

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 162/2000

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SECTION OFFICER (Judl.)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 162/2000

OF 199

Applicant(s)

All India Postal Employee
Union and or.

Respondent(s)

Union of India and or.

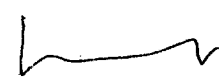
Advocate for Applicant(s)

Mr. B. K. Sharma
Mr. S. Sarma

Advocate for Respondent(s)

C. G. Se.

Notes of the Registry	Date	Order of the Tribunal
<p>no application in form and within time of Rs. 50/- deposited vide IPO BD No. 496/2000 Dated 4.4.2000</p> <p>IN 14/5/2000 16/5/2000</p> <p>24-5-2000</p> <p>Notice prepared and sent to D. Section for issuing of the same to the respondent through Regd. post with A.D. vide D.O. 1452 to 1454 Dtd 25.5.2000.</p>	<p>17.5.00</p> <p>pg 15 22/5/2000</p> <p>19.6.00</p>	<p>Heard Mr S.Sarma, learned counsel for the applicants. Issue notice to show cause as to why this application should not be admitted. Returnable by four weeks.</p> <p>List on 19.6.2000 for show cause and admission.</p> <p>Member(J)</p> <p>There is no Bench today from 10.7.00.</p>

Notes of the Registry	Date	Order of the Tribunal
<p>7.7.00</p> <p>No cause for remission.</p> <p>1a</p> <p>Notice duly served on respondents No 1</p> <p>2/7</p>	<p>10.7.00</p> <p>LM</p>	<p>Present: Hon'ble Mr.S.Biswas, Administrative Member.</p> <p>At the request of learned counsel for the applicant represented by Mr.Chanda, learned counsel case is adjourned and posted on 25.7.00 for Admission. Mr.B.S.Basumatary, Addl. C.G.S.C. is present;</p> <p>S. Biswas Member(A)</p>
<p>19-9-2000</p> <p>Show cause has not been filed.</p>	<p>25.7.00</p> <p>9.8.00</p>	<p>There is no Bench advised 2-9.8.00.</p> <p>18/0</p> <p>There is no Bench advised 1-6.9.00.</p> <p>18/0</p>
<p>Notice duly served on R-1 only.</p> <p>No W/s has been filed.</p> <p>W/S 30/10/2000</p>	<p>6.9.00</p> <p>20.6.00</p> <p>trd</p>	<p>NO Bench to be listed on 20.9.00.</p> <p>Present : Hon'ble Mr. Justice D.N.Choudhury, Vice-Chairman.</p> <p>Mr. S.Sarma, learned counsel for the applicant and Mr. B.S. Basumatary, learned Addl. C.G.S.C. for the respondents.</p> <p>Application is admitted. No fresh notice need be issued. List on 31.10.2000 for further order. In the meantime the respondents shall submit written statement.</p> <p> Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal
<p>29-11-2000</p> <p>Written statement been filed.</p> <p><i>[Signature]</i> 29.11.2000</p>	31.10.2000	<p>Mr S. Sarma, learned counsel for the applicant and Mr B.S. Basumatary, learned Addl. C.G.S.C. are present. Written statement has not been filed so far. Four weeks further time is granted to the respondents to file written statement. List it on 30.11.00 for orders.</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>Wls has been led.</p> <p><i>[Signature]</i> 21.1.2001</p>	30.11.00	<p>Four weeks further time is allowed for filing of written statement on the prayer of Mr A.Deb Roy, learned Sr.C.G.S.C List on 3.1.2001 for order.</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>Written statement been filed.</p> <p><i>[Signature]</i> 5.3.01</p>	3.1.01	<p>On the prayer of Mr B.S.Basumatary, learned Addl.C.G.S.C four weeks time is granted to file written statement. List on 2.2.2001 for written statement and further orders.</p> <p><i>[Signature]</i> Vice-Chairman</p>
<p>Written statement been filed.</p> <p><i>[Signature]</i> 27.3.01</p>	<p>2-2-</p> <p>20.1.01</p> <p>7.3.01</p>	<p>Current bench at Shillong. Admitted to 2-3-2001. <i>[Signature]</i> 20.1.01</p> <p>It has been stated that as per November 2000 the respondents has filed the written statement. Office to connect the written statement filed by the respondents. List on 28.3.01 for orders.</p> <p><i>[Signature]</i> Vice-Chairman</p>


Notes of the Registry

Date

Order of the Tribunal

28.3.2001

It has been stated by the learned counsel for the parties that the statement to the effect that written statement has been filed was wrongly made. The respondents sought for sometime to file the written statement. List for written statement and orders on 2.5.01.


Vice-Chairman

nkm

2.5

pass over to 25/5/2001

Mlo
A.K. 2
25

31.5.01
(Kohima)

List for hearing on 10.7.2001. In the meanwhile the respondents to file written statement within a period of four weeks and applicant to file rejoinder thereafter.


Member

nkm

10.7.

Adjourned to 11.7.2001

Mlo
A.K. 2
10.7

11.7.01

Ms.U.Das learned counsel on behalf of Mr.S.Sarma learned counsel for the applicant prays for adjournment. Mr.A.Deb Roy, Sr.C.G.S.C. has no objection. Prayer is allowed. List on 10.8.01 for hearing.


Vice-Chairman

lm

10.8.01

Shri S.Sarma, appearing on behalf of the applicant states that he has received a copy of written statement today and requests for short adjournment.

List on 14/9/01 for hearing.


Member

mb

List court sitting
at Nagaland.

NS
21/5/01

Written Statement
and rejoinder has
not yet filed.

21/5/01
9.7.01

No. written statement
has been filed.

21/5/01
9.8.01

9.8.2001

W/S has been
submitted by the
Respondent No. 1, 2 and 3

Notes of the Registry

Date

Order of the Tribunal

14.9.01

List on 17.10.01 to enable Mr. A. Deb. Roy, Sr. C.G.S.C. to take necessary instructions in this regard.

Vice-Chairman

lm

17.10.01

Mr B.C. Pathak, learned Addl. C.G.S.C on behalf of Mr A. Deb Roy who is hospitalised prays for a short adjournment. Prayer allowed.

List on 12.12.01 for hearing.

Member

pg

12.12.2001

Heard counsels for the parties at length. Hearing concluded, judgement delivered in open Court, kept in separate sheets.

The application is disposed of in terms of the order. No order as to costs.

Member (A)

bb

17-9-2000

Reply to the
w/s submitted by
the respondents.

27/9/02

29.1.02

Copy of the
order has been
sent to the Officer
for issuing the same
to the applicant by
post.

JS

Notes of the Registry

Date

Order of the Tribunal

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 162 of 2000.

Date of Decision. 12.12.2001...

----- All India Employees Union & Others.

----- Petitioner(S)

----- Mr. S. Sarma.

----- Advocate for the
Petitioner(s)

Versus-

----- Union of India & Others.

----- Respondent(s)

----- Mr. A. Deb Roy. sr. C.G.S.C.

----- Advocate for the
Respondent(s)

THE HON'BLE MR. K.K. SHARMA, ADMINISTRATIVE MEMBER.

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 : Admn. Member.

CC Sharma

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 162 of 2000.

Date of Order : This the 12th Day of December, 2001.

