence Civilians serving in the newly defined Field Areas would be notified separately.

(d) That in the meantime, the Army Headquarters, New Delhi vide it's letter No. 16729/Org-4(Civ) (d) dated 25.04.94 communicated to the different Command Headquarters that a proposal for concessions/allowances to Defence Civilians has been proposed to the Ministry of Defence for consideration. This proposal was said to have been made to give similar benefit to Defence Civilians in the line of 4th pay commission recommendation as in the case of Army personnel.

(e) That while the aforesaid proposal was pending, the Government of India, vide letter No. B/37269/AG/PS3(a) /165/D(Pay/Services) dated 31.01.95 give its sanction and thereby modified the non-monetary concessions and the said order was made effective from

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-4-

from 01.04.93. This was done independent of the said proposal. According to the said order dated 31.01.95 the following concession/allowances were extended to the Defence Civilians :-

(i) Defence Civilians employees serving in the newly defined Field Areas will continue to be extended the concessions enumerated in Annexure 'C' to the Govt. letter No. A/02584/AG/PS3(a)/97-S/D (Pay/Services) dated 25.01.64 Defence Civilians Employees serving in the newly defined Modified Field Areas will continue to be extended the concessions enumerated in Appendix 'B' to Govt. letter No. A/25761/AG/PS3(a)/146-S/2/D(Pay/Services) dated 02.03.68.

(ii) In addition to above, the Defence Civilians employees serving in the newly defined Field Areas and Modified Field Areas will be entitled to payment of Special Compensatory (Remote Locality) Allowance and other allowances as admissible to Defence Civilians as per the existing instructions issued by this Ministry from time to time.

f. That the Govt. of India vide another letter No. B/37269/AG/PS3(a)/730/D(Pay/Services) dated 17.04.95 modified the para 1(ii) of the letter No. B/37269/AG/PS3(a)/165/D(Pay/Services) dated 31.01.95 are substituted as under :

" The Defence Civilian employees serving in the newly defined modified Field Areas will continue to be entitled to Special Compensatory (Remote Locality) Allowance and other allowances admissible to Decence Civilians, as hithertofore,

under existing instructions issued by this Ministry from to time. However, in respect of Defence / Civilians employees in the newly defined Field Areas, Special Compensatory (Remote Locality) Allowance and other allowances are not concurrently admissible alongwith Field Service Concessions".

g. That the Govt. of India vide its letter No. B/37269/AG/PS-3(a)/1862/D(Pay/Services) dated 12.09.95, further Modified the instructions contained in the letter No. B/37269/AG/ps-3(a)/165/D(Pay/Service) dated 31.01.95 and thereby deleted the para 2 and substituted the following :

"These orders will come into force w.e.f. the date of issue of this letter namely w.e.f. 31.01.95 . In other words no recovery will be made on account of Concessions like free ration/ free single accomodation etc. already availed of by Defence Civilians as part of Field Service Concessions from 01.04.93 to 30.01.95. Similary no payment on account of SDA/SCA/SCA(RL) will also be made from 01.04.93 to 10.01.95".

h). That the "proposal" as referred to the Army Headquarters letter dated 25.04.94, was ultimately examined at a very high level and decided that no monetary concessions/allowances as proposed can be granted to the Defence Civilians. It was also made clear, that the concessions for the Defence Civilians working in the Field Areas and Modified Field Areas shall remain extended as provided in order letter No. B/37269/AG/PS-3(a)/165-D(Pay/Services) dated 31.01.95 and No. B/37729/AG/PG-3(a)/730/

(Pay/Services) dated 17.04.95 with corrigendum dated 12.9.95 . Moreover, the Army Headquarters made it further clear that the "Proposal" dated 25.4.94 has been rejected and the same was communicated vide Army Headquarters letter dated 16.11.95.

The copies of letter dated 25.01.64, 02.03.68, 13.01.94, 25.04.94, 31.01.95, 17.04.95, 12.09.95 and 16.11.95 are annexed as R₁ R₂ R₃ R₄ R₅ R₆ R₇ and R₈ respectively.

3. That the statement made in the application the respondents are denied to deal with such statements of the application which are irrelevant for the purpose of hearing of this application. Rest of the statements contained therein which are not admitted are hereby denied as if the same are set out in serial and are denied specifically.

4. That with regard to the statement made in paragraph 1 of the application the respondents state that the application ~~which is~~ is premature and is liable to be dismissed. In the impugned order dated 10.04.99. It has been clearly stated that the authority will give show cause notice before any recovery is made and to such show cause notice, the applicants could have submit their reply to justify their claim which has not been done.

5. That with regard to statement made in para 2, 3, 4.1, 4.2, 4.3, and 4.4 of the application it is stated that the same are matters of record. Nothing is admitted which is beyond record.

6. That with regard to the statements made in

paragraph 4.5, the answering respondents state that as per Annexure 'C' to g Govt. of India letter No. A/02584/AG/OS-3/(a)/97-S/D(Pay/Services) dated 25.01.64, the applicants are already availing Field Service Concession (FSC) which is non monetary benefit applicable to Field Area. In addition to FSC, the applicants were getting Special Compensatory (Remote - Locality) Allowance (SCRLA) upto 17.04.95. At present they are getting House Rent Allowances (HRA) alongwith living in Barracks and Special Duty Allowances (SDA) (for those coming from outside the North-Eastern Region). It is surprised to note that the ~~na~~ Annexure- 1 and 1A dated 18.1.94 and 25.1.64 as alleged to have been annexed to the application are in fact different ones. This is a deliberate attempt to mislead the Hon'ble Tribunal by furnishing different documents. Moreover the letter dated 25.04. 94 as in Annexure-1 is a mere proposal and not a sanction order for payment of any PSC allowance.

7. That with regard to the statements made in paragraph 4.6 of the application the respondent state that the state of Nagaland being classified as Field Area, the applicants are only entitled to one set of allowances including Field Service - Concession. As the applicants are already getting FSC they are not entitled to SCRLA w.e.f. 17.4.95 as detailed here in above.

8. That with regards to the statement that in paragraph 4.7 to 4.8 of the application the respondents state that in the O.A. No. 148/95 the issues before the ~~ixabix~~ Hon'ble Tribunal was relating to payment of HRA and SDA . Therefore the judgement in order dated 24.8.95 has no application in this instance case.

9. That with regards to the statements made in paragraph 4.9 & 4.10 of the application the respondents states that the Hon'ble Supreme Court had never directed for payment of FSC (Monetary allowance) to the applicants. The FSC (Non-monetary concession) is already being availed off by the applicants. Hence the question of payment of FSC (Monetary allowance) does not arise at all.

10. That with regard to the statement made in paragraph 4.11 and 4.12 of the application the answering respondent state that as explained here in above and also as explicit from the various circulars annexdhereto, the respondents had no other alternative but to recover the FSC (Monetary allowance) and the SCRLA, for which the applicants are not entitled to . Accordingly the said impugned orders were issued for recovery of the said allowances wrongly paid to the applicants.

11. That the statements made in paragraphs 4.13 , 4.14 and 4.15 of the applications are not correct and hence the same are denied by the respondents.

12. That with regard to the statements made in paragraphs in 4.16 of the application the answering respondents respectfully submit that the applicants are not entitled to get either FSC (Monetary allowances) or / SCRLA as explained above and hence it is not a fit case in which the Hon'ble Tribunal shall be interfered in the impugned order dated 25.4.2000 and will not stay the operation of the said order and/or shall be pleased the vacate the stay order granted to the applicants.

13. That with regards to the statements made in paragraphs 5.11 to 5.15 , the respondents state that the grounds as shown in the application are not supported by any rules or any govt. circular and hence the application is liable to be dismissed with cost being devoid of any merit.

14. That the answering respondents have no comments with regards to the statements made in paragraphs 6 and 7 of the application.

15. That with regards to the statement made in paragraphs 8.1 to 8.5 and 9 of the application the respondents state that the applicants are not entitled to get any FSC (Monetary allowance) and SCRLA with interest as claimed for and the application is liable to be dismissed. The stay order passed by the Hon'ble Tribunal may also therefore be vacated hence forte.

In the premises aforesaid it is therefore respectfully prayed that Your Lordships would be pleased to here the parties, perawise the records and after hearing parties and persuing the records shall further be pleased to dismiss the application with cost.

Verification....

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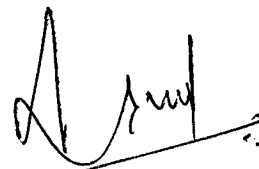
-10-

VERIFICATION

I, Major Vijaya Kumar V.S. presents working as GE 869 EWS C/O. 99 A.P.O. being duly authorised and competent to verify and sign true verification, do hereby solemnly affirm and state that the statements made in paragraphs are true to my knowledge and believe, those made in paragraphs

being matter of records are true to my information derived derived therefrom and the rest are my humble submission before this Hon'ble Tribunal. I have not ~~surprised~~ suppressed or concealed any material fact.

