

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

3

✓ (DESTRUCTION OF RECORD RULES, 1990)

C.P-58/2002 ordersheet pg-1 to 2 INDEX

Dropped Date-23/12/02

O.A.T.A No. 141/2001

R.A/C.P No. 58/2002

E.P/M.A No.

1. Orders Sheet. O.A-141/2001.....Pg.....1.....to.....2.....
2. Judgment/Order dtd. 29/08/2001.....Pg.....1.....to.....2..... allowed
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A. 141/2001.....Pg.....1.....to.....14.....
5. E.P/M.P. NIL.....Pg..........to.....
6. R.A/C.P. 58/2002.....Pg.....1.....to.....12.....
7. W.S. submitted by respondents.....Pg.....1.....to.....7.....
8. Rejoinder.....Pg..........to.....
9. Reply.....Pg..........to.....
10. Any other Papers.....Pg..........to.....
11. Memo of Appearance.....
12. Additional Affidavit. Filed by the applicant in CP-58/02 pg-1 to 9
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

FORM NO.4
(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWHATI BENCH ::::: GUWAHATI

ORDER SHEET
APPLICATION NO

141 OF 2001

Applicant (S)

Gopal Ch. Dadhara Jom

Respondent(s)

U. O. I Jom

Advocate for Applicant(s)

Mr. N.C. Das, Mr. N.C. Kalita

Advocate for Respondent(s)

CGSC

Notes of the Registry

Date

Order of the Tribunal

11.4.01

Heard Mr.B.C.Das learned
counsel for the applicant. &

Application is admitted. Call
for records. Returnable 4 weeks.
List on 16.5.01. Mr.A.Deb Roy,
Sr.C.G.S.C. accepts notice on
behalf of the respondents.

Vice-Chairman

1m

11/4/01

16.5.01

List on 20.6.2001 to enable the
respondents to file written statement.

Vice-Chairman

1m

20.6.01

On the prayer of Mr.A.Deb Roy,
Sr.C.G.S.C 4 weeks time is allowed
for filing of written statement.
List on 20.7.01 for orders.

Member

1m

19.6.01

for
IPO/B.
Dated

56422989
26.3.2001

1 (Cdy. Registrar) 1/4/01

4 b/wy steps
received

17.4.2001

Service of Notice
issued to the
respondents vide
No. 1351-1354 dt. 18.04.01

① Service report are
still awaited.

② No. written statement
has been filed.

(2)

20.7.01

Written statement has been filed. The case may now be listed for hearing on 29.8.2001. Applicant may file rejoinder within two weeks from today.

28.6.2001

w/s submitted by the respondents No. 1 to 4.

[Signature]

bb

[Signature]
Vice-Chairman

No rejoinder has been filed.

29.8.2001

Heard the learned counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is allowed. No order as to costs.

By
28.8.01

[Signature]
Vice-Chairman

18.9.2001

nk m

Copy of the judgment has been sent to the office for issuing the same to the Applicant as well as to the R.C.S.C, for the Respondents

ES

CENTRAL ADMINISTRATIVE TRIBUNAL ::
GUWAHATI BENCH.

O.A./XXX. No. . 141 of 2001

DATE OF DECISION 29.8.2001.....

Shri Gopal Chandra Dadhara and 2 others

APPLICANT(S)

Mr B.C. Das, Mr N.K. Das and

Mr N.C. Kalita

ADVOCATE FOR THE APPLICANT(S)

- VERSUS -

The Union of India and others

RESPONDENT(S)

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

ADVOCATE FOR THE
RESPONDENTS.

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 ?

5.

Judgment delivered by Hon'ble Vice-Chairman



5

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.141 of 2001

Date of decision: This the 29th day of August 2001

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

1. Shri Gopal Chandra Dadhara,
Upper Division Clerk
2. Shri Abhoy Chandra Chiring,
Upper Division Clerk
3. Shri Girindra Nath Patra,
Accountant
4. Shri Naresh Chandra Deb Nath,
Lower Division Clerk.

.....Applicants

All are at present working in the
Office of the Area Organiser (Admn.), Shillong, Meghalaya.

By Advocates Mr B.C. Das, Mr N.K. Das and
Mr N.C. Kalita.

