

30/100  
CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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allowed date-29/08/2001

O.A/T.A No. 56/2001

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SECTION OFFICER (Judl.)

## CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI.5

ORIGINAL APPLICATION NO. 56/2001

Chandidam. Chandhury...Applicant.  
versus...

Union of India &amp; Ors ..... Respondents.

For the Applicant(s) G.K. Bhattacharjee  
G.N. Das

N. Dexi

For the Respondents... C.A.S.L....

## NOTES OF THE REGISTRY

## DATE

## O R D E R

This application is in form  
but lacks proper documentation.  
Present in the court date  
M. P. 2001for Rs. 5/-.  
IPO/56/No. 56/422010

Dated..... 5.2.2001

Ldy. Registrar

7.2.01, Present: Hon'ble Mr. Justice D.N.

Choudhury, Vice-Chairman.

Application is admitted. Issue  
notice on the respondents. Call for  
records. Returnable by 8 weeks. List  
on 8.3.01 for orders. Endeavour shall  
be made to dispose of the application  
at the admission stage.

Vice-Chairman

1m

10.2.2001

Service of Notice  
issued to the respondent  
clients vide O. No. 513-18  
Df. 13.2.2001.

8.3.2001. Adjourned to 21.3.2001.

Also  
A.K. Fer21.3.01. List after four weeks for enabling the  
respondents for filing of written  
statement.Fix it on 16.5.2001 for further  
orders.

Member

Vice-Chairman

By  
20.3.01

trd

165.01

16.5.01 The applicant is a non-executive official presently serving in the Special Service Bureau (S.S.B). He is presently serving as UDC in the office of the Area Organiser, S.S.B, Jalpaiguri (West Bengal).

By this application he has sought for a direction to grant ration allowance for the periods from 1.8.87 to 31.3.91 (Bomdila posting) and from 1.8.94 to 31.8.98 (Miao Posting) as well as granted <sup>to</sup> other similarly situated non-executive personnel of the S.S.B. The case is also squarely covered by the judgment rendered by this Tribunal in O.A. No. 47 of 2000 disposed on 21st Sept. 2000. Admittedly, Bomdila and Miao under the State of Arunachal Pradesh are declared at part as category 'B' Stations for the purpose of concessions.

In the light of the earlier order the respondents are directed to pay the ration allowance to the applicant with effect from the date the allowance became admissible to the person serving at Bomdila area under the administrative control of the Divisional Organiser, S.S.B. Arunachal Pradesh Division.

The respondent are directed to pass necessary orders accordingly within 90 days from the date of receipt/certified copies of the order. Application is allowed. No order as to costs.

lm

NFS  
18/5/2001

Vice-Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH ::

GUWAHATI.

O.A.NO.

56

/2001.

Shri Chandan Choudhury.

...Applicant.

-Versus-

Union of India and others.

...Respondents.

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Filed by :-

  
(Advocate).

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI

BENCH GUWAHATI

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

O.A.NO.

56

/2001.

shri Chandan Choudhury  
son of Late Birendra Mohan Choudhury  
Presently serving as the U.D.C.,  
in the Office of the Area Organiser,  
S.S.B., Jalpaiguri (West Bengal).

...Applicant.

-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 .

contd....

Filed by Chandan Choudhury  
through - Nielima Debi  
Advocate

2.

4. Divisional Organiser, S.S.B.

A.P. Division, Khatiing Hills,

Itanagar, Arunachal Pradesh.

5. Area Organiser, S.S.B.

Bomdila, Kameng District (West)

Arunachal Pradesh.

6. Area Organiser, S.S.B.

Khonsa,

Tirap District

Arunachal Pradesh.

.... Respondents.

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

Order dated 1.5.2000 passed by the Respondent No.4 as communicated in his office memorandum No. BE/Court Case/RA/99/164 dated 1.5.2000 whereby the applicant was informed, through the Area Organiser (Staff), SSB, Siliguri, that as per judgment dated 8.9.99 passed by this Hon'ble Tribunal in OA NO. 103/99 and order passed by the Cabinet Secretariat thereon, the payment of Ration Allowance was admissible only to the applicants of the OA 103/99 which was filed by the non-executive personnel of the SSB serving at Itanagar under the administrative control of the Respondent No.4.

contd...



3.

2 : JURISDICTION OF THE TRIBUNAL :-

The applicant declares that the subject-matter of the order against which he wants redressal is within the jurisdiction of the Tribunal .

3 : LIMITATION :-

The applicant further declares that the application is within the limitation prescribed U/s 21 of the Administrative Tribunals Act, 1985.

4 : FACTS OF THE CASE :-

1) That the applicant is a non-executive official presently serving in the Special Service Bureau (S.S.B. in short) which is a department of the Govt. of India directly under the Cabinet Secretary. He is presently serving as the U.D.C. in the Office of the Area Organiser, S.S.B., Jalpaiguri (West Bengal) .

Earlier , the applicant had served in several places in Arunachal Pradesh. While he was serving as the L.D.C. in the office of the Sub-Area Organiser, SSB, Jang , he was transferred to the office of the Area Organiser, Bomdila . The applicant was relieved from the office of the Sub-Area Organiser, SSB, Jang on 23.2.85 to enable him to join his new place of posting at Bomdila .

Contd...  


Copy of the said order dated 23.2.85 relieving the applicant to enable him to join at Bomdila is annexed herewith and marked as Annexure-I.

2) That the applicant ,accordingly , resumed his duties as L.D.C. in the Office of the Area Organiser,S.S.B., Bomdila with effect from the forenoon of 25.2.85 in terms of order dated 14.3.85 passed by the Area Organiser, S.S.B. , Bomdila .

In pursuance of the order dated 26.6.90 passed by the Respondent No.4, the applicant was relieved of his duties with effect from 1.4.91 (FN) to enable him to join his duties in the Office of the Area Organiser, SSB, Tezu on transfer in the same capacity vide order dated 27.3.91 passed by the Area Organiser,SSB,Bomdila.

Copies of the said order dated 14.3.85 and dated 27.3.91 are annexed herewith and marked as Annexure-II and III respectively.

3) That the applicant served in the office of the Area Organiser,SSB,Tezu to the period from 1.4.91 to 30.6.94 .

contd....



5.