And I sign this verification on this day of January, 2001.



(VIJAYA KUMAR VS)
MAJOR
GARRISON ENGINEER
Signature.

SECRET

IMMEDIATE

No. A/02584/AG/PS3(a)/97-S/D(Pay/Services)
Government of India,
Ministry of Defence,
New Delhi, the 25th January 1964.
5 Magha 1885(Saka).

To

The Chief of the Army Staff.

Subject:- FIELD SERVICE CONCESSIONS TO ARMY PERSONNEL
AND DEFENCE CIVILIANS IN OPERATIONAL AREAS

Sir,

I am directed to convey the sanction of the President to the grant w.e.f. 1.2.64 of the field service concessions as given in the following paragraphs to Army personnel (including Army Postal Service personnel) and Defence Civilians in the defined areas.

2. The concessions detailed in Annexure 'A' to this letter will be admissible to Army personnel of detachments, units and formations located in the areas defined in Annexure 'B' to this letter. These concessions will not be admissible to static formations/units e.g. Military Farms, MES, Recruiting Offices, Training Centres and Establishments, NCC Directorates and units, TA units unless embodied, Recruiting Offices and Record Offices and Lok Sahayak Sena Units. The personnel of the Defence Security Corps employed with units whose personnel are eligible for the grant of these concessions will also be allowed these concessions.

3. Personnel of Formations/Units, which will not be given field service concessions, being static or outside the concessional areas, will be governed by normal conditions applicable in peace stations for all purposes, e.g., provision of family accommodation, medical facilities for families and grant of TA and DA.

4. Officers, JCOs and ORs who have been allowed to retain family accommodation in the last duty station and who on issue of these orders will not be entitled to retain such accommodation, may continue to retain the accommodation until such time as married accommodation in the Officer's duty station is made available or the family may be allowed to go to a selected place of residence at Government expense, if they so choose, in accordance with para 2 and 7 of Annexure 'A', as applicable.

5. Defence Civilians, including civilians employed in lieu of combatants and NCs(E) (both posted and locally recruited) serving in the areas defined in Annexure 'B' with units and formations whose combatant personnel have been allowed field service concessions under para 2 above will be entitled to the concessions detailed in Annexure 'C' to this letter.

P.T.O

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26/1/64
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6. Individuals/detachments from static/field units not covered by the above which are attached for operational purposes to units or formations drawing the concessions will be entitled to the concessions enumerated at Serial Nos 1,3,8,9,11 and 12 of Annexure 'A', if the attachment is less than two weeks. If the attachment is for two weeks or more, the concessions enumerated in Serial Nos 4,5,6,7 and 10 of the Annexure will also be admissible in addition. No cash TA/DA will be admissible in either case.

7. These orders supersede the provisions contained in this Ministry's letters referred to below:-

(a) No. P.69/1/59/260-SA/D(Pay/Services) dated the 6th July 1960 as modified by No.92682/AG/PS3(a)/268-S/D(Pay/Services) dated the 7th June 1962.

(b) No.96459/AG/PS3(a)/53-SA/D(Pay/Services) dated the 30th January 1962 as extended by No.96459/AG/PS3(a)/323-S/D(Pay/Services) dated the 25th March 1963 except the provision relating to Separation Allowance.

(c) No.92587/AG/PS3(a)/924-S/D(Pay/Services) dated the 10th November 1962 as extended/amended by No.92587/AG/PS3(a)/386-S/D(Pay/Services) dated the 5th April 1963 and Corrigendum No.92587/AG/PS3(a)/1286-S/D(Pay/Services) dated the 19th October 1963.

(d) No.92711/Org 4(Civ) (d)/14-S/D(Civ-II) dated the 11th January 1963 as amended from time to time.

9. These orders will be in force for a period of two years after which they will be reviewed.

10. This issues with the concurrence of the Ministry of Finance (Defence) vide their u.o.No.92-S/PD of 1964.

Yours faithfully,

Sd/-
(V. Doraiswamy)

Under Secretary to the Government of India

Copy forwarded to:-

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attested
[Signature]
26.7.99

AKHONWARR

SECRETARY

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ANNEXURE 'A'

to the Govt of India, Min of D:f
letter No A/02584/AG/PS3(a)/97-S/
D Pay/Services)
dated the 25th January 1964

Serial No	Particulars of concessions	Ranks to whom applicable
(1)	(2)	(3)
1.	Free single accommodation including furniture (if any) lights and water.	Officers
2.(a)	Free conveyance of families of the officers from the old duty stations to a selected place of residence in India, and from there to the new duty stations on re-posting, or alternatively retention of married accommodation by the family at the previous duty station at normal concessional rent for house and similar concessional charges for furniture, electricity and water, <u>if permitted by the station Commander or the allotting authority.</u>	"
(b)	Baggage normally upto a limit of 20 maunds on warrant. General Officers Commanding-in-Chief Command will however be authorised to sanction free conveyance to be selected place of residence in INDIA of the combined family scale of baggage (i.e. the scale admissible to the individual and the family) less the quantity taken by the individuals in respect of those families in whose case the restriction of free conveyance to families scale of baggage would, in the opinion of those authorities, cause exceptional hardship. The General Officer Commanding-in-Chief may delegate this power to Corps, Division, Area, Sub Area and Brigade Commanders. In cases of personnel serving in Army Headquarters, head of the Branch concerned will accord the necessary sanction.	"
(c)	Conveyance for servants accompanying the family will be allowed on warrant upto the scale laid down in Rule 515 Travel Regulations.	"
(d)	Conveyance for baggage and servants from the selected place of residence to the new duty station on re-posting of the officer will be admissible at the same scale as laid down in (b) and (c) above.	"

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- (1) (2) (3)
3. Exemption from recovery of hospital stoppages on account of wounds or injuries received or illness contracted (except through one's own fault) while serving in the specified area.
 4. Free remittance of family allotments to families residing at stations where banking facilities do not exist.
 5. Special compensatory allowance at the following rates:- JCOs, NCOs, (ORs and NCOs(E))

JCOs	Rs 15/- p.m.
NCOs	Rs 10/- p.m.
ORs	Rs 8/- p.m.
NCOs(E)	Rs 6/- p.m.

Note:- 1 The allowance will continue to be admissible to the extent indicated, in any one of the circumstances specified below:-

(a) During casual leave

Up to a maximum of 21 days

(b) During leave including sick leave and during treatment in hospital

If the period of absence does not exceed 28 days, and provided the individual returns to his unit/formations in the specified area immediately on termination of his leave/treatment.

The allowance will not, however, be admissible during -

- (i) treatment in hospital if the disability is due to the individual's own fault or when a stoppage of two annas per diem is made for the period in hospital on account of sickness certified by the Medical Officer attending on the patient to have been caused by his own misconduct or imprudence; and

- (ii) circumstances laid down in Rule 51, Pay & allowances Regulations(OR), 1955 Edition.

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(c) During temporary duty with a unit/formation outside the Task Force

If the period of temporary duty does not exceed 21 days and provided the individual returns to the specified area immediately on termination of the temporary duty, but when temporary duty is followed by leave and vice-versa the allowance will be admissible only if the total period of absence from the Task Force does not exceed 28 days and also the period of any one them does not exceed 21 days.

Note:- 2. Warrant officers of the Army Postal Service will be equated to JCOs.

6. (a) Free remittance of two family allotments, JCOs, NCOs, ORs and NCOs (E)

(b) Casual remittance once a quarter on special occasions such as marriages, deaths, etc.

7. (a) Retention of family accommodation, subject to restrictions as laid down in AI 19/51 for JCOs/ORs or alternatively free conveyance of their families to their homes or selected places of residence and similar return free conveyance to join the head of the family at the new post.

(b) GOs C-in-C Commands are authorised to sanction free conveyance on warrant to the selected place of residence in INDIA, of the combined family scale of baggage (ie, the scale admissible to the individual and the family) less the quantity taken by the individual, in respect of those families of JCOs/OR/NCOs (E) in whose case the restriction on free conveyance to family scale of baggage would, in the opinion of those authorities, cause exceptional hardship. GOs C-in-C Command may delegate this power to Corps, Division, Area, Sub Area and Brigade Commanders. In case

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of personnel serving at Army HQ, head of the Branch concerned will accord the necessary sanction. Similar conveyance to the new duty station can be sanctioned by the above authorities when the families rejoin the heads of families on their reposting.