THE HON'BLE MR. K.K.SHARMA, ADMINISTRATIVE MEMBER.

1. All India Postal Employees Union
-U-P (III) & ED Divisional Branch Kohima
Represented by Mr.K.Lesto, Divisional Secretary.
2. Shri V.Angami
Assistant Circle Secretary P-III
Kohima Branch.
3. All India Postal Employees Union
Postman & Group-D, Divisional Branch, Kohima
Represented by Md.Firoz Alam
Divisional Secretary.
4. Shri S. Boro
President All India Employees Union
P-IV, Divisional Branch, Kohima. . . Applicants.

By Advocate Mr. S. Sarma.

- Versus -

1. Union of India
Represented by the Secretary to the Govt. of India
Ministry of Communication
Department of Post
Dak Bhawan, New Delhi.
2. Chief Post Master General
N.E. Circle, Shillong.
3. The Director of Postal Services
Nagaland Division, Kohima. . . Respondents.

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

ORDER

K.K.SHARMA, ADMN.MEMBER :

The applicants are representatives of four Unions of Postal Department based in Nagaland. The relief claimed in this application pertains to payment of disturb^{ed} area allowance w.e.f. December, 1986.

K K Sharma

Contd. 2

2. It is stated that by Notification dated 18.12.1986 employees of Central Government posted in area of 5 kilometers along and extending upto the international boundary adjoining the State of Nagaland and Arunachal Pradesh were entitled for disturb^{ed} area allowance as the said areas were declared disturbed area. Under the similar fact situation the employees of the Postal Department working in the State of Mizoram are getting disturb^{ed} area allowance vide Ministry of Finance O.M. dated 23.9.1986. The claim of the applicants is that by Notification dated 7.4.1995 the Govt. of Nagaland had declared certain areas of Nagaland as disturbed area. On the analogy that employees in Mizoram were getting disturb^{ed} area allowance, as per Notification dated 20.6.1995, the employees of Postal Department working in Nagaland are also entitled to distrub area allowance.

3. The applicants made representation dated 25.5.1995 to the Assistant Director (Estt), C.P.M.G., N.E.Circle, Shillong-1 and also sent a legal notice to the Director, Postal Services, Nagaland Division, Kohima dated 30.1.2000, but till dated the respondents have not given any reply.

4. I have heard Mr.S.Sarma, learned counsel for the applicants and also Mr.A.Deb Roy, learned Sr.C.G.S.C. for the respondents. The respondents have filed written statement. Mr.A.Deb Roy submitted that there is no specific order from the competent

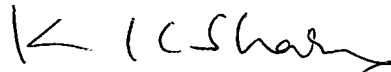
1C [Signature]

authority for grant of disturb^{ed U} area allowance to the applicants. Though certain areas of Nagaland have^U been declared as disturbed area by the State Govt vide Gazette Notification dated 7.4.1995, no order has been issued by the Central Govt. for payment of disturb^{ed U} area allowance. Unless the payment of allowance is authorised by the competent authority, the respondents are not in a position to make such payment. It is also admitted fact that employees of Mizoram are not presently drawing disturb^{ed} area allowance.

4. Upon hearing the learned counsels for the parties at length and on consideration of the materials on record, it is observed that the claim of the applicants is not based on any sanctioned order, but is based on the ground that earlier similar allowance ~~were~~^U paid to the employees of Mizoram. The application is liable to be dismissed for want of proper authorisation from competent authority. However, it is seen that the applicants have made representation dated 25.5.1995 and have also issued a legal notice on 30.1.2000, which have ~~been~~^{so} remained unanswered. If^{so} advised the applicants ~~to~~^{may} make a representation to respondent No.1 which is competent to take a decision on such matter.

The application is disposed of.

There shall, however, be no order as to costs.



(K.K. SHARMA)
ADMINISTRATIVE MEMBER

9 MAY 2000

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Title of the case :

O.A. No. 162 of 2000

BETWEEN

All India Postal Employees Union & Ors. ... Applicant.

AND

Union of India & ors. Respondents.

I N D E X

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2.	Verification	
3.	Annexure-1	
4.	Annexure-2	
5.	Annexure-3	
6.	Annexure-4	

Filed by :

Regn.No.:

File :WS/Disturb

Date :

13
Filed by
Dipak Kumar Sanyal
Advocate.
8/8-12000

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Between

1. All India Postal Employees Union
-U-P (III) & ED Divisional
Branch Kohima, Represented by
Mr.K. Letso, Divisional
Secretary.
2. Shri V. Angami, Assistant Circle
Secretary P-III, Kohima Branch.
3. All India Postal Employees
Union, Postman & Group-D.
Divisional Branch, Kohima,
Represented by Md. Firoz Alam,
Divisional Secretary.
4. Shri S. Boro, President All
India Employees Union, P-IV,
Divisional Branch Kohima.

... Applicants.

- AND -

1. Union of India, represented by
the Secretary to the Government
of India, Ministry of
Communication, Department of

En

Post, Dak Bhawan, New Delhi.

2. Chief Post Master General N.E.
Circle, Shillong.

3. The Director of Postal services,
Nagaland Division, Kohima.

... Respondents

DETAILS OF THE APPLICATION.

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

The present application is directed against the action of Respondents in not allowing the Applicants to draw the disturb area allowance as admissible to the Central Government Employees.

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. The subject matter of the present application is relates to non-payment of disturb area allowance to the Applicants and hence it is recurring cause of action and every month the cause of action arises.

4. FACTS OF THE CASE

4.1 That the Applicants have come before this Hon'ble Tribunal seeking a direction towards the payment of disturb area allowance as admissible to the Central Government employees posted at Nagaland. As per the Government Notifications issued by the Government of India Ministry of Home Affairs more particularly the notification dated 18.12.1986 by which the entire State of Nagaland and Tirap District of Arunachal Pradesh has been declared as disturbed area. Under the similar fact situation the employees of the postal department working in the State of Mizoram are getting the aforesaid disturb area allowance vide Ministry of Finance O.M. No. 20014/14/86/E-IV dated 23.9.86. The present Applicants has been pursuing the matter before the Respondents by submitting representations but till date nothing has been done so far in the matter and having no other alternative, they have filed this application seeking a appropriate direction to the Respondents for payment of disturb area allowance with effect from Dec'86, including and interest of 18% on the such delayed payment.

4.2 That the Applicants are citizen of India and as such they are entitled to all the rights, protection and privileges as guaranteed under the Constitution of India.

4.3 That the Applicant No. 1 and 3 are the Divisional secretary of the All India Postal Employees U-P(III) &

ED Divisional Branch, Kohima and All India Postal Employees Union Postman & Group-D, Divisional Branch, Kohima respectively and Applicant No. 2 & 4 are the affected party and also they are member of the said union. The cause of action for which the present application has been made and the relief sought for by the Applicants are common and hence they pray before this Hon'ble Tribunal to allow them to join together in a single application invoking rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987.