- versus -

1. The Union of India represented by the
Secretary to the Ministry of Home,
New Delhi.
2. The Director General of Security,
Office of the Divisional Organiser,
S.S.B., A.P. Division,
Itanagar.
3. The Area Organiser (S),
Divisional Head Quarter,
Itanagar, Arunachal Pradesh.
4. The Area Organiser,
S.S.B., Ziro,
Arunachal Pradesh.

.....Respondents

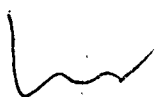
By Advocate Mr A. Deb Roy, Sr. C.G.S.C.

.....

O R D E R (ORAL)

CHOWDHURY. J. (V.C.)

The subject matter raised in this application pertains to grant of ration allowance to the applicants from the date the allowance became admissible at Itanagar, Tezu and Bomdila in Arunachal Pradesh for the period they rendered service in these stations. The aforementioned three places were categorised as 'B' and 'C' category stations for the purpose

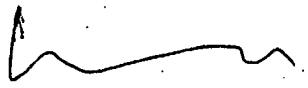


for the purpose of various concessions granted to the employees. Seventy such employees working in the S.S.B. Itanagar moved an application before this Bench, which was registered and numbered as O.A.No.103 of 1990. By order dated 8.9.1999 this Bench directed the respondents to pay ration allowance to those applicants with effect from the date such allowance became admissible to Itanagar or from the date of actual posting of those applicants at Itanagar. Sequel to the aforementioned order of the Tribunal the present applicants moved the competent authority for granting them the allowance. By order dated 30.5.2000 the applicant Nos.1 and 3 were informed that the said allowance was not admissible since they were not party to the proceeding before the Central Administrative Tribunal, Guwahati Bench in O.A.No.103/1999.

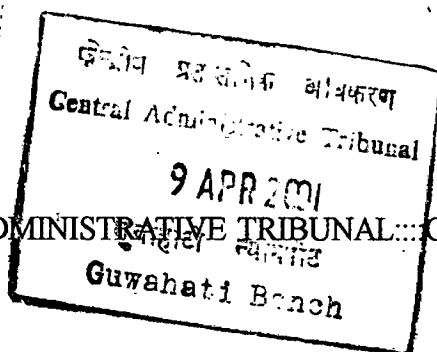
2. I have heard Mr B.C. Das, learned counsel for the applicants and Mr A. Deb Roy, learned Sr. C.G.S.C. at length. The applicants are similarly situated with those employees who were applicants in O.A. No.103/1999 and they also worked in the stations which were declared as 'B' and 'C' category stations and where ration allowance ~~was~~ admissible. In the circumstances there is no justification in denying ration allowance to these applicants.

3. The application is accordingly allowed. The respondents are directed to pay ration allowance to these applicants with effect from the date the stations where the applicants worked were categorised as 'B' and 'C' stations or from the date of actual posting of the applicants in these stations. The respondents are ordered to pay the arrear amount as admissible to each applicant within three months from the date of receipt of this order.

No order as to costs.


(D. N. CHOWDHURY)
VICE-CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL GUWAHATI BENCH



Filed by —

1. Gopal Chandra Dadhara
2. Abhay Chandra Chiring
3. Girindra Nath Patra
4. Naresh Chandra Debnath

Through
Nirod Kumar Das
Advocate
14.4.2001

OA No. 141/2001

1. Shri Gopal Chandra Dadhara
Upper Division Clerk.
 2. Shri Abhay Chandra Chiring
Upper Division Clerk
 3. Shri Girindra Nath Patra,
Accountant
 4. Shri Naresh Chandra Debnath,
Lower Division Clerk
- All are at present working in the Office of the Area
Organiser(Admn.), Shillong, Meghalaya
..... Applicants

-Versus-

1. Union of India represented by the Secretary to the
Ministry of Home, New Delhi.
2. Director General of Security, Office of the Divisional
Organiser, S.S.B., A.P. Division, Itanagar - 791111.
3. Area Organiser(S), Divisional Head Quarter,
Itanagar, Arunachal Pradesh.
4. Area Organiser, S.S.B., Ziro, Arunachal Pradesh.
..... Respondents

DETAILS OF APPLICATION

- 1) Particulars of the order/orders against which the application is made Memorandum No. BE/Court case/RA/99/170 dated 30.5.2000 issued under the signature of Area Organiser(S), Divisional Head Quarter, Itanagar, copy forwarded to the Applicants No.1 to 3 vide No.E-1/1-80/SD/99 dated June,2000 under the Signature of the Area Organiser(S), Divisional Head Quarter, Itanagar.

