

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

✓ (DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No...224/2001

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SECTION OFFICER (Judl.)

FORM NO. 4
(See Rule 42)IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::::::: GUWAHATI

ORDER SHEET

Original APPLICATION NO ... 224.... OF 2001.

Applicant (s) K. S. L. Nair

Respondent (s) Union of India Govt

Advocate for Applicants (s) G. K. Bhattacharjee, G. N. Dey

Advocate for Respondent (s) CASC.

Notes of the Registry	Date	Order of the Tribunal
This application is in form but not in time. Condonation Petition is filed not filed vide M. P. No. C. F. for Rs. 50/- deposited vide IPO/B2 No. 562 425 391.	27.6.01	Heard learned counsel for the parties. Application is admitted. Call for records. Issue notice on the respondents. List on 10.8.01 for orders.
Dated.....21.6.2001..... D. Dy. Registrar 27/6/01	1m	Vice-Chairman
Notice ?	10.8.01	None appear on behalf of the applicant. Written statement has been filed. The case is ready for hearing. List on 19/9/01 for hearing.
173 rd part is not submitted by the Counsel petitioner. Notice prepared and sent to D/S for doing the same. Vide D/No 2411/2419 dt 9/7/01 b2 377/01.	mb	T. C. U. Sharmaji Member
6.8.2001 S/S submitted on behalf of the respondent No. 1 to 9.	19.9.01	Heard counsel for the parties. Hearing concluded. Judgment delivered in open Court, kept in separate sheets. The application is allowed in terms of the order. No order as to costs.
		Vice-Chairman

10.10.2001 ✓

Copy of the demand

has been sent to the
D/secy. for security
in same to the D/Min.
as well as to the D/
Inspect. Genl. for the
respon

ctb

(a) (b) (c)

(c) (b) (c) (d)

10/11
PUC

Memo No WP(c) 108 (SP/07/1735) 37 and
1740 dated 11.5.07 received from the
Deputy Registrar, Gauhati High Court
Itanagar Permanent Bench Naharlagun.

The PUC may kindly be seen.

The Union of India has
filed NP(c) no. 1541/2002 before
the Gauhati High Court Itanagar
Permanent Bench against the Federal
and order dated 19.7.2001 passed
in OA 224/2001 and the Hon'ble
Tribunal directed the respondents
to pay the Ration Allowance
including the arrear allowance
to the applicants within 90 days
from the date of receipt of the
order dated 19.9.2001. The Hon'ble
High Court dismissed the above
mentioned NP(c) on 26.04.2007.

Submitted for favour kind
perusal and order.

11/6

Normal
11.6.07
80(i).

Registration 11/6

1877-1878 GRADUATION COURT

(High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,
(Mizoram & Arunachal Pradesh)

Central Administrative Tribunal
केन्द्रीय प्रशासनिक अधिकारी

CIVIL APPELLATE SIDE

30 MAY 2007

Guwahati Bench

गुवाहाटी न्यायपीठ

KJV READING

W.P. (C) No. 1541 / 2002

Appendix

Petitioner

Union of India 1953

Response

Opposite 1.

Appellant MR. G. P. Bhoswilk, Addl. C.G.S.C.

For
a Permit

Mr. R. K. Pekkan, M.B.B.S., B.K. Borah
Respondent

Font — Times

Composite File

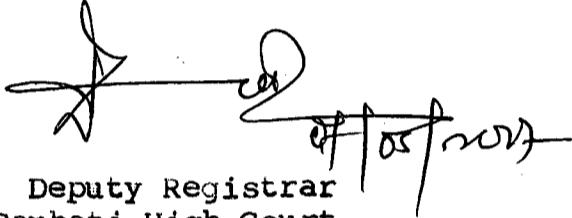
Noting by Officer or Advocate	Serial No.	Date	Officer notes, reports, orders or law readings with signature
			<p style="text-align: right;">237</p> <p>50(3) 255 30.5.07</p>

Noting by officer Or Advocate	Serial No	Date	Office notes, reports, orders Or proceedings with signatures
1	2	3	4
			WP(C) No. 108 of 2007
PRESENT			
THE HON'BLE MR. JUSTICE IA ANSARI.			
THE HON'BLE MR. JUSTICE Z. ANGAMI			
26-04-2007			
None has appeared on behalf of the parties.			
The order, dated 19-09-2001, passed, in Original Application No. 224 of 2001, by the Central Administrative Tribunal, Guwahati Bench, is under challenge in the present writ application.			
<p>By an order, dated 08-11-1994, some places in Arunachal Pradesh were classified as Category 'B' and 'C' station for the purpose of various concessions granted to the personnel of Special Service Bureau (for short 'SSB'), the ration allowance being one of the benefits granted to the employees, who are posted at Category 'B' and 'C' station. The grievance of the applicants in OA No. 224 of 2001 was that the benefit of ration allowance had not been extended to them with effect from the date, when the same had been made available to the executive personnel of the SSB posted at Category 'B' and 'C' stations. The present appellants resisted the said original application on the ground that under order issued on 30-01-2001, the benefit of ration allowance had been extended by the authorities concerned to the non-executive personnel, such as, the applicants, with effect from 30-01-2001 and that the applicants were, therefore, not entitled to claim benefit of ration allowance with effect from the date, when the special concession had been granted to the executive personnel of the SSB. The learned Central</p>			

Noting by officer Or Advocate	Serial No	Date 3	Office notes, reports, orders Or proceedings with signatures
			4
			Administrative Tribunal, however, allowed the application and directed the appellants herein to make the ration allowance available to the applicants on the strength of the order, dated 08-11-1994, when similar benefit had been extended to the executive personnel of the SSB. In fact, similar orders had been passed by the learned Tribunal on a number of occasions in the past, namely, in OA No. 103/1999, disposed of on 08-09-1999, OA No. 367/1999, disposed of on 12-01-2000 and OA No. 47/2000, disposed of on 21-09-2000. Aggrieved by the directions so given by the learned Tribunal, this writ application, as already indicated above, has been filed.
			We have carefully gone through the impugned order and also the writ application, but we find no logical ground or sustainable reason for not making the benefit of ration allowance available to the non-executive personnel of the SSB, on the strength of the order, dated 08-11-1994, and subsequent orders, extending payment of the allowance or from the date of their actual posting in Arunachal Pradesh, whichever is later, as sought to be contended by the appellant-authorities.
			In view of what has been indicated above, we find absolutely no merit in this writ application. The writ application therefore, fails and the same shall accordingly dismissed. No order as to costs.
			Send back the LCR.
PAUL			<i>sh/2 Angani</i> <i>sd/1 J.P. Ansari</i> JUDGE JUDGE

Memo No. WP(C) 108(AP)07 Dtd Naharlagun, the 11-05-07
copy forwarded for information and necessary action.

1. The Registrar, Central Administrative Tribunal, Guwahati Bench Guwahati, alongwith case records of OA No. 224/2001 returned herewith.
2. Sri K. Shivaahankar L. Naidu, S/O Late K.L. Rao Naidu, Junior Accountant, Office, ofk the Area Organiser, S.S.B. Khonsu District Tirap, AP.
3. C.G.C.
4. Office Copy.



Officer for

Deputy Registrar
Gauhati High Court
Itanagar Permanent Bench
Naharlagun.

IN THE GAUHATI HIGH COURT
ITANAGAR PERMANENT BENCH
NAHARLAGUN

No.
To,

1740

Dtd Naharlagun the 11-05-2007

The Registrar.....

Central Administrative Tribunal,

Guwahati Bench, Guwahati.

Sub:-

Transmission of Lower Court Records / Records.

Sir,

I am directed to return herewith the L.C.R. No. O. OA. No. 224/2001
in connection with Hon'ble High Court case No. W.P.(C) 108(AP)2007
A copy of the Judgment and order dated 26/04/07 of this Court is enclosed herewith
for ready reference.

Receipt of the L.C.R / Records and copy of the Judgment & order
may kindly be acknowledged.

Yours faithfully,


11/05/2007

Deputy Registrar
Gauhati High Court
Itanagar Bench Naharlagun

Enclo : as above.

Ma Somra
11/05/07

SO 3 11/05

10

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 224 of 2001.

Date of Decision..... 19-9-2001.

Shri K. Shivashankar L.Naidu and 13 ors.

Petitioner(s)

Sri B.Choudhury.

Advocate for the
Petitioner(s)

-Versus-

Union of India & Ors.

Respondent(s)

Sri A.Deb Roy, Sr.C.G.S.C.

Advocate for the
Respondent(s)

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

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

Judgment delivered by Hon'ble : Vice-Chairman.



CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 224 of 2001.

Date of Order : This the 19th Day of September, 2001.

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

Shri K.Shivashankar L.Naidu and 13 others
All the applicants are working in
different capacities under the Area
Organiser, S.S.B., Arunachal Pradesh. . . . Applicants.

By Advocate S/Sri G.K.Bhattacharyya, G.N.Das
and B.Choudhury.

- Versus -

Union of India & Ors. . . . Respondents.

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

O R D E R

CHOWDHURY J.(V.C)

The applicants are 14 in number who are working in the Special Service Bureau (SSB for short) in Arunachal Pradesh and serving in category 'B' and 'C' stations. The grievance raised in this application and the cause of action are similar nature and accordingly the applicants are allowed to pursue the O.A. jointly under the provision of Rule 4(5) (a) of the Central Administrative Tribunal (procedure) Rules 1987.

2. By order dated 8.11.1994 certain stations in Arunachal Pradesh were classified as category 'B' and 'C' stations for the purpose of various concessions granted to the employees. The ration allowance is one of the benefits granted to such employees. In this application the applicants claim the benefit of Ration Allowance on the strength of numerous decisions of this Bench which were

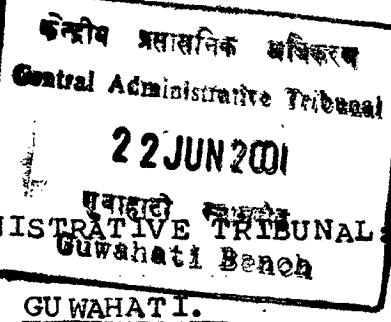
rendered in cases like O.A.103/1999 disposed of on 8.9.99, O.A.367/1999 disposed of on 12.1.2000 and O.A.47/2000 disposed of on 21.9.2000 and similar other cases.

3. Heard Mr B.Choudhury, learned counsel for the applicants and also Mr A.Deb Roy, learned Sr.C.G.S.C for the respondents. Mr Deb Roy raised an objection to the effect that such concession was not admissible to the non executive personnel of the SSB. According to Mr Deb Roy the concession is admissible upto the rank of Field Officer and not above. The said objections were overruled in earlier decisions.

4. Upon hearing the learned counsel for the parties and considering the materials on record the respondents are directed to pay Ration Allowance to the applicants with effect from the date the allowance became admissible to Arunachal Pradesh on the strength of the order dated 8.11.1994 and subsequent orders extending payment of the allowance or from the date of their actual posting in Arunachal Pradesh, whichever is later. The ration allowance including the arrear allowance shall be paid to the applicants within 90 days from the date of receipt of this order.

The application is allowed. There shall, however, be no order as to costs.

(D.N.CHOWDHURY)
VICE CHAIRMAN



13
Filed by
G.N. 22/6/01
All

O.A. NO. 224 /2001.

Shri K. Shivashankar L. Naidu.

••• Applicants.

-versus-

Union of India and others.

••• Respondents.

I N D E X

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Filed by :-

(Advocate)

K. Shivashankar L. Naidu

.....

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH::

GUWAHATI.

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

O. A. NO.

224 /2001.