4.4 That the entire State of Nagaland and Tirup District of Arunachal Pradesh has been declared as disturb area. To that effect Government of Nagaland Ministry of Home Affairs issued a Gazette Notification vide No. 61. Kohima dated 7.4.95 by which the State of Nagaland has been declared as disturb area. By the said notification in its sedule has also mentioned the earlier notifications dated 18.12.86 and 17.9.91 by which the State of Nagaland has been declared as disturb area. As per the aforesaid Gazette notifications the Applicants who are at present working in the State of Nagaland are entitled to disturb area allowance. It is pertinent to mention here that the Government of Nagaland while issuing the notification dated 7.4.95 has also enclosed the earlier notifications dated 18.12.86 and 17.9.91.

A copy of the Notification dated 7.4.95 enclosing the notifications dated 18.12.86 and 17.9.91 is

annexed herewith and marked as Annexure - 1.

4.5 That the Supndt. of Post Offices vide his letter No. A-6/disturbed area/NL dated 20.6.95 issued to the Assistant Director of Post Offices made a request for grant of special allowance (disturb area allowance) to the Central Government Employees (Postal) as has been granted to the other set of employees working in the State of Mizoram vide Ministry of Finance D.M. No. 20014/14/86/E-IV dated 23.9.86. In the said order there has been mention regarding in notification issued by the Chief Secretary, Nagaland dated 4.4.95 by which the earlier stand regarding announcement of Nagaland as disturb area has been mentioned.

A copy of the letter dated 20.6.95 is annexed herewith and marked as Annexure-2.

The Applicants inspite of their best afford could not collect the copy of the letter dated 4.4.95 issued by the Chief Secretary, Nagaland notifying the entire State of Nagaland as disturb area and hence prays before this Hon'ble Tribunal for a direction of production of the said notification at the time of hearing of this case.

4.6 That as stated above the employees working in the State of Mizoram under the Respondents are still getting disturb area allowance but the present Applicants who are also employees under the Respondents are being denied the same. The aforesaid fact is known

to the Respondents and inspite of repeated requests same has been denied to them, violating Article 14 and 16 of the Constitution of India.

4.7 That there after again the Supndt. of Post Offices Head Quarter, Nagaland issued a letter vide NO. A-6/disturb area/NL dated 24.7.95 to the Assistant Director furnishing the letters dated 18.12.86 and 17.9.91 by which the entire State of Nagaland has been described as disturb area with a request to grant the disturb area allowance to the Central Government (Postal Employees) presently posted at Nagaland.

A copy of the aforesaid letter dated 24.7.95 are annexed herewith and marked as Annexure-3.

4.8 That the Applicants beg to state that they are pursuing the matter before the authority concerned but till date nothing has been communicated to them. Making a demand of the aforesaid disturb area allowance the Applicants made several representations to the authority concerned but the same are yet to be disposed off. Having no other alternative the Applicant through his counsel served a legal notice dated 30.1.2000 to the Respondents but the demand made in the said legal notice are yet to be materialised.

A copy of the said legal notice dated 30.1.2000 is annexed herewith and marked as Annexure-4.

4.9 That the Applicants beg to state that the inaction

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on the part of the Respondents in not granting the disturb area allowance is illegal and arbitrary. It is further stated that since under the same Ministry and department the aforesaid Respondents are allowing the disturb area allowance to one set of employees who are presently posted at Mizoram, there is no earthly reason as to why the same benefit has been denied to the present Applicants. The aforesaid actions on the part of the Respondents are discriminatory and violative of the principle of natural justice as well as Article 14 and 16 of the Constitution of India.

4.10 That the Applicants submit that in view of the Annexure 1 Gazette notification dated 7.4.95 as well as the earlier notifications dated 18.12.86 and 17.9.91, they are entitled to get disturb area allowance as admissible for the Central Government Employees (Postal Employees) more particularly in view of the fact that under similar fact situation other set of the employees who are presently working at Mizoram are getting the said allowance.

4.11 That the Applicants beg to state that the Respondents have acted illegally in not acceding to their requests made in their representations. The Applicants atleast are entitled to know as to why the aforesaid disturb area allowance has been denied to him in a discriminatory term whereas others similarly situated employees are being paid the same.

5. GROUNDS WITH LEGAL PROVISIONS

5.1 For that the entire inaction on the part of the Respondents in not granting the disturb area allowance to the Applicants are illegal, arbitrary and same is also violative Article 14 and 16 of the Constitution of India, and hence same is liable to be set aside and quashed directing the Respondents to pay the disturb area allowance to the Applicants with effect from the date from which the notification dated 18.12.86 was made effective with 18 % interest on the delayed payment.

5.2 For that action of the Respondents in treating the Applicants not at par with the employees of Postal Department working in Mizoram is 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, more so whereas themselves have allowed the said benefit to one set of their employees. In any case the Respondents cannot differentiate their employees in regard to pay and allowance as has been done in the instant case. 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 illegally in keeping the matter pending for such a long time without issuing any final order and hence an appropriate direction is required to be issued for payment of aforesaid disturb area allowance with effect

from Dec'86 to the Applicants immediately without further delay alongwith the arrear and 18% interest on the said arrear.

3.4. For that reason, the matter is maintainable in the eye of law and liable to be set aside and quashed.

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 direct the Respondents to pay disturb area allowance as admissible to the Central Government Employees with effect from Dec'86 and the arrears of the same and 18% interest on the said arrears for delayed payment.

8.2 Cost of the application.

8.3 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 to pay the current disturb area allowance during the pendency of this case.

10. THE APPLICATION IS FILED THROUGH ADVOCATE:

11. PARTICULARS OF THE POSTAL ORDER :

(i) I.P.O. No.: O G 494212

(ii) Date: 4-4-2000.

(iii) payable at Guwahati

12. LIST OF ENCLOSURES :

As stated in the Index.

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VERIFICATION

I, Shri Firoz Alam, S/o I. Ahmed, ,
aged about 37 years, Divisional Secretary, All India
Postal Employees Union, Postman & Group-D, Divisional
Branch, Kohima, do here by solemnly affirm and state
that the statement made in this petition from
paragraph 1 2 3, 41-43, 49-51 and 54 to 12 are true to my
knowledge and those made in
paragraphs 44, 45, 47 and 48. 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 3th day of May 2000.

Deponent

Fi

(FIROZ ALAM)

*Employees of Postal Sectt. in Mizoram
were getting*



Registration No. NE/RN-646

सत्यमेव जयते

THE NAGALAND GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 61. Kohima, Friday, April 7, 1995. Chaitra 17, 1917 (Saka)

GOVERNMENT OF NAGALAND
HOME DEPARTMENT : POLITICAL BRANCH
KOHIMA

NOTIFICATION

Dated Kohima, the 4th April, 1995.

No. CON-114/79 : Whereas, on the advice of the Council of Ministers of the State of Nagaland and the Union Ministry of Home Affairs, the Governor of Nagaland is of the opinion that the areas described in the schedule hereto below are in such a disturbed condition that the use of Armed Forces in aid of civil power is necessary.

Now, therefore, in exercise of the powers conferred by section 3 of the Armed Forces (Special Powers) Act, 1958 (28 of 1958), the Governor of Nagaland, hereby declares the whole of the said area to be a disturbed area.

SCHEDULE

All areas in addition to the areas already declared disturbed by the Central Government vide notifications mentioned below, within the State of Nagaland :

- (i) No : S.O.924 (E) dated 18th December, 1986.
and
(ii) No. 11511/111/90-NE IV dated 17th Sept., 1991.