4) That the applicant who was, in the meantime, promoted to the rank of U.D.C., was, thereafter, transferred to Miao in the Office of the Sub-Area Organiser,SSB, Miao under the establishment of Area Organiser,SSB, Khonsa ~~on~~ transfer from the office of the Area Organiser,SSB,Tezu where he resumed his duties on 1.8.94. He was, however, released with effect from 31.8.98 on transfer to enable him to join in the Office of the Divisional Organiser,SSB, North Bengal and sikkim Division, siliguri .

copy of the order dated 8.9.98 passed by the Area Organiser,Khonsa releasing the applicant with effect from 31.8.98 is annexed herewith and marked as Annexure-IV.

5) That the applicant begs to state and submit that the Area Organiser,SSB, Jalpaiguri had issued a certificate dated 3.1.2001 to the effect that the applicant joined the office of the Sub-Area Organiser,SSB, Miao (Arunachal Pradesh) under the establishment of the Area Organiser, SSB,Khonsa ,Tirap District (A.P.) on 01.08.94 (FN) on transfer from the office of the Area Organiser ,SSB,Tezu,Lohit district,A.P. as per record available in his service book vide page -23 .

contd...



Copy of the said certificate dated 3.1.2001 is annexed herewith and marked as Annexure-V.

6) 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, multidisciplinary 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.

7) That the applicant begs 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 locations had been categorised as "B" and "C" stations as mentioned in the Annexure-II to the letter. In the said letter, it was also mentioned that for the purpose of House Rent Allowance, concessions to the various categories to staff, the equation of post



7.

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.C., C.I.O.A. and Directorate of Accounts.

Copy of the said letter dated 18.12.87 alongwith two Annexures is annexed herewith and marked as Annexure- VI.

8) That applicants begsto 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.

9) That the applicants begsto 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 ~~xx~~ as Annexure-A in various cadres of corresponding level in Aviation Research Centre to that of the executive cadre. The present applicants have been

contd...



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-VII.

10) That the applicant begs to state and submit that Bomdila (where the applicant worked from 25.2.85 to 31.3.91 ) and Miao (where the applicant served from 1.8.94 to 31.8.98, as stated above, in Arunachal Pradesh were categorised as category "B" locations with effect from 1.8.87 but the non-executive personnel of the S.S.B. posted to these two locations were not granted Ration Allowance although the executive personnel based in these locations were drawing Ration Allowance in terms of the said letter dated 18.12.87 (Annexure-I).

11) That, the applicant begs to state and submit that the applicant ~~has~~ became eligible for getting ration allowance with effect from 01.08.87, the date from which the above-noted stations were categorised/ "B" 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 applicant who had been equated with the Field Officers and below were not paid ration allowance in a most illegal and arbitrary manner.

contd...



12) 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 Research Centre, Doordarshan 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

contd...



carried into execution by all concerned. The order dated 14.6.96 passed by this Hon'ble Tribunal in O.A.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-VII and IV respectively.

13) That the applicant begs 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 and all payments have since been made to the staff who are still continuing at Doon-dooma which has been categorised as "B" station .

14) That the applicant begs to state that some other non-executive personnel of Aviation Research Centre (ARC) in short ,F.R.U. Numaligarh who were also deprived of getting the Ration Allowance had also filed an application before this Hon'ble Tribunal claiming Ration Allowance and the same was numbered as O.A. 89/96. This Hon'ble Tribunal, by order dated 17.7.98, disposed of the application directing the department to pay Ration Allowance with effect from 22.2.94 alongwith arrears within 3 months .

contd...



Copy of the said order dated 17.7.98  
is annexed herewith and marked as  
Annexure-X.

15) That the applicants beg to state that after the non-executive cadre employees of the Aviation Research Centre, Doordooma and of Aviation Research Centre, Field Research Unit (F.R.U.), Numaligarh were granted Ration Allowance, as stated above, in terms of orders passed by this Hon'ble Tribunal which was not interfered 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.

Copy of the said order dated 8.9.99 passed by this Hon'ble Tribunal in O.A. No.103/99 is annexed herewith and marked as Annexure-XI.

contd...



16) 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 27.4.92, 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 applicant with effect from 27.4.92 onwards (date from which Shillong was categorised as "B" Station).

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

17) That some non-executive personnel serving in SSB at Bomdila filed an application before this Hon'ble Tribunal praying for grant of Ration Allowance which was registered as OA NO.47/2000. This Hon'ble Tribunal, by order dated 21.9.2000, disposed of the application by directing the respondents to pay ration allowance to the applicants with effect from the date of categorisation of the locations as "B" or "C" or from the date of their joining whichever is later. The arrears were

contd...



also directed to be paid within 90 days from the date of receipt of the order .

copy of the said order dated 21.9.2000 is annexed herewith and marked as  
Annexure-XIII .

18) That the non-executive personnel, serving in the S.S.B. in Itanagar (OA 103/99), Shillong (OA 367/99), Bambila (OA 47/2000) have since been granted Ration Allowance in terms of the orders passed by this Hon'ble Tribunal, as stated above, and the present applicant is similarly situated like the applicants in the above-noted applications and as such, relying on the orders, the applicant is entitled to be granted ration allowance.

19) That the applicant submitted a representation to the Respondent No.4 through proper channel praying for grant of ration allowance but the Respondent No.4, by his office memorandum No. BE/Court Case/RA/99/164 dated 1.5.2000, summarily rejected the claim of the applicant for grant of ration allowance and informed the applicant through the Area Organiser (Staff) SSB, Siliguri that only on the ground that as per judgment dated 8.9.99 passed by this Hon'ble Tribunal in OA 103/99 and order of the Cabinet Secretariat thereon, payment of ration allowance was admissible only to the applicants.

contd...



Copy of the said impugned order dated 1.5.2000 passed by the Respondent No.1 is annexed herewith and marked as Annexure- XIV.

20) That the applicant, being aggrieved by the action of the respondent-authorities, is now approaching this Hon'ble Tribunal praying for relief .

5 : GROUNDS FOR RELIEF WITH LEGAL PROVISIONS :-

I) For that the action of the respondent-authorities in denying ration.allowance to the applicant is illegal, arbitrary and extremely discriminatory and as such this is a fit case where this Hon'ble Tribunal will exercise jurisdiction and grant relief otherwise due to ~~them~~ <sup>him</sup> due

III) For that the applicant ~~have~~ been illegally discriminated against in not allowing the benefit of ration allowance although ~~they are~~ <sup>Bomdila</sup> similarly situated with those of the A.R.C. Doomdooma, ARC,FRU,Numaligarh,S.S.B., Itanagar ,SSB, Shillong and S.S.B.,~~Na~~<sup>Bomdila</sup>long who have since been granted the benefit of ration allowance as per order of this Hon'ble Tribunal and as such the action of the respondent-authorities is bad in law and liable to be set aside .

contd...