1. Shri K. Shivashankar L Naidu
Son of Late K. L. Rao Naidu
Junior Accountant
Office of the Area Organiser ,
S. S. B. , Khonsa
District:-Tirap (A. P.) .
2. Shri Gaurdas Haldar
Son of Shri D. D. Haldar
Assistant
Office of the Area Organiser,
S. S. B. , Khonsa
District:-Tirap (A. P.) .
3. Shri Probin Borthakur
Son of Late R. K. Borthakur
U. D. C.
Office of the Area Organiser ,
S. S. B. , Khonsa
District:-Tirap (A. P.) .

contd....

2.

4. Shri Dharma Kanta Boruah
Son of Late K.N. Boruah
U.D.C.
Office of the Sub-Area Organiser,
S.S.B., Miao
District:-Changlang (A.P.).

(He earlier worked at Khonsa from
18.6.93 to 1.7.99 . He is entitled
to Ration Allowance from 8.11.94 to
1.7.99 at this Station also).

5. Shri Kajal Moni Das
Son of Shri Gopendra Das
Steno-III
Office of the Sub-Area Organiser,
S.S.B., Longding
District:-Tirap (A.P.) .

6. Shri Mehar Singh
Son of Shri Umesh Singh
Driver
Office of the Sub-Area Organiser,
S.S.B., Miao
District:- Changlang (A.P.) .

7. Shri Naglan Singpho
Son of Shri M. Singpho
Group Leader
Office of the Sub-Area Organiser,
S.S.B., Miao
District:-Changlang (A.P.) .

(He earlier worked at LAZU from
9.8.84 to 10.10.90. He is entitled
to Ration allowance from 1.8.87 to
10.10.90 at this Station also).

K. Shivashankar Naik

contd...

8. Shri Nogdang Haisa

Son of Shri T. Haisa

Group Leader

Office of the Circle Organiser,

Changlang, S. S. B., Changlang

District:-Changlang(A. P.).

(He worked at Nampong from 23.10.80 to 14.3.90. He is entitled to Ration Allowance from 1.8.87 to 14.3.90 at this Station also).

9. Shri Alok Rajkumar

Son of Late Tosa Rajkumar

Group Leader

Office of the Sub-Area Organiser,

S. S. B., Longding

District:-Tirap(A. P.).

(He earlier worked at Wakka from 1.1.81 to 31.12.90. He is entitled to Ration Allowance at this Station also from 1.8.87 to 31.12.90).

10. Shri S. Tutsa

Son of Shri B. Tutsa

Peon

Office of the Circle Organiser,

S. S. B., Changlang

District:- Changlang .

contd...

1. S. Shivashankar L. Naiklu

11. Shri Darbari Prasad
 Son of Late Chuni Ram
 Peon
 Office of the Sub Area Organiser,
 S.S.B., Longding
 District:-Tirap (A.P.).

12. Shri Tek Chand
 Son of Shri M. Chand
 Peon
 Office of the Circle Organiser,
 S.S.B., LAZU
 District:-Tirap (A.P.).

13. Shri Bir Chand
 Son of Shri Phunchuk
 Peon
 Office of the Area Organiser ,
 S.S.B., Khonsa ,
 District:- Tirap (A.P.).

14. Shri Puran Singh
 Son of Shri Hari Singh
 Driver ,
 Office of the Area Organiser ,
 S.S.B., Khonsa
 District:-Tirap (A.P.).

...Applicants.

contd...

K. Shivashankar L. Neidu

5.

-Versus-

1. Union of India

(Represented by the Secretary to the
Govt. of India, Ministry of Home Affairs,
New Delhi).

2. Director General of Security

Block-V(East)

R.K. Puram

New Delhi-110066 .

3. Director, S. S. B. ,

Block-V(East)

R.K. Puram

New Delhi-110066 .

4. Divisional Organiser, S. S. B.

A.P. Division ,

Khating Hills ,

Itanagar, Arunachal Pradesh .

5. Area Organiser, S. S. B.

Khonsa

Arunachal Pradesh .

6. Sub-Area Organiser, S. S. B.

Miao

Arunachal Pradesh .

7. Sub-Area Organiser , S. S. B.

Changlang

Arunachal Pradesh .

K. Shivashankar L. Naidu

contd....

8. Sub-Area Organiser, S. S. B.,
Longding
Arunachal Pradesh .

9. Circle Organiser, S. S. B.,
Nampong
Arunachal Pradesh .

... Respondents.

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

1) Illegal and arbitrary action of the respondent-authorities in not allowing the applicants to draw Ration Allowance only on the ground that they were not applicants in various original applications disposed of by this Hon'ble Tribunal directing the respondents to pay Ration Allowance to the applicants as to their entitlement . The Director, SSB, New Delhi (Respondent No.3), has since notified by issuing a number of memoranda addressed to various Divisional Organiser of the S.S.B. including the Divisional Organiser, SSB, A.P. Division, Itanagar (Respondent No.4) to the effect that, as per existing instructions, the non-applicants in various original applications disposed of by this Hon'ble Tribunal directing payment of Ration Allowance are not entitled to get Ration Allowance on the basis of orders/directions passed by this Hon'ble Tribunal. The latest memorandum No.9/SSB/A.2/86 (1)- Manipur -534 dated 10.2.2000 (Annexure-IV at page- 70(b)).

contd...

Shivashankar L. Naik

2) O.M. NO. BE/COURT CASE/RA/99/170 dated 30.5.2000 whereby it was specifically clarified that Ration Allowance would not be admissible to those who were not applicants in original applications since disposed of by this Hon'ble Tribunal directing payment of Ration Allowance to the applicants as per their entitlement with arrears . (Annexure-XV at page-).

2: JURISDICTION OF THE TRIBUNAL:-

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

3 : LIMITATION :-

The applicants further declare that the application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act, 1985 .

4 : FACTS OF THE CASE :-

1) That the applicants are non-executive personnel serving in the S.S.B. in various places in Arunachal Pradesh under the Administrative Control of the Divisional Organiser, S.S.B., A.P. Division, Khatting Hills, Itanagar , A.P.

K.ShrivashankarL.Naidu

contd...

The applicants have a common grievance and interest in the matter and as such they are filing a single application inasmuch as the relief prayed for, if granted to one of them, will be equally applicable to others also as all of them are similarly situated and it aims at avoiding multiplicity of litigations. The applicants crave leave of this Hon'ble Tribunal to allow the applicants to file a single application as provided in Rule 4(5) (a) of the CAT (Procedure) Rules, 1987.

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

3) That the applicants beg to state that the Cabinet Secretariat, vide letter No. A.27011/4/86-EA-II dated 18.12.87 addressed to the Director, Planning, Directorate General of Security, informed that certain concessions were granted to the staff of S.S.B., S.F.F., C.I.O.A.

(Chief Inspectorate of Armaments)and Directorate of Accounts and the concessions were listed in Annexure-I . In the said letter it was also mentioned that for some of the concessions, the various hardship location had been categorised as "B" and "C" Stations as mentioned in the Annexure-II to the letter. In the said letter, it was also mentioned that for the purpose of House Rent Allowance, concessions to the various categorises of Staff, the equation of post as listed in Annexure-A to the Cabinet Secretariat order dated 28.10.86 would also be applicable in respect of the Staff of S.S.B. , S.F.F., C.I.O.A. and Directorate of Accounts .

Copy of the said letter dated 18.12.87 alongwith two annexures is herewith and marked as Annexure-I.

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

K.Sivashankar L.Naidu

contd...

10.

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

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

6) That the applicants beg to state that as per OM dated 18.12.87 issued by the Cabinet Secretariat. (Annexure-I), the following Stations in Arunachal Pradesh had been categorised as 'B' and 'C' Stations as indicated in Annexure-II to the said OM dated 18.12.87 effective from 1.8.87 for the purpose of granting Ration Allowance and other allowances.

CATEGORY "B"

- i) MIAO
- ii) NAMPONG

CATEGORY "C"

- i) WAKKA
- ii) LAZU
(NOT LADU)
- iii) LONGDING
- iv) CHANGLANG

K. Shivasankar L. Naidu

contd...

7) The applicants, being non-executive personnel posted to above-noted stations were not granted ration allowance although the executive personnel of S.S.B. based in these locations were drawing ration allowance since long in terms of the above-noted OM dated 18.12.87 (Annexure-I).

8) That in exercise of powers vested in him as the Head of Department and in terms of para 3 of the Cabinet Secretariat letter dated 18.12.87 (Annexure-I), the Director S.S.B. (Respondent No.3) by his office order No.9/S.S.B./A 2/86 (1)-AP/3433 dated 8.11.94, conveyed his sanction to the classification of Khonsa in the A.P. Division as category 'B' Station for the purpose granting various concessions including ration allowance as referred to in Cabinet Secretariat letter 18.12.87 (Annexure-I) for a period of 1 year with effect from the date of issue of that order (from 8.11.94 to 7.11.95).

Subsequently, by another order No. 9/SSB/A 2/86 (1)-AP/3423-24 dated 19.12.95, the categorisation of Khonsa as 'B' Station was sanctioned by the competent authority for a further period of three years with effect from 8.11.95 till 7.11.98.

By another order dated 17.8.98 sanction of the competent authority was similarly conveyed to the classification of Khonsa in A.P. Division

as category 'B' Station for a further period of 3 years with effect from 8.11.98 to 7.11.2001 .

The copies of the said orders dated 8.11.94, 19.12.95 and 17.8.98 regarding categorisation of Khonsa as 'B' Station in A.P.Division of S.S.B. are annexed herewith and marked as Annexure-III, IV and V respectively.

9) That applicants beg to state and submit that they became eligible for drawing ration allowance with effect from the date of categorisation of above-noted stations as 'B' and 'C' Station, as stated above, and accordingly the Field Officers and below were being paid ration allowance as to their entitlement but, for reasons best known to the authority, the applicants who had been equated with the Field Officer and below as stated above, were not paid ration allowance in a most illegal and arbitrary manner .

10) That the applicants beg to state that the Aviation Research Centre is a part of Directorate General of Security alongwith S.S.B. and two other organisations. Similar concessions including Ration Allowance were granted to the employees of the Aviation Research Centre and the non-executive staff of the Aviation Research Centre were also deprived of the Ration Allowance and only executive staff was given the same. Some employees of Aviation

K. Shiveshankar L. Naik

contd...

Research Centre, Doordogma had filed an application before this Tribunal claiming that being non-executive staff, they were also entitled to get the Ration Allowance as was being given to the executive staff, according to the equalisation done as per order dated 28.10.86 (Annexure-II) and the same was numbered as O.A. 245/95. A Division Bench of this Tribunal, by judgment dated 14.6.96, held that the Ration Allowance was admissible to the applicants and directed that the Ration Allowance be paid to the applicants at the rate applicable to them with effect from the due date and to pay the arrear amounts within a fixed period. The Aviation Research Centre authorities instead of granting the concessions, filed an S.L.P. in the Hon'ble Supreme Court challenging the order passed by this Hon'ble Tribunal granting Ration Allowance to the non-executive Staff and the same was numbered as Special Leave to appeal (Civil)No. 1706/97. The Hon'ble Supreme Court, by order dated 16.3.98, dismissed the Special Leave to Appeal and directed that the order be punctually observed and carried into execution by all concerned. The order dated 14.6.96 passed by this Hon'ble Tribunal in OA NO. 245/95 had attained finality.

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

K.Sivaiahkar L.Naidu

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

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

K. Shivasankar L. Naidu

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

13) That, thereafter, some of the non-executive personnel of the S.S.B. serving under the Divisional Organiser, S.S.B., Shillong, Meghalaya also filed an application before this Hon'ble Tribunal which was registered as O.A.NO. 367/99 praying for grant of ration allowance with effect from 27.4.42, date from which Shillong was categorised as "B" Station. This Hon'ble Tribunal, by order dated 12.1.2000, disposed of the application directing the respondents to pay ration allowance to the applicants with effect from 27.4.92 onwards (date from which Shillong was registered as "B" Station .