8. (a) Scales of rations as per AI 11/S/58 to officers and AI 4/S/58 to JCOs/OR (without 5/2/2 per cent emergency cut in rations).

* Since amended vide
AI 7/5/74

- (b) Extra rations as indicated in Appendix 'A' to Ministry of Defence, letter No A/03027/ST6 D/202-S/D(QS) dated 7th November, 1960 as amended, and in this Ministry's letter No A/21714/Q/ST6D/1550-S/D(QS) dated the 15th September 1962.

9. Two postage-free forces letters forms per individual per week.

All ranks

10. Remittances within Indian limits of money orders and Indian Postal Order free of commission upto a maximum of Rs 20/- per month.

11. Special family allowance to the families of those who are reported missing or who die. The detailed rules will be as laid down in AI 111 of 1959.

AI 7/258/62

AI 35/72

12. (a) Gratuities to widows of permanent Regular Commissioned officers governed by AI 2/S/53, at the rates and under the conditions laid down therein. These rates and conditions also govern the cases of non-Regular Officers catered for in AI 1/S/55.

Officers

- (b) Gratuities to heirs of JCOs/OR/NCs(E) at the rates and conditions laid down in AI 1/S/53.

JCOs/OR/
NCs(E)

13. Extra pair of trousers drill O.G. and one Shirt Bush Cellular O.G.

Note: Conveyance for baggage as provided for in paras 2(b) and 7(b) above may be allowed to a place other than the selected place of residence of the family provided no extra expense to the State is involved thereby. This will not, however, give the family any title to conveyance for baggage from that place to the new duty station of the individual on his reposting to a family station. For such

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return conveyance of baggage the Government's liability will be restricted to what would have been admissible on warrant had the baggage been conveyed from the selected place of residence of the family to the new duty station of the individual.

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Deputy

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ANNEXURE 'B'

to the Govt of India, Ministry of Defence
letter No A/02584/AG/PS3(a)/97-S/D(Pa-
Services) dated the 25th January 1964.

1. EASTERN THEATRE

(a) ASSAM

- (i) Area North of line running along river
BRAHMAPUTRA - North East boundary of
SIBSAGAR District joining TIRAP Frontier
Division.
- (ii) Army units etc employed for the defence of
the Air Fields and directly supporting the
operational units of the Air Force at
GAUHATI and JORHAT, eg HQ and unit of RASO.
Signals, ASC, DSC and Arty.
- (iii) MIZO District.
- (iv) Disturbed areas of SIBSAGAR and North.
CACHAR Districts South of the line
connecting PATHAR-NAOJAN-DIPHU-LUMDING.

(b) NEFA and States of NAGALAND and MANIPUR.

(c) Districts of DARJEELING, JALPAIGURI (including
SILIGURI) and COOCH-BEHAR of West BENGAL.

2. UTTAR PRADESH

North of the line LOHAGHAT - BUNGIDHAR - LABHA-
RUDRAPRAYAG - Trig Point 8895 - DHARASU -
UTTARKASHI.

3. PUNJAB/HIMACHAL PRADESH

North of the line connecting the following:-
BARALACH-PASS - JISPA - KEYLONG-- MANALI -
Junction of the River SUTLEJ and the Nullah -
SE 8204 - extending upto the boundary line with
Central Command near AMAKOT running along inter-
Command boundary upto the border.

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ANNEXURE 'C'
to Government of INDIA, Ministry of
Defence letter No A/02584/AG/PS3(a)/
97-S/D(Pay/Services) dated the
25th. January 1964.

CONCESSIONS ADMISSIBLE TO CIVILIANS PAID FROM DEFENCE SERVICES
ESTIMATES INCLUDING CIVILIANS EMPLOYED LIEU OF COMBATANTS IN
AND NCA(E) (BOTH POSTED AND LOCALLY RECRUITED)

- (a) Free rations on scale applicable to combatants of the Army or Air Force, as the case may be, and fuel.
- (b) Free tented/basha accommodation and connected services to the extent feasible.
- (c) Free clothing on minimum essential scale of Army personnel if the Corps Commander/AOCinC Air Force Command considers the issue of such clothing essential for operational reasons.
- (d) Free remittance of family allotments.
- (e) Free medical treatment and hospital treatment.
- (f) Wound/injury or family pension or gratuity under Chapter XXXVIII CSR or AI 157/57/AFI 20/58, as the case may be, or compensation under the Workmen's Compensation Act where applicable.
- (g) 2 postage free Forces letters per individual per week.
- (h) Remittance within Indian limits of money orders and Indian Postal Orders free of of commission upto the maximum value of Rs 30/- per month per individual.
- (i) Retention of family accommodation allotted by Government at the old duty station on payment of normal rent. If the accommodation retained is required to be allotted to another entitled personnel for exigencies of service, the families may be shifted to alternative accommodation who is appropriate or inferior to the status of the individual concerned.

attd
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Note 1:- Dearness allowance will continue to be admissible in full.

Note 2:- The concession in (i) above is applicable only in respect of accommodation held by the Ministry of Defence. Separate orders will follow in respect of accommodation belonging to the Ministry of WH&R.

attached

24/7/93

Ministry of Defence
General Secretary
Ministry of Defence
Whitehall
London
W1A 0QU

IMMEDIATE/SECRET

No A/PS701/AG/PS3(b)/14G-S/2/D(Pay/Services)
Government of India,
Ministry of Defence,
New Delhi, the 2nd March, 1968
12 Phalguna 1889(Saka)

Annexure R2

To

The Chief of the Army Staff.

Subject: FIELD SERVICE CONCESSIONS TO ARMY PERSONNEL
AND DEFENCE CIVILIANS IN OPERATIONAL AREAS

Sir,

I am directed to refer to this Ministry's letter No A/O2584/AG/PS3(a)/97-S/D(Pay/Services) dated the 25th January, 1964 as extended and Army Instruction 7/S/48 as amended from time to time, and to say that the President is pleased to sanction the following modification with effect from the dates shown:-

- (a) The rates of special compensatory allowance will be revised as under with effect from the 1st March, 1968:-

Rank	Rate	
	Rs.	Pg.
Hony. Commissioned Officers	30.00	
JCOs	25.00	
Plav.	18.00	
NK.	15.00	
OR	13.00	
NCS(E)	10.00	

(b) Field service concessions will cease to be admissible to officers and personnel (including Civilians paid from Defence Services Estimates) serving in Municipal and Cantonment areas of:-

- (i) SHIMLAGAR, JAMMU, UDHPUR and DARJEELING with effect from the 1st March, 1968.
(ii) SILIGURI and BAGDOGRA with effect from 1st March, 1969.

(c) Consequent upon the withdrawal of field service concessions, the following concessions would become admissible at the stations mentioned in (b) above with effect from the dates shown therein to Army officers and personnel to whom the orders referred to in para 1 above originally applied:-

- (i) Concessions listed in Appendix 'A' to this letter to Service officers and personnel; and those in Appendix 'B' to Civilians paid from Defence Services Estimates;

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- (ii) Special ad hoc allowance of Rs. 70/-p.m. to married Service Officers forced to live singly due to non-availability of married accommodation for 2 years, the position to be reviewed before the expiry of that period;
- (iii) The concessions listed in Appendix 'A' and the special ad hoc allowance referred to at (ii) above, will be withdrawn when married accommodation is available to the extent of 50%.

2. Field service concessions for all the other areas would be reviewed every two years.

3. This letter issues with the concurrence of the Ministry of Finance (Defence) vide their u.o. No 279-S/PA of 1968.

Yours faithfully,

P.K. Jain
(P.K. Jain)

Under Secretary to the Government of India

Copy of the above forwarded to:-

The Controller General of Defence Accounts; the Director of Audit, Defence Services; the Deputy Directors of Audit, Defence Services, Poona; Dehra Dun; Patna; Western and Central Commands; the Senior Deputy Directors of Audit, Defence Services Poona and Meerut; the Controllers of Defence Accounts (Officers), Poona; (Other Ranks), Madras; Central Command; (P) Allahabad; Southern Command; Western Command; (fys); and (Air Force), Dehra Dun; the Controller of Defence Accounts, Patna; Accountant General, P&T Simla; the Director of Audit and Accounts (APS) Section, Nagpur; and the Deputy Controller of Defence Accounts (Air Force), New Delhi.

