

50/100  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

Application No. 455 /2001

Applicant(s) :- All India Kendriya Vidyalaya Association

Respondent(s) :- H.O. I. Govt (Dimapur unit)

Advocate for the Applicant :- S.C. Dutta Roy  
A.K. Roy, I. Gogoi, A. Bhattacharya

Advocate for the Respondent:- K.V.S.

Notes of the Registry	Date	Order of the Tribunal
This is application in form C. F. for R. 50/- deposited vide IP/3/1 of S.751/554 Dated ... 19 ... 2001 <i>Dy. Registrar</i> <i>ANS 10/12/01</i>	8.12.01	Heard Sri A.K.Roy, learned counsel for the applicant. The application is admitted. Call for the records. List on 21.1.2002 for order.
<i>Sleha Laljan, Not received and sent to DLS for serving the Respondent to 1 to 3 by Regd. A.D.</i> <i>Ans 7/11/02</i> <i>DINo - 69 K 71</i> <i>Dtd. - 8/1/02</i>	21.1.02	Mr. S. Sarma, learned counsel appearing for the respondents seeks 4 weeks time to file written statement. Prayer is allowed. List on 19.2.2002 for order.
<i>① Service report are still awaited.</i> <i>Ans 18.1.02</i> <i>Respondent No. 1. Notice returned due to incomplete address 22/1/02</i>	19.2.02	Mr. U.K.Nair, learned counsel appearing on behalf of the Mr. S. Sarma, learned counsel for the respondents, prayed for further four weeks time to file written statement on behalf of respondent Nos. 2 and 3. Prayer is allowed. The applicant may take necessary steps of service of notice of respondent No.1 within three weeks from today.
		<u>List on</u>

(2)

19.2.02 Mr. U.K.Nair, learned coun-  
sel appearing on behalf of Mr. S.Sarma,  
learned counsel for the respondents, pra-  
yed for further four weeks time to file  
written statement. Prayer is allowed.  
The applicant may take necessary steps  
of service of notice for respondent No.1  
within three weeks from today.

Order dtd. 19/2/02  
Communicated to the  
Karties Counsel.

20/2

No. written statement  
has been filed.

By  
19.3.02

List on 20.3.2002 for order.

I C U Shahn  
Member

Vice-Chairman

mb

20.3.02 List on 26.4.2002 to enable the  
Respondents to file written statement.

No. written statement  
has been filed.

By  
26.4.02

I C U Shahn  
Member

Vice-Chairman

mb  
26.4.02 List on 20/5/2002 to enable the  
Respondents to file written statement.

No. wks has been  
filed.

By  
27.5.02

I C U Shahn  
Member

Vice-Chairman

mb  
20.5.02 No written statement so far filed.  
List the matter for hearing on 27.6.2002.  
In the meantime, the Respondents may file  
written statement within three weeks from  
today.

W/S submitted  
by the Respondent No.  
2 and 3.

mb

I C U Shahn  
Member

Vice-Chairman

By

(3)

Notes of the Registry	Date	Order of the Tribunal
-----------------------	------	-----------------------

27.6.2002

Heard Mr I.Gogoi, learned counsel for the applicant. Mr S.Sarma, learned counsel for KVS stated that he has some difficulty in appearing in this case and accordingly he is not appearing in this case and the authority has now instructed Mr M.Chanda, learned counsel to appear in this case.

In the circumstances the case is adjourned to 11.7.2002. Let Mr Chanda file his power accordingly.

I C Usha

Member

Vice-Chairman

Wks have been bked.

pg

11.7.

List on 29.7.2002 in the presence of learned Counsel for the respondents.

Mr  
A.K. Roy  
11.7.

29.7.2002

None appears. Put up again for hearing on 1.8.2002.

I C Usha

Member

Vice-Chairman

bb

1.8.02

Prayer has been made by Mr.A.K.Roy learned counsel for the applicant seeking for sometime to take steps. Considering the facts and circumstances prayer is allowed. List on 20.8.02 for hearing.

I C Usha

Member

Vice-Chairman

lm

20/8.

Wrt again on 20/8/2002 in presence of Mr. M.Chanda, Counsel for the respondent.

Mr A.K. Roy 1.8.

Notes of the Registry Date

Order of the Tribunal

30.8.2002

Heard counsel for the parties.  
Judgment delivered in open Court, kept  
in separate sheets.

The application is dismissed in  
terms of the order. No costs.

  
Vice-Chairman

bb

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

O.A. ~~XXXX~~ No. 455 of 2001. .... ~~XXXX~~

DATE OF DECISION 30.8.2002. ....

All India Kendriya Vidyalaya  
Teachers Association.

APPLICANT(S)

Mr. S. C. Dutta Roy, A. K. Roy, I. Gogoi & A. Bhattacharya. ADVOCATE FOR THE APPLICANT(S)

-VERSUS-

Union of India & Others.

RESPONDENT(S)

Mr. M. Chanda.

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.455 of 2001.

Date of Order : This the 30th Day of August, 2002.

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

All India Kendriya Vidyalaya  
Teachers Association (Dimapur Unit)  
Represented by its Secretary  
Project Sewak, C/o:-99 APO  
Dimapur (Nagaland). . . . . Applicant.

By Advocates Mr.S.C.Dutta Roy, A.K.Roy  
I.Gogoi & A.Bhattacharya.

- Versus -

1. The Union of India  
Represented by the Secretary  
Human Resource & Development  
Govt. of India, New Delhi.
2. Kendriya Vidyalaya Sangathan  
Represented by the Commissioner  
K.V.S., 18, Institutional Area  
Sahid Jeet Singh Marg  
New Delhi.
3. The Asstt. Commissioner  
Kendriya Vidyalaya Sangathan  
Hospital Road, Silchar  
Dist:-Cachar (Assam). . . . Respondents.

By Advocate Mr.M.Chanda.

O R D E R  
CHOWDHURY J.(V.C.) :

The controversy pertains to entitlement of HRA  
in the rate prescribed for "B" class cities.

1. The applicant is an association espousing the cause of the 43 teachers working at Dimapur in the Kendriya Vidyalaya. It was contended by the applicant that since the other Govt. and Semi-Govt. employees are getting the H.R.A. of "B" class cities, there is no justification in granting the HRA to these 43 teachers

of Kendriya Vidyalaya at Dimapur @ "C" class cities.

2. The respondents contested the application and stated that Dimapur being a "C" class city the authority is lawfully granting the HRA @ "C" class cities to the teachers in terms of the Govt. notification. In the written statement the respondents also assailed the maintainability of the application on the ground that the application was filed by an association, which is not a aggrieved party.

3. I have heard Mr.A.K.Roy, learned counsel for the applicant and also Mr.M.Chanda, learned counsel for the respondents. The application is presented by the All India Kendriya Vidyalaya Teachers Association. The association, who is espousing the cause of 43 teachers is not a person who can be described as an aggrieved person under section 19 of the Administrative Tribunals Act, 1985. The teachers association, as such, is not entitled to claim any HRA, it is only their members to claim the same. I am, however, not inclined to dismiss the application on the ground of maintainability alone.

4. I have also considered the merit of the claim of the applicant. Mr.A.K.Roy, learned counsel for the applicant contended that the other departments, mostly the Central and Semi-Governments are giving the HRA @ "B" class cities and therefore, similar direction should be issued to the KVS for giving the same. I refrain from

making any observation in this regard. It is the authority concerned to take responsibility of giving HRA and the Tribunal is not to sit over the matter on the decision of the administration expecting that the authority will take steps according to law and pay HRA to its employees as per rate prescribed by law. In the absence of any legal infirmity ~~or~~ error apparent of the face of the record the Tribunal will not go and intervene in every administrative decisions.

Subject to the observations made above, the application is dismissed.