III) For that the respondent-authorities are required to extend the benefit of ration allowance to the applicant in pursuance of the order dated 14.6.96 passed in O.A.NO. 245/95 (Annexure- ), order dated 17.7.98 passed in O.A.NO.89/96 (annexure- ), order dated 8.9.99 passed in O.A.NO.103/99 (Annexure- ) and order dated 12.1.2000 passed in O.A.NO.367/99 (Annexure- ) as they are similarly situated with the applicant <sup>in OA 47/2000</sup> of 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-authorities, instead of extending the benefit of ration allowance to the applicant of their own, as directed by this Hon'ble Tribunal, committed a serious illegality by driving and harassing the applicant to approach this Hon'ble Tribunal causing multiplicity of litigations and as such the action of the authorities in denying ration allowance to the applicant deserves to be struck down as unsustainable in law.

V) For that the action of the authorities in not allowing the applicant to draw ration allowance has amounted to serious discrimination offending the equality provisions contained in Article 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 .

contd....



VI). For that, in any view of the matter, the action of the authorities in subjecting the applicant 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 applicant had submitted representations to the competent authority through proper channel but in view of the policy decision adopted by the respondent-authorities to the effect that non-applicant in original Applications including OA No.103/99 disposed of by this Hon'ble court directing payment of Ration Allowance to the applicant from the due date, the claim of the applicant had been summarily rejected .

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

The applicant further declares that he has 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 .

contd . . . .



8 : RELIEF SOUGHT :-

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 respondents to show cause as to why the applicant should not be granted the benefit of Ration Allowance for the periods from 1.8.87 to 31.3.91 (Bomdila posting) and from 1.8.94 to 31.8.98 (Miao posting) as has been granted to others who are similarly situated like the present applicant and after perusing the causes shown, if any and hearing the parties, direct that, in view of the attending facts and circumstances of the case, the applicant be granted ration allowance for the periods from 1.8.87 to 31.3.91 (Bomdila posting) and from 1.8.94 to 31.8.98 (Miao posting) as has been granted to other similarly situated non-executive personnel of the S.S.B. who served/serving in the above-noted locations and/or pass any other order/orders as Your Lordships may deem fit and proper.

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

contd....



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

NIL.

10: Does not arise. The application will be presented personally by the Advocate of the applicant.

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

I.P.O. NO. 5G 422010 dated 5.2.2001

issued by the Guwahati Post Office Payable at Guwahati is enclosed . . .

12: LIST OF ENCLOSURES :-

AS stated in the Index .

contd.....



VERIFICATION

I, Shri Chandan Choudhury, son of Late Birendra Mohan Choudhury, aged about 54 years, presently serving as the U.D.C., in the Office of the Area Organiser, S.S.B. Jalpaiguri, do hereby, verify that I am the applicant in the accompanying application and as such I am fully conversant with the facts and circumstances of the case. The contents in paragraphs Nos. 3, 6, 8, 10, 11, 13, 18 and 20 are true to my personal knowledge, those in paragraphs No. 2, 3, 4, 5, 7, 9, 12, 14 are believed to be true on legal advice and that I have not suppressed any material fact.

Date :- 6.2.2001

Place :- Guwahati.

*Chandan Choudhury*

SIGNATURE OF THE APPLICANT

20  
DIRECTORATE GENERAL OF SECURITY  
OFFICE OF THE SUB AREA ORGANISER :: SSB  
JANG : TAWANG DIST (AP)  
\*\*\*\*\*

ANNEXURE - I

21

OFFICE ORDER

In compliance with the D.O. A.P Tezpur order No. GE/G-2/47 dt. 10.1.85, and Area Organiser, SSB Bomdila letter No. GE/B-82/84 dated 18.2.84, Sri Chandan Choudhury, LDC of this office is hereby relieved from this office on 23.2.85 to enable him to join his new place of posting i.e. A.O. Office Bomdila. He has been allowed to avail normal joining time as admissible by rule.

Sd. -

(K.P. Negi)

Sub Area Organiser: SSB

Jang

Memo No. E-3/85/136/34 Dated Jang the 23.2.85  
Copy to:-

1. Sri Chandan Choudhury, LDC for information and necessary action.
2. The Area Organiser, SSB Bomdila for favour of information please.
3. File E-5/85/

Attested D.O.  
20/2/85  
Area Organiser  
SSB, DGS, Jangpur

Ray Basu 23/2/85

Sub Area Organiser: SSB  
By: Jang

--:-

Attested  
20/2/85  
Paro eam

1606-64

Directorate General of Security  
Office of the Area Trainer  
SSB: Bomdila.

Dated Bomdila - the 14th March/85.

ORDER

Shri Chandan Choudhury, ADC, J-nc who was posted at Bomdila - on transfer wide DO/AP Tezpur Order No. GE/G-2/17 dated 10.1.85, has since resumed duty at Bomdila - with effect from the forenoon of 25.2.85.

He has availed one day joining time on 24.2.85 and the rest of 9 days will be credited to his leave accounts.

Sd/ P.N. Malhotra  
Area Trainer,  
Bomdila.

Memo No. GE/B-82/84  
Copy to :-

Dated Bomdila - the 14th March/85.

1. The Divisional Trainer, AP Tezpur for favour of information.
2. The SMO J-nc for information.
3. The Accounts Branch, Bomdila - for necessary actions.
4. Shri C. Choudhury, ADC, Bomdila.
5. O.O. Book.
6. O.C.

Area Trainer  
Bomdila.

Approved by  
Area Trainer  
SSB, DGS, Jatpargur

Attested  
S. D. B.  
Advocate

V.O.O.S/1-82/90-91/ 815-18

Directorate General of Security  
Office of the Area Organiser, SSB  
Bomdila West Kameng District

(Arunachal Pradesh )

Dated, Bomdila the 27th March '91.