The Deputy Chief of the Army Staff (10)
AG (Coord/Budget) (10) AG/PS2 (300)
QHC/Q1(A) ... (10) MCO Branch/OSD, (10) Air Headquarters/
PP&R ... (150), The Directorate of Accounts, Air Headquarters
The Directorate of Personnel (O), Air Headquarters
The Directorate of Personnel (I), Air Headquarters
Air Force Central Accounts Office, New Delhi

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1. AIR FORCE

2. AIR FORCE

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Headquarters/PP-1. DO LHS/DG1
Directorate of Public Relations.
Research and Development Organisation -RD 23(a)
GS Branch/Defence Security Corps Dte.
AG/Offg 4(Civ)(d)....(50), E-in-C's Branch E1(A)....(25)
The Deputy Financial Advisers (AC)...(3); (Q); (GS); (P);
(O); (B); (W); and (AF)

The Secretary BRDU....(4) The DCBR.....(5)

Copy signed in ink sent to:-

The Controllers of Defence Accounts, Southern Command;
Western Command; Central Command; (O); (ORS); (Air Force);
(Factories); (P), Allahabad; and Director of Audit and Accounts,
(IPS Section), Nagpur; and Controller of Defence Accounts, Patna;
and the Deputy Controller of Defence Accounts (AF), New Delhi.

Sections; D(GS-I); D(Mov); D(O-2); D(IQ-II); D(Pensions/
Services); Pen-C; D(Q-C); D(Civ-II); D(Air-II); D(Air-III)
and D(Air-IV).

750 copies.

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26/7/99

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Appendix 'A' to Ministry of Defence
letter No A/25761/AG/PS3(b)/14A-S/
2/D(Pay/Services) dated the 2nd
Mar 1958

LIST OF CONCESSIONS TO BE ADMITTED TO OFFICERS AND PERSONNEL
BELOW OFFICER RANK OF ARMY SERVING IN MUNICIPAL AND CANTONMENT
AREAS OF SRINAGAR, JAMMU, UDHAMPUR AND DARJEELING WITH EFFECT
FROM THE 1ST MARCH 1958 AND SILIGURI/BAGDOGRA WITH EFFECT FROM
THE 1ST MARCH 1959

Serial No	Particulars of concessions	Ranks to whom admissible
--------------	----------------------------	-----------------------------

CONCESSIONS TO OFFICERS AND PERSONNEL ALREADY
POSTED AT THESE STATIONS WHO ARE SINGLE OR IF
MARRIED CANNOT BE PROVIDED WITH MARRIED
ACCOMMODATION

1. Free conveyance of families of the officers from the old duty station to a selected place of residence in India, and from there to the new duty station on re-posting, or alternatively retention of married accommodation by the family at the previous duty station or selected place of residence (from the list of stations where provision has been made for accommodation for separated families) at normal concessional rent for house and similar concessional charges for furniture, electricity, and water, if permitted by the Station Commander or the allotting authority. - Officers
2. Baggage normally upto a limit of 20 maunds on warrant. General Officers - Officers Commanding-in-Chief Command will, however be authorised to sanction free conveyance to the selected place of residence in INDIA of the combined family scale of baggage (ie the scale admissible to the individual and the family) less the quantity taken by the individuals in respect of those families in whose case the restriction of free conveyance to families scale of baggage would, in the opinion of those authorities, cause exceptional hardship. The General Officer Commanding-in-Chief may delegate this power to Corps, Division, Area, Sub Area and Brigade Commanders. In cases of personnel serving in Army Headquarters, head of the Branch concerned will accord the necessary sanction.
3. Conveyance for servants accompanying the family will be allowed on warrant upto the scale laid down in Rule 515 Travel Regulations. - Officers
4. Conveyance for baggage and servants from the selected place of residence to the new duty station on reposting of the officer will be admissible at the same scale as laid down in 2 and 3 above. - Officers

attested

[Signature]
26/7/59

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5. The leave travel concessions under Army Instruction 235/64 as amended by AI 259/66.
6. Retention of family accommodation, subject to restrictions as laid down in - Para below
AI 19/51 for JCOs/OR or alternatively free conveyance of their families to their homes or selected place of residence and similar return free conveyance to join the head of the family at the new post. Offr Rank
7. GOC C-in-C Commands are authorised to sanction free conveyance on warrant to the selected place of residence in INDIA, of the combined family scale of baggage (ie the scale admissible to the individual and the family), less the quantity taken by the individual, in respect of those families of JCOs/OR/NCs(E) in whose case the restriction on free conveyance to family scale of baggage would, in the opinion of those authorities, cause exceptional hardship. GOCs C-in-C Command may delegate this power to Corps, Division, Area, Sub Area and Brigade Commanders. In case of personnel serving at Army HQ, head of the Branch concerned will accord the necessary sanction. Similar conveyance to the new duty station can be sanctioned by the above authorities when the families rejoin the heads of families on their reporting.

B.

Note :- Conveyance for baggage as provided for in 2 and 7 above may be allowed to a place other than the selected place of residence of the family provided no extra expense to the State is involved thereby. This will not, however, give the family any title to conveyance for baggage from that place to the new duty station or the individual on his reporting to a family station. For such return conveyance of baggage the Government's liability will be restricted to what would have been admissible on warrant had the baggage been conveyed from the selected place of residence of the family to the new duty station of the individual.

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CONCESSIONS TO OFFICERS AND PERSONNEL WHO ARE
ALREADY POSTED TO THESE STATIONS TO WHOM FAMILY
ACCOMMODATION CAN BE PROVIDED

8. Families, who continued to stay at the old peace duty station of the personnel retaining Government accommodation at the normal concessional rent, consequent on the indl posting away to Units/Formations in these four stations.
Free conveyance from the old peace duty station all ranks to the present peace duty station of the personnel.
9. Families, who had moved to a selected place of residence from the old peace duty station consequent on the indl's posting to Units/Formations in these four stations.
Free conveyance from such selected place of residence to the present duty station of the personnel.
10. Free conveyance of baggage and servants in respect of families mentioned at 8 and 9 above, from last duty station/selected place of residence to the present peace duty station of the personnel, at the scales laid down at serial Nos 2(b), (c) and (d) and 7(b) of Annexure 'A' to the Ministry of Defence letter No A/02584/AG/PS3(c)/97-3/D (Pay/Services) dated 25 Jan 64.
Note The conveyance of the family of personnel below officer rank contemplated in 8 and 9 above is subject to the condition that the indls are within the authorised percentages for which C&L is admissible.
11. Free conveyance of motor cars/motor cycles from ~~the old duty station~~ ^{Officers} station/ selected places of residence to the present peace duty station of the personnel provided the requisite conditions under Rule 524, Travel Regulations are otherwise fulfilled and provided the transporation of the same initially to the selected place of residence had been at Govt expense under AI 22/5/63.

CONCESSIONS TO OFFICERS AND PERSONNEL HEREAFTER
POSTED TO THESE FOUR STATIONS

12. Those to whom married accommodation cannot be provide :-
(a) Free conveyance of families and baggage of officers Offr from the old duty station to a selected place of residence in INDIA and from there to the new duty station on reposting, or alternatively retention of married accn by the family at the previous duty station or selected place of residence (from the list of stations where provision has been made for accn for seperated families) at normal concessional charges for furniture, elect and water, if permitted by the Station Commander or the allotting authority.

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(b) The leave travel concessions under AI 235/64 as amended by 259/66. Offrs

(c) Retention of family accn, subject to restrictions as laid down in AI 19/51 for JCOs/OR or alternatively free conveyance of their families and baggage to their homes or selected places of residence and similar return free conveyance to join the head of the family at the new post. Personnel below Offr rank

(d) Free conveyance of motorcars/motor cycles from old duty stations to the selected place of residence under the provisions of AI 22/S/63 provided the requisite conditions and otherwise fulfilled. Offrs

13. Those to whom married accommodation can be initially provided or is subsequently provided

(a) Free conveyance of families and baggage from the last duty station/selected place of residence to the duty station of the head of the family. All ranks

(b) Free conveyance of motor cars/motor cycles from the old duty station/selected place of residence to the present duty station provided the requisite conditions under Rule 524, Travel Regulations are otherwise fulfilled and provided the transportation of the same initially to the selected place of residence had been at Government expense under AI 22/S/63. Officers

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OTHER CONCESSIONS COMMON TO ALL PERSONNEL POSTED AT THESE STATIONS

- | | | |
|-----|--|------------------------------|
| 14. | Free remittance of family allotments to residing at stations where banking facilities do not exist. | Officers |
| 15. | Free remittance of two family allotments | personnel below Officer rank |
| 16. | Casual remittance once a quarter on special occasions such as marriages, deaths etc. | " |
| 17. | Two postage free forces letter forms per indl per week. | All ranks |
| 18. | Remittance within INDIAN limits of money orders and Indian Postal Orders free of Commission upto a maximum of Rs. 30/- per month | " |
| 19. | The mode of travel of all future moves of officers to and from the above stations will be as for a non-concessional area. | Officers |