JURISDICTION OF THE TRIBUNAL

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

LIMITATION

- 3) The applicants further declare that the application is within the Limitation period prescribed in Section 21 of the Administrative Tribunal Act, 1985.

FACTS OF THE CASE

- 4.1) That the applicants are the employee of the Special Security Branch (S.S.B.) and at present working as Upper Division Clerk, Accountant and Lower Division Clerk respectively.

- 4.2) That the applicants respectively from 8.11.94 to 7.4.97, 1.1.87 to August, 97, 13.5.94 to 12.5.99 and July, 87 to 2.3.90 were working as above in the Office of Itanagar, Arunachal Pradesh Division, A.O. Tizu and Arunachal Pradesh Division, Bomdila.

- 4.3) That during the periods mentioned above, the applicants were entitled to rations allowances from 8.11.94. However, the applicants were deprived of the said allowances for the reasons best known to the authority concern.

- 4.4) That in the year 1999, 70 employees of the same situations with the applicants move this Honourable Tribunal by submitting a joint application Registered and numbered as O.A. 103/99.

- 4.5) That by the judgement and order dated 8.9.1999 passed by this Honourable Tribunal disposed of the said application by observing, inter alia, the payment of the arrear amount as admissible to each applicant shall be made by the respondents within 90 days from the date of the receipt of the order.

A xerox copy of the order dated 8.9.1999 passed by this Honourable Tribunal in O.A. No. 103/99 is annexed hereto and marked as Annexure-I.

- 4.6) That thereafter, the applicants submitted representation stating, inter alia that since they are also entitled to the ration allowance as stated above, they should be paid the same as arrear. However, informed by the impugned memorandum dated 30.5.2000 that as none of them was the applicants in O.A. 103/99, ration allowance is not admissible to them.

Contd... 3

Gopal chandra Dadhara

A xerox copy of the memorandum dated 30.5.2000 is annexed hereto and marked as Annexure-II.

4.7) That under facts and circumstances stated above, the applicants are to make the applicants before this Honourable Tribunal.

5) GROUNDSS FOR RELIEF WITH LEGAL PROVISIONS

5.1) For that the applicants having being posted in "b" category stations as per order dated 18.8.98 for the periods as stated in paragraph 4.2 of this application. The applicants are legally entitled to the ration allowance. *Annexure VII*

5.2) For that as the causes of the applicants are covered by the decision of O.A. 103/99 passed by the Honourable Tribunal, the applicants cannot be deprived of the benefit of ration allowance simply on the ground that the applicants were not applicants on O.A. 103/99.

5.3) For that the applicants having been put to same situation while serving in the Arunachal Pradesh, the applicants cannot be arbitrarily deprived of the benefit which they are legally entitled to.

5.4) For that consequent upon the categorisation of Itanagar, Tezu and Bomdila as "B" category station and the applicants having been stationed therefor the periods serving from 1987 to 1999, the applicants are legally entitled to the arrear of ration allowance.

5.5) For that in any view of the matter, this is the fit case where the ration allowance is admissible to the applicants which may be paid to them as arrear.

6) DETAILS OF REMEDIES EXHUSTED

The applicants declare that they have availed of all the remedies available to them under the relevant service Rule etc.

On 10.5.2000, 16.5.2000, 4.5.2000 and 17.5.2000 respectively the applicants submitted representations which were disposed off on 30.5.2000 by rejecting the same. Annexure - II.

The said representations are annexed as Annexure III, IV, V and VI.

Contd.....4.....

Gopal Chandra Dadhara

7) MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT.

The applicants further declare that they had not previously filed any application, and 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 and petition or suit is pending before any of them.