2 B 2 E B.

In pursuance of D.O.O.AP, Division, Itanagar order  
NO.NGE/G-2/90/90/45 dt. 26.6.90, Shri Chandan Chouhan, LDC of SAO(SSB), Bomdila under the establishment of Area Organiser, SSB, Bomdila, is relieved from his duties w.e.f. 1.4.91(FN) to enable him to join duties at Area Organiser SSB, Tezu on transfer in the same capacity.

He is allowed to avail normal joining time as admissible as per Rules.

No. Casual leave has been availed by  
the individual as on 1991.

Sd/- ( R.S.Negi )

Joint Area Organiser,  
SSB : Bomdila.Area Organiser  
SSB, DGS, JAO/DO/OS-

1. The Divisional Organiser, AP, Division, Itanagar for favour of information please w.r.t. his order NO. cited above.
2. The Area Organiser, SSB, Tezu for favour of information and necessary action.
3. The Sub Area Organiser, SSB, Bomdila.
4. The Accounts Branch(Local) for information and necessary action.
5. Shri Chandan Chouhan, LDC.
6. O/Copy.

*Received*  
( R.S.Negi )  
Joint Area Organiser,  
SSB : Bomdila  
27/3/91

*File No.  
Date/  
Year/  
Month*

23

## ANNEXURE-IV

28

NO. TFC-C/2009/  
Directorate GENERAL OF Security  
Office of the Area Organiser, SSB,  
Tirap District, Jharkhand, P.

Untad Khanan the 7th Sept/98

2/6/98  
20060

110 SEP 1998

In pursuance of the order No. 6/337/91/  
S.A(2)1710 dtd. 4-8-98 and U.O. AP. 1 Banagan, S.I.O. No. 0535-37  
dtd. 10-8-98, Shri Chander Choudhury, U.O.C of the office of  
Sub-Area Organiser, SSB, who is hereby relieved of his post of  
(A.M) on his transfer to D.O's office, Siliguri under North-  
Bengal/Sikkim Division.

2. No one allowed to avail normal joining days  
as admissible under rule.

Office of the D.O. SSB NBB	20060	2/6/98 (L. K. TATHA) Area Organiser, S.D. KHMKA.
DISTRIBUTION	1643	Dtd. 11/09/98

*After 17/9/98*

Area Organiser  
SSB, DGS, Jaipalpur

1. The Director of Accounts, Cabinet Secretariat, P.O. Puran, New Delhi-110001.
2. The Divisional Organiser, SSB, Arunachal Pradesh Division, Khatling Hill Langtang, Tawang-for information and necessary action.
3. The Divisional Organiser, S.S., North Bengal/Sikkim Division-for information and necessary action.
4. The D.O.C., Sector (E.I.), D.O., New Delhi.
5. The S.A.O., SSB, Max-for information. This refers to his Office Order No. E.I. 74392-99/677-97  
dtd. 31-8-98.
6. Shri Chander Choudhury, U.O.C.
7. The Accounts branch (local) for information and necessary action.
8. Copy for personnel file.

ATL 20060  
KH NBB

Attested  
Deli  
Aerocon

(24)

ANNEXURE - V

TO WHOM IT MAY CONCERN

This is to certify that Sh. Chandan Choudhury, UDC is an employee of SSB Organisation. He joined SAO's office, Miao, Arunachal Pradesh under the establishment of Area Organiser, SSB, Khonsa, Tirap District (A.P) on 01.8.94 (FN) on transfer from Area Organiser, SSB, Tezu, Lohit Distt, Arunachal Pradesh as per record available in his service Book vide Page-23.

~~31/12/01~~  
AREA ORGANISER, SSB  
JALPAIGURI.  
Area Organiser  
SSB / D.O.F  
Sub Inspector

Please  
See  
Advocate

NO. A. 27011/4/86-EA-II

Government of India,

Cabinet Secretariat ,

## Bikaner 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,  
SFF, 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, SFF, CIOA and Directorate of Accounts subject to the restrictions indicated therein on the pattern of the Research and Analysis Wing of this Secretariat.

30

These orders will take effect w.e.f. 1st

August, 1987.

3. For some of the concessions, the various hardship locations have been categorised as 'B' and 'C' stations as indicated in Annexure-II to this letter. However, if the Heads of the Department feel at certain times that certain locations or assignments have become

contd...

Attenué  
Dear  
Advocate

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

4. For the purpose of Home 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-11016/86-DO-I, dated 28.10.86, will also be applicable in respect of the staff of SSB, SPP, CIOA and Directorate of Accounts.

5. This issues with the concurrence of the Ministry of Finance vide their U.O. No. S-1423/SE/87 dated 10.6.87 read with UO No.

1151/Dir.Fi(s)/31, dated 2nd December, 1987.

Yours faithfully,

Sd/-

(R.K.GANGAR)

Deputy Secretary (SR).

ENCLOSURE-ANNEXURE-I and II.

Copy to :-

1. Shri H.B.Joshi, Director, SSB.
2. Maj.Genl.S.K.Sharma, PVSM, IO SPP.
3. G.B.Mathur, Dy. Director of Accounts.
4. Lt.Col.K.K.Bhendaria, CIOA.
5. Shri J.Subramanian, Director IE.
6. Shri K.K.Mittal, Dy. Director of Accounts (SW).
7. Order File.

contd...

- 27 -

27

3.

9

OFFICE OF THE DIVISIONAL ORGANISER, SSB: A.Y. DIVN.  
ITANAGAR.

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

Dated: - 20.11.97.

Copy to :-

1. The Comdts., CC, SSB, Dirang/Paser/Tezu-for information and necessary action. W.V.T. your signal No.4724 dated 25.10.97.

Sd/- Illegible.

AREA ORGANISER(s)

DIVL.HQRS.SSB: ITANAGAR.

Contd...

(28)

-29-

29

-4-

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

Sl. No.	Nature of the concession.	Extent of the concession granted	Remarks.
1	2	3	4
1	1) Hardship Allowance.	A hardship allowance @ 8.25% of basic pay subject to maximum 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 other than those situated in the North-Eastern region, Andaman and Nicobar Island and Lakshadweep, where special allowance is already sanctioned.	For the stations which are declared as belonging to category 'B' and 'C' by the Head of the Department under the powers now delegated him, the same rates will apply.

contd...

(29)

-30-  
-31-

-5-

2) Ration Allowance .

=====

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

contd...