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OTHER CONCESSIONS COMMON TO ALL PERSONNEL POSTED AT THESE STATIONS

- | | | |
|-----|---|------------------------------|
| 14. | Free remittance of family allotments to residing at stations where banking facilities do not exist. | Officers |
| 15. | Free remittance of two family allotments | personnel below Officer rank |
| 16. | Casual remittance once a quarter on special occasions such as marriages, deaths etc. | " |
| 17. | Two postage free forces letter forms per indl per week. | All ranks |

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APPROX 'B' to Ministry of
Defence letter No A/25761/
AG/PS3(b)/146-5/2/D(Pay/Services)
at the 2nd Mar 1968

CONCESSION ADMISSIBLE TO CIVILIANS PAID FROM DEFENCE SERVICES
ESTIMATES INCLUDING CIVILIAN EMPLOYED IN OR COMBATANTS AND NCSE
BOTH POSTED AND FACILITY REQUIRED

- (a) Free remittance of family allotments.
- (b) 2 postage free Forces letter per individual per week.
- (c) Remittance within India limits of money orders and Indian postal orders free of commission up to the maximum value of Rs 30/- per month per individual.
- (d) Retention of family accommodation allotted by Govt at the old duty station on payment of normal rent. If the accommodation retained to be allotted to another entitled personnel for exigencies of service, the family may be shifted to alternative accommodation whether appropriate or inferior to the status of the individual concerned.

Notes :-

1. Dearness allowances will continue to be admissible in full.
2. The concession in () shown in applicable only in respect of accommodation held by the Min of Defence separate orders will follow in respect of a/cn belongs to the Min of WH&S.

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No. 37269/AG/PS 3(a)/90/D(Pay/Services)
Government of India
Ministry of Defence
New Delhi-110 011

Dated the 13th January 1994

To

The Chief of the Army Staff

Sub : Field Service Concessions to Army Personnel -
Implementation of the recommendation of the 4th Central
Pay Commission.

Sir,

I am directed to say that the 4th Central Pay Commission in Para 28.96 of their Report, had recommended that the existing classification of areas for the grant of Field Service Concessions and the concessions admissible in Field Areas to Armed Forces personnel should be reviewed by the Government. The structure of Field Service Concessions has since been reviewed. I am directed to convey the sanction of the President to implementation of the following decisions taken in this regard in so far as the officers and personnel below officer rank of Army (including Army Postal Service) are concerned.

2.1 Classification of Areas : At present, Field Areas are classified into three types, namely, Full Field, Modified Field and Improved Modified Field Areas. The areas in which Field Service Concessions are admissible have been re-defined. Hereafter, Field Areas will be classified as Field Areas and Modified Field Areas only.

2.2 Pre-requisites for classifying an area as Field Area and Modified Field Area will be as follows :-

Field Area : Field Area is an area where troops are deployed near the borders for operational requirements and where imminence of hostilities and associated risk to life exists. Troops in such areas are located for reasons of operational considerations alone and are not living in Cantonments.

Modified Field Area : Modified Field Area is an area where troops are deployed in support of Combat echelons/troops in an operational support role. Degree of operational readiness is slightly lower than that in Field Area, though sustained surveillance continues.

2.3 The details of newly defined Field Areas and Modified Field Areas are contained in Appendices A & B, respectively.

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2.4 Alteration, if any, in the Field/Modified Field Areas will be notified by the Government of India from time to time.

2.5 Areas classified as Field Areas and Modified Field Areas will be reviewed every three years. The review process will commence one year in advance of the completion of three years.

3.1 Concessions - Monetary Allowance : Personnel serving in Field Areas and Modified Field Areas will be eligible to the grant of Compensatory Field Area Allowance and Compensatory Modified Area Allowance, respectively.

3.2 The rates of the allowances are given below :-

Sl No.	Rank	Rate of Compensatory Field Area Allowance	Rate of Compensatory Modified Field Area Allowance
		In Rs. pm	In Rs. pm
1.	Lt Col & above	975	375
2.	Lt Col (TS) & Major	895	350
3.	Captain	820	325
4.	2 Lt/Lt	780	300
5.	JCOs Including Hony. Commissioned Officers	650	225
6.	Havildar	450	175
7.	Sep/Nk Including erstwhile NC(E)	375	150

3.3.1 The conditions governing the grant of Compensatory Field Area Allowance and Modified Field Area Allowance in the case of officers will be as follows :-

Admissibility of Compensatory Field Area Allowance and Compensatory Modified Field Area Allowance will commence from the date on which an officer arrives in Field Area/Modified Field Area on being posted to a Unit/Formation Field Area subject to the following exceptions :-

Exceptions : An officer who is absent from a Field Area/Modified Field Area in any one or more of the following circumstances shall be eligible for Compensatory Field Area Allowance/Compensatory Modified Field Area allowance ;

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(ii) For a maximum period of 15 days :-

- (a) When placed on the sick list provided that, immediately on the expiry of the period on the sick list, he returns to an area at which the allowance is admissible;
- (b) When on Casual Leave;
- (c) While on transit from one Field Area/Modified Field Area to another;

(II) For a maximum period of 3 months :- While on temporary duty subject to the fulfilment of the following conditions :-

- (a) The officer continues to be borne on the strength of the Unit/Formation in the Field Area/Modified Field Area;
- (b) The officer in the ordinary course returns to duty to a Field Area/Modified Field Area (not necessarily the one from which he went) on termination of the temporary duty;
- (c) The period of absence is spent wholly on duty.

NOTE : Compensatory Field Area Allowance/Compensatory Modified Field Area Allowance will not be admissible to officers holding posts elsewhere who proceed on temporary duty to a Field Area/Modified Field Area.

3.3.2 Compensatory Field Area Allowance/Compensatory Modified Field Area Allowance will not be admissible in the following circumstances :-

(I) When an officer is absent from the Field Area/Modified Field Area on Annual Leave or Sick Leave or any other leave except Casual Leave;

(II) When an officer from a Peace Area is specially appointed to officiate in a vacancy of less than 3 months duration, if the permanent incumbent continues to draw the Compensatory Field Area Allowance/Compensatory Modified Field Area Allowance under the exceptions mentioned above.

NOTE : Compensatory Field Area Allowance/Compensatory Modified Field Area Allowance will not be admissible in addition to Expatriation Allowance, Foreign Allowance, Compensatory/Daily Allowance for serving ex-India.

3.4 The conditions for the drawal of Compensatory Field Area Allowance and Modified Field Area Allowance in the case of JCO/OR including NC(E) will be the same as given in Para 5 of Annexure A to this Ministry's letter No. A/02584/AC/PS 3(a)/97-S/D(Pay/Services) dated 25-1-64, as amended.

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4.1 Admissibility : These rates of allowances will be admissible to :-

(a) Personnel serving in Detachments, Units and Formations in areas mentioned in Appendices A & B.

(b) Personnel of Defence Security Corps employed with Units whose personnel are eligible for the grant of these concessions.

4.2 Lists of Formation/Units which are in Field Area or Modified Field Area and are eligible to Field Service Concessions will be notified by the Corps Commander to PAOs concerned quarterly i.e. for the quarters ending May, August, November and February every year by the 10th of the month subsequent to the close of the quarter.

✓ 4.3 Other Concessions : Other concessions in kind at present admissible in Full Field Areas as per details given in Annexure A to this Ministry's letter No. A/02584/AG/PS 3(a)/97-S/D(Pay/Services) dated 25.1.64, as amended, will continue to be admissible in the newly defined Field Areas as given in Appendix A to this letter. Similarly, the concessions admissible in Modified Field Areas as per details given in Appendix A to this Ministry's letter No. A/25761/AG/PS 3(b)/146-S/2/D(Pay/Services) dated 2.3.68, as amended, will be admissible in the Modified Field Areas as per Appendix B of this letter.

4k 5. These allowances will, however, not be admissible to :-

(a) Static Formations/Units e.g. Military Farms, MES, Recruiting Office, Training Centres & Establishments.

(b) NCC Directorates and Units.

(c) TA Units unless embodied.

(d) Record Offices and similar Establishments.

5.1 High Altitude/Uncongenial Climate Allowance Personnel serving in Field Areas which are situated at a height of 9000 ft. and above including uncongenial climate areas below height of 9000 ft., will be entitled to High Altitude/Uncongenial Climate Allowance. A lower rate would be applicable for areas with an altitude of 9000 ft. to 15000 ft. and a higher rate for areas above 15,000 ft. (excluding Siachen). The details of these areas are given in Appendix C. The rates of High Altitude/Uncongenial Climate Allowance are given as under :-

Sl No.	Rank	Cat-I (Heights from 9000 ft to 15000 ft including uncongenial climate areas below heights of 9000 ft.)	Cat-II (Heights above 15000 ft excluding Siachen)
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	In Rs. pm	In Rs. pm
1. Lt Col & above	400	600
2. Major & Lt Col (T&S)	350	525
3. Captain	250	375
4. 2 Lt/Lt	200	300
5. JCOs including Hony Commissioned Officers	180	270
6. Havilder	140	210
7. Sepoy/Naik including erstwhile NC(E)	100	150

5.2 High Altitude/Uncongenial Climate Allowance will be admissible in addition to the Compensatory Field Area Allowance and other concessions in kind.