Copy of the said order dated 12.1.2000 passed by this Tribunal in O.A.No. 367/99 in annexed herewith and marked as Annexure-IX .

14) That, thereafter the non-executive personnel of S.S.B. in Arunachal Division posted to Bomdila and six other neighbouring places around Bomdila filed an application before this Hon'ble Tribunal which was registered as O.A.NO.47/2000.

K.SivashankarL.Naidu

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This Hon'ble Tribunal, by order dated 21.9.2000 disposed of the original application directing the respondents to pay ration allowance to the applicants with effect from the date from which it became due to them. It was also ordered that the payment of arrear amount as admissible to the application shall be made by the respondent within 90 days from the date of receipt of that order.

Copy of the said order dated 21.9.2000 passed by this Hon'ble in O.A.No.

47/2000 is annexed herewith and marked as Annexure- X .

15) That applicants beg to state that they are similarly situated like the applicants in the above noted original applications disposed of by this Hon'ble Tribunal directing payment ration allowance from due date and their date for getting ration allowance is squarely covered by the orders passed by this Tribunal disposing the said original applications .

16) That, as stated above, the applicants are similarly situated like the applicants in these applications and as such, relying on the above-noted order, the applicants are entitled to be granted ration allowance from the date of their posting to the stations categorised as "B" and "C" ration as stated above .

K. Shivashankar L.Naidu

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17) That the applicants took up the matter with authorities by filing representations to the appropriate authority on 18.8.2000 through proper channel praying for grant of ration allowance to them as has been granted to the non executive staff of Divisional Head Quarters of S.S.B., A.P. Division Itanagar (O.A.103/99). But nothing has been done in the matter as yet. ~~xxsamplecopyxx~~

A sample copy of the representation submitted to the Divisional Organiser, SSB, A.P. Division, Itanagar by the applicants is annexed herewith and marked as Annexure-x(a).

18) That, in the meantime, the Respondent No.4 received memorandum No.30/SSB/A 2/97(17)570 dated 19.2.99 from the Respondent No.2 whereby, referring to earlier cases of granting ration allowance to non-exedutive personnel of the SSB, it was intimated that only the applicants in O.A.No.245/95 who were non-executive personnel of the A.R.C., Doordarana were granted ration allowance in terms of the order/judgment passed by this Tribunal in the above-noted case. The Respondent No.4 circulated the above noted OM dated 19.2.99 locally vide his O.M. No. NGE/F-9(c)/96-99/43 dated 9.3.99.

In another memorandum No.9/SSB/A 2/86(1)-SHG-3045 dated 2.11.99, the Respondent No.3, made the position clear by reiterating that non-applicants

K. Shiva Shankar L. Naidu

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in various original applications disposed of by this Hon'ble Tribunal directing payment of ration allowance are not entitled to the grant of ration allowance. As the present applicants were not applicants in those applications, the authorities have virtually rejected their claim and the applicants are now convinced that no useful purpose would be served by waiting any longer and as such they are approaching this Hon'ble Tribunal praying for relief.

The afore-said memoranda dated 19.2.99 and 2.11.99 are annexed herewith and marked as Annexure-XI and XII respectively.

19) That, thereafter, the Respondent No.2, by his OM No. 9/SSB/A 2/86(1) Manipur-534 dated 10.2.2000, further intimated that as per existing instructions, the non-applicants to CAT cases are not entitled to get ration allowance on the basis of judgments of CAT, Guwahati.

The Respondent No.4, in turn, by his OM NO. BE/COURT CASE/RA/99/170 dated 30.5.2000, intimated all concerned that the non-applicants in various original applications disposed of by this Hon'ble Tribunal would not be entitled to ration allowance.

Copies of the said OM dated 10.2.2000 and 30.5.2000 are annexed herewith and marked as Annexure-XIII and XIV respectively.

20.) That the applicants beg to submit and annexe herewith a statement reflecting the period of their entitlement of Ration Allowance for convenience of the Court.

The said statement is annexed herewith and marked as Annexure-XV.

5 : GROUND FOR RELIEF WITH LEGAL PROVISIONS:-

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

II) For that the applicants have been illegally discriminated against in not allowing them to draw Ration Allowance although they are similarly situated with those applicants of the ARC, Doamdooma, S.S.B., Itanagar, SSB, Bomdila and S.S.B., Shillong who have since been granted the Ration Allowance, with arrears, in terms of the orders of this Hon'ble Tribunal and as such the action of the respondent-authority is bad in law and liable to be set aside.

K. Shivashankar L. Naik

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III) For that the respondent-authorities are required to extend the benefit of Ration Allowance to the applicants of their own in pursuance of the orders dated 14.6.96 passed by this Hon'ble Tribunal in O.A. 245/96 (Annexure-VII), order dated 8.9.99 passed in O.A.-NO. 103/99(Annexure-VIII) order dated 12.1.2000 passed in OA NO. 367/99 (Annexure-IX) and order dated 21.9.2000 passed in O.A.No.47/2000 (Annexure-X) as they are similarly situated with the applicants in the above-noted original applications and that not having been done, the action of the respondent-authority is bad in law and liable to be set aside.

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

V) For that the action of the authorities in not allowing the applicants to draw Ration Allowance has resulted in serious discrimination offending the equality provisions contained in Articles 14 and 16 of the Constitution of India and as such the action of the authority is bad in law and liable to be set aside .

K.Shivashankar Naik

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

6 : DETAILS OF THE REMEDIES EXHAUSTED :-

The applicants had submitted representation to the competent authority through proper channel praying for grant of ration allowance as had been granted to other non-executive personnel of S.S.B. serving in A.P. Division but surprisingly the applicants had not received any intimation in this regards. In view of the policy decision adopted by respondents authorities to the effect that non applicants in earlier cases decided by the Central Administrative Tribunal Guwahati Bench the applicants have now approach this Hon'ble Tribunal without waiting for any reply to their representations.

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

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

K. Shiva Shankar L. Naidu

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8 : RELIEF SOUGHT :-

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It is, therefore, prayed that Your Lordships would be graciously pleased to admit this application, call for the entire records of the case, ask the opposite parties to show cause as to why the impugned O.M. dated 10.2.2000 (Annexure-XIV) and OM dated 30.5.2000 (Annexure-XV) should not be set aside and quashed and as to why the applicants should not granted the benefit of ration allowance with effect from their respective dates of posting at Khonsa, Miao, Longding, Lazu, Nampong, Changland and Wakka in Arunachal Pradesh or from the date of categorisation of the above-noted stations as "B" and "C" by the competent authority whichever is later as has been granted to others who are similarly situated like the applicants and after perusing the causes shown, if any and hearing the parties, set aside the impugned OM dated 10.2.2000 (Annexure-XIV) and OM dated 30.5.2000 (Annexure-XV) and direct the respondents that, in view of the attending facts and circumstances of the case, the applicants be granted ration allowance with effect from their respective dates of posting in the-

K Shivashankar Naidu

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above -noted stations or from the date of categorisation of these stations as "B" and "C" stations by the competent authority whichever is later, including arrears as per their entitlement as reflected in Annexure-XIII as has been granted to others who are similarly situated non-executive personnel serving in S.S.B. in A.P. Division and/or pass any other order/orders as Your Lordships may deem fit and proper.

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

K. Shivasankar Naik

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

NIL .

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

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

I.P.O. NO. dated
issued by Guwahati Post Office Payable at
Guwahati is enclosed .

12 : LIST OF ENCLOSURES :-

As stated in the Index .

K. Shivasankar L. Naiklu

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VERIFICATION

I, Shri K. Shivashankar Laxman Rao Naidu, son of Late K.L.Rao Naidu, aged about 52 years, presently serving as the Junior Accountant in the Office of the Area Organiser, S.S.B., Khonsa Tirap District do, hereby verify that the contents in paragraphs No. 1, 4, 7, 9 11, 15 + 16 are true to my personal knowledge and those in paragraphs No. 2, 3, 5, 6, 8, 10, 12, 13, 14, 17, 18, 19 + 20 are believed to be true on legal advice and that I have not suppressed any material fact.

I, being one of the applicants, have been authorised by other applicants to sign this verification on behalf of all the applicants.

Place:- Guwahati.

Date :- 22.6.2001

K. Shivashankar L. Naidu.

SIGNATURE OF THE APPLICANTS.

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Annexure-I

NO. A-27011/4/66-PA-11

Government of India,

Cabinet Secretariat,
Rikander House (Annexe),
Shahjahan Road,

New Delhi.

New Delhi, the 18.12.87.

To:

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

Subject:- Grant of concessions to the staff of SSB, SFE,
C.I.O.A. and Directorate of Accounts.

Sir,

I am directed to convey to the sanction of the President to the grant of concessions mentioned in the Annexure-I to the various categories of staff of SSB, SFE, C.I.O.A. and Directorate of Accounts subject to the restrictions indicated thereon on the pattern of the Research & Analysis wing of this Secretariat.

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

(3) For some of the concessions the various bands of locations have been categorised as 'B' & 'C' locations as indicated in Annexure-I to this letter. However, if the heads of the department feel at certain times that certain locations or assignments have become particularly hazardous and there is a specific increase in the risk as to the

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personnel and/ or premises, they can determine on merits the criteria of hardship and the period for which such locations may be categorised as belonging to category 'B' & 'C' stations after recording the reasons in writing.

4. For the purpose of House Rent Allowance concessions to the various categories of staff, the equation of posts as listed in Annexure-A to the Cabinet Secretariat's Order No. A-11016/B6-DO-X, dated 28.10.86, will also be applicable in respect of the staff of CSB, SPF, CIOA and Directorates of Accounts.

5. This issued with the concurrence of the Ministry of Finance vide their M.O. No. 11420/51/87 dated 10.8.87 read with U.O. No.

1151/Dix. vi (s)/31, dated 2nd Dec. 1987.

Yours faithfully

Sd/-

(R.K.GANGAR)

(Deputy Secretary (P.M.))

Incl. Annexure-I & II.

copy to:-

1. Shri H.B.Joshi, Director, CIOB.
2. Maj. Genl. S.K.Sharma, IG SPF.
3. G.B.Mathur, Dy. Director of Accounts.
4. Lt. Col.K.K.Bhandari, CIOA.
5. Shri J.Subramanian, Director IFS.
6. Shri K.K.Mittal, Dy. Director of Accounts (SW).
7. Order file.

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3.

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

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

Dated, 20.11.97

copy to :

1. The Comdt. SSB, Dirang/Pasigh/Tezu-for information and necessary action. W.v.t. your signal No. 4724 dated

25.10.97.

sd/-illegible

AREA ORGANISER (S)

DIVL. HQDS & SSB, ITANAGAR.

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Annexure-I.

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

Sl. No.	Nature of the concession.	Extent of the concession granted	Remarks.
1	2	3	4
1) Hardship Allowance		A hardship allowance of 6.25% of basic pay subject to maximum of Rs.400/- p.m. in respect of category 'C' and 12.5% of basic subject to maximum of Rs.200/- p.m. to category 'B' stations <u>other than those situated in the North-Eastern region</u> Andaman & Nicobar Island and Lakshwesp, where special allowance is already sanctioned.	For the stations which are as belonging to category 'B' and 'C' by the Head of the department under the powers now delegated to him, the same rates will apply.