(30)

-85-

-6-

24

1	2	3	4
<u>Location</u>		<u>Rates</u>	
i) Category 'B' stations.			As admissible from time to time in the Border security Force in peace areas .
ii) Category 'C' stations.			As admissible from time to time in the BSF in operational areas .
3) Clothing: i) A non-refundable clothing grant of Rs.3000/- for staff other than SSB-Bn-personnel and Dy-Comds./Coy-cadrs./Asstt-Coy. Comds. of SFF also those on deputation in the SFF from the Army, posted in category B and C stations and located at or higher than 3000 Mtrs.above MSL and Rs.2000/- for staff posted at category B & C stations and located between 1500 and 3000 Mtrs.above MSL as a one time grant .			(i) The amount will be paid as an advance and will be adjusted on receipt of the joining report at the hardship location and a certificate that the advance has been utilised for the purpose it was intended .

contd...

1

2

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4

ii) Renewal grant at the rate of 500/- P.A. for location at or higher than 3000 Mtrs. above MSL and Rs. 3000/- P.A. for locations between 1500 and 3000 Mtrs. above MSL in category 'B' and 'C' stations.

(ii) This one time non-refundable allowance will be admissible only to those personnel who are posted in category 'B' and 'C' locations for a period of not less than 2 years . In case the Officer returns from posting from category 'B' and 'C' locations earlier than 2 years at his own request, he will be asked to refund proportionate share of the clothing grant .

contd...

1

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4

4. special TA/DA Daily allowance at increased rates for classified 'A' class cities will be admissible during tour to category 'B' and 'C' stations.

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

(iii) The Head of the Organisations at their own discretion within approved parameters, can classify any location as belonging to category 'B' and '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 etc. (e.g. in a narrow valley). The Head of the organisation will get approved, well in advance, from the Cabinet Sectt., the parameters for declaring any location as equivalent to the category 'B' and 'C' stations.

contd...

5. Leave Travel  
concession.

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

(ii) In case of death, serious illness of marriage of a family member, where the family resides separately, the employees will be entitled to 50% of the rail fare of the entitled class for travel to place of residence of the family. If the employees are to travel more than 50 Kms. By road either at the end of the journey, full bus fare for this journey will also be reimbursed .

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

contd...

-10-

6. Journey time while proceeding on leave.

Employees posted in category 'B' and 'C' station will be entitled to joining time between the point of duty and nearest rail head.

Leave in their case will commence and terminate on the date the employee reaches the rail head nearest to the place of duty at category 'B' and 'C' station.

(ii) The journey time should be reasonable and will be determined by the respective units.

7. House Rent Allowance:

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

contd...  
8

- 35 -

(35)

39

-11-

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4

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 & AW, will be admissible to personal Assistants, stenographers and other staff of telecom, Cipher and M.T. cadres, who are drawing basic pay of Rs. 900/- (pre-revised) and below are not entitled to overtime allowance.

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

10. Security allowance to Ministerial, Secretarial and Accounts cadres. Security allowance at the following rates is sanctioned to the following category of the staff working in Top Secret Branches subject to a Maximum of 15% in each cadre:-

<u>DESIGNATION</u>	<u>AMOUNT</u>
i) L.D.C.	Rs. 20/- P.M.
ii) Steno. Gf. III/UDC	Rs. 30/- P.M.
iii) Steno. Gr. II/Assistant.	Rs. 50/- P.M.
iv) Section Officer/ Private Secretary/Sr. P.A.	Rs. 100/- P.M.
v) Assistant Director/Area Organiser/Dy. Director of Accounts.	Rs. 200/- P.M.

contd...

ANNEXURE-II TO THE CABINET SECTT. LETTER NO. DATED :-

STATE

CATEGORY 'B' LOCATIONS

CATEGORY 'C'

✓ ARUNACHAL PRADESH

BOMDILA

TAWANG

DAPARIDO

ALONG ✓

YINGKING ✓

ROING

HAPULIANO

MOAO

NAMPONG

SEPPA ✓

LOCAT.I.

C/TAZO

KOLORIANG ✓

MONIGAONG ✓

MECHUKA ✓

TUTING ✓

MAKKA

HAWAI

LADU

LONGDING ✓

PANCHAO (TIEAP)

CHANGLUNG

ANINI

GLURAT

RAIHANPUR

HIMACHAL PRADESH

KALPT (REKONG-PENO)

POCH

KAJA

KALONG

NYQIA

HANLE

LEH

KHALSI

MORCH

CHAKRD

EKARONG

CHANDEL

CHURACHANDPUR

MONGHBA

TAMENGLONG

UKHROOL

CHASSAD

KHULLAN

J & K

MANIPUR

MEGHALAYA

JOWAI

NONGSTOIN

KAILASEHAR

UDAIPUR

KHOWAI

SONEMURA

BIKANCHULAI

JOCHIMATH

SUKIAPOKHRI

NAXALBARI

TRIFURA

UTTAR PRADESH

WEST BENGAL

(37)

ANNEXURE VII

- 28 -

W

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

NO. A-11016/6/86-DOI

Dated the 28th Oct. 1996.

ORDER

Subject:- Retention of House Rent Allowance concession to other cadres of APC at par with executive cadres. Reference ARC Dtd. UO NO. ARC/E-I/88/89, dated the 15.9.1986 .

2. In continuation of this secretariat letter No. A-49011/8/86-DO.I dated the 10.5.1986, sanction of the President is hereby conveyed to the equation of posts listed at Annexure-'A' to this order in various cadres of corresponding levels in the ARC to that of the executive cadres in the said organisation exclusively for the purpose of payment of House Rent Allowance as admissible to the executive 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 (SR).

TO:-

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

Sd/- (R.K.GANGER)  
Deputy Secretary (SR).

contd...

X Meenakshi  
Devi  
Parvati

Sl. Designation and  
No. pay scale of exec-  
utive cadre. Corresponding pay scale of other  
cadres.