5.3 The other conditions governing the grant of High Altitude/Uncongenial Climate Allowance as given in this Ministry's letter No. F.69/3/75(D(Pay/Services) dated 28.2.76, as amended, will continue to be applicable.

6.1 Siachen Allowance : Personnel serving in Siachen Glacier area will be eligible to the grant of Siachen Allowance at the following enhanced rates :-

- (a) Officers Rs. 1200 pm
- (b) JCOs/ORs Rs. 800 pm

6.2 Siachen Allowances will be admissible in addition to Compensatory Field Area Allowances but not with High Altitude/Uncongenial Climate Allowance. Other conditions governing grant of Siachen Allowance as contained in this Ministry's letter No. 1(2)/91(D(Pay/Services) dated 01 May 91 will continue to be applicable.

7.1 Consequential Effects : Officers/JCOs/ORs who have been allowed to retain family accommodation at the last duty station as on the date of issue of these orders and who on issue of these orders will cease to be entitled to retain such accommodation may continue to retain the accommodation till such time as married accommodation at the present duty station is made available. Alternatively, their families may be allowed to move to a selected place of residence/home at Government expense, if they so choose, in accordance with existing instructions.

7.2 Personnel of Formations/Units, who will not be eligible to the grant of Field Service Concessions, consequent upon the Formation/Unit being outside the newly defined concessional areas will be governed by normal conditions applicable in peace areas for all purposes.

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8. Concessions on Attachment :

(a) Individuals/Detachments from Formation/Units not covered by these orders but who are attached for operational purposes to Formations or Units drawing the Field Service Concessions will, if the attachment is for less than two weeks, be entitled to the concessions at present admissible under Para 6 of Annexure A to this Ministry's letter No. A/02584/AG/PS 3(a)/97-S/D(Pay/Services) dated 25.1.64 as amended.

(b) If the attachment is for two weeks or more, the allowance i.e. Compensatory Field Area Allowance/Compensatory Modified Field Area Allowance under these orders as also the concessions as applicable as per orders referred to in Para 8(a) above be admissible.

(c) No cash TA/DA will be admissible in either case.

✓ 9.1 Date of Effect : These orders will come into force with effect from 1st April, 1993.

✓ 9.2 Consequent upon the coming into force of the revised orders, the following monetary allowances will stand withdrawn from 1.4.1993 except in cases referred to in Para 11.2 below :-

✓ (a) Special adhoc allowance of Rs.70/- pm admissible for Officers.

✓ (b) Separation Allowance of Rs.140/- pm admissible for Officers.

✓ (c) Special Compensatory (Field) Allowance ranging from Rs.53 to Rs.23 pm admissible for JCOs/ORs including NC(E).

✓ 10. Special Compensatory (Remote Locality) Allowance : This allowance which is at present admissible in Modified Field Areas/Peace Areas on the civilian pattern will also stand withdrawn but w.e.f. 1st Feb-1994.

11.1 Adjustments : The allowances mentioned in Para 9.2 above drawn by the individuals concerned after 1st April, 1993 will be adjusted against the Compensatory Field Area Allowance and Compensatory Modified Field Area Allowance, if admissible, under these orders.

11.2 Where, however, an individual has become disentitled to any monetary allowance consequent upon change in the classification of area, no recovery will be made of the monetary allowance already availed of by an individual under existing orders upto the date of issue of this letter.

12. The existing orders on the subject of Field Service Concessions, will stand modified to the extent indicated above.

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F. MURTHY
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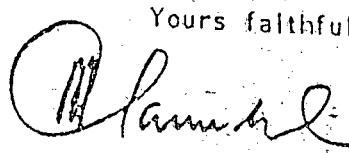
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13. The concessions to be admissible to Defence Civilians serving in the newly defined Field Areas will be notified separately.

14. Suitable administrative instructions for implementation of these orders will be issued by the Army HQrs. in consultation with CCDA.

15. This issues with the concurrence of Finance Division of this Ministry vide their U.O. NO. 5(1)/85-AG(8-PA) dated 12.1.1994.

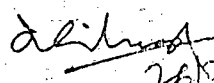
Yours faithfully,



(B.A. Khan)
Under Secy to the Govt of India

Distribution as per the attached list

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Appendix A to Govt of India
Ministry of Defence letter No 37269/
AO/PS 3(a)/90/D(Pay/Services)
dated 13 Jan 94
(Refers to Para 2.3)

LIST OF FIELD AREAS

1. EASTERN COMMAND

(a) Arunachal Pradesh

- (i) Tirap and Changlang Districts.
- (ii) All areas North of line joining point 4448 in LZ 4179-Nukme Dong MS 3272-Sepia MT 2969-Palin MO 9213-Daporijo NR 5841-Along NL 1273-Hunli NM 3196-Tidding Tuwi MT 6369-Hayuliang NN 0170-Tawaken MT 8136-Champai Bun NM 8814 all inclusive.

- (b) Manipur and Nagaland States.
- (c) Sikkim. All areas North and NE of line joining Phalut LV 4750-Gezing LV 7059-Mangkha LV 6160-Penlang La LW 0666-Rangli LW 1448-BP 1 in LW 2453 on Indo-Bhutan Border - all inclusive.

2. WESTERN COMMAND

Himachal Pradesh - All areas East of line joining Umasila NV 3951 Udaipur NY 8663 - Mani Karan SB 2300 - Pir Parbati Pass TA 1459-Taranda TA 2335-Barasua-Pass TA 8801 all inclusive.

3. CENTRAL COMMAND

Uttar Pradesh - All area North and NE of line joining Barasua Pass Gangnani TG 1362-Govind Ghat TG 0937-Tapovan TH 1822-Munsiari TN 8982-Relagad TO 2466 all inclusive.

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Appendix A continued

4. NORTHERN COMMAND

(a) Ladakh Sector. Areas North and East of line joining Zojila MU 3036 - Baralachala NE 6672 along the Great Himalayan Range all inclusive.

(b) Valley Sector. All areas West of line joining Point 1556 in NR 5470 - Gulmarg MT 310.5 - Naushara MY 3105 - Ringapat MT 2133 - Handwara MT 2043 - Laingyal MT 2339 - Point 8405 in NG 4565 - North of line joining point 8403 - Bunakut MT 5453 - Razan NN 2239 - Zojila all inclusive.

(c) Jammu-Rajouri Sector. All areas West of line joining Tip of Chicken Neck RD 7073 - Canal Junction RD 6364 - Mawa Brahmana RD 6183 - Chauki RD 6393 - Road junction RD 6499 - Baramgala MY 3854 - Point 1556 in NR 5470 all inclusive.

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Appendix B to Govt of India
Ministry of Defence letter No 37269/
AG/PS 3(a)/90/D(Pay/Services)
dated 13 Jan 94
(Refers to Para 2.3)

LIST OF MODIFIED FIELD AREAS

SOUTHERN AND WESTERN COMMAND

- (a) Rajasthan and Punjab. Areas West of line joining Jessal, Barmer, Jaisalmer, Pokharan, Udasar, Mahajan Ranges, Suratgarh, Lalgah Jattan, Abohar, Govindgarh, Fazilka, Jandiala Guru, Moga, Dholewal, Beas, Bir Sarangwal, Hussainiwala, Dera Baba Nanak, Laisain Bulge upto the International Border all inclusive.
- (b) Haryana. Satrod (Hissar)
- (c) Himachal Pradesh. Areas North of line joining Narkhanda, Keylong upto Field Area line/High Altitude line.

EASTERN COMMAND

- ✓(a) Assam and Arunachal Pradesh
 - (i) Cachar and North Cachar Distts of Assam including Silchar.
 - ✓(ii) All areas of Arunachal Pradesh and Assam North of River Brahmaputra less Tejpur, Misamari and Field Areas.
- (b) State of Mizoram and Tripura.
- (c) Sikkim and West Bengal. Areas Northwards of line joining Sevoke LV 9112 - Burdong LV 9850 - Sherwani LV 9453 - Bagrakot LW 0113 - Damdim LW 1109 - New Mal - Hasimara - QB 7894 Ganga Ram Tea Estate QA 1377 upto the High Altitude line/Field Area line/International Border all inclusive.