8) RELIEF SOUGHT

To direct the respondents to pay ration allowance to the applicants with effect from the date the allowance become admissible to them only strength of order dated 8.11.94 and subsequent orders extending payment of the allowance from the date of their actual posting at Itanagar, Tezu and Bomdila which even is later.

9) INTERIM ORDER IF ANY, PRAYED FOR

No. interim order has been prayed for pending final disposal of the application.

10) In the event of application being sent by Registered post it may be stated whether the applicants desire to have oral hearing at the admission stage and if so they shall attach self addressed post card or Inland letter of which information regarding the date of hearing could be sent to them.

11) Particulars of Bank Draft/Postal order that in respect of the application fee.
IPO No. 56 422989

12) LIST OF ENCLOSURES

12.1) Judgement and order dated 8.9.99 passed in O.A. 103/99 passed by this Honourable Tribunal. - Annexure-I.

12.2) Memorandum No. BE/Court cases/RA/99/170 dated 30.5.2000.

12.3) Representations III to VI Annexures

Contd.....5.....

Gopal chandra Dasgupta

(5)

VERIFICATION

I, Shri Gopal Chandra Dadhara, son of late Sonarom Dadhara aged about 52 years, working as Upper Division Clerk, at present in the office of the Area Organiser (Administration), Shillong Division, Shillong one of the applicants of the present application do hereby verify that the contents of paragraph 1 to 14 and 6 to 12 of the application are from my personal knowledge and these made in para. 5 are submissions which I believe to be true and that I have not suppressed any material facts.

Gopal Chandra Dadhara

RECEIPT SLIP

Receipt of the application filed in the Central Administrative Tribunal Guwahati Bench by Shri Gopal Chandra Dadhara of the Area Organiser (Administration), Shillong is hereby acknowledged.

Dated:-

For Registrar,
Central Administrative Tribunal
Guwahati Bench

(6)

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136

Annexure - 7

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 G.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.Basumatary, Addl.C.G.S.C

O R D E R

G.L.SANGLYINE, ADMN.MEMBER,

All these 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. Ration 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 9.11.1998. They claim that consequent to the categorisation of Itanagar station as a 'B' station the

contd..2

*Copy to be
made
27/3/2001*

13
employees of the SSB serving in Itanagar become 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, Doomdooma 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

contd.. 3

(7)

- 3 -

35

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.As 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)

TRUE COPY

प्रतिप्रति

My me
21/9/03

Deputy Registrar (A)
Central Administrative Tribunal
Guwahati Bench

11/1/3

entitled to be true copy
27/3/2001

pg

ONG
 BE/COURT CASE/RA/99/170
 Directorate General of Security
 Office of the Divisional Organiser,
 SSB : AP Division, Itanagar-791111,
 Dated, Itanagar the 20 May/2000.

92/1/6

RECEIVED
 No. 5403
 Dt. 6
 Memorandum

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

2. As per judgement of Hon'ble CAT Bench, Guwahati dated 3.9.99 and Cab. Sctt. order thereon, payment of ration money is admissible only to the applicants (total 70 personnel) of O.O. No.103/99.

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

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

NGE
 Pse intimate
 the incumbent
 accordingly
 26/5/00
 Copy to be given to
 27/3/2001

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

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

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

NO. E-I/1-80/SD/99/
 Copy to :-

Dated the, June, 2000

1. Shri G.C. Dadhara, Assistant.
2. Shri G.N. Patra, Assistant.

Area Organiser(Admn)
 Shillong Division

(9)

Annexure III

RECEIVED		SHILLONG	
BRX To: 4590	DI 11/5	D.O.	Q1
R.C. 113		A.	
		S.C.	
The Divisional A.P. Division, Itanagar.		BRA Organiser, SSB RECEIVED	

(Through proper channel)

Sir,

I With due respect and humble submission, I beg to submit a following few lines for favour of kind consideration and sympathetic orders please.

1) That Sir, I was serving at Div. Hqrs. Itanagar from 1-8-86 to 7-4-97 and I am entitled to get the Ration Allowance as all the non-executive staff of Itanagar are drawing Ration Allowance w.e.f. 8-11-94 at per CAT Judgement Guwahati OA No.103/97.