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2) Ration Allowance

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

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LocationRates

i) Category 'B' Stations ii) Category 'C' Stations 3) Clothing	As admissible from time to time in the Border Security Force in peace areas. As admissible from time to time in the BSF in operational areas . i) A non-refundable clothing grant of Rs.3000/- for staff other than SSB Bn. personnel and Dy.-Comds/Coy.-Comds/Asstt. Coy.-Comds of SFF and also these on depu- tation in the SFF from the Army, posted in Category B & C stations and located at or higher than 3000 Mtrs. above MSL and Rs.2000/- for staff posted at category B & C stati- ons and located between 1500 and 3000 Mtrs. above MSL as a one time grant .	i) The amount will be paid as an advance no will be adjusted on receipt of the join- ing report at the hardship location and a certificate that the advance has been utilised for the purpose it was intended .
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ii) Renewal grant at the rate of 500/- p.a. for location at or higher than 3000 Mtrs. above MSL and Rs.300/- p.a. for locations between 1500 and 3000 Mtrs. above MSL in category 'B' & 'C' stations.

(ii) This one time non-refundable allowance will be admissible only to those personnel who are posted in category 'B' & 'C' locations for a period of not less than 1 years. In case the Officer returns from posting from category 'B' & 'C' locations earlier than 1 years at his own request, he will be asked to refund proportionate share of the clothing grant.

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

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4. Special TA/DA

Daily allowance at increased rates for classified 'A' class cities will be admissible during tour to category 'B' & 'C' stations

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

5. Leave Travel concession

(i) Employees other than SSS Bn. personnel and those on deputation in the SPP from the Army posted in category 'B' & 'C' locations will be entitled to leave travel concession on a year against the normal rules of one in 2 years.

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

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

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6. Journey time while employees posted in category 'B' & 'C' proceeding on leave in their case will commence and terminate on the date the employee reaches the rail head nearest to the place of duty at category 'B' & 'C' station.

6. Journey time while employees posted in category 'B' & 'C' proceeding on leave in their case will commence and terminate on the date the employee reaches the rail head nearest to the place of duty at category 'B' & 'C' station.

6. Journey time while employees posted in category 'B' & 'C' proceeding on leave in their case will commence and terminate on the date the employee reaches the rail head nearest to the place of duty at category 'B' & 'C' station.

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6. Journey time while employees posted in category 'B' & 'C' proceeding on leave in their case will commence and terminate on the date the employee reaches the rail head nearest to the place of duty at category 'B' & 'C' station.

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Visited
by
S. S. S.

7. House Rent
Allowance.

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

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8. cash compensation for work on holidays

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

9. Government transport

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

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

Security allowance at the following rates is sanctioned to the following category of the staff working in top secret branches subject to a maximum of 15% in each grade:-

Designation	Amount
i) L.D.C.	Rs. 20/P.M.
II) Steno. Gr. III/UDC	Rs. 30/P.M.
iii) Steno. Gr. II/Assistant R.A.	50/P.M.
iv) Section Officer/Private Secretary/Sec. P.A. R.A.	100/P.M.
v) Assistant Director/Area Organiser/Pr. Director of Accounts	Rs. 200/P.M.

87

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ANNEXURE-II TO THE CABINET SECTT. LETTER NO.

DATED:

STATE	CATEGORY 'B'	LOCATION	CATEGORY 'C'
ARUNACHAL PRADESH	HOMDILA TAWANG DAPARIGO ALONG YINOKIONG ROING HAULIUNG MIAO NAMPONG SEPPA	C/TAZO KOLORIANG MONIGAONG MECHUKA TUTING WAKKA HAWAT LADU LONGDING PANCHAO (TI- RAP) CHIANGLONG ANINT	
GUJARAT	RADHANPUR		
HIMACHAL PRADESH	KALPT (REKONG-PDO) POOH		
J & K			KAJA KALONG NYOMAN HANLE LEH KHALSI NORCH CHAKRPA EKARONG CHANDEL CHURACHAN DPUR MONGBA TAMENGLONG UKHROOL CHASSAD KHULLIAN
MANIPUR			
MEGHALAYA	JOWAI NONGSTOIN KAILASEHAR UDAIKUR KHOWAI SONEMURA DHARCHULAI JOSHIMATH SUICAPOKHRI NAXALBARI		
TRIPURA			MUNSYARI
UTTAR PRADESH			
WEST BENGAL			

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ANNEXURE II

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

No. A-11016/6/86-DOI dated 28.10.86.

Subject: Extension of House Rent Allowance concession to other cadres of ARC at par with executive cadres.

Reference: ARC Dtd U.O. No. ARC/E-I/88/85 dated 13.9.1986.

2. In continuation to this secretariat letter No. A-49/11/8/86 -DOI dated 10.5.1986, sanction of the President is hereby conveyed to the equation of posts listed at Annexure "A" to this order in various cadres of corresponding levels in the A.R.C. to that of the executive cadres in the said organisation exclusively, for the purpose of payment of House Rent Allowance as admissible to the executive cadre. <

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

Sd/-

(R.K.Ganger)

Deputy Secretary

(S.R.)

TO

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

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No. Designation and pay corresponding pay scale of other scale of Executive cadre.

1	2	3
1. S.R.O.	1. Section Officer	Rs.650-1200/-
	2. Account Officer	Rs.840-1200/-
	3. Private Secretary	Rs.775-1200/-
	4. Sr. P.A.	Rs.650-1040/-
	5. Asstt. Fire officer	Rs.650-1200/-
	6. Asstt. Commandant.	Rs.650-1200/-
	7. Asstt. Engineer	Rs.650-1200/-
	8. Asstt. Surgeon (civil) or I.	Rs.650-1200/-
	9. Deputy Works Supdt.	Rs.650-1200/-
	10. Asstt. Tech. Officer	Rs.650-1200/-
	11. Asstt. Aerodrome Officer	Rs.650-1200/-
	12. Asstt. Metrologist.	Rs.650-1200/-
	13. Librarian.	Rs.650-1200/-
2. Field Officer Rs.550-25-750-EB- 30-900.	1. Assistant () 2. Steno, Gr. II (PA) () 3. Accountant 4. Station Officer 5. Asstt. Librarian () 6. Foreman. 7. Jt. Technical Officer-Gr. I 8. Jt. Stores Officer Gr. I	Rs.425-800/- Rs.425-800/- Rs.500-900/- Rs.550-750/- Rs.550-900/- Rs.550-900/- Rs.550-900/- Rs.550-900/-

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9. Technical Assistant Rs. 550-750/-
(Air wing).

10. Communication Asstt. Rs. 550-750/-

11. Professional Rs. 550-900/-
Assistant.

12. Jr. Accounts Officer. Rs. 550-900/-

13. Senior Medical Asstt. Rs. 550-900/-

Group "B" posts: Though F.O. is a group "C" post, their equivalent with F.O. (Group 'C') posts, is shown as there is not equivalent post of Asstt./P.A. (steno-III)/ Asstt. Librarian in Junior executive cadre.

3. Deputy medical
officer.

Rs. 425-15-530-EB- 1. Steno, Gr.-III Rs. 330-560/-

15-560-20-600/- 2. U.D.C. Rs. 330-560/-

3. Technical Asstt. Rs. 425-700/-
ex (Library).

4. Overseer Rs. 425-700/-

5. Teacher Rs. 290-560/-

6. Nursing Sister Rs. 455-700/-

7. Staff Nurse Rs. 425-640/-

8. Sr. Radio Rs. 425-640/-

9. Lab. Technician Rs. 330-560/-

10. Pharmacist (quali-
fied). Rs. 330-560/-

11. Sanitary Inspector Rs. 330-560/-

12. Operation Theatre Rs. 330-560/-
technician.

13. Sr. Lab. Technical Rs. 425-700/-

14. Asstt. Foreman Rs. 425-700/-

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15. Masscouriy Rs. 455-700/-
(Physiothera-
pist).

16. Dietician Rs. 425-640/-

17. Jr. Technical Rs. 425-700/-
Grade-II.

18. Jr. Stores Rs. 425-700/-
Officer
Grade-II.

19. P.O.I/Super- Rs. 425-600/-
visor.

20. Head Clerk Rs. 425-600/-
(Accounts)

21. Pay Accounts Rs. 330-560/-
clerk.

22. Medical Assis- Rs. 425-600/-
tant (Dental).

23. Medical Assis- Rs. 425-600/-
tant (General)

24. Aerodrome Op- Rs. 380-660/-
erator.

25. Radio Tech- Rs. 380-560/-
nician.

26. Radio Op- Rs. 380-560/-
rator.

27. Scientific Rs. 425-700/-
Asstt.

28. senior Observer Rs. 330-560/-

29. junior Acco- Rs. 425-700/-
untant.

4. A.F.O.

Rs. 330-8-370-10- 1. L.D.C. Rs. 260-400/-

400-100-10-480/- 2. Asstt. Station
Officer. Rs. 330-480/-

3. Leading Fire- Rs. 320-400/-
man/M.T. Fitter/
Driver/Driver
Havilder.

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4. Fireman/Fire Operator	Rs. 260-400/-
5. Lab. Assistant	Rs. 260-400/-
6. Telephone Operator	Rs. 260-400/-
7. Carpenter (Air Wing)	Rs. 320-400/-
8a Carpenter (M.V.)	Rs. 260-400/-
Workshop	
9. Tailer (Air Wing) (present Incumbent).	Rs. 320-400/-
10. Tailer (Air Wing) (Future Incumbent).	Rs. 260-400/-
11. Driver Operator Crane	Rs. 330-480/-
12. Pharmacist (unqualified)	Rs. 330-480/-
13. Mechanic	Rs. 260-400/-
14. Electrician	Rs. 260-400/-

5. S.F.A.

Rs. 260-6-326-EB- 8-350/-	1. Sr. Gestenor operator.	Rs. 260-350/-
	2. Driver	Rs. 260-350/-
	3. Lines Sub-Inspector	Rs. 225-350/-
	4. Carpenter (Medical Unit).	Rs. 260-350/-
	5. Tailor (Medical unit)	Rs. 260-350/-
	6. Fitter.	Rs. 260-350/-
	7. Sr. Examiner (Tyre)	Rs. 260-350/-
	8. Vulcanisor Fitter.	Rs. 260-350/-
	9. Blacksmith, Grade-I	Rs. 260-350/-
	10. Welder, Grade-I	Rs. 260-350/-
	11. Upholster.	Rs. 260-350/-
	12. Mechanic (Turner)	Rs. 260-350/-
	13. Painter.	Rs. 260-350/-
	14. Mistri.	Rs. 260-350/-

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6. Field Assistant

i) Rs.225-5-260-6-290-

EB-6-308/-

(Matriculate).

ii) Rs.210-4-250-EB-

5-270/-

(Non-Matriculate).

iii) Rs.225-5-260-6-290-

EB-6-308/-

(Non Matriculate
after 15 years of
regular service).

1. Lab. Attendant	Rs.210-270/-
2. Ayah	Rs.196-232/-
3. Daftary	Rs.200-250/-
4. Peon	Rs.196-232/-
5. Sweeper (Safaiwalla).	Rs.196-232/-
6. Chowiider/ Watchman.	Rs.196-232/-
7. Gardener/Mali.	Rs.196-232/-
8. Lirmam.	Rs.210-270/-
9. Lab. Attendant/ Bearer.	Rs.210-270/-
10. Carpenter (Air- wing).	Rs.230-290/-
11. Carpenter, Grade-II (M.V. Workshop).	Rs.210-290/-
12. Head Gardener	Rs.210-270/-
13. Jamadax (sweeper)	Rs.210-250/-
14. Cook.	Rs.210-250/-
15. Para-mainten- ance Assistant (packer).	Rs.210-290/-
16. Cobbler.	Rs.210-290/-
17. Grass Cutter.	Rs.196-232/-
18. Waterman/ Water carrier.	Rs.196-232/-
19. Loader.	Rs.196-232/-
20. Dresser.	Rs.210-270/-
21. Ayah (para medici- cal staff).	Rs.200-250/-

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22. Barber Rs. 200-250/-
23. Ward Boy/Waiter/ Rs. 196-232/-
Washer up.
24. Mazdoor/Arti- Rs. 196-232/-
Malaria Mazdoor.
25. Dhubi Rs. 196-232/-
26. Helper Rs. 210-290/-
27. Cleaner. Rs. 196-232/-
28. Jr. Electrician. Rs. 210-290/-
29. Blacksmith, Rs. 210-290/-
Grade-II.
30. Welder, Grade-II. Rs. 210-290/-
31. Plant Room Atten- Rs. 210-270/-
dant.
32. Air Craft Assis- Rs. 210-290/-
tant.
33. Traffic Hand. Rs. 200-250/-
34. Observatory- Rs. 210-250/-
Attendant.
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AD.9/SSB/A-2/86(1)-AP/3433
 Directorate General of Security
 Office of the Director: S.S.B.
 Block No. V, (Fast), R.K. Puram,

New Delhi - the 8/11/94. ✓

ORDER

In exercise of the powers vested in him as Head of Department, in terms of the Cabinet Secretariat letter No. A-27011/4/86-EA-II dated 18-12-87, the sanction of the principal Director S.S.B. is hereby conveyed to the classification of the undermentioned stations in the A.I.A. Division as Category 'B' and 'C' stations for the purpose of various concessions as mentioned in Annexure 'A' (other than clothing grant) of the above quoted Cabinet Secretariat letter dated 18-12-87 for a period of one year with effect from the date of issue of this order.