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Appendix B continued

CENTRAL COMMAND

Areas North of line joining Uttarkashi, Karan Prayag, Gauchar, Joshimath, Chamoli, Rudra Prayag, Askote, Charamagad, Dharchula, Kasauli and Narendra Nagar upto International Border all inclusive.

NORTHERN COMMAND

- (a) Valley Sector. Areas West of line joining Pattan, Baramulla, Kupwara, Drugmulla, Panges, Mankes, Buniyar, Pantha Chowk, Khanabal, Anantnag, Khundru and Khru upto the existing High Altitude line all inclusive.
- (b) Jammu Region. Areas West of line joining - BP - 19, Brahmana-di-Bari, Jindra, Dhansal, Katra, Sanjhi Chatt, Batote, Patni Top, Ramban and Banihal upto the existing High Altitude line all inclusive.

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Appendix C to Govt of India
Ministry of Defence letter No 37269/
AG/PS 3(a)/90/D(Pay/Services) dt 13 Jan 94
(Refers to Para 5.1)

LIST OF HIGH ALTITUDE (UNCONGENIAL CLIMATE) AREA

1. JAMMU AND KASHMIR - Area along the following line and beyond :-
Cease Fire Line nullah crossing NN 2180 SOUTH along nullah to NALA Junc NN 1969 SOUTH along nullah to NICHINAI BAR NN 2048 - SOUTH EAST along nala to SOWAHARG NN 3443 ZOJILA NN 5141 SOUTH EAST along KASHMIR/LADAKH boundary passing through heights 17573 (NN 73) 19590 (NN 72) 19830 (NN 91) 17672 (NN 80) FARIABAD (No. 10) SOUTH EAST along boundary to GR NT 2490 SOUTH along boundary to point 21570 (NT 2466) again along boundary to GR NT 2758 EAST AND NORTH EAST along boundary to GR NT 4269 SOUTH EAST along boundary to HAGSHULA (NT 5662) SOUTH EAST along boundary to UMASILA (NT 6850) SOUTH and SOUTH EAST along boundary to KANGLA JOT (NT 9420) KAZALWAN GUREZ REGION, RING PAIN AND RING BALA REGION, TITHWAL AND TANGDHAR REGION AND DODA.

2. HIMACHAL PRADESH - Area along the following line and beyond :-

Along foot path and then nullah to Point 12380 (NZ 0891) along MIYAR nullah to its junction with CHENAB at (NY 8663) SOUTH EAST along R CHENAB KHOKEAR (NZ 43)

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Appendix C continued

to RAHLA (NZ 42) and straight line to MANI KARAN (SE 6486) along PARBATI R to PIR PARBATI Pass (TA 1560) then in straight line to BARAKAMBA (TA 2336) - SOUTH EAST TO CHASU (919900) along River to CHITKAL (940890) in straight line to BARS AU Pass (GR 944875).

3. UTTAR PRADESH - Area along the following line and beyond :-

BARS AU Pass (944875) Point 20370 (949859) HARSIL (973852) KEDARNATH (TG 5555) BADRINATH (TG 9053) PANDUKESHWAR (TH 0739) (excluding town limits) to JUMAGWAR (TH 3539) KALANKA (TH 5028) MILAM (TH 7423) SELA (TO 2593) CHHIYALEKH (TO 4994) and areas above 9000 ft in the designated Field Area in Appendix A.

4. NEFA - Area along the following line and beyond :-

Point 14600 (MS 2881) to SENGE DZONG (MS 2888) - MATAU (MS 6777) SAKONG (MT 1379) LAPUNG (MT 2289) KHANEWA (MO 2803) NYAPIN (MO 7525) to 8th mile-stone (One ZIRO-NYAPIN Road) 8th mile-stone (on DAPORIJO - LIMEKING Road) - POYOM (MT 9379) 2nd mile-stone north of YARE (MP 9575) DOSING (NL 3592) DAMROH (NF 6208) AHINKOLIN (NF 8811) KRONLI (NG 2407) GURONGON (NM 4592) LABON (NM 7579) HAYULIANG (NN 0199) CHOWAH (NM 9943) KAMPHU (NM 0125) Point 6490 (NN 1403) - VIJAYANAGAR (NS 4866).

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Appendix C continued

5. SIKKIM

North and North East of the line running from
Point 12785 (IN 96) Point 10140 (LT 17) Point
10405 (LT 38) Point 9010 (LT 48) Nala Junction
(LT 5373) PADAMOTHEN (LT 6751) Point 10030 (LT
64).

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Annexure R4
Annexure R4
Sangathai

Appar Mahanideshalaya
Org 4 (Civ) (d)
Adjutant General Shakra
Sena Mukhyalaya
Addl Dte Gen of Org/Org 4(Civ) (d)
Adjutant General's Branch
Army Headquarters
DHQ Post Office, New Delhi-110011

Proposal

16729/Org 4 (Civ) (d)

Headquarters

25 Apr 94

Southern Command
Eastern Command
Western Command
Central Command
Northern Command

FIELD SERVICE CONCESSIONS TO CIVILIANS PAID FROM DEFENCE SERVICES ESTIMATES INCLUDING CIVILIANS EMPLOYED IN THE FIELD OF COMBATANTS WITH NO (IN THE FIELD) AND (IN THE FIELD) (RESTRICTED)

1. On the basis of the Fourth Central Pay Commission recommendations, the existing classification of areas for grant of Field Service Commissions has been revised recently, vide Ministry of Defence letter No 37269/AG/PS-3(a)/90/L (Pay/Services) dated 13 Jan 94. Some of the concessions/Compensatory Allowances have also been revised in respect of Service Personnel. As per the 11th Government order, field areas will be classified as field areas and modified field areas only. The details of newly defined Field areas and modified field areas are contained in Appendices 'A' and 'B' respectively to this letter.
2. It is proposed to extend the same concessions to Defence Civilians employed in the field areas as they serve side by side with service personnel under similar conditions in the given areas. They are also required to move into the border areas and also serve in dense jungles risking their lives for performing duties assigned to them.
3. The following proposals for concessions/allowances to Defence civilians posted in these areas have been proposed to Ministry of Defence for consideration :-

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- (a) Defence Civilians serving in field areas and modified field areas to be eligible to the grant of Field Area Allowance and Compensatory Modified Field Area Allowance respectively at the following rates :-

Pay	Rate of Comp Field Area Allowance	Rate of Comp Modified Field Area Allowance
For Pay upto Rs 900/- per month	Rs.375/- p.m.	Rs 150/- p.m.
For Pay exceeding Rs 900/- but not exceeding Rs 1500/- per month	Rs.450/- p.m.	Rs 175/- p.m.
For pay exceeding Rs 1500/- but not exceeding Rupees 2300/- p.m.	Rs 650/- p.m.	Rs 225/- p.m.
For Pay exceeding Rs 2300/- per month but not exceeding Rs.3000/- p.m.	Rs 750/- p.m.	Rs 300/- p.m.
For Pay exceeding Rs 3000/- per month	Rs 975/- p.m.	Rs 325/- p.m.

- (b) The Special Compensatory allowances such as Hill Compensatory and Winter Allowances, Bad Climate Allowances etc not to be admissible in addition to this allowance.

- (c) The other concessions in kind at present admissible in Full Field Areas as per details given in Annexure 'C' to Ministry of Defence OM No. A02584/AG/PS-3(a)/97-S/D (Pay/Services) dated 25 Jan, 64 as amended from time to time to continue to be admissible in the newly defined Field Areas listed in Appendix 'A' to this letter.

- (d) Similarly, the concessions admissible in Modified Field areas as per details given in Appendix 'B' to the Ministry of Defence letter No A/25761/AG/PS 3(b)/146-S/2/D (Pay/Services) dated 2 Mar 68, as amended from time to time, to be admissible in the Modified Field Areas listed at Appendix 'B' to this letter.

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(e) The above mentioned allowances will not to be admissible to :-

(i) Static Formations/Units e.g. Military Farms, MES, Recruiting Office, Training Centres and Establishments.

ii) NCC Directorates and Units

iii) TA Units unless embodied,

iv) Record Offices and similar establishments.