2) That Sir, I am also applicant of the O.A. No.367/99 and order passed on 12-1-2000 for payment of Ration Allowance to the 37 personnel of Shillong Division w.e.f. 27-4-92 i.e. from the date Shillong was classified as category 'B' station or from the date of joining whichever is later (copy of CAT judgement against Case No.367/99 is enclosed for ready reference). Accordingly, I am drawing Ration Allowance w.e.f. 10-4-97 i.e. from the date of joining in Shillong Divn. on promotion as Assistant. But prior to joining in Div. Hqrs. Shillong, I was posted to Itanagar which was also declared as 'B' station and Ration Allowance is also applicable to those who posted at Itanagar.

I, therefore, request your honour would be kindly consider my case and draw the Ration Allowance of my stay period at Itanagar w.e.f. 8-11-94 to 7-4-97 and oblige.

Yours faithfully,

Date : 10-5-2000.

G.C. Dashedra
(G.C. Dashedra)
Assistant
Office of the D.O. SSB,
Shillong Division, Shillong.

Certified to be true
27/3/2001

Dated Shillong the 16th May, 2000

To

The Divisional Organiser, SSB
Arunachal Pradesh Division
New Itanagar (Khating Hills)

Through proper channel

Subject:- Submission of representation for drawal of Ration Money

Sir,

With due respect and humble submission I beg to state that the employees of Arunachal Pradesh Division have been drawn Arrears of Ration Money those who are working in 'B' and 'C' categories stations of Arunachal Pradesh as per order of Hon'ble Central Administrative Tribunal, Guwahati. In accordance with, the Divisional Hqr Staff of Shillong Division those who filed case for drawal of ration money at Shillong as 'B' Category station and drawn Ration Money as per order of CAT, Guwahati. in which my name also included to claim ration money from the date of joining at Div Hqr Shillong.

Sir, I was also working in Arunachal Pradesh Division like Roing - from April, 1984 to 1986, Tezu - from 1987 to 1990, Hawuliang - from 1991 to 1993, Chowkham - from 1994 to Feb, 1997 and again Tezu - from Feb, 1997 to 15th August, 1997 for which I may kindly be allowed to draw ration money as the above stations falls under 'B' & 'C' categories stations.

In view of the facts stated above, I may kindly be permitted to claim Ration Money for the period from April, 1984 to 15th August, 1997 against the places mentioned above where I was working as UDC under AO SSB Tezu and ration money was also entitled.

Submitted for favour of your kind perusal and sympathetic action please.

Yours faithfully,

(A C Chiring) UDC
O/o D.O., SSB, Shillong
(Meghalaya)

certified to be true copy
27/3/2001

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Pa. chow
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Tezu

(11)

Annexure V

To

The Divisional Organiser, SSB
Arunachal Pradesh Division,
Itanagar.

4888

By Through proper channel)

Subject:- Prayer for drawal of Ration Allowance from Aug/97 to Feb/ 90.

Respected Sir,

With profound respect, I have the honour to inform you and to request the following few lines for favour of your kind or please consideration and sympathetic order please.

That Sir, I was serving at Area Organiser's office, SSB Bomdila, West Kame Distt, A.P. Division from July/ 84 to Feb/ 90 and Bomdila has been declared as 'B' Station w.e.f. 1-8-87 vide G.O.I. letter No: A-27011/4/86-EA -II dated 18-12-87 at annexure-II. In view of above, I am entitled to get the Ration Allowance as all Non-Executive staff of SSB Itanagar are drawing Ration Allowance w.e.f. 8-11-94 as per C.A.T judgement of Hon'ble High Court, Guwahati under OA No: 103/ 97.

Sir, further it is mentioned here that under OA No: 387/ 99 and final order passed on 12.1.2000 as per C.A.T judgement of Hon'ble High Court, Guwahati for payment of Ration allowance to the staff of Shillong Division w.e.f. 27-04-92 i.e. from the date on which Shillong was classified at Category -'B' Station or from the date of joining which ever is later. Accordily, staff are allowed to draw Ration Allowance. As such as I was posted at Area Organiser's office, SSB, Bomdila, West Kameng Distt, A.P. which was declared as 'B' Category Station and Ration Allowance is also applicable to these who had posted at respective stations.