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

  
( D.N.CHOWDHURY )  
VICE CHAIRMAN

bb

नियंत्रित अधिकारिक अधिकारी  
Central Administrative Tribunal

26 NOV 2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
Guwahati Bench  
GUWAHATI BENCH

Filed by the  
Applicant through  
Gadonai Gobin  
Advocate  
26/11

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

ORIGINAL APPLICATION NO. 455 / 2001

All India Kendriya Vidyalaya  
Teachers Association (Dimapur Unit)

.....Applicant  
- VS -

Union of India & others

.....Respondents

I N D E X

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For office use :-

Date -

Signature -

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

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

BETWEEN

All India Kendriya Vidyalaya  
Teachers Association (Dimapur Unit)

Represented by it's Secretary ,  
Project Sewak , C/O- 99 APO,  
Dimapur (Nagaland)

.....Applicant

-AND -

1. Union of India ,represented by  
the Secretary , Human Resource & Development,  
Govt. of India , New Delhi.

2. Kendriya Vidyalaya Sangathan ,  
Represented by the Commissioner ,  
K.V.S. , 18, Institutional Area,  
Sahid Jeet Singh Marg, New Delhi.

3. The Asstt. Commissioner ,  
Kendriya Vidyalaya Sangathan ,  
Hospital Road , Silchar ,  
Dist- Cachar, (Assam)

.....Respondents

1. Particulars of order against which this application is made :-

*(m)*  
This application is directed against the action  
of the respondents in non-payment of house rent allow-  
ance to the members of the applicant at the rate of 'B'  
class cities for the Central Govt. employees .

Filed by the  
applicant through  
Gandharv Gogoi  
Advocate

2. Jurisdiction of the Tribunal :

The applicant declares that the subject matter in respect of which this application is made is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation :

That the applicant also declares that this application is made within the limitation period as has been prescribed under section 21 of the Administrative Tribunal Act 1985 in as much as it is a continuing wrong on the part of the respondents.

4. Fact of the case :

i) That the applicant is a registered association of All India Kendriya Vidyalaya Teachers being Registered No. 10296 . This association fight for all grievances of the teachers working under the Kendriya Vidyalaya Sangathan and hence is entitled to file this application for the instant grievance. The Dimapur Unit of the Association represents for the teachers working in the Dimapur . This application has been filed on behalf of the 43 teachers who are working in the Dimapur since their joining in the said station and are not getting the House rent allowance at the rate of 'B' class cities.

One copy of the list showing the names and joining date of the members of the of the applicant association is annexed herewith as Annexure -A

ii) That the applicant is being represented by it's secretary who is also a teacher of the Kendriya Vidyalaya

who is also working at Dimapur and are not getting the house rent allowance at the rate of 'B' class cities .

iii) That the applicant states that the Kendriya Vidyalaya Sangathan is an organisation under the Ministry of Human Resource and Development , Govt. of India and hence all the employees of this organisation are entitled to all the benefits and facilities as is admissible and applicable to the employees of other departments of the Govt. of India . Be it stated that the service conditions of the members of the applicant organisation are also same to that of the employees of the other department of the Govt. of India .

iv) That the applicant states that it came to know that a number of employees of various departments of the Central Govt. approacher this Hon'ble Tribunal claiming house rent allowance at the rate applicable for the employees of the Central Govt. who are working in the 'B' class cities of the country and this Hon'ble Tribunal disposed of all the applications directing the respondents of those application /authorities to pay house rent allowance to the employees who are working at Nagaland at the rate of 'B' class cities. After knowing the same the applicant submitted one representation dated 25.8.96 claiming the house rent at the rate applicable for the employees of 'B' class cities . But the respondents remain silent for long time and hence the applicant sent one legal notice dated 19.11.96 . After getting the said legal notice dated 19.11.96 , the Deputy Commissioner (Finance) ,K.V.S sent one reply dated 15.12.97 rejecting the claim of the applicant .

One copy of the representation dated 25.8.96 is annexed herewith as Annexure -B

One copy of the reply dated 15.12.97 against the legal notice is annexed herewith as Annexure -C

v) That the applicant states that after the judgement dated 22.8.95 passed by this Hon'ble ~~Court~~ Tribunal in O.A.No. 48 of 1981 and judgement passed in O.A.No. 42(G) of 1989 (S.K.Ghose and others -VS- Union of India & others) the authorities of various department refused to pay the house rent allowance to the employees posted at Nagaland at the ~~same~~ rate admissible to the employees of 'B' class cities showing the same cause as has been shown in the instant case and hence the employees of different department approached this Hon'ble Tribunal and this Hon'ble Tribunal directed the authorities to pay the same . Inspite of that legal position the respondents have rejected the claim of the present applicant. In O.A. NO. 20 of 1998 , this Hon'ble Tribunal has also passed simillar direction in the order dated 27.10.2000 .

One copy of the order dated 27.10.2000 passed in O.A.No. 20 of 1998 is annexed herewith as Annexure - D

vi) That the applicant states that entire Nagaland is a difficult place to get rented house and hence considering the same the Ministry of Finance issued an office Memorandum giving effect that the employees of the Central Govt. posted in Nagaland will be entitled to house rent allowance at the rate of 'B' class cities and that was made applicable to the postal and telecom employees only. Being aggrieved with the decision , the employees of the of the other

department like defence department , doordarshan , Ministry of Information and Broadcasting , Subsidiary Intelligence Bureau department , Railway Mail Service under Ministry of Communication approached this Hon'ble Tribunal and this Tribunal allowed those applications directing that the all the Central Govt. employees working at different parts of Nagaland are entitled to house rent allowance at the rate applicable to employees of 'B' class cities . Accordingly , all the employees of other department are getting house rent allowance at enhance rate ,but the employees of the Kendriya Vidyalaya Sangathan are not getting the said benefits . Be it stated here that the employees of this organisation are facing the same problems of other department

vii) That the applicant states that being aggrieved with the attitude of the respondents ,the members of the applicant sent one legal notice dated 22.6.2000 stating in details about the legal position and right of the members of the applicant to get the enhance house rent . But inspite of the same ,th respondents are silent about the matter .

one copy of the legal notice date 22.6.2000  
is annexed herewith as Annexure - E-

viii) That the applicant states that refusal on the part of the respondents to pay house rent allowance at the rate of (B' class cities to the members of the applicant association is illegal and unjustified and hence they approach this Hon'ble Court Tribunal by filing this application under Your Lordship's protective hand to get the same benefits as has been granted to the employees of other department .

5. Grounds for reliefs :

- i) For that as the employees of the other department of the Central Govt. who are posted at Nagaland are getting the house rent allowance at the rate applicable to the employees of 'B' class cities of the country, the members of the applicant association being employees of the Central Govt. are also entitled to the same and that cannot be denied by the respondents showing any cause.
- ii) For that as the grounds for extending house rent allowance to the employees of the other department is only non availability of house at Nagaland, the employees of the present organisation, being facing the same problems, are entitled to the enhance rate.
- iii) For that the respondents can not treat the members of the applicant association differently from the employees of the other departments /organisations.
- iv) For that as the present applicant's member did not approached this Hon'ble Tribunal and as there is no favourable order in their favour, they are not getting the house rent in enhance rate which are applicable to the employees of 'B' class cities of the country.
- v) For that the action of the respondents in refusing to pay the house rent allowance at the rate equivalent to the employees of 'B' class cities is violative of Article 14 and 16 of the Constitution of India and hence the same is not maintainable on the eye of law.
- vi) For that action of the respondents is against the all cannons of law and also against the principle of law.

vii) For that at any rate the action of the respondents is not maintainable in the eye of law and hence the same is not sustainable by any provision of law.

viii) For that as the similarly situated persons / employees of other department are enjoining this facilities , the applicant's members should be provided the same facilities for the ends of justice.

6. Details of remedies exhausted :

That the applicant states that it has availed all the remedies as stated in paragraphs 4 of this application but failed and hence there is no other alternative remedy to it other than to approach this Hon'ble Tribunal

7. Matter not previously filed or pending before any court :

That the applicant further declares that the members of the applicant and /or applicant has not filed any application, writ petition or suit regarding the matter before any court or any other bench of this Tribunal nor any such application, writ petition or suit is pending before any of them .