1 2

3

1. S.F.O.  
Rs.650-30-740-35-  
810-EB-35-880-40-  
1000-EB-40-1200/-

1. Section Officer Rs.650-1200/-  
2. Accounts Officer Rs.640-1200/-  
3. Private Secre-  
tary. Rs.775-1200/-  
4. Sr. P.A. Rs.650-1440/-  
5. Asstt. Fire OFF-  
icer. Rs.650-1200/-  
6. Asstt. Comman-  
dant. Rs.650-1200/-  
7. Asstt. Engin-  
eer. Rs.650-1200/-  
8. Asstt. (Civil)  
Surgeon Cr. I. Rs.650-1200/-  
9. Deputy works  
supdt. Rs.650-1200/-  
10. Asstt. Techni-  
cal Officer. Rs.650-1200/-  
11. Asstt. Meteorolo-  
gic Officer. Rs.650-1200/-  
12. Asstt. Metero-  
logist. Rs.650-1200/-  
13. Librarian. Rs.650-1200/-

1. Assistant. Rs.425-800/-  
2. Steno Cr. II (P.A.) Rs.425-800/-  
3. Accountant. Rs.300-900/-  
4. Station Officer. Rs.550-750/-

contd...  
42

- 48 -

(39)

43

-3-

5. Asstt. Librarian. Rs. 550-900/-  
6. Foreman. Rs. 550-900/-  
7. Jt. Technical Officer Grade-I. Rs. 550-900/-  
8. Jt. Stenoc. Officer. Grade-I. Rs. 550-900/-  
9. Technical Asstt. (Air Wing) Rs. 550-750/-  
10. Communication Asstt. Rs. 550-750/-  
11. Professional Asstt. Rs. 550-900/-  
12. Jt. Accounts Officer. Rs. 550-800/-  
13. Sr. Medical Asstt. Rs. 550-900/-

1 2 3

Group "B" posts: Though PO is a Group "C" post their equivalent with PO (Group "C") post is shown as there is no equivalent post of Assistant/steno-II (PA)/Asstt.Librarian in Junior executive cadre.

3. Deputy Field Officer. 1. Steno Gr. III Rs. 330-560/-  
2. U.D.C. Rs. 330-560/-  
3. Technical Assistant. (Librarian) Rs. 425-700/-  
4. Overseer. Rs. 425-700/-  
5. Teacher. Rs. 290-560/-  
6. Nursing sister. Rs. 455-700/-  
7. Staff Nurse. Rs. 425-640/-  
8. Sr. Radiographer. Rs. 425-640/-  
9. Lab. Technician. Rs. 330-560/-  
10. Pharmacist (Qualified). Rs. 330-560/-

contd. .

-4-

11. Sanitary Inspector	Rs. 330-560/-
12. Operation Theatre (Technician).	Rs. 330-560/-
13. Sr. Lab. Technician	Rs. 425-700/-
14. Asstt. Foreman.	Rs. 425-700/-
15. Massager (physiother- apist).	Rs. 455-700/-
16. Dictation	Rs. 425-640/-
17. Junior Technical Officer Gr. II.	Rs. 425-700/-
18. Jr. Stores Officer Gr. II.	Rs. 425-700/-
19. P.O.I. Supervisor	Rs. 425-600/-
20. Head Clerk (Acco- unts).	Rs. 425-600/-
21. Pay Accounts Clerk.	Rs. 330-560/-
22. Medical Asstt.	Rs. 425-600/-
23. (Dental).	
23. Medical Asstt. (General).	Rs. 425-600/-
24. Aerodrome Opera- tor.	Rs. 380-560/-
25. Radio Technician.	Rs. 380-560/-
26. Radio Operator.	Rs. 380-560/-
27. Scientific Asstt.	Rs. 425-700/-
28. Senior Observer.	Rs. 330-560/-
29. Junior Accountant.	Rs. 425-700/-

contd...  
O

1	2	3	4
4. F.A.O.	1. L.D.A.O.		Rs. 260-400/-
Rs. 330-8-370/-	2. Asstt. Station		
10-400-58-10-	Officer.		Rs. 330-480/-
480/-	3. Leading Fireman/		
	M.T. Driver- Driver Havilder.		Rs. 320-400/-
	4. Fireman/Fire Ope- rator.		Rs. 260-400/-
	5. Lab. Asstt.		Rs. 260-400/-
	6. Telephone Operator.	Rs. 260-400/-	
	7. Carpenter (Air Wing)	Rs. 320-400/-	
	8. Carpenter (MV- workshop).		Rs. 260-400/-
	9. Tailor (Air Wing) (present incumbent).		Rs. 320-400/-
	10. Tailor (Air Wing) (future incumbent).		Rs. 260-400/-
	11. Driver operator crene.		Rs. 330-400/-
	12. Pharmacist (unqua- lified).		Rs. 330-400/-
	13. Mechanic.		Rs. 260-400/-
	14. Electrician.		Rs. 260-400/-
5. S.F.A.			
Rs. 260-6-326-EB-1.	1. senior Gestetner. operator.		Rs. 260-350/-
8-350/-	2. Driver.		Rs. 260-350/-

contd...  
US

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. Senior Examiner (Type).	Rs. 260-350/-
8. Vulcanisior Fitter.	Rs. 260-350/-
9. Blacksmith Gr. I.	Rs. 260-350/-
10. Welder Grade-I.	Rs. 260-350/-
11. Upholster.	Rs. 260-350/-
12. Mechanist (Turner).	Rs. 260-350/-
13. Painter.	Rs. 260-350/-
14. Miutri.	Rs. 260-350/-
6. Yield Assistant	
i) Rs. 225-5-260-6-290-1. EB-6-306/- Matriculate).	Rs. 210-270/- 2. Ayah. Rs. 195-232/-
ii) Rs. 210-4-250-EB- 5-270/- (Non-Mat- triculate).	4. Peon. 3. Daftry. Rs. 200-250/- 5. Sweeper (Safi- wala). Rs. 195-232/-
iii) Rs. 225-5-260-6- 290-EB-6-308/- (Non- Matriculate after 15 years of rou- lar service).	6. Farash. Rs. 195-232/- 7. Chowkider/watch- man. 8. Gardener/Mali. Rs. 195-232/-
9. Lineman.	
10. Lab. Attendant/ Boarer.	Rs. 210-270/- Rs. 210-270/-

11. Carpenter (Air wing).	Rs. 210-290/-
12. Carpenter Grade-II. (M.A.V - workshop).	Rs. 210-290/-
13. Head Gardener.	Rs. 210-270/-
14. Janader (sweeper).	Rs. 200-250/-
15. Cook.	Rs. 200-250/-
16. Paramaintenance Assistant (Paker).	Rs. 210-290/-
17. Cobbler.	Rs. 210-290/-
18. Grass Cutter.	Rs. 196-232/-
19. Waterman/water carrier.	Rs. 196-232/-
20. Leader.	Rs. 196-232/-
21. Dresser.	Rs. 210-270/-
22. Ayah (para Medical staff).	Rs. 200-250/-
23. Barber.	Rs. 200-250/-
24. Ward boy/waiter Washer up.	Rs. 196-232/-
25. Dhobi.	Rs. 196-232/-
26. Helper.	Rs. 210-290/-
27. Cleaner.	Rs. 196-232/-
28. Junior Electrician.	Rs. 210-290/-
29. Blacksmith Grade-II.	Rs. 210-290/-
30. Welder Grade-II.	Rs. 210-290/-
31. Lant Room Attendant.	Rs. 210-270/-
32. Aircraft Assistant.	Rs. 210-250/-
33. Traffic Hand.	Rs. 200-250/-
34. Observatory Attendant.	Rs. 210-250/-

.....