By order and in the Name of Governor

Sd/ T. C. K. LOTHIA,
Chief Secretary, Nagaland.

Kohima: Printed & Published by the Director of Printing & Sty.
Nagaland (Ex. Gazette) No. 61 / 1000 + 100 / 7-4-1995.

Government of India
Ministry of Home Affairs

New Delhi, the 18th December, 1986

NOTIFICATION

S.C. NO. 724/84(E) Whereas the Central Government is of the opinion that the whole of the area of the five kilometers along and extending upto the international boundary adjoining the State of Nagaland and the Tirap district in the Union territory of Arunachal Pradesh is in such a dangerous condition that the use of armed forces in aid of the civil power is necessary;

Now, therefore, in exercise of the powers conferred by section 3 of the Armed Forces (Special Powers) Act, 1958 (23 of 1958), and in pursuance of the notifications of the Government of India in the Ministry of Home Affairs No. S.O. 433(E) dated the 17th June, 1972 and No. S.O. 780(E) dated the 12th October, 1985, the Central Government hereby declares the whole of the said area to be a disturbed area.

(Sd/- V. S. Varma)
JOINT SECRETARY.

P. No. 10/12/86. PR. 1

To
The Manager,
Government of India Press,
Mayapuri,
New Delhi.

(123) 26

MINISTRY OF HOME AFFAIRS

NOTIFICATION

17.9.91

S.O. Whereas the Central Government is of the opinion that the areas described in the Schedule herebelow are in such a disturbed or dangerous condition that the use of armed forces in aid of the civil power is necessary;

Now, therefore, in exercise of the powers conferred by section 3 of the Armed Forces (Special Powers) Act, 1958 (28 of 1958), the Central Government hereby declares the whole of the said area, to be a disturbed area.

SCHEDULE

(i) A 20 kilometres wide belt in the States of Arunachal Pradesh, Nagaland and Meghalaya along with their borders with the State of Assam.

d (ii) The whole of Tirap and Changlang districts of Arunachal Pradesh.

(iii) Mon district of Nagaland.

Sd/-

(VINAY SHANKAR)

JOINT SECRETARY TO THE GOVT. OF INDIA.

15000
10/10/91

DEPARTMENT OF POST:INDIA
OFFICE OF THE DIRECTOR OF POSTAL SERVICES
NAGALAND : KOHIMA:797001

No.A-6/Disturbed Area/N1

Dated,Kohima the 20-6-95

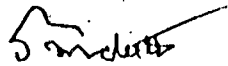
To

The Assistant Director (Estt)
O/O the Chief PM
N.E.Circle, Shillong-1.

Sub:- GRANT OF SPECIAL ALLOWANCE (DISTURBED AREA
ALLOWANCE) TO CENTRAL GOVT. EMPLOYEES
POSTAL IN NAGALAND:

In continuation of this office letter No.
E-1/Misc/A/cs dated 26-4-1995 and reminded on
10-5-1995 regarding the subject cited above,
disturbed area allowance has been sanctioned to
Central Government employees (Postal) in Mizoram
vide Ministry of finance OM No.20014/14/86/E-IV
dated 23-9-1986.

Now the Nagaland State has declared as
"Disturbed Area" vide Chief Secretary Nagaland
notification No.Con-114/79 dated 4-4-1995, Per-
haps this allowance is entitled to Central Govt.
employees posted in Nagaland from the date of
notification. In this connection, may kindly be
referred to para No.13 of 14th Pay Commission
report circulated vide C.O.letter No.Est-2428/
86 dated 14-1-1987. Therefore, necessary order
may kindly be conveyed at the earliest.


(J.M.DUTTA)
Supdt.of Post Offices
Nagaland : Kohima.

DEPARTMENT OF POST, INDIA
OFFICE OF THE DIRECTOR OF POSTAL SERVICES
NAGALAND: KOHIMA: 797001

NO.A-6/Disturbed Area/NL

Dated at Kohima the 24-7-95.

To

The Asstt. Director (Estt)
O/O the Chief P.M.G.
N.E.Circle Shillong.

Sub;- Disturbed area allowance within the state
of Nagaland.

Ref;- CO letter No. Est/2-18/84/L dtd 19-7-95.

Kindly refer to CO letter No u/r on the
above subject. The required letter No.10924 (E) dtd.
18-12-86 and No 11511/111/90-NE.IV dt.17-9-1991
whereas declares of disturbed area of the 5 Kms and
20 Kms along and extending up to the international
boundary adjoining the state of Nagaland etc. The
photostat copy of the afore said letter are enclosed
h/w for favour of your kind disposal.

Enclosed;- As above.

Supdt. of Post Offices (HQ)
Nagaland, Kohima-797001

SIDDHARTHA SARMA

Advocate

M. A. Road, Rehabari.

Guwahati - 781008

Phone No. - 522995

Date...30.1.2000...

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Ref:.....

To,

The Director, Postal Service, Nagaland
Division, Kohima-797001Sub : Legal Notice

Sir,

Upon authority and as per instruction of my clients Md. Feroz Alam, Divisional Secretary, AIPEU Postman & Gr.D, Divisional Branch, Kohima and Mr. K. Letso, Divisional Secretary, AIPE-U-P (III) & ED, Divisional Branch, Sri S.Boro, President, P-IV, Divisional Branch, Kohima and V. Angami, Asstt. Circle Secretary P-III, Kohima Branch, I give you this notice as follows ;

That my clients abovenamed, representing the interests of their members, through this Legal Notice making a demand of payments of Disturb Area Allowances as applicable to the Central Govt. Posted at Nagaland. As per the Govt. Notifications issued from time to time, the entire area of Nagaland State has been declared as Disturbed Area, and certain amount has been fixed for the said Central Govt. employees as Disturbed Area

SIDDHARTHA SARMA

Advocate

M. A. Road, Rehabari.

Guwahati - 781008

Phone No.- 522995

Date.....

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Ref:..... = 2 =

Allowances. To that effect Your Dept. concerned has also taken up the matter with the Ministry for payment of the said allowances to my clients including their members, by issuing various communications. However, till date no such payment has been made to the members of my clients union.

That in connection with the abovenoted grievances of my clients I would like to point out some of the Govt. Notifications as well as your communications, Govt. of India, Ministry of Home Affairs issued a Notification for publication in the Gazette at India on 18.12.86 by which the State of Nagaland and the Tirap District of Arunachal Pradesh has been declared as Disturbed Area. It is pertinent to mention here that the Supdt. of Post Offices, Nagaland Kohima issued a letter dated 20.6.93 vide No. A-6/Disturbed Area/N1 by which it has been mentioned that under similar fact situation employees of Postal Department Mizoram are getting the said Disturbed Area Allowance vide Ministry of Finances OM No.

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SIDDHARTHA SARMA

Advocate

M. A. Road, Rehabari.

Guwahati - 781008

Phone No. - 522995

Date.....

Ref:.....

20014/14/86/E-IV dated 23.9.86, and by the said letter dated 20.6.95 itself a request was made to the Asst. Director to take appropriate action in the matter at the earliest but to the knowledge my clients nothing has been done so far in the matter and my clients are still deprived of the said benefit.