8. Reliefs sought for :

Under the fact and circumstances stated above the applicant prays for the following reliefs :-

i) To direct the respondents to pay house rent allowances ₹16/- to the members of the applicant association at the rate applicable to the employees of 'B' class cities of the country.

ii) To direct the respondents to pay the house rent

allowance with effect from 1-10-86 and /or w.e.f. the date of the joining of the members of the applicant association at the enhence rate .

iii) any other order or orders as Your Lordships may deem fit and proper .

iv) Cost of application.

9. Interim reliefs prayed for :

Under the fact and circumstances stated above the applicant do not pray for any interim reliefs.

10. .....

11. Particulars of Indian Postal Order :

i) I.P.O. NO. : 6G 791554

ii) Date of issue : 19-7-2001

iii) Payable at : Guwahati

12. List of enclosures :

As stated in the index .

(h)

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

I, Shri Modan Mohan Prasad Singh, son of Late Gajendra Singh, aged about 43 years, resident of P.O. Dimapur, Nagaland, at present working as Post Graduate teacher (Physics), Kendriya Vidyalaya, Dimapur, being Unit Secretary of the applicant association, do hereby verify that the statements made in paragraphs 1 to 12 are true to my personal knowledge and the submissions made therein I believe to be true as per legal advice and I have not suppressed any material fact of the case.

And I sign this verification on this the 25<sup>th</sup> day of November 2001.

Date :

Place :

Modan Mohan Prasad Singh  
Secretary  
A I K V I A  
K V Dimapur

ALL INDIA KENDRIYA VIDYALAYA TEACHERS ASSOCIATION  
(Regd No. 10296)

REGION - SILCHAR  
KENDRIYA VIDYALAYA DIMAPUR UNIT  
Project Sewak, C/O 99 APO  
ESTD .- 1972

LIST OF MEMBERS

		<u>Joining date</u>
1.	Dr. M.M.P. Singh	PGT(Phy) 3.2.94
2.	Dr. V. Surender	PGT(Eco) 6.9.99
3.	Shri. R. Mahto	PGT(Hindi) 2.12.95
4.	Dr. B.P. Karn	PGT(Bio) 14.12.95
5.	Shri. Rajpati	PGT(Eng) 24.2.98
6.	Shri K. Alam	PGT(Math) 15.9.98
7.	Shri Lahari Singh	PGT(Geo) 6.9.99
8.	Smt. S.L. Upadhyay	PGT(Hindi) 28.8.84
9.	Smt. J. Begum	PGT(Eng) 4.9.96
10.	Shri Anil Kumar	PGT(Pcm) 1.11.93
11.	Shri T. Pandey	PGT(Hindi) 21.8.95
12.	Smt. Jyotsna	TGT 21.8.95
13.	Shri Purushotman	TGT (Pcm) 11.9.95
14.	Shri Shyam Bihari	TGT(SST) 28.8.97
15.	Shri A.K. Sinha	TGT(Skt) 2.1.99
16.	Shri B.S. Verma	SUPW 10.11.93
17.	Shri Alok Bhattacharjee	SUPW 10.11.93
18.	Shri P.P. Saikia	PRT 4.9.95
19.	Smt. B. Mukhopadhyay	Music T. 12.4.99
20.	Shri Ram Prawesh Paul	Drawing T. 1.2.99
21.	Smt. Anjali pal	PRT 1.10.96
22.	Shri Omkar	PRT 20.9.94
23.	Smt. Sanket Singh	PRT 28.2.95
24.	Smt. Sinita Jha	PRT 24.6.96
25.	Smt. Kujani Rita	PRT 1.10.96
26.	Smt. S. Juyal	PRT 7.4.97
27.	Smt. Shashi Yangla	PRT 7.4.97
28.	Sh. Manish Kumar Mishra	PRT 7.4.97
29.	Sh. Kamlesh Kumar	PRT 7.4.97
30.	Smt. Saraj Singh	PRT 12.4.99
31.	Mr. R. Acharya	TGT(Pcm) 1.11.93
32.	Sh. R. Mandal	PGT(Eco) 2.2.2000
33.	Sh. Mahendra Kumar	PGT(His) 4.4.2000
34.	Sh. R.P. Sinha	TGT(Hindi) 2.1.2001
35.	Sh. V.C. Gubta	TGT(Hisdi) 16.7.2001
36.	Sh. K. Balan	TGT(Pcm) 29.3.2001
37.	Sh. Ram Das	TGT(Eng) 18.4.2001
38.	Sh. L.N. Yadav	Yago 28.4.2000
39.	Sh. A.K. Sah	Librarian 21.12.99
40.	Sh. M.E. Ahmed	PRT 7.12.2000
41.	Sh. V.B. Singh	PRT 17.1.2000
42.	Sh. K.M. Singh	PRT 5.12.2000
43.	Sh. Shree Lal	PRT 8.9.2000

Attested by

Chowdhury  
2/11  
Advocate

To,

- 11 -

The

Assistant Commissioner  
 Kendriya Vidyalaya Sangathan  
 Regional Office, Silchar

Sub:- claim for HRA for class B city regarding.

Sir,

We the employees of K V Project Sewak, situated at Dimapur are drawing only HRA entitled for Class C cities. Then employees of other State and Central Government Departments are getting the HRA entitled for Class B cities.

Efforts were made to draw the kind attention of all Kendriya Vidyalaya Sangathan officials regarding this matter and the office bearers of Assistant Commissioner Office at Silchar demanded the Government Order permitting the employees to draw HRA for Class B cities, and we sent the documents pertaining to this subject. We ~~have~~ <sup>receiving no</sup> response in this regard till date.

As our basic right to draw the HRA entitled for Class B cities is denied, we have the option to consult a legal <sup>adviser</sup> to sort out the case. This is your kind information please.

Thanking You,

Yours faithfully,

(M. M. P. Singh)

Dr. M. M. P. Singh  
 Secretary, AIKVTA  
 Kendriya Vidyalaya  
 Dimapur, Unit

Copy to:-

1. The Commissioner  
 KVS, New Delhi
2. The Principal  
 K.V. Dimapur.
3. The General Secretary  
 AIKVTA, New Delhi
4. The Regional Secretary  
 Assam Region  
 AIKVTA.

Attested by  
 Ranjy  
 28/7  
 Advocate.

Ansby of da

*(Note)* Copies of different departments are attached with this application which are availing class B cities allowances working in Dimapur.

EDUCATIONAL INSTITUTIONS (N.L.)  
13, INSTITUTIONS, ALEXA,  
NAGALAND STATE SECRETARIAL  
NEW DELHI-16

Copy to Legal Posit.

ANNEXURE-C

No. F.134-92/96-97/KVS/Budget

Dt: 15-12-97

Shri E. Devnath  
Advocate,  
(Civil & Criminal)  
Dimapur  
NAGALAND

Subject: Payment of HRA at 'B' Class city rates to  
Dr. M.M. Prasad Singh, teacher, KV Project  
Sewak, Dimapur,

\*\*\*\*\*

Sir,

I am to refer to your Notice under Section 80 of Civil procedure, 1908 dated 19/11/1996 regarding payment of House Rent Allowance to Dr. M.M. Prasad Singh, a teacher of KV Project Sewak, Dimapur. The matter has been considered in this office and it is clarified that cities/towns are classified for the purpose of grant of House Rent Allowance/ CCA to the Central Govt. Employees (KVS Employees), on the basis of the cities/towns populations as reflected in decennial Census. As per the latest 1991 Census, Kohima and Dimapur have been classified as 'C' Class Cities for the purpose of HRA vide Ministry of Finance OM No. 2(ii)/93-E.II (B) dated 14th May, 1993 as circulated by KVS Circular No. F. 125-1/92-KVS/Budget dated 13/08/1993. Therefore, KVS employees posted in Dimapur are entitled to House Rent Allowance at 'C' Class city Rates only. Accordingly, the payment of House Rent Allowance being made to Dr. M.M. Prasad is as per rules. The request of Dr. M.M. Prasad for payment of HRA at 'B' Class city Rates is not in accordance with the rules and orders issued by the Govt. of India.