Category 'B' station	Category 'C' station
1. Rupa, AP	1. Lubrang, AP
2. Kiliktag, AP	2. Bumla, AP
3. Basar, AP	3. Chuna, AP
4. Likubali, AP	4. Kalizanam, AP
5. Passighat, AP	5. Mukter, AP
6. Tezu, AP	6. Zemo, AP ✓
7. Khonsa, AP ✓	7. Zimitbang, AP
8. Itanagar, AP	8. Bleeting, AP
9. Mukto, AP	9. Lumla, AP ✓
10. Dirang, AP ✓	10. Jaung, AP ✓
11. Kefra, AP ✓	11. Thrizing, AP
12. Riga, AP	12. Bomeng, AP ✓
13. Taliha, AP	13. Sagalee, AP
14. Palin, AP	14. Nacho, AP
15. Boleng, AP	15. Damin, AP
16. Chowkham, AP	16. Kroli, AP
17. Wakro, AP ✓	17. Luma, AP
	18. Zimithang, AP

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Dirang, AP ✓

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Kefra, AP ✓

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Palin, AP

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Boleng, AP

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Chowkham, AP

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Wakro, AP ✓

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Divisional Organiser, A.P. Division. A non-refundable Grant is admissible on posting to two stations, which are located at or higher than 3000 meters above sea level and in between 1500 and 3000 meters above MSL. Therefore, a proposal indicating the height of each station (in meters only) which are in between 1500 meters and 3000 meters above MSL and those are higher than 3000 meters above alongwith full justification may please be sent to this Directorate for necessary action.

3. Guard file.
4. All dealing Assistant A-II Branch.

NO. A.G.E/F-8/94-95/127
Directorate General of Security
Office of the Divisional Organiser,
A.P., Division, SSB, Itanagar

Dated Itanagar the 16-11-94.

Copy to:-

1. The Area Organisers, :- Bomdila/Along/Tezu/Ziro and Khonsa for information.
2. The Commandant GCs:- Dirang/Basir/Tezu for information.
3. The Commandant NATS, SSB, Itanagar for information.

SD/-A.B. SARKAR
SECTION OFFICER
ITANAGAR

No. Guard file(Estt)/94-95/2278-79
Directorate General of Security
Office of the Area Organiser, SSB,
Bomdila :: West Kameng District

Dated Bomdila the 2nd Dec'94.

Copy to:-

1. The Sub-Area Organiser, SSB, Bomdila/Jang/Seppa and AOPC Bameng/Lumla/Dirang and Nafra for information.
2. The Accounts Branch(local for preferring arrear bill of staff clearly indicating leave etc. availed by the staff posted at referred locations. Accountant to see that deduction on A/C of TA/DA already claimed are deducted.
3. File No. GE/D-4/94-95

AREA ORGANISER
SSB :: BOMDILA

6/

No.9/SSB/A2/86 (1)-AP 3423-24
 DIRECTORATE GENERAL OF SECURITY
 OFFICE OF THE DIRECTOR, SSB
 BLOCK NO. (EAST) R.K.PURAM
 NEW DELHI-110066.

Dated the 19.12.95.

Q R D E R.

In exercise of the powers vested in him as Head of Department in terms of the Cabinet Secretariat letter No. A-27011/4/86-EA-II dated 18.12.87 the sanction of the Director, SSB is hereby conveyed to the classification of the undermentioned stations in the A.P. Division as Category 'B' & 'C' stations as far as the purpose of various concessions as mentioned in Annexure 'A' (Other than clothing grant) of the above quoted Cabinet Secretariat letter date 18.12.87 for a period of three year with effect from 8.11.95 of this order.

CATEGORY 'B' STATION

1. Rupa - AP
2. Kalktang, AP
3. Basar, AP
4. Likabali, AP
5. Passighat, AP
6. Tezu, AP
7. Khonsa, AP ✓
8. Itanagar, AP
9. Mukto, AP
10. Dirang, AP
11. Nefra, AP
12. Raga, AP
13. Taliha, AP
14. Palin, AP
15. Boleng, AP
16. Chowkham, AP
17. Wakro, AP

CATEGORY 'C' STATION

1. Lubrang, AP
2. Bumla, AP
3. Chuna, AP
4. Kningsam, AP
5. Muktar, AP
6. Ziro, AP
7. Zimithong, AP
8. Bleethang, AP
9. Lumla, AP
10. Jung, AP
11. Thrizine, AP
12. Baneng, AP
13. Sagalee, AP
14. Nacho, AP
15. Damin, AP
16. Kronli, AP

Sd/- Mulk Raj.

Assistant Director (EA)

Copy to :-

1. The Director of Accounts, Cabinet Secretariat, R.K.Puram, New Delhi.
2. Divisional Organiser, AP Division. A non-refundable clothing grant is admissible on posting to those stations, which are located at or higher than 3000 meters above sea level and in between 1500 and 3000 meters above MSL. Therefore, a proposal indicating the height of each station (in metars only) which are in between 1500 meters and 3000 meters above MSL and those are higher than 3000 meters above alongwith full justification may please be sent to this Directorate for necessary action.

Contd.2.

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DO: J&K/HP/UP/R&G/NB/SB/NA/Shillong/Manipur & Nagaland.

DIC FA Gwadom/T.C. Sarahan/Haflong/Salonibari/Jammu.

5. Commandant, CSD&W Bhopal/T.S.Faridabad.

6. Accounts Officer, SSB

7. A-1/E-1/E-11/A-4 Branches.

8. Guard File.

9. All Dealing Assistnat A -II Branch.

O/O The D.O, A.P. Division, Itanagar.

No, NGE/F-9/95-96/215/10587

Dt. 4.1.96.

Copy to

1. The Area Organisers :- Bomdila/Along/Tezu/Khonsa for information & necessary action pse. It is also requested that the required information regarding non-refundable clothing grant as asked for by the SSB Dte (As above) may pse. be sent to this office early for preparation of proposal for onward submission to Dte.

2. The Comdt. SSB, GCs :- Dirang/Basar/Tezu for information and necessary action please.

3. The Comdt. WATs :- Itanagar- for information & necessary action pse.

4. The Accounts Officer :- Div. HQ Itanagar- for information and necessary action please.

Sd/- A.G. SARKAR
SECTION OFFICER,

Memo No. TE/E-13/95-96/2796-78

Dated Khonsa the 19th Jan/96.

Copy to :-

1. The Sub-Area Organiser, SSB, Khonsa/Longding and Miao for information.

AREA ORGANISER, SSB
KHONSA.

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ANNEXURE

NO.9/SSB/A2/86(1)-AP-3662
Directorate General of Security
Office of the Director, SSB
East Block-V, R.K.Puram
New Delhi-66,

Dated the 17th Aug/98.

O R D E R

In exercise of the powers vested in him as Head of department, in term of the cabinet secretariat letter No.A-27011/4/86-EA-II dtd. 18-12-87 the sanction of the Director SSB is hereby conveyed to the classification of the undermentioned stations in AP division as category 'B' & 'C' station for the purpose of various concessions as mentioned in Annexure-A (other than clothing grant) of the above quoted cabinet secretariat, letter dtd. 18-12-87 for a further period of three years with effect from 8-11-98 of this order:-

<u>CATEGORY 'B' STATION</u>	<u>CATEGORY 'C' STATION</u>
1. Rupa(AP)	1. Lubrang (AP)
2. Kalaktang AP	2. Bumla AP
3. Basar AP	3. Chuna AP
4. Likabali AP	4. Kninzanam AP
5. Passighat AP	5. Muktar AP
6. Tezu AP	6. Ziro AP
7. Khonsa AP	7. Zimithang AP
8. Itanagar	8. Bleeting AP
9. Dirang AP	9. Lumla AP
10. Nefra AP	10. Thrizine AP
11. Mukto AP	11. Jung AP
12. Raga AP	12. Bemang AP
13. Taliha AP	13. Sagalee AP
14. Palin AP	14. Nacho AP
15. Boleng AP	15. Damin AP
16. Chowkham AP	
17. Wakro AP	

The head of department i.e. Director SSB having applied the approved parameter that the places are situated between 1500 & 3000 Meters above MSL hereby classify the following stations as category 'C' stations for the purpose of clothing grant with effect from the date of issue of the order

Stations situated between 1500-3000 meters above MSL

1. Lumla	- 2460 mtrs above MSL
2. Jang	- 2449 " -do-
3. Nacho	- 2625 " -do-
4. Dirang	- 1630 " -do-

Sd/-S.S.Bora
Joint Deputy Director (EA)

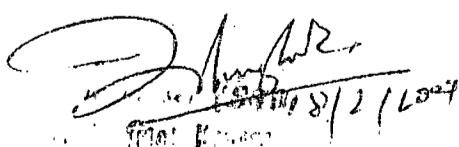
Memo No, NGE-9/98/50 Dtd. 14-9-98

Copy to

1- All AO's (Khonsa) for information and necessary action.
2. All Comdts
3. Accounts Branch
4. GE Branch
5. BE Branch

Sd/-Sub-Area Organiser
SSB: : Itanagar

Copy attested by


Sub-Area Organiser
SSB: : Itanagar
18/11/1998



VL 48-4750-

Annexure - 55^o. VI

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 245 of 1995. V

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

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

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

... Applicants.

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

-versus-

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

... Respondents.

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

ORDER

G.L.SANGLYINE, MEMBER (A)

The applicants are employees of the Aviation Research Centre, Doomdooma (ARC for short). Applicant

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No.1 is a Sanitary Inspector a post which is equivalent to Deputy Field Officer and is below Field Officer. The applicant No. 2 is a Radio Mistri. The post of Mistri falls under the category of Senior Field Assistant. This is also below field officer. The competent authority of ARC has classified Doon-Dooma as a category B station with effect from 22.2.94

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

3. Mr. Gokhattacharya, learned counsel for the applicants submitted that the applicants are entitled to the Ration Allowance with effect from 22.2.1994. This allowance was denied to them because of wrong interpretation of the order dated 6.12.1987 by which payment of the allowance was sanctioned. Relying on the written statement Mr. S. Ali, Sr. C.G.S.C., submitted that the applicants have made the claim on a wrong motion that Government had equated various non-executive posts with different executive cadres for all concessions. The fact however remains that the

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~~equation of posts vide order NO.A-11016/6/86 -DOI dated 28.10.1986 (Annexure-III) is for the purpose of house rent allowance only.~~ Further, the concession of Ration Allowance has been extended to the employees of junior executive cadre only upto the rank of field officer on the analogy of the junior Executive staff, of R & AW and the applicants who do not fall in this category cannot get the benefit of Ration Allowance. Mr. G.K.Battacharyya submitted that this ground taken by the respondents is not tenable as in the case of intelligence Bureau the Ration Allowance was allowed to the non-executive staff also and when the allowance was stopped to be paid applications were submitted before the central Administrative tribunal and the payment Ration Allowance was restored. In this connection he has referred to the orders in the O.A. of 163 of 1991 and No.199/91 of this Bench.