That, thereafter, the Supdt. of Post Offices (HQ) Nagaland, Kohima issued another letter vide No. A-6/Disturbed Area/NL dated 24.7.95 by which the abovementioned Notification dated 18.12.86 as well as the letter dated 17.9.91 has been furnished to the Asstt. Director enabling him to take further necessary action in the matter. But the said further necessary action is not yet taken by the said authority by making any payment towards Disturbed Area Allowance to my clients as well as their members.

That the aforesaid matter also went up to the office of the Chief Post Master General N.E. Circle and immediately the said authority also

Ref:..... 4 =

took up the matter more particularly by issuing the letter dated 4.5.95 to Dy. Supdt. of Post Offices directing him to furnish certain data in respect of allowance drawn by the members of my clients Union.

That my clients abovenamed made several representation to the authority concerned making a demand of payment of Disturbed Area Allowance but till date no reply has been communicated to them. In this context it will be pertinent to mention here that the Divisional Secretary AIPEU class III(ED) Divisional Branch made a representation on 25.5.95 but till date nothing has been communicated to my clients.

In view of the aforesaid facts and circumstances, I on behalf of my clients and their members, give you this NOTICE making a demand that my clients be paid their Disturbed Area Allowance as per the notifications mentioned above and treating them at par with the employees of Postal Dept. (Mizoram), with all arrears and

SIDDHARTHA SARMA

Advocate

- 21 -

M. A. Road, Rehabori.

Guwahati - 781008

Phone No. - 522995.

Date.....

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Ref:.....

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interests there to on the delayed payment, within a period of 30 days from the date of receipt of this Notice failing which the instruction of my client is to take appropriate legal action for redressal of their greivances.

I hope that there would be no occasion for any further litigation.

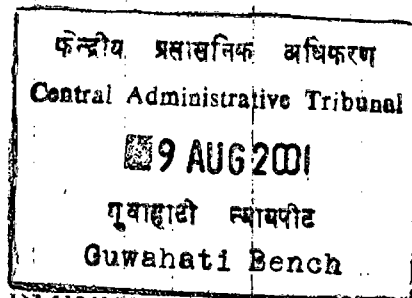
Thanking you.

Yours sincerely

Siddhartha Sarma
Siddhartha Sarma
(Advocate)

Copy to :

The Cheif Post Master general, N.E. Circle,
Shillong.



40/-

22.9/8/01
(A. DEBROY)
Sr. C. C. S. C.

G. A. T., Guwahati Bench

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH
GUWAHATI

O.A.No.162/2000

All India Postal Employees Union & Ors

-Vs-

Union of India & Ors

Written statement filed by Respondent no.1,2,3

I, Shri F.P. Solo, Director, Postal Services, Nagaland, Kohima do hereby solemnly affirm and state as follows :

- 1) That I am the Director of Postal Services Nagaland, Kohima. I have been impleaded party Respondent no.3 in the instant O.A. I have received a copy of the said O.A. gone through the same, and understood the contents thereof. Having authorised by the Union of India and other official Respondents I am competent to verify and file this written statement for and on my own behalf as well as Union of India and other official respondents.
- 2) That this answering Respondent does not admit any of the facts, statements, allegations and averment made in the O.A by the applicants save and except those have been specifically admitted here under in this written statement. Further the facts and statement which are not borne out of records are also categorically denied.
- 3) That as regards the contents of paragraph 1 of the O.A this answering Respondent respectfully states that the Respondents are not authorised to grant Disturbed Area Allowance to the applicants without having concurrence from the Ministry of Finance, Govt. of India.
- 4) That as regards the contents of paragraph 2 of this O.A this answering Respondent does not make any comments.
- 5) That as regards the contents of paragraph 3 of the O.A this Deponent respectfully reiterates the statements made in paragraph 3 above and further states that unless specific order having concurrence from the Ministry of Finance, Govt. of India, the Respondents cannot make any payment under the head of Disturbed Area Allowance as claimed by the applicants. As such there is no justification of the allegation made by the applicants with regard to non payment of Disturbed Area Allowance.

6. That as regards the contents of paragraph 4 of the O.A this answering Respondent respectfully states that the Govt. of India in the Ministry of Home Affairs notification dtd 18.12.1986 did not declare the entire state of Nagaland and Tirap District of Arunachal Pradesh as Disturbed Area. Only the whole area 5 kilometres along and extending upto the international boundary adjoining the state of Nagaland and Tirap District in the erstwhile Union Territory of Arunachal Pradesh was declared as Disturbed Area by the said notification. It is pertinent to mention here that though some area in Nagaland as has been stated has been declared as Disturbed Area by the aforesaid notification, no order regarding drawal of Disturbed Area Allowance has been issued by the competent authority as yet. It may further be mentioned here that the applicants have not produced the copy of the O.M No. 20014/14/86/E-IV dtd 23.09.86 issued in the Ministry of Finance, Govt of India, nor they have produced any proof in their support that under similar fact and circumstance the employees of the Postal Department working in the state of Mizoram are paid Disturbed Area Allowance. It is fact that the Respondent have received number of representations to the effect from the applicant, but Respondents have no competence to grant such allowance without concurrence of the Ministry of Finance, Govt. of India.

7) That as regards the paragraphs 4.1, 4.2. and 4.3 of the O.A this answering Respondent does not make any comments.

8) That as regards the contents of paragraph 4.4 of the O.A this answering Respondent respectfully states that the entire state of Nagaland was declared as Disturbed Area by the Government of Nagaland only vide notification dtd 7.4.95 bearing its no.61. Mere issuance of notification declaring Disturbed Area does not make eligible to get Disturbed Area Allowance, unless a specific order granting such allowance with the concurrence of Ministry of Finance, Govt. of India. As such no Government employee belonging to either State or Central Government in Nagaland has been granted Disturbed Area Allowance so far.

9) That as regards the contents of paragraph 4.5 of the O.A this answering Respondent respectfully states that the representations of the applicants to the effect were forwarded by the then Superintendent of Post Offices, Kohima vide his letter no. A-6/Disturbed Area/NL dtd 20.6.95 to the CPMG, Shillong (Respondent No.2) for consideration and issuance of necessary clarification etc. However, no order for payment of Disturbed Area Allowance has yet been received by the Respondents from the competent authority. The Respondent have not received O.M No. 20014/14/86/E-IV dtd 23.9.86 issued in the Ministry of Finance, Govt. of India nor the applicants have produced the copy of the aforesaid O.M. in support of their claim.

10) That as regards the contents of paragraph 4.6 this answering respondent respectfully states that the Postal employees working in the state of Mizoram are not in receipt of Disturbed Area Allowance. This has been confirmed by Director Postal Services, Mizoram vide his letter No. A3-12/Com/SPC/Alloces/Mizoram dtd 4.7.2000.

A copy of the aforesaid letter dtd 4.7.2000 is annexed herewith and marked as

ANNEXURE -R1 hereof.

Without expressed order from the competent authority the Respondents have no competence to grant any allowance including that of Disturbed Area Allowance as such the allegation that the Respondents have denied granting of Disturbed Area Allowance has no basis.