2. This disposes of your notice under Section 80 of CPC, 1908 dated 19/11/96.

Yours faithfully



(K.K. BHOJANI)  
DEPUTY COMMISSIONER (FINNACE)

COPY TO:

1. Asstt. Commissioner, KVS, KU, Silchar with reference to his letter No. 3-4/KV/DMP/96-KVS(SR)/10585 dated 26/12/96
2. S.O. (L&C), for information & necessary action.

DEPUTY COMMISSIONER (FINNACE)

Attested by:

  
Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No.20 of 1998

Date of decision: This the 27th day of October 2000

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

Shri T.M. Singh and 13 others .....Applicants

All the applicants are working  
under the Assistant Director,  
National Sample Survey Organisation,  
Kohima.

By Advocate Mr A.K. Roy.

- versus -

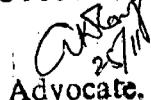
1. The Union of India, represented by the  
Secretary to the Government of India,  
Ministry of Planning and  
Programme Implementation,  
New Delhi.
2. The Director,  
National Sample Survey Organisation,  
(Field Operation Division),  
New Delhi.
3. The Assistant Director,  
National Sample Survey Organisation,  
(Field Operation Division),  
Kohima.
4. The Administrative Officer,  
National Sample Survey Organisation,  
(Field Operation Division),  
New Delhi. ....Respondents

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

O R D E RCHOWDHURY.J. (V.C.)

The applicants are fourteen in number. All of them are working under respondent No.3 and posted in Kohima. The applicants have moved this Tribunal with common grievance of refusal by the respondents to pay House Rent Allowance (HRA for short) as is applicable to Central Government employees, in 'B' class cities. Since the cause of action

Attested by



Advocate.

and the relief sought for are same, leave is granted to the applicants to espouse their grievance in one single application under the provisions of Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987. The matter is no longer Res intergra and in conformity with the earlier decisions of this Tribunal and the decisions rendered by the Apex Court. It is, therefore, ordered that all the fourteen applicants in this application are entitled to HRA at the rate applicable to Central Government employees or 'B' class cities and towns for the period from 1.10.1986 or from the accrual date of posting in Nagaland if the posting is subsequent to the said date, as the case may be, upto 28.2.1991 and at the rate as may be applicable from time to time from 1.3.1991 onwards and continue to get the same till the said notification is in force.

2. The application is accordingly allowed. The respondents are directed to complete the exercise as early as possible, at any rate within a period of three months from the date of receipt of this order.

No order as to costs.

sd/ VICECHAIRMAN

TRUE COPY.

क्रमांक

Deputy Registrar (S)  
Central Administrative Tribunal  
Gangtok, Sikkim

Attested by

  
Advocate.

18/20/11/94

P. B. Chhetry B.A., LL.B

Advocate

Lhomithi Colony,  
Dimapur : Nagaland

44330

Ref No. ....

Date ..22.6.2020.....

NOTICE

( UNDER SECTION 80 OF CIVIL PROCEDURE, 1908 )

To

1. The Secretary,  
Human Resource & Development,  
Govt. of India,  
NEW DELHI.
2. The Commissioner,  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
Shahid Jeet Singh Marg,  
NEW DELHI - 110 016.
3. The Assistant Commissioner,  
Kendriya Vidyalaya Sangathan,  
Hospital Road,  
SILCHAR,  
CACHAR, ASSAM.
4. The Principal,  
Kendriya Vidyalaya Sangathan,  
Sewak Area,  
C/O 99 APO.,  
DIMAPUR.

Sir(s),

I have been instructed by my clients namely (1) Dr. M. M. P. Singh, (2) Dr. V. Surender, (3) Shri. R. Mahto, (4) Dr. B. P. Karn, (5) Shri. Rajpati, (6) Shri. K. Alam, (7) Shri. Lahari Singh, (8) Smti. S. L. Upadhyay, (9) Smti. J. Begum, (10) Shri. Anil Kumar, (11) Shri. T. Pandey, (12) Smti. Jyotshna, (13) Shri. Purushotman, (14) Shri. Shyam Bihari, (15) Shri. A. K. Sinha, (16) Shri. B. S. Verma, (17) Shri. Alek Bhattacharjee, (18) Shri. P. P. Saikia, (19) Smti. B. Mukhopadhyay, (20) Shri. Ram Prawesh Paul, (21) Smti. Anjali Pal, (22) Shri. Onkar, (23) Smti. Sanket Singh, (24) Smti. Sunita Jha, (25) Smti. Rajani Rita, (26) Smti. S. Juyal, (27) Smti. Shashiyangla, (28) Shri. Manish Kumar Mishra, (29) Shri. Kamlesh Kumar, (30) Kumari Saroj and (31) Shri. R. Acharya Teachers of Kendriya Vidyalaya, Project Sewak, C/O 99 APO to give this Notice on their behalf which I hereby do as under :

That, my clients are the teachers of Kendriya Vidyalaya Sangathan a Department under the Ministry of Human Resources, Government of India, posted in Kendriya Vidyalaya, Project Sewak,

Attested by  
P. B. Chhetry  
Advocate.

✓ Contd.. 2/-

P. B. Chhetry B.A., LL.B.

Advocate

Lhomithi Colony,  
Dimapur, Nagaland

Ref. No.

- 2 -

Date .. 22.6.2000 ..

C/O 99 APO at Dimapur in the State of Nagaland, as such, they are the Central Government Employees and entitled to all benefits those are admissible to employees of other Departments of Central Government posted at Dimapur, in the State of Nagaland.

That, there are precedents and several instances that the employees of all most all the Departments of the Union of India (Central Govt.) at Dimapur have been receiving B-Class House rent. Be, it further noted that even the State of Nagaland has granted B-Class house rent to its employees these days. Amongst other following are the evidences which are sufficient to substantiate my client's claim of house rent payable by the Govt. of India at B-Class rate with arrear payment thereof.

**FIRSTLY** : The principle laid down by the Hon'ble Supreme Court in Civil Appeal No. 2705 of 1991 Union of India -VS- Shri. S. K. Ghosh & others (copy whereof as ANNEXURE-A was furnished to you with previous Lawyer's Notice) evidencing payment of house rent allowances at the B-Class City's rate to the employees of the Telecommunications & Postal Department posted in the State of Nagaland.

**SECONDLY** : The order dated 24.9.93 passed by the Central Administrative Tribunal (CAT) Guwahati Bench in O.A. 30/93 Shri.N.C. Das & 62 others -VS- Union of India & others (copy whereof as ANNEXURE-B was furnished to you with previous Lawyer's Notice) evidencing payment of house rent allowances at the B-Class City's rate to the employees of the Canteen Store Department, under the Ministry of Defence, Govt. of India, posted at Dimapur, Nagaland.

**THIRDLY** : The standing Order No. 748, Rule 4(III) of Khadi Commission (copy whereof as ANNEXURE-C was furnished to you with previous Lawyer's Notice).

That, legally my clients are entitle to house rent allowances at the rate of B-Class Cities, whereas, the C-Class house rent which was given to my client w.e.f. 1986 was stopped in 1991, whereupon the said allowance was again recovered from my clients, such action of the Government deserves no appreciation. However, my clients have been now in receipt house rent, but at C-Class City's rate and not B-Class which is illegal and a clear discrimination.

B. Chhetry B.A., LL.B.  
Advocate  
Lhomithi Colony,  
Dimapur : Nagaland

44330

Ref No. ....

- 3 -

Date .....