— 50 — (44) ANNEXURE — VIII  
CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 245 of 1995.

Date of Order : This the 17th Day of June, 1996.

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

Hon'ble Shri D.C.Verma, Member (J)

1. Sri Bishnu Prasad Saikia  
Sanitary Inspector,  
Aviation Research Centre,  
Doomdooma.

2. Sri Dipak Nandi,  
Radio Mistri,  
ARC, Doomdooma.

... Applicants.

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

- Versus -

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

2. Directorate General of Security Block  
V(East), R.K.Puram,  
New Delhi-110066.

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

4. Deputy Director,  
Aviation Research Centre,  
Doomdooma.

... Respondents.

5. ~~Aviation Research Centre~~,  
~~Aviation Research Centre~~,  
Doomdooma.

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

#### O R D E R

G.L.SANGLYINE, MEMBER (A)

The applicants are employees of the Aviation Research Centre, Doomdooma (ARC for short). Applicant No.1 is a Sanitary Inspector a post which is equivalent to Deputy Field Officer and is below Field Officer. The applicant No.2 is a Radio Mistri. The post of Mistri falls under the category of Senior Field Assistant. This is also below Field Officer. The competent authority of ARC has classified

Attested  
A. D. D. D.  
B. C. B. C.

- 2 -

(45)

49

OCM Dooma as a Category B station with effect from 22.2.199

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

3. Mr. G.K.Bhattacharya, learned counsel for the applicants submitted that the applicants are entitled to the Ration Allowance with effect from 22.2.1994. This allowance was denied to them because of wrong interpretation of the order dated 6.12.1987 by which payment of the allowance was sanctioned. Relying on the written statement Mr. S.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 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.Bhattacharya submitted that

96

- 52 - 96

this ground taken by the respondents is not tenable as in the case of Intelligence Bureau the Ration Allowance was allowed to the non-executive staff also and when the allowance was stopped to be paid applications were submitted before the Central Administrative Tribunal and the payment of Ration Allowance was restored. In this connection he has referred to the orders in the O.A. of 163 of 1991 and No. 199/91 of this Bench.

4. We have perused the records and heard the ~~examination~~ counsel of the parties in this O.A. Letter No.A-49011/8/86-Do.1(B) dated 10.5.1986 shows that the President is pleased to sanction 8(eight) concessions to the various categories of Staff of ARC. One of the concessions is House Rent Allowance and it has been stated that House Rent Allowance admissible to the Executive Cadre will be admissible to the personnel of other cadres also of corresponding levels. Consequently equation of posts was ordered by the order No.A-11016/6/86-DOI dated 28.10.1986 exclusively for the purpose of payment of House Rent Allowance. Under this order the applicants ~~were~~ entitled to draw House rent allowance. Under letter No.A.27011/4/86-EA-11(A) dated 6.12.1987 Additional Concessions were granted and one of them was Ration Allowance to the various categories of the staff of ARC. The claim of the respondents is that since there is no equation of posts in respect of Ration Allowance this allowance cannot be granted to the applicants who ~~were~~ non-executive staff. We are not impressed by such stand of the respondents. Unlike in the case of granting House Rent Allowance for the purpose of granting Ration Allowance such equation of posts is not required by the authorising letters. This position is clear from the ~~the~~ position

following:-

✓ 5  
7/2

Sl. No. "Nature of the concession granted" Remarks  
1. the con-  
cession

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(A) ~~Ration Allowance~~ Ration allowance upto the rank of FO and below at the following rates:-

<u>Location</u>	<u>Rates</u>
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(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.

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. 179/91 of this Bench on the strength of the recommendations of the same one man Committee referred to in this O.A. Ration Allowance was paid to the non-executive staff of the Intelligence Bureau but the payment was stopped in 1991. This Tribunal in the order dated 17.12.1993 (to which one of us was party) after discussion and relying on the order dated 27.9.93 of the Central Administrative Tribunal, Chandigarh Bench, Circuit at Jammu in O.A. No. 381/JK/92 had held that Ration Allowance was admissible to the applicants in those two O.As. The facts in those two O.As and of the present O.A. insofar as they relate

14.6.96

contd. 5...

14.6.96

(18)

to Ration Allowance and House Rent Allowance are almost identical. The conditions in those two O.As is in respect of Ration Allowance that the personnel posted in category B locations will be entitled to Ration Allowance at non-qualifying area rate for BSF. For house rent allowance it is stipulated that House rent allowance would be applicable to all other cadres of the IB under the same terms applicable to the executive cadres of corresponding levels. In view of the facts mentioned above we hold that Ration Allowance is admissible to the applicants in this O.A. The respondents are directed to pay Ration Allowance to the applicants at the rate applicable to them with effect from the due date 22.2.1994. The arrear amount shall be paid within 31.10.1996.

The application is allowed. No order as to costs.

Sd/-  
MEMBER (A)

Sd/-  
MEMBER (B)

49

ANNUAL IX

IN THE SUPREME COURT OF INDIA

CRIMINAL/CIVIL APPELLATE JURISDICTION

243 256

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 judgment 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 Nishnu Prasad Saikia and Ors.

... Respondents

(FOR FULL CAUSE TITLE PLEASE SEE SCHEDULE A

ATTACHED HEREWITH).

16th MARCH, 1998.

CORAM:

HON'BLE MR. JUSTICE S.C. AGARWAL

HON'BLE MR. JUSTICE S. SAQIR ARWAD

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. Kameswaran,  
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.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 89 of 1996

Date of decision: This the 17th day of July 1998

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

1. Shri Rajen Rajkhowa,  
Pharmacist, Aviation Research Centre,  
F.R.U., Numaligarh, Golaghat.
2. Shri Atul Chandra Baruah,  
L/A Aviation Research Centre,  
F.R.U., Numaligarh, Golaghat. ....Applicants  
By Advocates Mr G.K. Bhattacharyya and  
Mr G.N. Das.