4. High Altitude/Uncongenial Climate Allowance - Civilians serving in Field Areas which are situated at a height of 9000 ft and above including uncongenial climate areas below the height of 9000 ft to be entitled. The details of these areas are given in Appendix 'C' to this letter. The rates of High Altitude/Uncongenial Climate Allowance are given as under :-

Pay	Cat-I (Heights from 9000 ft to 15000 ft including uncongenial climate areas below heights of 9000 ft)	Cat-II (height above 15000 ft excluding Siachen)
For Pay not exceeding Rs 950/-	Rs 100/- p.m.	Rs 150/- p.m.
For Pay exceeding Rs 950/- p.m. but not exceeding Rs 2300/- p.m.	Rs 140/- p.m.	Rs 210/- p.m.
For Pay exceeding Rs 1500/- p.m. but not exceeding Rs 2300/- p.m.	Rs 180/- p.m.	Rs 270/- p.m.
For pay exceeding Rs 2300/- p.m. but not exceeding Rs 3000/- p.m.	Rs 200/- p.m.	Rs 300/- p.m.
For pay exceeding Rs 3000/- p.m.	Rs 350/- p.m.	Rs 325/- p.m.

Field The High Altitude/Uncongenial Climate Allowance to be admissible in addition to the compensatory allowance and other concessions in kind

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5. Command Headquarters are requested to examine the above proposal submitted to Ministry of Defence and give their comments/ views. Annual financial implications on the above proposal may please be worked out separately in respect of Field Area Allowance, Modified Field Area allowance and High Altitude/Uncongenial Climate Allowance and furnished to this Headquarters latest by 20 May 94.

M.
(Pramod Ji Saxena)
SCSO
Director (MP)
Org 4 (Civ) (d)
for Adjutant General

Copy to :-

EIC
QIC
SD-1
MGO (S&C)/A
MI-19
MI-7
AC-1
Arty-3
SD-6B
DESC-2
TA-3
Sigs 4(C)
Mech Forces (Pers)
Inf-6(Pers)

Q Mov D
OS-10A
OS Pers
EME Civ-3
Reg Adm
Rtg 5 (OR) (b)
DG MS-1 (3)
AG/PM
JAG Deptt
ST-12
RV-1
MI-1
APS-2B
Purs-1

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Annexure R 5
Annexure R 5

No.B/37269/AG/PS3(a)/165 /D(Pay/Services)
Government of India
Ministry of Defence
New Delhi, the 31st January, 95.

To

The Chief of the Army Staff

Subject:- Field Service Concessions to Defence Civilians
serving in the newly defined Field Areas.

Sir,

I am directed to refer to para 13 of Govt letter
No.37269/AG/PS3(a)/D(Pay/Services) dated 13.1.1994 and
to convey the sanction of the President to the following
Field Service Concessions to Defence Civilians in the
newly defined Field Areas and Modified Field Areas as
defined in the above mentioned letter:-

Field Area

= Ann C (1964)

Mod. Field Area

= Appendix B' (1968)

(i) Defence Civilian employees serving in the newly
defined Field Areas will continue to be extended the
concessions enumerated in Annexure 'C' to Govt. letter
No.A/02584/AG/PS3(a)/97-S/D(Pay/Services) dated 25.1.1964.
Defence Civilian employees serving in newly defined
Modified Field Areas will continue to be extended the
the concessions enumerated in Appendix 'B' to Govt.
letter No.A/25761/AG/PS3(b)/146-S/2/D(Pay/Services)
dated 2nd March, 1968.

(ii) In addition to above, the Defence Civilian
employees serving in the newly defined Field Areas
and Modified Field Areas will be entitled to payment
of Special Compensatory(Remote Locality) Allowance
and other allowances as admissible to Defence Civilians
as per the existing instructions issued by this Ministry
from time to time.

SC(RL) A
Admissible

2. These orders will come into force w.e.f. 1st April, 93.
3. This issues with the concurrence of Finance Division
of this Ministry vide their UD No.5(1)/85-AG(14-PA) dated
9.1.1995.

Yours faithfully,

Under Secretary to the Government of India

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Annexure R 6
Annexure R 6

No.B/37269/AG/PS3(a)/730/D(Pay/Services)
Government of India
Ministry of Defence

New Delhi, the 17th April, 1995.

CORRIGENDUM

The following amendment is made to this Ministry's letter No.B/37269/AG/PS3(a)/165/D(Pay/Services) dated 31.1.1995, regarding Field Service Concessions to Defence Civilians serving in the newly defined Field Areas:-

PARA 1(ii) may be deleted and substituted as under:-

"The Defence Civilian employees, serving in the newly defined modified Field Areas, will continue to be entitled to the Special Compensatory (Remote Locality) Allowance and other allowances as admissible to Defence Civilians, as hitherto, under existing instructions issued by this Ministry from time to time. However, in respect of Defence Civilians employed in the newly defined Field Areas, Special Compensatory (Remote Locality) Allowance and other allowances are not concurrently admissible along with Field Service Concessions".

2. This Corrigendum issues with the concurrence of the Finance Division/AG of this Ministry vide their I.D.No.388/1 dated 5.4.1995.

Yours faithfully,

L.T. Tluanga
(L.T. Tluanga)

Under Secretary to the Govt. of India
(Tele:3012739)

To
The Chief of the Army Staff,
New Delhi.

Copy to:-
As per list attached.

attested *del*
24/7/97

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Annexure R7
Annexure R7

No.B/37269/AG/PS-3(a)/1862/D(Pay/Sers)
Government of India
Ministry of Defence

New Delhi, the 12th September, 95.

C O R R I G E N D U M

The following amendment is made to this Ministry's letter No.B/37269/AG/PS-3(a)/165/D(Pay/Services) dated 31.1.95, regarding Field Service Concessions to Defence Civilians serving in the newly defined Field Areas:-

Para 2 may be deleted and substituted as under:-

"These orders will come into force w.e.f. the date of issue of this letter namely w.e.f. 31.1.95. In other words, no recovery will be made on account of concessions like free rations/free single accommodation etc. already availed of by Defence Civilians as part of Field Service Concessions from 1.4.93 to 30.1.95. Similarly, no payment on account of SDA/SCA/SCA(RL) will also be made from 1.4.93 to 30.1.95".

2. This Corrigendum issues with the concurrence of the Finance Division/AG of this Ministry vide their I.D. No.1033-PA dated 11.9.95.

[Signature]
(L.T. TLUNGA)

Under Secretary to the Govt. of India

To: The Chief of the Army Staff
New Delhi

Copy to :-

- | | | |
|-----|---|------------|
| 1. | CGDA, New Delhi | - 5 copies |
| 2. | DADS, New Delhi | - 5 copies |
| 3. | DADS, CC, Meerut Cantt. | |
| 4. | DADS, SC, Pune | |
| 5. | DADS, EC, Patna | |
| 6. | DADS, AF, Dehradun | |
| 7. | DADS, WC, Chandimandir | |
| 8. | DADS(Navy), Bombay | |
| 9. | Director of Audit(OP), East Wing, Calcutta | |
| 10. | Deputy DADS, HC, Jammu | |
| 11. | Deputy DADS(Pens), Allahabad | |
| 12. | CDA(O), Pune: Please connect your letter No. Tech/046 dated 7 Mar 94. | |

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attached
[Signature]
24/7/99

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Answer R8
Answer R8
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Aspur Mahanishchalaya Sangathan/
Org-4 (Civ) (d)
Adjutant General Shakra
Sena Mukhyalaya
Addl Dte Gen of Org/Org 4 (Civ) (d)
Adjutant General's Branch
Army Headquarters
Dir HQ New Delhi-110 011

16729/Org-4 (Civ) (d)

11 Nov 95

Headquarters

Southern Command
Eastern Command
Western Command
Central Command
Northern Command

FIELD SERVICE CONCESSIONS TO CIVILIANS PAID FROM
DEFENCE SERVICES ESTIMATES INCLUDING CIVILIANS
EMPLOYED IN-LIEU OF COMBATANTS AND NCs (E) (BOTH
POSTED AND LOCALLY RECRUITED)

1. Reference this HQ letter of even number dated 25 Apr 94.
2. It is intimated that the subject matter was examined at a very high level at this HQrs and it was decided that no new monetary concessions/allowances can be granted to the civilian employees in field areas since the move will result in withdrawal of many compensatory allowances those are admissible at present exclusively to civilian employees even in peace areas.
3. Now, Defence civilian employees serving in newly defined Field Areas/Modified Field Areas will continue to be extended the concessions as per Govt. orders No.B/37269/AG/PS3(a)/165/D (Pay/Services) dated 31 Jan 95 and No.B/37269/AG/PS3(a)/730/D (Pay/Services) dated 17 Apr 95. Copies of these letters have already been circulated to all concerned.
4. However, it is requested that the information regarding High Altitude/Uncongenial Climate Allowance asked for vide this HQ letter of even number dated 15 Jun 95 may please be furnished at the earliest to enable us to take further necessary action.

attested
delivered
12/7/99

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AGEE/ALL

R. Pratap
(Bhanu Pratap)
CSO
DAAG/Org-4 (Civ) (d)
for Adjutant General

P.T.O.