I therefore, fervently request your good office to kindly look into the matter and allow me to draw Ration allowance during my tenure of posting at A.O's office, Bomdila w.e.f. from 1/8/87 to Feb/90, for which act of your kindness I shall remain ever grateful to you.

Yours faithfully,

(N.C. DEB NATH, UDC)

O/o the D.O./ SSB/ Shillong
A.P. Secctt: Building
Meghalaya.

Dated Shillong the
17th MAY ' 2000.

entitled to be
from 1/8/87 to
Feb/90
12/3

To

(THROUGH PROPER CHANNEL)

The Divisional Officer,
A.F. Division,
Itanagar-791111
(Arunachal Pradesh)

Sub:-Claim of Ration Money.

Sir,

While I was working at office of the Area
Organiser, SSB Tezu (AP) Divn. as Accountant on deputation
for the period from 13.5.1994 to 12.5.1999 I was not
drawn Ration Money being non-executive staff. But now
as per Hon'ble High Court C.A.T. Guwahati, Assam order
the A.P. Govt. non-executive staff are drawing their
Ration Money arrear being Category station those are
falls as B & C category station. Tezu also covered as
B Category station as Govt. of India's order and
hence my arrear ration money may kindly be drawn and
remitted to me.

Yours faithfully

(G. PATRA) ASSTT.

OO THE DC SSB SHILLONG DV

entified to be true copy
✓ Hemocele
27/3/2001

(13)

Annexure VII

28

3307

24/8/98

NO. 9/SSB/A2/86(1)-AP-3669
DIRECTORATE GENERAL OF SECURITY,
OFFICE OF THE DIRECTOR, SSB,
EAST BLOCK, V, R.K. PURAM,
NEW DELHI- 110066.

DATED, THE, 17 AUG. 1998.

ORDER

In exercise of the powers vested in him as Head of Department, in terms of the Cabinet Secretariat letter No. A-27011/4/86-EA-II-dated, 18.12.87, the sanction of the Director, SSB, is hereby conveyed to the classification of the undermentioned stations in AP Division as Category 'B' & 'C' stations for the purpose of various concessions as mentioned in Annexure-'A' (other than clothing grant) of the above quoted Cabinet Secretariat, letter dated, 18.12.87 for a further period of three years with effect from 8.11.98 of this order:-

CATEGORY 'B' STATION

1. RUPA, (AP)
2. KALAKTANG, AP.
3. BASAR, AP.
4. LIKABALI, AP.
5. PASSIGHAT, AP.
6. TEZU, AP.
7. KHONSA, AP.
8. ITANAGAR, AP. ✓
9. DIRANG, AP
10. NEFRA, AP.
11. MUKTO, AP.
12. RAGA, AP.
13. TALIHA, AP.
14. PALIN, AP.
15. BOLENG, AP.
16. CHOWKHAM, AP.
17. WAKRO, AP.

CATEGORY 'C' STATION

1. LUBRANG, AP.
2. BUMLA, AP.
3. CHUNA, AP.
4. KNINZANAM, AP.
5. MUKTAR, AP.
6. ZIRO, AP.
7. ZIMITHANG, AP.
8. BLEETING, AP.
9. LUMLA, AP.
10. THRIZINE, AP.
11. JUNG, AP.
12. BAMENG, AP.
13. SAGALEE, AP.
14. NACHO, AP.
15. DAMIN, AP.

Contd.....2/-

Action taken from File No E-111-1/VOL-1A

92-96 on 27.8.98.

Certified to be true copy

Admitted

27/3/99

NEG
Neg
24-8-98

What is position of Station/HQ & this position why we are not in position - M send proposal to category A declared as 'C' and 'B' category A

: 2 :

2. The Head of Department, i.e. Director, SSB, having applied the approved parameter that the places are situated between 1500 & 3000 Meters above M.S.L. hereby classify the following stations as Category 'E' stations for the purpose of clothing grant with effect from the date of issue of the order:-

STATIONS SITUATED BETWEEN 1500-3000 METERS ABOVE M.S.L.