- 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),  
New Delhi.
3. The Director, Aviation Research Centre,  
Block-V (East),  
New Delhi.  
The Deputy Director,  
Aviation Research Centre,  
Doomdooma. ....Respondents  
By Advocate Mr A.K. Choudhury, Addl. C.G.S.C.

O R D E R

BARUAH.J. (V.C.)

The applicants have filed this present application seeking certain directions by this Tribunal to the respondents.

2. At the relevant time the applicants were working in the Aviation Research Centre, Field Research Unit, Numaligarh. This Aviation Research Centre is a department of the Government of India directly under the Cabinet Secretariat. The grievance of both the applicants are same.

3. The applicants state that like them there are other similarly situated employees, as mentioned in Annexure I, who are also entitled to the benefits.

4. By Annexure III letter dated 28.10.1986 the Deputy Secretary (SR), Government of India, informed the Director, Aviation Research Centre that House Rent Allowance as admissible to the executive cadres will be admissible to the personnel of other cadres also of the corresponding levels. According to the applicants they are personnel of other cadres of corresponding levels. Thereafter, ration allowance was also given as per Annexure IV letter dated 6.12.1987 issued by the Deputy Secretary, Government of India, to the Director, Aviation Research Centre, New Delhi. On the basis of Annexure IV letter the applicants and other similarly situated persons are entitled to ration allowance which was, however, denied to them. Hence, the present application.

We have heard Mr. G.K. Bhattacharyya, learned counsel for the applicants and Mr. A.K. Choudhury, learned Addl. C.G.S.C. Mr. Bhattacharyya submits that the present case is squarely covered by this Tribunal's order dated 14.6.1996 passed in original application No.245 of 1995. The learned counsel further submits that against the said judgment the respondents (in that case) approached the Apex Court by filing Special Leave Petition No.1706/97 which was dismissed by the Apex Court by order dated 16.3.1998. Mr. A.K. Choudhury also confirms the same.

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5. On hearing the learned counsel for the parties and following the decision of this Tribunal passed in O.A.No.245 of 1995, I dispose of this application with direction to the respondents to pay ration allowance with effect from 22.2.1994 and the arrears must be paid as early as possible, at any rate within a period of three months from the date of receipt of this order.

6. The application is accordingly disposed of. No order as to costs.

Sd/- *W.Lee-Chandrasen*

Certified to be true Copy  
by me as affixed

*W.Lee-Chandrasen*  
10/8/98

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 103 of 1999.

Date of Order : This the 8th Day of September, 1999.

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

Shri N.Venugopal and 69 others . . .

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

By Advocate Shri C.N.Das.

— Versus —

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

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

**O R D E R**

G.L.SANGLYINE ADMN. MEMBER,

All those 70 applicants in this Original Application are employees in the Special Service Bureau (SSB for short), Itanagar, Arunachal Pradesh. They were permitted to pursue this Original Application jointly under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987.

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

contd..2

employees of the SSB Itanagar became eligible for getting the ration allowance from 8.11.1994. 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, Doonooma the Tribunal directed payment of Ration Allowance in the order dated 14.6.1996 in O.A.No.245 of 1995, order dated 17.7.1998 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 8.11.1994.

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-R to the written statement.

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

respect of the Aviation Research Centre relied on by the applicants, the applicants are entitled to the ration allowance. Mr B.S.Basumatary, learned Addl.C.G.S.C for the respondents did not dispute the contention of Mr Das. I have perused the application as well as the judgments in the 3 original Applications relied on by the learned counsel for the applicants, particularly, judgment at para 4 of the order dated 14.6.1996 and judgment at para 3 of the order dated 21.4.1999 in which detail discussions and reasons for allowing payment of ration allowance in those cases had been recorded. I am of the view that the applicants in the O.A. presently under consideration are similarly situated with the applicants in those cases and the judgments in those O.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.

Sd/-MEMBER (ADM)

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Deputy Registrar (O)  
Central Administrative Tribunal  
Guwahati Bench

11/1/94

— 57 — ~~ANNEXURE XII~~

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 367 or 1999

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

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

Shri Manik Sapkota and 36 others

... Applicants

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

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

2. 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

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-II 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 is 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 Shillong 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.

3. 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. Verudopu, 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.....

: 3 :

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,  
मध्याधिकार प्रतिविधि

Depar. No. 101  
Central Administrative Tribunal  
Guru Nanak Dev Bhawan

16/2/92

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL.  
GRANAHATT BENCH

ORIGINAL APPLICATION NO.47 OF 2000

Date of decision - the 21st September, 2000.

THE HON'BLE MR JUSTICE D.N. CHOWDHURY, 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 Dharam 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 ...

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 Buning,  
Son of Late Tame Buning,  
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 ...

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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 Mama 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,  
Khating 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

Certified to be true Copy

असामिया अधिकारी

(20/11/2000)

Section Officer (U.)  
असाम अधिकारी (जनसन. विभ.)  
Central Administrative Tribunal  
केंद्रीय अधिकारी (जनसन.)  
Arunachal Pradesh, Guwahati  
असाम अधिकारी, गুৱাহাটী

16/11/2000  
H.S.B.

mk

No. II/1/521/99/(20) dt. 10.5.2000  
 Government of India  
 Directorate General of Security  
 Office of the Divisional Organiser  
 North Bengal & Sikkim Division, SSB, Siliguri.

Memorandum

Sub:-

Drawal of ration money in respect of  
 S/Shri R.K.Deb and C.Choudhury, UDC.

D.O.A.P vide memo no. BE/Court Case/RA/99/164 dated 1.5.2000 has informed that 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 of OA No. 103/99.

2. Therefore, both S/Shri R.K.Deb and C.Choudhury, UDC may please be informed that since none of them were the applicant of the OA, Ration Allowance for the period they remained post at Div.Hqrs. AP Division, Itanagar is not admissible to them.

This is for information

*Rai*  
 Area Organiser (Staff)  
 SSB/Siliguri.

To

S/Shri R.K.Deb, UDC  
 and Sxxt C.Choudhury, UDC,  
 Divl.Hqrs., SSB, Siliguri.