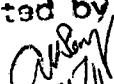
That, my clients on various occasion have submitted several representation for payment of house rent at B-Class City's rate. Besides, the representations, my clients also served Notice through Lawyer, but those have not been acted upon yet and thereby my clients have been discriminated and denied their legitimate right to receive B-Class Cities House rent in gross violation of the Provision of Indian Constitution and such step-motherly treatment has caused untold hardships to my clients. The said uncalled for and unbecoming attitude of the Central Government has been viewed seriously by my clients and intend to proceed in the competent Court of Law to protect their aforesaid legitimate claims and constitutional rights in particular the house rent allowance at such rate as admissible to the B-Class Cities both arrear and future. However, my clients sincerely want to avoid litigations, and this Notice is being served upon you providing further opportunity to pay my clients aforesaid claim relating to payment of House Rent Allowance (Arrear and future) at B-Class Cities rate which is being paid to the employees of other Departments of Central Government posted in Dimapur, in the State of Nagaland, within 60 days from the date of receipt hereof.

Under the circumstances, I hereby call upon you to pay my clients the house rent allowances at such rate as admissible to B-Class Cities (both arrear and future) and to treat my clients at par with the employees of all other Departments of Central Government posted at Dimapur in the State of Nagaland, within a period of 60 days from the date of receipt of this Notice, failing whereof my clients shall be left with no option, but to seek remedies in the competent court of law and at such event the Union of India in particular the Department concerned shall be further liable for entire costs and incidental charges of such legal proceeding(s),

Please, take Notice of it.

Sincerely,

  
D. B. Chhetry, B.A., LL.B.  
Advocate,  
Dimapur : Nagaland

Attested by  
  
Advocate.

29/08/2002  
28-5-2002  
Filed by  
The District Commissioner  
Kendriya Vidyalaya Sangathan  
Dibrugarh  
Original Application No. 455/2001

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :GUWAHATI BENCH  
AT GUWAHATI

Original Application No.455/2001

All India Kendriya Vidyalaya  
Teachers Association (Dimapur Unit)  
..... Applicant

-VERSUS-

Union of India and others

..... Respondents

The Respondents Nos.2 and 3 above  
named beg to file their Written  
Statement as follows :-

1. That all the averments made in the Original Application (hereinafter referred to in short as the application) are denied by the answering respondents save and except what has been specifically admitted herein and what appears from the records of the case.
2. That with regard to the statements made in paragraph 1 of the application the answering respondents begs to submit that the employees of Kendriya Vidyalaya Sangathan posted at Kendriya Vidyalaya Dimapur are eligible for payment of HRA as per 'C' class city rates.

3. That with regard to the statements made in paragraph 2 and 3 of the application the answering respondents has no comments.

4. That with regard to the statements made in paragraph 4.i and 4.ii of the application the answering respondents begs to submit that the Unit Secretary, Kendriya Vidyalaya Dimapur is not legally authorised to sue on behalf of the All India Kendriya Vidyalaya Teacher's Association (AIKVTA) as per the Memorandum of AIKVTA in the legal matters. Thus it is submitted that the present applicants have no locus standi to file this application.

5. That with regard to the statements made in paragraph 4.iii of the application the answering respondents begs to submit that the employees of Kendriya Vidyalaya are entitled for pay and allowances as decided by the Sangathan from time to time.

6. That with regard to the statements made in paragraph 4.iv of the application the answering respondents begs to submit that the representation dated 25.8.96 was not received by them. It is further submitted that the legal notice dated 19.11.1996 for payment of House Rent Allowance (HRA) at 'B' Class city rates was examined in consultation with the Ministry of Finance which is the nodal Ministry for

issue of orders regulating pay and allowances and it was informed to the advocate that employees of Kendriya Vidyalaya Dimapur are eligible for payment of HRA at 'C' class city rates as per Government Orders.

7. That with regard to the statements made in paragraph 4.v and 4.vi of the application the answering respondents begs to submit that so far no orders have been issued by the Ministry of Finance for payment of HRA at the rate of 'B' Class City for Central Government employees posted at Nagaland. As such employees of Kendriya Vidyalaya Dimapur are eligible for HRA at 'C' Class city rates only.

8. That with regard to the statements made in paragraph 4.vii of the application the answering respondents beg to submit that the legal notice dated 22.6.2000 has not been received.

9. That with regard to the statements made in paragraph 4.viii of the application the answering respondents begs to reiterate what has already been submitted in the foregoing paragraphs that the employees posted at Dimapur are entitled for payment of HRA as admissible for 'C' class city rates in terms of Government of India Orders dated 14.5.1993 and 3.10.1997.

Copies of the Government of India orders dated 14.5.1993 and 3.10.1997 are annexed and marked collectively

as Annexure-1.

10. That with regard to the statements made in paragraphs 5.1 to 5.viii of the application the answering respondents begs to reiterate what has been stated in the aforesaid paragraph and state that the grounds are baseless and contrary to law.

11. That with regard to the statements made in paragraphs 6 and 7 of the application the applicant is put to the strictest proof of the correctness of the statements made therein.

12. That with regard to the statements made in paragraphs 8 and 9 of the application the answering respondents beg to state that taking into consideration the statements and submissions made by the applicant as well as the Governments Orders in this aspect and also taking into consideration the statements made by the respondents in the preceding paragraphs the present Original Application deserve to be dismissed with costs.

..... Verification

VERIFICATION

I, Shri Deo Kishan Saini, son of Sri C.L. Saini, aged about 53 years, presently working as the Assistant Commissioner, Kendriya Vidyalaya Sangathan, Guwahati Region, Maligaon Chariali, Guwahati-12, do hereby verify that the statements made in paragraph 4, 5 are true to my knowledge and those made in paragraphs 2, 6, 7, 8, 9 are based on records.

And I sign this verification on this the day of 28 May, 2002 at Guwahati.

Place : Guwahati

Deo Kishan Saini  
DEPONENT

Date 28-5-2002

No.2(2)/93-E.II(B)  
 Government of India  
 Ministry of Finance  
 Department of Expenditure

New Delhi, the 14th May, 1993.

OFFICE MEMORANDUM

Subject :- Re-classification of cities/towns on the basis of 1991 Census - grant of House Rent Allowance and Compensatory (City) Allowance to Central Govt. employees.

The undersigned is directed to refer to this Ministry's O.M. No.11016/5/82-E.II(B) dt. 7.2.83 as amended from time to time and as last amended by this Ministry's OM No.21011/10/87-E.II(B) dt. 5.7.90, containing the list of cities/towns classified as 'A', 'B-1', 'B-2' and 'C' class for the purpose of grant of HRA/CCA to Central Govt. employees and to say that the question of re-classification of cities/towns on the basis of 1991 census for the purpose of grant of HRA/CCA to Central Govt. employees has been considered by the Govt. The President is now pleased to decide that in supersession of all the existing orders relating to classification of cities/towns for the purpose of grant of HRA/CCA to Central Govt. employees, cities/towns shall now be re-classified as 'A', 'B-1' and 'B-2' for the purpose of CCA as enumerated in Annexure-I and as 'A', 'B-1', 'B-2' and 'C' class for the purpose of HRA as enumerated in Annexure-II to these orders.

2. The 1991 census has not so far been conducted in the State of Jammu and Kashmir. In terms of existing orders Srinagar (U.A.) is 'B-2' class for the purpose both of HRA/CCA and Jammu is 'C' class for the purpose of HRA. However, CCA is admissible at 'B-2' class rates to Central Govt. employees posted in Jammu in terms of special orders contained in this Ministry's O.M. No.2(54)-E.II(B)/73 dt. 20.8.79. HRA/CCA at 'B-2' class rates to Central Govt. employees posted in Srinagar (U.A.) and HRA at 'C' class rates to Central Govt. employees posted in Jammu (U.A.) shall continue to be admissible until issue of further orders.

3. The orders issued by this Ministry, as listed at Sl.Nos. (1) to (5) in the margin, relating to grant of HRA/CCA to Central Govt. employees posted within the municipal area

1. OM No.2(4)-E.II(B)/65 dt. 5.11.74 (HRA/CCA at Delhi rates in Faridabad Complex).
2. OM No.11023/9/E.II(B)/73 dt. 26.5.79 (HRA/CCA at Delhi rates in Ghaziabad municipal area).
3. OM No.21011/20/E.II(B) Vol.II. dt. 31.1.90 (HRA/CCA at Delhi rates in Noida).