4. We have perused the records and heard the counsel of the parties in this O.A. Letter NO.A-49011/86-DO-1 (B) dated 10.5.1986 shows that the president is pleased to sanction 8 (eight) concessions to the various categories of staff of ARC. One of the concessions is House Rent Allowance and it has been stated that House Rent Allowance admissible to the Executive Cadre will be admissible to the personnel of other cadres also of corresponding levels. Consequently equation of posts was ordered by the order NO.A-11016/6/86-DOI dated 28.10.1986 exclusively for the purpose of payment of house rent allowance. Under this order the applicants was entitled to draw house rent allowance. Under letter NO.A-27011/4/86- EA-11(A) dated 6.12.1987 additional concessions were

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granted and one of them was Ration Allowance to the various categories of the staff of ARC. The claim of the respondents is that since there is no equation of posts in respect of Ration Allowance this allowance cannot be granted to the applicants who are non-executive staff. We are not impressed by such stand of the respondents. Until in the case of granting House Rent Allowance for the purpose of granting Ration Allowance such equation of posts is not required by the authorising letters. This position is clear from the following :-

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

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

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

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

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The respondents cannot bring in what is not there or what is not intended to be there by the letter No. A 27011/4/86-EA-II (A) dated 6.12.1987 as indicated above. This letter simply clearly states that the allowance is admissible to the various categories of the staff of ARC by placing a limit upto the rank of FO and below. IN O.A. 163/91 and O.A. 179/9 of this Bench on the strength of the recommendations of the same one man Committee referred to in this O.A. Ration Allowance was paid to the non-executive staff of the Intelligence Bureau but the payment was stopped in 1991. This Tribunal in the order dated 17.12.1993 (to which one of us was party) after discussion and relying on the order dated 27. .93 of the Central Administrative Tribunal, Chandigarh Bench, Circuit at Jammu in O.A. No. 381/JK/92 had held that Ration Allowance was admissible to the applicants in those two O.A.s. the facts in those two O.A.s and of the present O.A. insofar as they relate to Ration Allowance and House Rent Allowance are almost identical. The conditions in those two O.A.s is in respect of Ration Allowance that the personnel posted in category B locations will be entitled to Ration Allowance at nonqualifying area rate for BSF. For house rent allowance it is stipulated that House Rent Allowance would be applicable to all other cadres of the IB under the same terms applicable to the executive cadres of corresponding levels. In view of the facts mentioned above we hold that Ration Allowance is admissible to the applicants in this O.A. The respondents are directed to pay Ration Allowance to the applicants at the rate applicable to them with effect from the due date 22.2.94. The arrear amount shall be paid within 31.10.1996.

The application is allowed, No order as to cost.

sd/- Member (A)

sd/- Member (J)

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ANNEXURE = VII

Annexure - "G". VII

IN THE SUPREME COURT OF INDIA

CRIMINAL/CIVIL APPELLATE JURISDICTION

248256

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

(Petition under Article 136 of the Constitution of India
for special leave to appeal from the judgement and order
dated 14th June, 1996 of the Central Administrative
Tribunal, Gauhati Bench of Gauhati in original Application
No. 245 of 1995).

WITH

INTERLOCUTORY APPLICATION NO. 2.

(Application for stay after notice).

Union of India & ORS.

... petitioners.

-versus-

Sri Bishnu Prasad Saikia and ORS.

... respondents.

(FOR FULL CAUSE TITLE PLEASE SEE SCHEDULE A)

ATTACHED HERETOWITH).

16th MARCH, 1998.

CORAM:

HON'BLE MR. JUSTICE S.C. AGARWAL

HON'BLE MR. JUSTICE S. SAGHIR ARVAD

HON'BLE MR. JUSTICE M. SRINIVASAN

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

For the Respondent Nos. 1 to 87.

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

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

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

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

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

sd/-

(R.N. LAKHANPAL)

DEPUTY REGISTRAR.

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 103 of 1999.

Date of Order is this the 8th Day of September, 1999.

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

Shri N. Venugopal and 69 others.

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

By Advocate Sri G.N. Das.

- Versus -

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

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

ORDER

G.L.SANGULYINE, ADMIN. MEMBER,

All those 70 applicants in this Original Application are employees in the Special Services Bureau (SSB for short), Itanagar, Arunachal Pradesh. They were permitted to pursue this Original Application jointly under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987. Station allowance was granted to the personnel of the rank of Field Officers and below serving in the locations categorised as 'B' and 'C'. The applicants stated that they are in the rank of Field Officers and below. By order dated 8.11.1994 certain stations in Arunachal Pradesh were classified as category 'B' and 'C' stations for the purpose of various concessions granted to the employees. In the said order Itanagar was categorised as 'B' station and its categorisation was renewed for a further period of 3 years with effect from 8.11.1998. They claim that consequent to the categorisation of Itanagar station as a 'B' station the

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ployees of the SSB serving in Itanagar became eligible for getting the ration allowance from 0.11.1994. However, according to them, for some inexplicable reasons the respondents denied the allowance to the applicants in a most illegal and arbitrary manner. Consequently they submitted representations praying for payment of the allowance to them. But there was no response from the respondents. They submitted that in the case of employees of the Aviation Research Centre, Doon dooma the Tribunal directed payment of Ration Allowance in the order dated 14.6.1996 in O.A.No.245 of 1995, order dated 17.7.1996 in O.A.No.89 of 1996 and order dated 21.4.1999 in O.A.No.228 of 1998. The executive cadre of the SSB Itanagar were also granted ration allowance. They submitted that they are similarly situated with the employees of the Aviation Research Centre and the executive cadre of SSB, Itanagar and have prayed that the respondents may be directed to allow them ration allowance with effect from 0.11.1994.

2. The respondents have contested the application and submitted written statement. According to them the applicants are holding non-executive cadre in the SSB, Arunachal Division and the ration allowance is not admissible to them. The ration allowance is admissible only to the executive staff of the rank of Field Officer and below posted in category 'B' or 'C' station. They also submitted that the orders of the Tribunal in the case of Aviation Research Centre cannot be extended to the applicants in this O.A. who were not applicants in those original Applications decided by the Tribunal. This is also the view taken by the respondents in their Office Memorandum dated 19.2.1999. Annexure-1 to the written statement.

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

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

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

Application is disposed of. No order as to costs.

Sy/-MEMORI (Adm)

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W.D.H.S.

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Mr C. M. Patil
Deputy Registrar (d)
Central Administrative Tribunal
Gumrahali Beach

11/11/99

Central Administrative Tribunal
MAGHALAYA Branch

Original Application No. 367 of 1999

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

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

12-1-2000 *Applicant*

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

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

- VERSUS -

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

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

O R D E R

G.L. SANGLYINE (ADMINISTRATIVE MEMBER)

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

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

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Secretariat order dated 18.12.1987, Annexure I, and it was extended from time to time, the latest one being upto 26.4.2001. Ration Allowance is one of the allowances mentioned in Annexure I of the said letter No.A.27011/4/86-EA-11 dated 18.12.1987. This Tribunal had issued order dated 14.6.1996 in O.A.No.245 of 1995 and order dated 17.7.1998 in O.A.No.89 of 1996 in respect of employees of Aviation Research Centre. It was also decided on 8.9.1999 in O.A.No.103 of 1999 in the case of the employees of SSB, Itanagar. In all these orders ration allowance was allowed. Relying on these orders of the Tribunal the applicants submitted representations before the authorities of the respondents praying for payment of ration allowance. The respondents, however, denied the allowance to the applicants on the ground that the orders of the Tribunal are applicable only to the applicants in those O.A.s and not to the present applicants who were not parties to the earlier O.A. However, it was also intimated that the matter was under consideration and the decision will be communicated. The applicants did not wait for the result of such decision, if any. They have submitted this O.A. In this application they have prayed that they be granted the benefit of ration allowance with effect from the date from which Shill (i.e. was categorised has 'B' Station, namely, 27.4.1992. In support of the claim they have relied on the orders of the Tribunal as mentioned above. The respondents have contested the application and submitted written statement.

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

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

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

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

Sd/ MEMBER (ADM)

certified to be true Copy

প্রাণিত প্রতিলিপি

Section Officer (J)
নাম্বুজা পরিষারি (সাধিক শাস্তি)
Central Administrative Tribunal
নেপাল প্রান্তিক অধিকার
Guwahati Bench, Guwahati
নাম্বুজা পরিষারি, প্রান্তিক

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(65) ANNEXURE - X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORIGINAL APPLICATION NO. 47 OF 2000

Date of decision - the 21st September, 2000.

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

1. Shri Kshitish Chandra Singha,
Son of Late Sashi Dhar Singha,
Head Assistant,
Office of the Area Organiser, S.S.B.,
Bomdila, Arunachal Pradesh.
2. Shri Thagi Ram Das,
Son of Late Bhagi Ram Das,
U.D.C., Office of the Area Organiser,
S.S.B., Itanagar, Arunachal Pradesh.
3. Shri Tapan Kumar Das,
Son of Late Tarini Mohan Das,
U.D.C., Office of the Area Organiser,
S.S.B., Bomdila (A.P.)
4. Shri Ram Murti Sharma,
Son of Late Babu Ram Sharma,
U.D.C., Office of the Sub-Area Organiser,
S.S.B., Bomdila (A.P.)
5. Shri Nandeswar Thakuri,
Son of Late Dil Bahadur Thakuri,
U.D.C., Office of the Sub-Area Organiser,
S.S.B., Jang (Under AO, SSB, Bomdila)
(A.P.).
6. Shri Rajesh Nautiyal,
Son of Late Jyoti Prasad Nautiyal,
Steno. Grade-III,
Office of the Area Organiser,
S.S.B., Bomdila (A.P.).
7. Shri Dham Nath Prasad Mahato,
Son of Shri Mangal Mahato,
L.D.C., Office of the Area Organiser,
S.S.B., Bomdila (A.P.)
8. Shri Ram Sewak Sharma,
Son of Shri Mahabir Sharma,
Driver, Office of the Area Organiser,
S.S.B., Bomdila (A.P.)
9. Shri Angad Kalita,
Son of Late Gunadhar Kalita,
Driver, Office of the Sub-Area Organiser,
S.S.B., Bomdila (A.P.).

contd ...

(24)

10. Shri Jay Prakash Ray,
Son of Shri Lal Dev Ray,
Driver, Office of the Sub-Area Organiser,
S.S.B., Seppa (A.P.)

11. Shri Khandu Sinjoni,
Son of Late Pem Norbu Sinjoni,
Peon, Office of the Area Organiser,
S.S.B., Bomdila (A.P.)

12. Shri Dorjee Khandu,
Son of Late Lama Phuntso,
Peon, Office of the Sub-Area Organiser,
S.S.B., Jang (A.P.)

13. Shri Dabu Khawa,
Son of Late Basha Khawa,
Peon, Office of the Sub-Area Organiser,
S.S.B., Bomdila (A.P.)

14. Shri Himandoz Chetry,
Son of Shri Sher Bhadur Chetry,
Peon, Office of the Circle Organiser,
S.S.B., Tawang (A.P.)

15. Shri Laxman Sonar,
Son of Late Narbir Sonar,
Peon, Office of the Sub-Area Organiser,
S.S.B., Bomdila (A.P.)

16. Shri Akan Mazumdar,
Son of Late Hada Ram Mazumdar,
Peon, Office of the Circle Organiser,
S.S.B., Jang (A.P.)

17. Shri Gombu Miji,
Son of Late Sasho Miji,
Peon, Office of the Circle Organiser,
S.S.B., Nafra (A.P.)

18. Shri Koj Tajo,
Son of Shri Koj Lampong,
Peon, Office of the Circle Organiser,
S.S.B., Lumla (A.P.)

19. Shri Tani Puning,
Son of Late Tame Puning,
Peon, Office of the Area Organiser,
S.S.B., Bomdila (A.P.)

20. Shri Takar Dafla,
Son of Late Kauzang Lamgu,
Peon, Office of the Circle Organiser,
S.S.B., Seppa (A.P.)

21. Shri Tabiang Dodum,
Son of Late Kanai Dodum,
Peon, Office of the Circle Organiser,
S.S.B., Bemang (A.P.)

contd ...