1.	LUMLA	-	2460 Meters above MSL.	
2.	JUNG	-	2449 "	- do -
3.	NACHO	-	2625 "	- do -
4.	DIRANG	-	1630 "	- do -

S. S. BORA
(S.S. - BORA)
JOINT DEPUTY DIRECTOR (EA)

DISTRIBUTION:

1. The Director of Accounts, Cabinet Secretariat, Block-IX(East), R.K. Puram, New Delhi. (four copies).
2. Divisional Organiser, AP Division, Itanagar.
3. DOs: J&K/HP/UP/R&G/NB/NA/SHB/SB/M&N Division.
4. DisG: FA Gwaldam/TC Sarahan/Haflong/Salonibari/Jammu.
5. Commandant, CSD&W Bhopal/TC Faridabad.
6. Accounts Officer, SSB Directorate.
7. A1/E1/E2/A4 Branches at Directorate Hqrs.
8. All dealing Assistants of A2 Branch.
9. Guard file.

Ravat

(14)

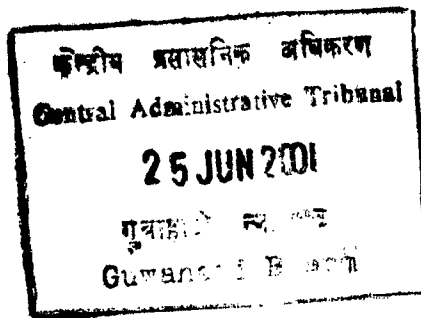
27

(4)

ANNEXURE -II TO THE CABINET SECTT. LETTER NO.
DATED: 18.12.87

STATE/UT	CATEGORY 'B' LOCATIONS	CATEGORY 'C' LOCATIONS
ARUNACHAL PRADESH	BOMDILA ✓ TAWANG DATARIPO ALONG YINGKIONG ROING HAULIANG MIAO NAMPONG SEPPA	C/TAZO KOLORIANG MONIGAONG MECHUKA TUTING WAKKA HAWAI WALONG LAJU LONGDING PANCHAO (TIRAP) CHANGLONG ANINI
GUJRAT	RADHANPUR	
HIMACHAL PRADESH	KALPA (REKONG-PEO) POOH	KAJA KALONG
J & K		NYOMA HANLE LEH KHALSI
MANIPUR		MORCH CHAKRPEKARONG CHANDEL CHURACHANDPUR NONGHBA TAMENGLONG UKHROOL CHASSAD [KHULLAN] #
MEGHALAYA	Shillong JOWAI NONGSTOIN	Ref. P-13 11-4-89
TRIPURA	KAILASHHAR UDAI PUR KHOWAI SONEMURA	
UTTAR PRADESH	DHARCHULA JOSHIMATH	MUNSYARI
WEST BENGAL	SUKIAPOKHRI NAXALBARI	