} of a city/town at rates admissible in another classified city/town on the basis of the principle of contiguity contained in para 3(2)(i) of this Ministry's OM No. 2(37)/E.II(B)/64 dt.

contd.....

4. OM No. 11013/2/81-E.II(B) dt. 3.8.82 (HRA at Bombay rates in New Bombay) X 27.11.85, shall continue to be applicable. The order listed at Sl. No. (6) to (13) in the margin, issued by this Ministry relating to HRA/CCA to Central Govt. employees posted in cities/towns/hill stations covered under these orders, where HRA/CCA has been granted not on the basis of classification of these cities/towns as per the population criterion but on special reasons, shall also continue to be applicable, until further orders.

5. OM No. 11013/1/87-E.II(B) dt. 12.10.87 (HRA/CCA at Jallandhar rates in Jallandhar Cantt.) X

6. OM No. 11023/1/86-E.II(B) dt. 9.12.86 (HRA/CCA at Delhi rates in Gurgaon) X

7. OM No. 11013/6/87-E.II(B) dt. 29.12.88 (CCA at 'B-2' rates in Jamnagar) X

8. OM No. 11013/2/83-E.II(B) dt. 14.11.86 (HRA at 'C' class rates in Mahe) X

9. OM No. 2(13)-E.II(B)/74 Vol. II dt. 16.4.92 (HRA at 'C' rates in Goa and UT of Daman & Diu) X

10. OM No. 2(27)-E.II(B)/65 dt. 9.3.65 (HRA at 'C' class rates in Coonoor) X

11. OM No. 2(54)-E.II(B)/73 dt. 29.8.79 (HRA at 'C' class rates in cities mentioned in these orders on the basis of costliness) X

12. OM No. 11014/1/E.II(B)/84 dt. 5.2.90 (HRA at 'A', 'b(1)' and 'B-2' rates in Shillong) X

13. OM No. 11021/1/77-E.II(B) dt. 17.6.78 (HRA at 'C' class rates in hill stations) X

4. Patratu (UA) in Bihar, Wadhwan (UA) and Patna (UA) (Distt. Junnarh) in Gujarat and Barabanki (UA) in Uttar Pradesh have been classified as 'C' class for the purpose of HRA under the existing orders. HRA at 'C' class rates posted within the Urban Agglomeration of these towns in terms of this Ministry's O.M. No. 11021/6/76-E.II(B) dt. 26.10.77 as Sounda, Surendranagar, Veeraval and Nawabganj, classified as 'C' class for HRA under these orders, fall within the Urban Agglomeration of these towns respectively.

5. These orders shall take effect from 1.3.1991.

6. In their application to employees serving in the Indian Audit and Accounts Department, these orders issue after consultation with the C&AO of India.

7. Hindi version of this O.M. is attached.

Sd/-  
( J. P. D. M. )  
Director

LIST OF D.A. 'B-1' AND 'B-2' CLASS CITIES WHERE COMPENSATORY ALLOWANCE IS ADMISSIBLE TO CENTRAL GOVT. EMPLOYEES

Name of State/Union Territory

B-2

Andhra Pradesh	Hyderabad (U.A.)	Vijayawada (U.A.)	Guntur,
Assam	Guwahati (U.A.)	Visakhapatnam (U.A.)	Rajamundry (U.),
Bihar	Lucknow (U.A.)	Bhagalpur (U.A.)	Warangal (U.),
Chhattisgarh	Bilaspur (U.A.)	Dhanbad (U.A.)	Guwahati City,
Delhi	Delhi (U.A.)	Jamshedpur (U.A.)	Ranchi (U.),
Gujarat	Ahmedabad (U.A.)	Patna (U.A.)	Chandigarh (U.)
Haryana	Faridabad (U.A.)	Surat (U.A.)	Bhavnagar (U.)
Jharkhand	Dhanbad (U.A.)	Vadodara (U.A.)	Rajkot (U.)
Karnataka	Mysore (U.A.)	Vizianagaram (U.A.)	Faridabad (U.)
Kerala	Ernakulam (U.A.)	Kozhikode (U.A.)	Belgaum (U.)
Lakshadweep	Kochi (U.A.)	Kochi (U.A.)	HUBLI-BHUBANESWAR
Madhya Pradesh	Indore (U.A.)	Thiruvananthapuram (U.A.)	Mangalore (U.)
Maharashtra	Greater Bombay (U.),	Jabalpur (U.A.)	Dynaore (U.)
Manipur	Nagpur (U.A.)	Ludhiana (U.A.)	Kannur (U.A.)
MP	Pune (U.A.)	Patna (U.A.)	Durg-Bhilai
Odisha	Bhubaneswar (U.A.)	Shillong (U.A.)	Nagar (U.),
Punjab	Amritsar (U.A.)	Shimla (U.A.)	Gwalior (U.),
Rajasthan	Jaipur (U.A.)	Surat (U.A.)	Raipur (U.),
Tamil Nadu	Chennai (U.A.)	Visakhapatnam (U.A.)	GUWAHATI
Telangana	Hyderabad (U.A.)	Visakhapatnam (U.A.)	GUWAHATI (U.)
Uttar Pradesh	Lucknow (U.),	Coimbatore (U.A.)	Kolhapur (U.),
West Bengal	Kanpur (U.)	Madurai (U.A.)	Nashik (U.),
	Calcutta (U.)	Agra (U.A.)	Solapur (U.),
		Allahabad (U.A.)	Bhulabazar,
		Meerut (U.A.)	Cuttack (U.),
		Vrindavas (U.A.)	Amritsar,
			Jallandhar,
			Pondicherry (U.),
			BJMER,
			BIKANER,
			JODHPUR,
			KOTA
			Salem (U.),
			TIRUCHIRAPPALLI
			(U.),
			BLIJARH
			BORDI (U.),
			GHANZIABAD (U.),
			CORA THUPUR
			MORADABAD (U.),
			BURZIJIUR
			ASANOL (U.),

ANNEXURE - II  
 List of 'A', 'B-1' and 'B-2' and 'C' class cities where House  
 Rent Allowance admissible to Central Government employees.

1 2 3 4

Hyderabad  
(U.A.)

ANDHRA PR. DESH

Visakhapatnam(U.A.)  
Vijayawada (U.A.)  
Guntur  
Warangal (U.A.)

Srikakulam, Vizianagaram,  
Anakapalle, Kakinada (U.A.)  
Rajahmundry (U.A.)  
Narsapur, Palacole,  
Tadepaligudem, Tanuku  
Eluru, Bhimavaram,  
Gudiveda, Machilipatnam  
Bapatla, Chilakaluripet  
Narsaraopet, Ponnuru,  
Tenali, Mangalgiri,  
Ongole(U.A.), Chirala (U.A.)  
Cudur, Kovvili, Mellore,  
Madanapalle, Srikalahast  
Tirupati(U.A.), Chittoor,  
Cuddapah(U.A.), Proddatur  
Dharavaram, Kadiri,  
Tadipatri, Anantapur,  
Guntakal, Hindupur,  
Yemmiganur, Kurnool (U.A.)  
Adoni, Nandyal,  
Mahbubnagar, Sangareddy,  
Siddipet, Bodhan,  
Nizamabad, Adilabad,  
Bellampalle, Kegaznagar,  
Mancheriyal, Nirmal,  
Jagital, Sircilla,  
Karimnagar, Ramagundam,  
Palwancha, Khairanpet (U.A.)  
Suryapet, Miryalaguda,  
Nalgonda, Kothagudem(U.A.)

ANDAMAN & NICOBAR ISLANDS

Port Blair

ASSAM

Guwahati city

Dhubri, Tezpur, Jorhat  
(U.A.) Nagaon, Dibrugarh  
(U.A.) Tinsukia, Silchar

Karimganj.

BHAR

Ranchi (U.A.)  
Jamshedpur (U.A.)