(3)

22. Shri Jit Bahadur Rai,
Son of Late Dhanbir Rai,
Peon, Office of the Sub-Area Organiser,
S.S.B., Bomdila (A.P.)
23. Shri Pravata Kumar Sahoo,
Son of Shri Bidyadhar Sahoo,
Pharmacist, Office of the Area Organiser
S.S.B., Bomdila (A.P.)
24. Shri Tashi Lama,
Son of Shri Tula Ram Gurung,
Driver, Office of the Sub-Area Organiser,
S.S.B., Jang (A.P.)
25. Shri Tarrang Bayang,
Son of Late Hama Bayang,
Chowkidar, Office of the Sub-Area Organiser,
S.S.B., Seppa (A.P.)
26. Shri Ram Bahadur Sonar,
Son of Late Mon Bahadur Sonar,
Chowkidar, Office of the Area Organiser,
S.S.B., Bomdila (A.P.)
27. Shri Tsering Dorjee,
Son of Late Nhoyten,
Chowkidar, Office of the Sub-Area Organiser,
S.S.B., Jang (A.P.)
28. Shri Bol Bahadur Sonar,
Son of Shri Til Bahadur Sonar,
Chowkidar, Office of the Area Organiser,
S.S.B., Bomdila (A.P.)
29. Shri Pradip Gogoi,
Son of Shri Atul Gogoi,
Chowkidar, Office of the Sub-Area Organiser,
S.S.B., Bomdila (A.P.)

(All these applicants are non-executive personnel
of the Special Service Bureau (S.S.B. for short)
serving in Bomdila area under Administrative Control
of the Divisional Organiser, S.S.B., A.P. Division,
Khatung Hills, Itanagar, A.P.)

- APPLICANTS

By Advocates Mr. G.K. Bhattacharyya,
Mr. G.N. Das,
Mrs. N. Devi and
Mr. B. Choudhury,

- Versus -

contd ...

- Versus -

1. Union of India (represented by the Cabinet Secretary, Department of Cabinet Affairs, Bikaner House, Sahjahan Road, New Delhi).
2. Director General of Security, Block-V (East), R.K. Puram, New Delhi-110066.
3. Director, S.S.B., Block-V (East), R.K. Puram, New Delhi-110066.
4. Divisional Organiser, S.S.B., A.P. Division, Khating Hills, Itanagar, Arunachal Pradesh.
5. Area Organiser, S.S.B., Bomdila, Kameng District (West) Arunachal Pradesh.

- RESPONDENTS

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

JUDGMENT AND ORDER

This issue pertains to drawing ration/allowance by the non-executive personnel posted at Aviation Research Centre serving in the Special Service Bureau in Bomdila area under the Divisional Organiser, Arunachal Pradesh Division, Khating Hills, Itanagar. The applicants are 29 in number having the common interest in the subject. The nature of the dispute and relief sought for are also similar. The applicants are accordingly allowed to file a single application in terms of Rule 4 (5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. In terms of the Cabinet Secretary's letter No. A-27011/4/86-EA-II dated 18.12.87, the competent authority sanctioned certain concessions enumerated in the letter dated 8.11.94 in certain stations in Arunachal Pradesh categorising 'B' and 'C' stations for the purpose of concession. Similar sanction orders were also issued from time to time covering the stations in which the applicants are working. Categorisations are renewed from time to time. The applicants in this application claim for the ration allowance from 8.11.94. The applicants state that though they were entitled to ration allowance but for some extraneous considerations, they were denied with the ration allowance. Similarly situated other persons have already moved application before this Court and this Tribunal in number of cases rendered number of decisions allowing such ration allowance.

Mr. G.N. Das, learned counsel appearing for the applicants cited some of the decisions passed by this Tribunal in this matter. Mr. A. Deb Roy, learned senior Central Govt Standing Counsel on behalf of the respondents referring to the written statement submitted that the concessions are not admissible to the non-executive personnel since those concessions are extended only to the executive cadre of Special Service Bureau. But the ration allowance is admissible to them as per decision rendered by this Tribunal in O.A. 103/99 disposed of on 8.9.99. Similar decisions were also rendered by this Tribunal in O.A.s 245/95, 89/96, and 367/99.

4. In the light of the decisions rendered by this Tribunal, the respondents are directed to pay ration allowance to the applicants with effect from the date the allowance became admissible to the persons serving at Bomdila area under the administrative control of the Divisional Organiser, S.S.B., Arunachal Pradesh Division, Khating Hills, Itanagar on the strength of the order dated 8.11.1994 and subsequent orders extending payment of the allowance or from the date of their joining or from the date of categorisation, whichever is later. The payment of the arrear amount as admissible to the applicants shall be made by the respondents within 90 (ninety) days from the date of receipt of this order.

5. Application is disposed of. No order as to costs.

Sd/ VICE CHAIRMAN

Verified to be true Copy

মহাপ্রাপ্ত সন্তুষ্টি

(10/11/1995)

Section Officer (D)
অসম প্রাপ্তি (প্রাপ্তি প্রক্রিয়া)
Central Administrative Tribunal
শ্রদ্ধিয় প্রাপ্তি প্রক্রিয়া
Guwahati Bench, Guwahati
প্রাপ্তি প্রক্রিয়া, প্রাপ্তি

X/26/9/2000

68(a)

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ANNEXURE - X (a)

To

The Divisional Organiser,
SSB A.P. Division,
Itanagar.

Through proper channel.

Subject :- Application for Ration Money allowances.

Sir,

It is learnt that Ration money allowance has been allowed to draw from 1996 to the non-executive staff of Divisional Hqrs. SSB A.P. Division, Itanagar being a category B station falls under the various concession allowed by Govt. of India for A.P. Division.

In this connection it is stated that since Khonsa area also falls under category B station for various concessions, the Ration money allowances may also be allowed in favour of me to draw at the rate applicable for executive staff of Khonsa and as were drawn by the non-executive staff of Divisional HQrs. SSB A.P. Division, Itanagar.

Yours faithfully,

Mohan Singh

(Mohan Singh)

D.S.O.

Dt. 18-8-2000

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ANNEXURE XI

02/02/99/9(1) 115
DEPARTMENT OF SECRETARIAT,
OFFICE OF THE DIVISIONAL SSB,
BARTA BICK, V. RR P.M.,
NEW DELHI-110060.

Dated, the 19th Feb. 1999.

MEMORANDUM

Subject: GRANT OF RATION ALLOWANCE TO THE MINISTERIAL STAFF
POSTED AT CATEGORIES 'B' & 'C' STATIONS.

Please refer to your Memo No. NSE/F-9(C)/98-99/6
dated, 2.2.99 forwarding application of 49 non-executive
personnel on the subject mentioned above.

2. In our earlier proposal, we have already explained
to Cabinet Secretariat that on the basis of judgement
of Hon'ble Court, the Cabinet Secretariat, have sanctioned
ration allowance to Shri B.P. Saikia and other 137
non-executive personnel posted to ADC, Doon-Doonam vide
their order No. A-27011/4/98-DA-11-1489 dated, 16.6.98.
The Cabinet Secretariat, in turn, had referred the case
to Integrated Finance Unit, who have observed that the
non-executive personnel of ADC(Doon-Doonam), who are the
applicants of Cr. No. 245/95 in CFT, Guwahati, are only
drawing the ration allowance in accordance with the
judgement of CFT and order issued by the Cabinet
Secretariat, vide order dated, 16.6.98. The ration
allowance is not admissible to the non-applicants of the
OA. As such, the analogy cannot be considered as convincing
reason and unable to support our proposal. However, we have
again taken up the matter with the Cabinet Secretariat,
whose decision is still awaited. The decision will be
communicated to you as and when received.

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

To,
The Divisional Organiser,
AP, Itanagar.

Copy to:- For information:-
1. Divisional Organisers: NW/Shillong/NEU/SB/ND/R&G Division.
2. DISG: P: Srinagar/Haflong/Guoldam/Salonibari/Jammu.

Joint Deputy Director (EA)

p.t.c.

No. 9/SSB/A2/86(1)-Shillong. 2045.
DIRECTORATE GENERAL OF SECURITY.
OFFICE OF THE DIRECTOR, SSB.
EAST BLOCK, V. RK PURAM,
NEW DELHI-110066.

Dated, the 2nd Nov. 1999.

MEMORANDUM

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

1. Please refer to your Memo No. E.1/1-82/
SD/99/2242 dated 20.10.99 on the subject

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

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

To,

The Divisional Organiser,
Shillong Division,
Shillong.

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70(a)
No. 9/SSB/A2/86(1)-Manipur.
DIRECTORATE GENERAL OF SECURITY,
OFFICE OF THE DIRECTOR:SSB,
EAST BLOCK, V, RK PURAM,
NEW DELHI-110066.

Dated, 10 Feb. 2000.

MEMORANDUM

*for information
of staff members*
Subject: GRANT OF RATION ALLOWANCE TO THE NON-EXECUTIVE
PERSONNEL POSTED AT M&N DIVISION.

*See
7/24/2*
Please refer to your letter No.V/Accts/
Ration Allowance/2000-11028 dated, 20.1.2000 on
the subject cited above.

*24/2
955*
2. It is intimated that as per existing
instructions, the non-applicants to CAT cases are
not entitled to get ration allowance on the
basis of judgement of CAT, Guwahati. However,
we have again taken up the matter with the
Cabinet Secretariat for granting ration allowance
to non-executive personnel posted at 'B' & 'C'
stations. The matter is being pursued vigorously
with the Cabinet Secretariat at this end. The
decision of the Cabinet Secretariat, would be
intimated when received.

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

To,

The Divisional Organiser,
Manipur & Nagaland
Imphal.

ANNEXURE- XV

No. BP/COURT CASE/RA/99/170
 Directorate General of Security
 Office of the Divisional Organiser,
 SSB : AP Division, Itanagar-791111.

Dated, Itanagar the 30 May/2000.

Memorandum

1. Please refer to your No. E.I/1-82/SD/99/6685 dated 12.5.2000 and No. E.I/1-82/SD/99/ 6908 dated 17.5.2000 forwarding thereeith 2(two) applications for drawal of ration money.

2. As per judgement of Hon'ble CAT Bench, Guwahati dated 8.9.99 and Cab. Sectt. order thereon, payment of ration money is admissible only to the applicants (total 70 personnel) oIOA No.103/99.

3. Therefore, S/Shri G.C.Dadhara, Asstt. and C.N.Patra, Asstt. may please be informed that since none of them was the applicant of the OA, ration money is not admissible to them.

7 A-17

P/60

Area Organiser(S),
 Div.HQ, Itanagar.

To

The Area Organiser(Admn),
 Shillong Division,
 Shillong.

Copy to 1- The Area Organiser, SSB, Ziro for information wrt his letter No. EST-40/2000-2001/740 dated 17.5.2000. It is requested 27 non-executive staff may please be informed that since none of them was the applicant of the OA as mentioned above, ration money is not admissible to them.