- 11) That as regards the contents of paragraph 4.7 of the O.A this answering Respondent respectfully states that the then Sudpt. of Post Offices (Hq). Nagaland vide his letter No. A-6/Disturbed Area/NL dtd 24.7.95 forwarded copies of notifications dtd 18.12.91 to the Assistant Director O/O the CPMG, Shillong for his necessary action. Thereafter no further communication on the matter was received from any authority.
- 12) That as regards the contents of paragraph 4.8 of the O.A this answering Respondent respectfully states that the legal notice dtd 30.1.2000 served by the applicants was received by Respondent no.3 on 2.2.2000 and the same was referred to the Respondent no.2 for passing necessary orders vide DPS, Nagaland letter no. A-6/Disturbed Area/NL dtd 8.2.2000. however, no further direction/order has been received by this answering respondent so far.
- 13) That as regards the contents of paragraph 4.9 of the O.A this answering Respondent respectfully states that as has been explained above the Respondents have no competence to grant any allowance including Disturbed Area Allowance unless the same is duly concurred by the Ministry of Finance, Govt. of India as such the allegation made by the applicants that it is illegal and arbitrary on the part of the Respondents in not granting Disturbed Area Allowance to the applicants is totally unfounded and without basis. It is pertinent to mention here that none of the Postal employees posted in the state of Mizoram has been granted Disturbed Area Allowance as claimed by the applicants. In the circumstances the allegations of violation of principle of natural justice as well as mandates of Articles 14 and 16 of the constitution of India by the Respondents have no justification and devoid of any reasons. On this count the claim and prayer of the applicants and for that matter the entire O.A of the applicants is liable to be dismissed.
- 14) That as regards the contents of paragraph 4.10 of the O.A this answering Respondent respectfully states that as has been explained in the foregoing paragraphs mere issuance of notification declaring Disturbed Area does not confer any entitlement of Disturbed Area Allowance unless there is specific order in respect of granting such allowance with due concurrence from the Ministry of Finance, Govt. of India. Be it further stated that neither the Respondents have received any notification conferring entitlement of Disturbed Area Allowance to the applicants nor the applicants have produced any such document to substantiate their claim.
- 15) That as regards the contents of paragraph 4.11 of the O.A this answering Respondent respectfully states that as has been dwelt upon in length in the foregoing paragraphs the Respondent have no competence and authority to grant Disturbed Area Allowance independently to the applicants without concurrence of the Ministry of finance, Govt. of India. In the circumstances the OA is devoid of merits and not maintainable in the eye of law as such liable to be dismissed with adequate costs.
- 16) That as regards the contents of paragraph 5(5.1 to 5.4) of the O.A this answering Respondent respectfully submits that under the facts and circumstances as explained in the parawise reply the QA is totally devoid of legal merit and does not merit any adjudication in as much as the Respondents have no independent authority, competence to grant Disturbed Area Allowance to the applicants as claimed without having any specific order to the effect with due concurrence from the Ministry of Finance, Govt. of India. Thus there is no legal basis to allege that the Respondent have acted illegally and arbitrarily violating Articles 14 and 16 of the Constitution of India and the applicants prayer for granting Disturbed Area Allowance w.e.f. 18.12.86 with 18 % interest is absurd.

Further no Government employee either from the state Government or Central Government Department working in Nagaland has been granted Disturbed Area Allowance so far. That apart the Postal employees working in other states of N.E. region have not been granted the said allowance, hence the allegations that the applicants have been treated discriminately violating Articles 14 and 16 of the constitution of India in not granting Disturbed Area Allowance has no legal footing. It is also pertinent to mention here that since the Respondents have no independent power to grant Disturbed Area Allowance and the competence lies with the Ministry of Finance, Govt. of India only and unless the competent Ministry does not issue any specific order on the subject the Respondents have to act according to the extant rules and regulations and other notifications issued time to time.

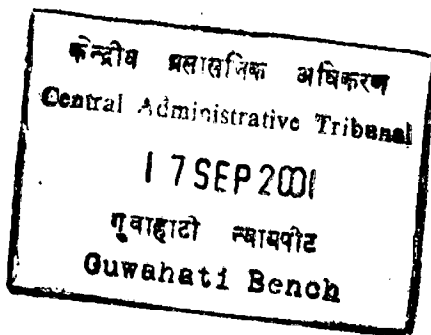
- 17) That as regards the contents of paragraph 6 of the O.A this answering Respondent respectfully submits that for the reason shown above the legal notice dtd 30.1.2000 could not be replied due to non-existence of specific order granting Disturbed Area Allowance by the competent authority.
- 18) That as regards the contents of paragraphs 7 of the O.A this answering Respondent does not make any comment.
- 19) That as regards the contents of paragraphs 8(8.1 to 8.3) and 9 of the OA this answering Respondent respectfully submits that for the reasons cited above the instant O.A is not maintainable in the eye of law and thus the applicants are not entitled any relief or reliefs including that of interim relief as prayed by them. As such the instant O.A is liable to be dismissed with costs.

VERIFICATION

I, Shri. F.P.Solo, Director, Postal Services, Nagaland, Kohima do hereby solemnly affirm and verify that the statements made in this verification including those have been made in paragraphs of the written statement 3, 4, 6, 8, 9, 13, 14, 15, 16 are true to the best of my knowledge and belief and those have been made in paragraphs 10, 11, 12 are true to the best of my information which have been derived from the records and the rests are my humble submission before the Hon'ble Tribunal.

AND I subscribe my hand unto this verification this the 9th day of August 2000.


DEPONENT



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: :

O.A NO 162 OF 2000.

All India Postal Employees Union. and Ors.

..... Petitioners.

- vs -

U. O. I. & Ors.

..... Respondents.

IN THE MATTER OF

Reply to the Written Statement
submitted by the Respondents.

The Applicants beg to submit the reply as follows.

1. That the applicants have received the copy of the written statement and have gone through the same. The statements which are not specifically admitted hereinbelow may be treated as total denial.

2. That the basic contentions of the respondents are in their written statement are :

(a) There is no such specific order from the competent authority i.e, Ministry of Finance GOI, granting Disturbed Area Allowance to the applicants.

(b) As per the OM dated 18.12.86 the entire area has not been declared as Disturbed Area.

(c) The applicants could not produce any documentary evidence in support of the fact that the Postal

employees of Mizoram are getting Disturbed Area Allowance.

(d) The entire area of Nagaland has been notified as Disturbed Area only vide Notification dated 20.6.95, but since no separate order for drawal of such allowance has been issued by the competent authority same could not be granted to the present applicants.

(e) The OM dated 23.9.86 has not been received by respondents.

(f) The employees of Postal Dept working in the State of Mizoram are presently not in receipt of Disturbed Area Allowance.

(g) No Central Govt Employees are in receipt of such allowance.

3. That with regard to the above contentions of the respondents the applicants deny the correctness of the same and beg to state as follows;

(a) As regards the specific order from the competent authority is concerned, the said authority has acted illegally in not issuing the said order (specific) allowing the applicants to draw Disturbed Area Allowance inspite of various Notifications (Annexure-1 to the OA).

(b) As regards the statement regarding OM dated 18.12.86, the applicants beg to state that aforesaid Notification declared some of the areas of Nagaland as disturbed area and hence the said allowance will be

applicable to the applicants who were working in those areas at that point of time. Apart from that the later Notification dated 7.4.95 (Annexure-1) has declared the entire State of Nagaland as Disturbed area and hence the applicants are entitled to get the said Disturbed Area Allowance from the respective dates of their joining/posting.