Mokamchi, Bihar, Duxar,  
Arrah, Dehri, Sasaram,  
Jehanabad, Bhawalpur,  
Gaya (U.A.), Chirra, Siwan,  
Bettiah, Bokhara,  
Hotihari (U.A.), Muzaferpur,  
Pur, Hajipur, Baitauni,  
Begusarai (U.A.), Darbhanga,  
Madhubani, Saharsa,  
Purnia (U.A.), Kotihome,  
Jamalpur, Krishnagar,  
Bardia, Chittagong (U.A.),  
Dacca (U.A.), Dhanbad (U.A.),  
Giridih, Phusro (U.A.),  
Jhumrikatoliya, Ilam, Jhapa,  
Ranipur (U.A.), Gurdanda,  
Daltanjanj, Chilika, Lalganj,  
Dityapur, Krishnaganj,  
Rokero Steel City,

Patna (U.A.)

CHANDIGARH3. Chandigarh (U.A.)

Delhi (U.A.)

DEHLIGOA

Margao(U.A.O), Narmugao(U.A.)

Ahmedabad(U.A.)

Vadodara(U.A.)

Surat(U.A.)

GUJ.R.T

Rajkot(U.A.)

Dhavanhagar(U.A.)

Jamnagar(U.A.), Uppleta,  
Gondal(U.A.), Dhoraji(U.A.),  
Jetpur(U.A.), Morvi (U.A.),  
Uhrangadhra, Surendranagar,  
Botad, Mahuva(U.A.),  
Amreli(U.A.), Veraval, Kashod,  
Junagadh(U.A.), Anjar,  
Porbandar(U.A.),  
Gandhidham, Bhuj(U.A.)  
Deesa, Palanpur(U.A.),  
Himatnagar, Unjha,  
Siddhpur(U.A.),  
Visnagar(U.A.), Kalol(U.A.),  
Mahesana(U.A.), Valsarajam,  
Khambhat(U.A.), Hadiad(U.A.),  
Anand(U.A.), Dohad(U.A.),  
Godhra(U.A.), Dalhaoi,  
Anklesvar(U.A.), Bharuch(U.A.),  
Navsari(U.A.), Valsad(U.A.),  
Savarkundla(U.A.),  
Gandhinagar, Patan(U.A.)  
(Under Distt. Mahesana)  
Petlad.

HARYANAFaridabad  
Complex

Panchkula (Urban Estate),  
Ambala, Ambala (U.A.),  
Yamunagar(U.A.), Thanesar,  
Kaithal, Karnal(U.A.), Panipat,  
Sonipat, Bahadurgarh(U.A.),  
Rohtak, Palwal, Gurgaon(U.A.),  
Rewari, Narwaul, Bhiwani,  
Jind, Hansi, Hisar (U.A.),  
Sirsa,

HIMACHAL PRADESH

Shimla (U.A.)

KARNATAKAHubli-Dharwad,  
Mysore(U.A.)

Channapatna, Dabballapur,  
Ramanagaram, Gokak,  
Nipani, Belgaum(U.A.),  
Bellary, Bidar, (U.A.),  
Davalkot, Rabkavi-Banhatti,  
Bijapur(U.A.), Chikmagalur,  
Chitradurga(U.A.), Davangere  
(U.A.), Mangalore(U.A.),  
Kanibennur, Gadag-Batigeri,  
Gulbarga(U.A.), Hassan(U.A.),  
Chintamani, Kolar, Kolar  
Gold Fields(U.A.), Mendya,  
Gajjewati(U.A.), Raichur(U.A.),  
Bhadravati(U.A.), Shimoga(U.A.),  
Tumkur(U.A.), Dandeli,  
Karnur, Hospet(U.A.), Harihar.

contd....

Bengalore  
(U.A.)

1.	2.	3.	4.
		<u>KERLA</u>	
Indore(UA)	Bhopal	<u>KERLA</u> Thiruvanantha- puram(UA), Kohilkode(UA), Kochi(UA),	Kasagod, Kanhangad (UA), Payannur, Vadakera(UA), Ponnani, Manjeri, Valakk (UA), Thrissur(UA), Changanassery, Kottayam(UA), Alappuzha(UA), Thiruvalla Kollam(UA), Taliparamba, Kannur(UA), Kayamkulam,
Greater Pune(UA)	Bombay(UA), Mumbai(UA),	<u>MADHYA. PR. DESH</u> Gwalior(UA), Jabalpur(UA), Raipur(UA),	Morena, Bhind, Datia, Tikamgarh, Chhatarpur(UA), Sagar(UA), Damoh(UA), Satna(UA), Rewa, Shahdol (UA), Mandsaur, Nejda, Ratlam(UA), Ujjain(UA), Dewas, Dhar, Khandwa, Barhanpur, Vidisha, Schora(UA), Sarni(UA), Betul(UA), Hoshangabad, Itarsi(UA), Murwara(Katni), Chhindwara(UA), Seoni, Balajpur(UA), Ambikapur(UA), Korba, Bilaspur (UA), Shivpuri, Dhamtari, Jagdalpur(UA), Mhow(UA), Kharjone, Durg, Raigarh(UA), Jaora(UA), Rajnandgaon, Neemuch(UA), Rajgarh-Jhars Dalli,
		<u>MAHARASHTRA</u> Nashik(UA), Solapur(UA), Kolhapur(UA), Narangalbad (UA), Amravati	Virar, Nalasopara, Dhule (UA), Pimpri, Ratnagiri, Mamad, Malegaon, Nandur, Dhule, Chalisgaon, Malne, Lhusavali(UA), Jalgaon, Shrirampur(UA), Ahmednagar, Satara, Parad, Sangli(UA), Borshi, Pandharpur, Ichalkaranji(UA), Jalna, Hingoli, Parbhani, Parli, Amravati, Bid, Nanded(UA), Osmanabad, Udgir, Latur, Buldhana, Malkapur, Khem dot, Akola, Ahalpur, Pusad, Yavatmal(UA), Hinganghat, Wardha, Bhend Kamptee(UA), Gondiya, Ballarpur(UA), Chandrapur
		<u>MANIPUR</u>	Imphal(UA),
		<u>MEGHALAYA</u>	Shillong(UA)
		<u>MIZORAM</u>	Cherrapunji
		<u>HIG. LADP</u>	Kohima, Dimapur,

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ORISSA

Cuttack(UA) Bargarh, Brajarajnagar,  
 Bhubaneswar, Jharsuguda, Sambhalpur(UA),  
 Rourkela(UA), Bhadrak,  
 Daleshwar(UA), Balangir,  
 Bhawani patna, Jeypur,  
 Sunabeda, Brahampur, Puri

PUNJAB

Ludhiana Amritsar, Jalandhar,

Gurdaspur, Pathankot(UA),  
 Batala(UA), Firozpur Centt.  
 Fazilka, Abohar, Khanna,  
 Kapurthala, Phagwara (UA)  
 Hoshiarpur, SAS Nagar (Mohali)  
 Rejpura, Nabha, Patiala(UA)  
 Mallerkotla, Sangrur, Firzpur,  
 Barnala, Mansa, Bhatinda,  
 Faridkot(UA), Kotkapura,  
 Muktsar, Malout, Moja (UA).

PONDICHERRYRAJASTHAN

Jaipur(UA) Bikaner,  
 Ajmer,  
 Jodhpur,  
 Kota,

Manumangarh, Ganganagar, Sardar-  
 Singhgarh, Kotahgarh, Sojatgarh, Buni-  
 Jhunjhunun, Mevalgarh, Alwar(UA),  
 Bharatpur(UA), Dhalpur, Hindaun,  
 Gangapur city (UA), Sawai,  
 Madhopur(UA), Fatchpur, Sikar,  
 Kishangarh, Beawar(UA), Nagaur,  
 Makrana(UA), Pali, Barmer,  
 Nihlvara, Udalpur, Chittaurgarh,  
 Tonk (UA), Baran, Banswara(UA),  
 Churu (UA).