W
 Area Organiser(S),
 Div.HQ, Itanagar.

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2/6/2000

Subunit
 Subunit Standard

A STATEMENT REFLECTING THE PERIOD OF ENTITLEMENT OF RATION ALLOWANCE
TO THE APPLICANTS.

Sl.No.	Names of applicants	Stations	"B" OR "C"	Validity period of categorisation.	Period of entitlement.	Remark
			—	—		
1.	Shri K.S.L. Naidu	KHONSA	"B"	From 8.11.94 to 7.11.2001	From 1.9.97 till date.	Date of posting being 1.9.97 .
2.	" Gaurdas Halder	-do-	-do-	-do-	From 8.11.94 to 31.10.98	Date of posting being 22.1.93
3.	" Probin Borthakur	-do-	-do-	-do-	From 11.4.2000 till date.	Date of posting being 11.4.2000

contd....

Sl. No.	Names of applicants	STATIONS	"B" OR "C"	Validity period of categorisation.	Period of entitlement	Remark
4.	shri Dharma Kanta Baruah	KHONSA	"B"	From 8.11.94 to 7.11.2001	From 8.11.94 to 1.7.99	Date of posting being 18.6.93
		MIAO	-do-	-do-	From 2.7.99 till date	Date of posting being 2.7.99 .
5.	Shri Kajal Moni Das	LONGDING	"C"	From 1.8.87 till date.	From 7.3.2000 till date.	Date of posting being 7.3.2000 .

contd...

Sl.No.	Names of applicants	Stations	"B" OR "C"	Validity period of categorisation .	Period of entitlement.	Remark .
6.	Shri Mehar Singh	MIAO	"B"	From 1.8.87 till date.	From 8.6.98 till date.	Date of posting being 8.6.98
7.	Shri N. Singhphu	LAZU	"C"	-do-	From 1.8.87 to 10.10.90.	Date of posting being 9.8.84.
		MIAO	"B"	-do-	From 21.12.90 till date.	Date of posting being 21.12.90.

contd...

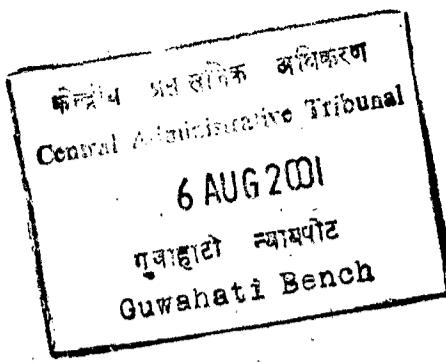
Sl. NO.	Names of applicants	STATIONS	"B" OR "C"	Validity Period of categorisation.	Period of entitlement.	Remark
8.	shri Nogdang Haisa	NAMPONG	"B"	From 1.8.87 till date.	From 1.8.87 to 14.3.90.	Date of posting being 23.10.80 .
		CHANGLANG	"C"	-do-	From 15.3.90 till date.	Date of posting being 15.3.90.
9.	shri Alok Rajkumar	WAKKA	-do-	-do-	From 1.8.87 to 31.12.90	Date of posting being 1.1.81.
		LONGDING	-do-	-do-	From 1.1.91 till date.	Date of posting being 1.1.91 .

contd...

Sl. No.	Names of applicants	Stations	"B" OR "C"	Validity period of categorisation .	Period of entitlement	Remark
10.	Shri S.Tutsa	Changlang	"C"	From 1.8.87 till date .	From 1.8.87 till date .	Date of posting being 1.8.76
11.	Shri Darbari Prasad	Longding	"C"	From 1.8.87 till date.	From 30.3.98 till date .	Date of posting being 30.3.98.

contd....

Sl. Names of applicants NO.	Stations	"B" OR "C"	Validity period of categorisation.	Period of entitlement.	Remark
12. shri Tek Chand	LAZU	"C"	From 1.8.87 till date.	From 15.5.2000 till date.	Date of posting being 15.5.2000 .
13. Shri Bir Chand	MHONSA	"B"	From 8.11.94 to 7.11.2001.	From 27.5.2000 till date.	Date of posting being 27.5.2000.
14. Shri Puran Singh	-do-	-do-	-do-	From 25.5.2000 till date.	Date of posting being 25.5.2000.



File No 6/81/01
S.C. G-SC
Dy. Inspector G-SC
SSB/A.P. Division
Itanagar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

In the matter of

O.A.No. 224/2001

Sh. K.S.L. Naidu & Ors- Applicants.

Versus

Union of India and others - Respondents.

In the matter of :

Written statement submitted on behalf of the Respondents No. 1 to 9.

1. That with regard to the statements made in paragraph No. 4(1) and (2) of the application, this deponent has no comments as the same are matter of record.
2. That with regard to the averments made by the petitioner vide para 4 (3) of the petition, this deponent begs to submit that the Cabinet Secretariat vide their order No. A-27011/4/86-EA-II dated 18.12.87 have granted various concessions to the employees posted at category 'B' & 'C' Stations. The Head of the Deptt. has been

S. Thakur
By Inspector General
SSB, A.P. Division
Itanagar 27

authorised to declare certain stations or assignments if he feels that such stations/assignments have become specifically hazardous and there is a specific increase of threat to the personnel and/or premises, they can determine on merit the criteria of hardship to the period for which such locations may be categorised as belonging to category 'B' & 'C' stations after recording the reason in writing. Director, SSB being the Head of the Deptt. has declared the undermentioned places of N.E. region as Category 'B' & 'C' Stations as per orders noted against each.

The Cabinet Secretariat while sanctioning various concessions to SSB personnel have mentioned that the ration allowance to the executive staff of the rank of field officer and below on posting to category 'B' and 'C' stations would be admissible on BSF pattern. There is no mention that the same concessions would be admissible to the non-executive personnel of SSB. Therefore, the applicants are not entitled to claim the concession.

3. That with regard to the averments made in Paragraph-4(2), 4(3) and 4(4) of the petition, this deponent has no comments to submit as the same are matters of record.
4. That with regard to the averments made in paragraph No.4(4) & 4(5) of the O.A., this deponent submits that the equation of posts has been made as listed as Annexure-II of the O.A. of the Cabinet Sectt. Order No. A-11016/6/86-DD-1 dtd. 28.10.86 in various cadres of the corresponding level in the A.R.C. to that of executive cadres exclusively for the purpose of payment of H.R.A. as admissible to the executive cadre. Therefore, it is clear that the equation of posts between non-executive and executive cadre is meant for the purpose of H.R.A. only.
5. That with regard to the statements made by the applicants vide paragraph 4(6) of the O.A., this deponent begs to submit no comment as the same are matter of record.
6. That with regard to the averments made by the applicants vide Paragraph 4(7) of the O.A., this deponent begs to submit that the Cabinet

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Dy: Inspector General
SSB (A.P. Division)
Itanagar

Secretariat vide their order dtd. 18/12/87 clearly stipulates that Ration Allowance will be admissible to the executive cadre up to the rank of Field Officer and below, the equation of posts is meant for the purpose of H.R.A. and not for the purpose of ration allowance as mentioned by the applicants. Therefore, the allegation raised by the petitioners is vehemently denied.

7. That with regard to the statements made in the paragraph 4(8) of the O.A., this deponent has no comments as the same are matters of record.

8. That with regard to the statements made by the petitioner vide paragraph no. 8 and 10 this deponent begs to submit that it is correct that non-executive personnel of ARC working at Doon Dooma are getting ration allowance on the basis of the Central Administrative Tribunal, Guwahati bench judgment dtd. 14/6/86. Therefore, it is not possible to extend it to SSB personnel as they are not the applicants of the OA No. 245/85.

9. That with regard to the statements made in paragraph 4(11), 4(12), 4(13), 4(14), 4(15), 4(16), 4(17), 4(18), 4(19) and 4(20) of the O.A., this deponent has no comments as the same are matters of record. Since the petitioners of the present O.A., were not of the members of the previous O.As as mentioned in the petition. Hence, they have no right to claim Ration Allowance by virtue of the aforesaid O.As.

GROUND FOR RELIEF WITH LEGAL PROVISIONS

10. That with regard to the statements made in Paragraph No.5(i) of the O.A. this deponent begs to submit that in absence of clear orders of the Govt. of India the ration allowance cannot be made admissible to the non-executive personnel of SSB posted at Category 'B' and 'C' stations.

11. That with regard to the statements made in Paragraph 5(ii) of the O.A., this deponent begs to submit that the judgment of the Hon'ble CAT, Guwahati is not applicable to the other personnel posted at Category 'B' and 'C' stations. The benefit of ration allowance could not be extended to them in the absence of Govt. order on the subject.

12. That with regard to the statement made vide Para 5(iii) of the O.A., reply submitted vide Paras 9 & 10 above is reiterated here for the sake of brevity.
13. That with regard to the averments made in Para 5(iv) of the O.A. this deponent has no comments.
14. That with regard to the averments made in para 5(v) of the O.A., it is reiterated that in absence of Govt. orders, it is not possible to grant ration allowance to the non-executive personnel of SSB working in Category 'B' and 'C' stations.
15. That with regard to the averments made in Paragraphs 5(vi) of the O.A., it is submitted that the matter has again been taken up with Cab. Sectt. to reconsider SSB Dte's proposal for extending the benefit of ration allowance to the non-executive personnel working in Category 'B' and 'C' stations. However, Cabinet Sectt. are unable to support the proposal for extension of benefits of ration allowance to non-executive staff of SSB posted in 'B' & 'C' stations extending such benefits is not covered under any rule of the Government.

16. That with regard to the averments made in Paragraph 5(vii) of the O.A., this deponent begs to submit that Cab.Sectt. order dtd. 18/12/87 clearly stipulates that ration allowance will be admissible to the executive cadre up to the rank of Field Officer and below. Therefore, the claim raised by the petitioners are devoid of merit and vehemently denied.

17. This deponent begs to submit that Government of India Cabinet Secretariat vide their order No.A-49011/2/2000-DO-I(Vol-II)-99 dated 30.1.2001 have extended grant of Ration Allowance at the specified rate to the non-executive personnel including the Ministerial personnel of Special Service Bureau, Aviation Research Centre posted at 'B' and 'C' station on par with the provision of prevailing in R&AW and in terms of para 2(ii) of Ministry of Finance OM No.50(4)/97-IC dated 11/1/2000 (Annexure-A) with effect from 30/1/2001. The order is admissible prospectively based on the review undertaken for the purpose. The applicants of the O.A. have now been paid ration allowance on the basis of the aforesaid order prospectively. In absence of any clear order

27/2/2008
Dr. Inspector General
SSB/A.P./Moa
Itanagar

of the Government retrospective effect for payment of ration allowance to the members of the O.A. cannot be extended.

DETAILS OF REMEDIES EXHAUSTED :

18. That with regard to the statements made in Paragraph No.6 of the O.A., this deponent has no comments as the same are matter of record.

19. That with regard to the averments made in Paragraph No.8 of the O.A., this deponent reiterates that as stated in the foregoing paragraphs it is not possible to issue orders for drawl of ration allowance in respect of non-executive staff in the absence of specific orders after declaring places mentioned in Para-1 as Category 'B' and 'C' stations as per the order mentioned ibid.

VERIFICATION :

I, Anup Ram Thakur, Deputy Inspector General, Special Service Bureau, Arunachal Pradesh Division, Itanagar do hereby verify that the statements made in Paragraph No. of the written statement are true to my knowledge, those made in paragraphs No. and being matter of record are true to my information derived therefrom, and those made in the rest are my humble submission before the Hon'ble Tribunal.

And I sign this verification on this day of 2001.

Anup Ram Thakur
DECLARANT
Dy. Inspector General
SSB/A.P. Division
Itanagar