(c) The applicants beg to state that the Postal employees of Mizoram received the said allowance during the period when the State of Mizoram was declared as Disturbed Area. Presently the State of Mizoram after the accord has been declared as peace and hence now the employees of Postal Department at Mizoram are not getting the said allowance. However, no such Notification has been issued so far as Nagaland is concerned, declaring the same to be peace area and hence the applicants are entitled to all the reliefs as prayed in the O.A.

Copies of the OMs dated 14.9.76, 6.9.66, 20.2.67, 29.11.67, 13.3.67 and 30.8.66 are annexed as Annexure- RJ A Colly.

(d) The applicants reiterates and reaffirms the statements made above as well as in the OA .

(e) The applicants beg to state that non receipt of OM dated 23.9.86 by the respondents, can not be a ground for denial of the legitimate claim of the said allowance to the present applicants.

(f) The applicants while denying the statements made by the respondents, beg to state that at that point of time the Postal Employees of Mizoram had received the said allowance but after declaration as peace State the said employees are not in receipt of the Disturbed Area Allowance.

(g) The applicants beg to state that they are basically concerned about their entitlement and the present OA has been preferred not for all the Central Govt Employees working in the State of Nagaland.

In view of the above facts and circumstances the Applicant prays before this Hon'ble Tribunal that appropriate direction may be issued to the Respondents for issuance of necessary order allowing the applicants to draw the said allowance from the dates they are so entitled to i.e., their respective dates of joining/posting in the arrear mentioned above and the arrears along with the interest of 18% be paid to them forthwith.

Verification...


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VERIFICATION

I Shri S. Boro, aged about 47 years, son of I Boro, Applicant No. 4 in OA No. 162/2000 do hereby solemnly affirm and verify that the statements made in paragraph 1 and 2 are true to my knowledge and those made in paragraphs 3 are matters of records which are believe to be true and rest are my humble submission before this Hon'ble Tribunal.

And I sign this verification on this the 12th day of ^{Sept}~~February~~ 2001.


(S. Boro)
President, AIPZU, P-V.
Nagaland Division, Kohima.

Copy of Ministry of Finance O.M.No.20014/6/73.R.IV.(B) dtd.14.9.1976 regarding Review of Compensatory Allowance in respect of Central Government Emplo. posted to Mizoram.

The undersigned is directed to refer to this Ministry's O.M.No.23001/3/73.R.IV(B) dtd.15.3.76 and No.23001/3/73.R.IV(B) dtd.15.5.76 regarding continued grant of Ad-hoc (Disturbed Area) allowance and Ad-hoc Allowance respectively up to 31.3.76, and to state that the scheme of grant of compensatory Allowance to the Central Govt. Employees posted in Mizoram has been reviewed in its entirety. The President is pleased to sanction the following allowances to the Central Govt. Employees in Mizoram with effect from 1.6.76.

1) Mizoram Compensatory Allowance:

This will be a composite allowance in lieu of Ad-hoc Allowance sanctioned in this Ministry's O.M.No.10(4) dtd.14.3.76 as extended upto 31.3.76. The Ministry's O.M.No.23001/3/73.R.IV(B) dtd.15.5.76 as also 2311 Compensatory Allowance and Winter Allowance as admissible under general order issued by this Ministry. The Ad-hoc Compensatory Allowance and Winter Allowance will accordingly cease to be admissible from 1.6.76. The rates of Mizoram Compensatory Allowance will be as follows:

Sl. No.	Rate
(i) Aizawl District.	20% of pay subject to a maximum of Rs.175/p.m.
(ii) Lungleh Distt. (excluding areas beyond 25Km. from Lungleh town).	25% of pay subject to a maximum of Rs.225/p.m.
(iii) Chhaptulpui District and areas beyond 25Km. from Lungleh town.	30% of pay subject to a maximum of Rs.275/p.m.

2. Special Allowance:

This will be in lieu of Ad-hoc (Disturbed Area) Allowance sanctioned in this Ministry's O.M.No.23001/3/73.R.IV(B) dtd.14.1.76 read with O.M.No.23001/3/73.R.IV(B) dtd.26.6.75 as extended upto 31.3.76 via O.M.No. 23001/3/73.R.IV(B) dtd.15.5.76. The rates of special Allowance will be as follows:-

Pay below Rs. 270/-	Rs. 45/- p.m.
Rs. 270/- and above but below Rs. 450/-	Rs. 55/- p.m.
Rs. 450/- and above but below Rs. 800/-	Rs. 65/- p.m.
Rs. 800/- and above but below Rs. 1100/-	Rs. 75/- p.m.
Rs. 1100/- and above but below Rs. 1500/-	Rs. 100/- p.m.
Rs. 1500/- and above.	Rs. 150/-

2. The sanction for Mizoram Compensatory Allowance will remain in force for a period of 3 years from 1.6.76. The sanction for Special Allowance shall remain in force for one year from 1.6.76 or until Mizoram remains declared a disturbed area, whichever period is shorter.

3. In their application to the persons in the Indian Post and Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India, New Delhi.

(Sd/- C.M. S.D./M.O.)
Under Secretary to the Govt. of India.

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INDIAN POSTS AND TELEGRAPHS DEPARTMENT.
OFFICE OF THE SUPERINTENDENT OF POST OFFICES: CACHAR DIVISION.

Copy of D.O. P&T New Delhi's letter No. II-9/66-PAT dt. 19.8.66 reproduced in the PMO SH's letter No. Est. A/O-159/Adhoc dt. 30.8.66

Subj:- Grant of adhoc allowance to Govt. employees serving in Mizo Dist. of Assam.

I am directed to refer to your letter No. Est. A/O - 159/Pt. I/Vol. III dt. the 29th June, 66 on the subject mentioned above and to forward herewith a copy of the Ministry of Finance, Department of Expenditure Office Memo. No. F.10(16)-III(B)/66 dated 20.7.66 together with a copy of its corrigendum bearing same number dated the 5.8.66 sanctioning the above allowance.

Copy of O.M. No. F-10(16)-III(B)/66 dated the 20th 7.66 from Govt. of India Ministry of Finance (Department of Expenditure) addressed to all Ministries etc.

Subj:- as above.

The undersigned is directed to state that in view of the conditions prevailing at present in the Mizo Dist. of Assam, the President is pleased to sanction an ad-hoc allowance at the following rates to all Central Govt. employees serving in that District.

Pay Range.

Rs. 80-140/- p.m.
Rs. 141-300/- p.m.
Rs. 301-600/- p.m.
Rs. 601-1000/- p.m.
~~Rs. 1001-1999/-~~
Above Rs. 1000/- p.m.

Ad-hoc allowance.

Rs. 20/- p.m.
Rs. 35/- p.m.
Rs. 50/- p.m.
Rs. 65/- p.m. 65/-

The amount by which pay plus ad-hoc allowance falls short of Rs. 1065.

2. The adhoc allowance will be admissible for a period of six months from the 1st March, 1966 to the 31.8.66. Further, ~~sanctioned~~ it will be payable in addition to all other allowances sanctioned either under orders issued by this Ministry or by other Ministries/Departments in consultation with this Ministry.