TAMILNADU

Madras(UA) Coimbatore  
 (UA),  
 Madurai(UA)

Chengalpattu, Kanchipuram(UA),  
 Arakkonam, Tambur, Tiruppattur,  
 Gudiyappattam(UA), Veniyambadi  
 (UA), Attur, Vellore(UA),  
 Krishnagiri, Dharmapuri,  
 Arani, Tiruvannamalai,  
 Tindivanam, Villupuram, Panruti,  
 Vridhachalam, Chidambaram(UA),  
 Cudaloro, Neyveli(UA),  
 Tiruchengodu, Kumeralayam,  
 Salem(UA), Erode(UA), Udhagamandalam,  
 Mettuppalaiyam, Udamalaipettai,  
 Tiruppur(UA), Pollachi(UA),  
 Palani(UA), Dindigul,  
 Tiruchirappalli(UA), Karur(UA),  
 Mayiladuthurai, Mannargudi  
 Pattukkottai, Nagappattinam(UA),  
 Kumbakonam(UA), Thanjavur,  
 Pudukkottai, Karaikkudi(UA),  
 Nodinayakanur, Kambam,  
 Teni -linnagaram, Srivilliputthur,  
 Virudunagar,  
 Aruppukottai, Rajapalayam,  
 Sivakasi(UA), Paramakkudi,  
 Ramencthepuram, Kovilpatti,  
 Tuticorin(UA), Puliyanjadi,  
 Kadaiyonallur, Tenkasi,  
 Tirunelveli(UA), Nagerccoil,  
 Mettur, Valparai.

TRIPURA

Agartala.

contd....

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UTTAR PRADESH

Lucknow(UA), Agra  
 Kanpur(UA), (UA),  
 Varanasi (UA), Meerut(UA),  
 (UA), Ghaziebad  
 (UA),  
 Alijahr,  
 Bareilly(UA),  
 Allahabad(UA), Gorakhpur.

Moradabad  
 (UA),  
 Dehradun(UA), Kashipur,  
 Rudrapur, Haldwani-cum-  
 Kathjodam, Hajibabad,  
 Nagine, Chandpur, Dijnor(UA),  
 Chandausi, Sambhal, Noida,  
 Amroha, Rampur, Deoband,  
 Saharanpur, Roorkee(UA),  
 Haridwar(UA), Shamli,  
 Kairana, Huzaffarnajee(UA),  
 Baraut, Hawana, Pilkhuwa,  
 Hopur, Modinagar(UA),  
 Khurja, Sikandrabad,  
 Bulandshahr, Hathras,  
 Nathura, Shikohabad,  
 Firozabad(UA), Kasganj,  
 Etah, Mainpuri, Sahaswan,  
 Budaun, Pilibhit, Unnao,  
 Shahjahanpur(UA),  
 Lakhimpur, Sitapur,  
 Hardoi, Shahabad, Ganga  
 Ghat(Distt.Unnao),  
 Rao Bareli, Kannauj, Orai,  
 Farrukhabad-cum-Fatehpur  
 (UA), Juraiya, Etawah,  
 Jhansi(UA), Lalitpur,  
 Mahoba, Banda, Fatehpur,  
 Buda Pratapgarh, Behrampur,  
 Balrampur, Gonda, Nawab-  
 Gonj, Tanda, Faizabad(UA),  
 Sultanpur, Basti, Deoria,  
 Paunath Bhanjan, Azamgarh,  
 Jaunpur, Ballia, Ghazipur,  
 Badohi, Mugalsarai(UA),  
 Mirzapur-cum-Vindhyaachal.

Calcutta  
(UA)WEST BENGAL  
Durgapur

Raiganj(UA), Jalpaigudi,  
 Alipurduar(UA), Darjiling,  
 Siliguri, Balurghat(UA),  
 Habra(UA), English Bazar (UA),  
 Jangipur, Beharampur(UA),  
 Chakdaha, Krishnanagar, Nabadwip (UA), Santipur,  
 Ranaghat(UA), Dangon, Basirhat, Rajpur(UA), Contai,  
 Medinipur, Haldia, Kharagpur (UA), Bishnupur, Bankura,  
 Puruliya, Katwa, Sonarpur(UA), Raniganj(UA), Barddhaman,  
 Suri, Daspur, Koch-Bihar(UA), Chittaranjan, Dabigram.

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No. 2(30)97-E.II(B)  
 Government of India  
 Ministry of Finance  
 (Department of Expenditure)

New Delhi, the 3rd October, 1997

**OFFICE MEMORANDUM**

**Subject:** *Recommendations of the Fifth Pay Commission - Decisions of Government relating to grant of Compensatory (City) Allowance and House Rent Allowance to Central Government employees.*

The undersigned is directed to say that, consequent upon the decisions taken by the Government on the recommendations of the Fifth Pay Commission relating to the above mentioned allowances vide this Ministry's Resolution No. 50(1)Y/C/97 dated 30.9.1997, the President is pleased to decide that in modification of this Ministry's O.M. No. F.2(37)-E.II(B)/64 dated 27.11.1965 as amended from time to time, Compensatory (City) Allowance and House Rent Allowance to Central Government employees shall be admissible at the following rates:-

**(I) COMPENSATORY (CITY) ALLOWANCE:**

Pay Range (Basic Pay)	Amount of CCA in class of cities. (Rs. per month)			
(1)	A-1 (2)	A (3)	B-1 (4)	B-2 (5)
Below Rs.3000 p.m.	90	65	45	25
Rs.3000 p.m. to Rs.4499 p.m.	125	95	65	35
Rs.4500 p.m. to Rs.5999 p.m.	200	150	100	65
Rs.6000 p.m. and above	300	240	180	120

**(II) HOUSE RENT ALLOWANCE:**

Classification of cities/towns	Rates of House Rent Allowance
A-1	30% of actual basic pay drawn
A	15% of actual basic pay drawn
B-1	7.5% of actual basic pay drawn
B-2	5% of actual basic pay drawn
C	
Unclassified	

2. The list of cities/towns classified as A-1, A, B-1 and B-2 for the purpose of CCA is enclosed at Annexure I. The list of cities/towns classified as A-1, A, B-1, B-2 and C is enclosed at Annexure II.

3. The cities/towns which have been placed in a lower classification in the above mentioned lists, as compared to their existing classification, shall continue to retain the existing classification until further orders and the Central Government employees working therein will be entitled to draw the rates of CCA and HRA accordingly.

4. The special orders relating to grant of HRA/CCA in localities as listed in para 2 & 3 of this Ministry's O.M. No. 2(2)/93-E.II(B) dt. 14.05.1993 shall continue to be applicable.

5. Pay for the purpose of these orders, will be Pay drawn in the prescribed scale of pay, including stagnation increment(s) and non-practising allowance, but shall not include any other type(s) of pay like special pay or personal pay, etc. In the case of those employees who opt to retain the existing scales of pay, it will include, in addition to pay in the pre-revised scale, dearness allowance and interim relief appropriate to that pay admissible under orders in existence on 1.1.1996.

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6. All other conditions governing grant of CCA and HRA under existing orders shall continue to apply.

7. Those orders shall be effective from 1.8.1997. For the period from 1.1.1996 to 31.7.1997, the above allowances will be drawn at the existing rates on the notional pay in the pre-revised scale.

8. Those orders will apply to all civilian employees of the Central Government. The orders will also apply to the civilian employees paid from the Defence Services Estimates. In regard to Armed Forces Personnel and Railway employees, separate orders will be issued by the Ministry of Defence and Ministry of Railways, respectively.

9. In so far as the persons serving in the Indian Audit & Accounts Department are concerned, this order issues in consultation with the Comptroller & Auditor General of India.

10. Hindi version of the order is attached.

*D. Swarup*  
(D. Swarup)

Joint Secretary to the Government of India

To

All Ministries and Departments of the Government of India etc. as per standard distribution list.  
Copy forwarded to C&AG and UPSC etc. (with usual number of spare copies) as per standard endorsement list.