Copy of Corrigendum No. F.10(16)-III(B)/66 dated the 5th August, 1966 from Govt. of India Ministry of Finance.

Subj:- as above.

The undersigned is directed to refer to the Office Memo. of even no dated the 20th 7.66 on the subject referred above and to state that for -

Pay range.

80-140

Adhoc allowance'

Rs 20/- p.m.

the following may be substituted.

'Pay scale

70-140

Adhoc allowance.

Rs. 20/- p.m.

No. AI-1/ROA.

dt. Silchar the 6.9.66.

Copy to 1-2) The PMS Silchar/Aijal for taking necessary action.
3-5) The SPMS of Lungleh/Demagiri/Kolasib/Champai for information.

Superintendent.

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OFFICE OF THE SECRET. OF POST OFFICES: CACHAR DIVISION: SILCHAR.

Copy of PMG/Shillong's letter No. Est. A/C-150/Adhoc dated 21-1-67.

Subj:- GRANT OF ADHOC ALLOWANCE TO THE GOVT. EMPLOYEES SERVING IN THE MIZO DIST. OF ASSAM.

A copy of letter No. 11-9/66-PAT/Pt. dated 2-1-67 from the D. T. & T, New Delhi on the subject noted above is forwarded herewith along with its enclosure for information, guidance and taking necessary action in the matter. This has reference to this office letter of even no dated 20-8-66.

Copy of D.G.'s letter referred to above:-

Subj:- as above.

I am directed to refer to this office letter of even no dated 19-8-66 on the subject mentioned above and to forward herewith a copy of Ministry of Finance, Department of Expenditure Office Memo No. F.10(16)-III(B)/66 dated 2-12-66 sanctioning the above allowance for a further period of six months from 1-9-66 to 28-2-67.

Copy of the OM referred to above:-

Subj:- as above.

The undersigned is directed to refer to this Ministry's O.M. of even no dated 20-7-66 as modified by the office memo of even no dated 5-8-66 on the above subject and to accord sanction of the President to the continuance of the adhoc allowance for a further period of six six months from 1-9-66.

No. A1-1/RCA

Dated, Silchar, the 20-8-67.

Copy forwarded to the Postmasters: Silchar & Aizawl for information and necessary action.

Attested
(Lalbiiana)
Postmaster
Aizawl Head Post Office
Aizawl - 796001
Mizoram

for Superintendent.

INDIAN POSTS AND TELEGRAPH DEPARTMENT
OFFICE OF THE DIRECTOR GENERAL OF POSTS AND TELEGRAPHS.

No.11-9/66-PAT/Pt
The Postmaster General,
Shillong.

Dated 29 November, 1967

Sub:- Grant of Ad-hoc allowances to the Central Government employees posted in the Mizo District.

Sir,

I am directed to refer to this office letter of even no. dated the 28th July, 67 on the above subject and to forward here-with a copy of the Ministry of Finance, Department of Expenditure office Memo No.F.10(16)-FII(B)/66 dated the 28-October, 67 sanctioning the above allowances for a further period of six months from the first September, 1967.

Yours faithfully,

(Sd/- S. Sukumar)
Section officer (PAT)

Copy with copies of the orders referred to above forwarded for information to:-

DAA PAT Calcutta,
National Federation of PAT Employees and all Federated Unions.
PAF section of the Directorate.

(Sd/- S. Sukumar)
Section officer (PAT)

Enclosure as above.

Sub:- Grant of Ad-hoc allowances to the Central Government employees posted in the Mizo District.

The undersigned is directed to refer to this Ministry's office Memo. of even no. dated the 20th June, 67 on the subject mentioned above and to accord sanction of the President to the continuance of the Ad-hoc allowances for a further period of six months from 1st September, 1967.

(Sd/- J. Philomendos)
Under Secretary to the Government
of India, Ministry of Finance.

/141267P.N.R.ghb/

Attested
Calcutta
Postmaster
Aizawl Head Post Office
Aizawl - 796001
Mizoram

- 10 -

77

GOVERNMENT OF ASSAM : FINANCE DEPARTMENT
GENERAL ESTABLISHMENT BRANCH
.....

No.FEG.19/67/88., Dated Shillong, the 13th March, 1967

From :- Shri H.K. Kakati, B.A.
Under Secretary to the Govt. of Assam
Finance Department.

To, The Deputy Commissioner, Mizo District
Aijal.

Subject :- Ad-hoc allowance in Aijal Subdivision and Lungleh
Sub-Division.

Sir,
I am directed to say that Governor of Assam is pleased to accord sanction to the extension of the term of Ad-hoc Allowance and T.A/D.A sanctioned in this Department letter No.FEG.2/66/Pt. dated 18.5.66 read with letter No.FEG.2/66/Pt/26 dated 30.8.66 for a further period of six months with effect from 1.3.67.

Yours faithfully,

Sd/-
Under Secretary to the Govt. of Assam,
Finance Department.

...

Memo No. FEG.19/67/88-A., Dated Shillong, the 13th March, 1967

Copy forwarded to :-

- 1) Accountant General, Assam & Nagaland § for information
Shillong. § and necessary
2. All Department of Sectt. § action.
3. All Heads of the Deptt.

By Order etc

Sd/-
Under Secretary to the Govt. of Assam,
Finance Department.

...

Memo No. AGE.5/67/34-A., Dated Aijal, the 20th March, 1967.

Copy to All branches and All Heads of Local Offices.

Pol. Asstt. & Asstt. to Dy.
Commissioner, Aijal, Mizo District.

yvs/-

No.FEG.2/66/Pt/26

Dt. Shillong, the 30th. August, 1966.

From:

Shri H.K.Kakati, B.A.,
Under Secretary to the Govt. of Assam.

To

The Deputy Commissioner, Mizo Hills District,
Care of D.O.Cachar, Silchar.

Subject:

Adhoc Allowances in Aijal Subdivision and Jangleh.

Sir,

I am directed to say that the Governor of Assam is pleased to accord sanction to the extension of Ad-hoc Allowance and T.A/D.A. sanctioned in this Deptt's letter No.FEG.2/66/pt dt.18.5.66 read with No.FEG.2/66/pT dt. 16.6.66 for a further period of six months upto 28.2.67 with effect from 1.9.66.

Yours faithfully,

Sd/-H.K.Kakati
30/8

Under Secy. to the Govt. of Assam,
Finance (E) Deptt.

Memo No.FEG.2/66/pt/26

dt. Shillong, the 30th, August, 1966.

Copy forwarded to :-

1. The Accountant General, Assam & Nagaland, Shillong.
2. All Department of Secretariat.
3. All Heads of Department.
4. Finance (A.P.F.)
5. Finance BT(II) Deptt. consulted U/O

Sd/-

Under Secy. to the Govt. of Assam,
Finance (E) Deptt.

Memo No. GE.4/66/10631-10731G Dated Aijal, the 18th. October, 1966.

Copy to:-

All Heads of Local Offices, etc.

Ing/-

Attested
Cathullana
Postmaster
Aizawl Head Post Office
Aizawl - 755001

Sd/- M. Gopal Krishna Naidu
18/10
for Deputy Commissioner,
Mizo District.