enclosed for blue copy
Admitted
23/12/87



Recd by
25/6/01
(A. DEB ROY)
Sr. C. G. S. C.
C. A. T. Guwahati Bench

23
By Inspector General
SSB/A.P. Division
Itanagar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

In the matter of

O.A.No. 141/2001
~~~~~

Sh. Gopal Chandra Dadhara - Applicants.  
and Others

Versus

Union of India and others - Respondents.

In the matter of :

Written statement submitted by Respondents 1 to 4.

1. That with regard to the statements made in paragraph No. 1, 2, 3, 4.1 and 4.2 of the application, this deponent has no comments as the facts mentioned by the petitioner are matters of record.

2. That with regard to the statements made in paragraph No.4.3 of the application, this deponent begs to submit that the Cabinet Secretariat vide their order No. A-27011/4/86-EA-II dtd. 18.12.87 have granted various concessions to the employees posted at category 'B' & 'C' Stations. The Head of the Deptt. has been authorised to declare certain stations or

24  
✓  
By Inspector General  
SSB/A.P. Division  
Itanagar

assignments if he feels that such stations/assignments have become specifically hazardous and there is a specific increase of threat to the personnel and/or premises, they can determine on merit the criteria of hardship to the period for which such locations may be categorised as belonging to category 'B' & 'C' stations after recording the reason in writing, Director, SSB being the Head of the Deptt. has declared stations of Arunachal Pradesh Division as Category 'B' & 'C' Stations for the various concessions w.e.f. 18.12.87 vide Cabinet Sectt. order No. A-27011/4/86/EA-II and SSB Dte. Order No. 9/SSB/A-2/86(1)-AP/3433 dtd. 08.11.94 w.e.f. 08.11.94. The Cabinet Sectt. while sanctioning various concessions to SSB personnel have mentioned that the ration allowance to the executive staff of the rank of Field Officer and below on posting to category 'B' & 'C' Stations would be admissible on BSF pattern. There is no mention that the same concessions would be applicable to the non-executive personnel of SSB. Therefore, the applicant are not entitled to claim the concession on the strength of the said orders.

251  
By Inspector General  
SSB/A.P. Division  
Itanagar

3. That with regard to the averments made in paragraph No.4.4, 4.5, 4.6 and 4.7 of the O.A. this declarant begs to submit no comments as the same are matters of record. On the strength of the aforesaid O.As., the petitioners however can not be granted Ration allowances as they were not a member of the said O.As. Hence, their claim for ration allowances on the strength of the said O.As. is summararily rejected.

GROUND FOR RELIEF WITH LEGAL PROVISIONS :

4. That with regard to the statements made in Paragraph No. 5.1 of the O.A. this deponent begs to submit that in absence of clear orders of the Govt of India the ration allowance cannot be made admissible to the non-executive personnel of SSB posted at Category 'B' and 'C' stations of Arunachal Pradesh.

5. That with regard to the statements made in Paragraph 5.2 of the O.A. this deponent begs to submit that the judgment of the Hon'ble CAT, Guwahati is not applicable to the other personnel

posted at Category 'B' and 'C' stations of Arunachal Pradesh. The benefit of ration allowance can not be extended to the applicant in the absence of Govt orders on the subject.

6. That with regard to the averments made vide para 5.3 of the O.A., the deponent begs to submit that Govt. of India, Cabinet Sectt. vide their order No. A.49011/2/2000-DO-I(Vol.II)-99 dated 30/01/2001 have extended grant of ration allowances at the specified rate to the non-executive personnel including the Ministerial personnel of Special Service Bureau, Aviation Research Centre posted at 'B' and 'C' station on par with the provision of prevailing in R&AW and in terms of Para 2(ii) of Ministry of Finance O.M. No. 50(4)/97-IC dated 11/01/2000 (Annexure-A) with effect from 30/01/2001. The order is admissible only prospectively based on the review undertaken for the purpose.

7. That with regard to the averments made in Para 5.4 of the O.A. this deponent has no comments as no such illegality was committed by the deponent in the instant case.

27  
By Inspector General  
SSB/A.P. Division  
Itanagar

8. That with regard to the averments made in para 5.5 of the O.A., it is reiterated that in absence of Govt orders, it is not possible to grant ration allowance to the non-executive personnel of SSB working in Category 'B' and 'C' stations of Arunachal Pradesh Division retrospectively. Govt. order for granting ration allowance to the non-executive staff as stated above have since been received which has only prospective affect.

DETAILS OF REMEDIES EXHAUSTED :

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

VERIFICATION :

I, Anup Ram Thakur, Deputy Inspector General, Special Service Bureau, Arunachal Pradesh Division, Itanagar do hereby verify that the statements made in Paragraph No. 1,4,5,7,8 & 9 of

28

the written statement are true to my knowledge, those made in paragraphs No. 2,3, & 6 being matter of record are true to my information derived therefrom, and those made in the rest are humble submission to the Hon'ble Tribunal.

And I sign this verification on this day *14<sup>th</sup>* day of June 2001.

*Signature*  
DECLARANT  
Dy. Inspector General  
SSB, A.P. Division  
Itanagar

Shahjahan Road  
New Delhi, theORDER

130 4991

Sanction of the President is hereby accorded to the extension of the Ration Money Allowance at the specified rates to the non-executive personnel, including the Ministerial personnel of Special Service Bureau, Aviation Research Centre (Directorate General of Security) posted at 'B' & 'C' Stations on par with the position prevailing in R&AW and in terms of para 2(ii) of the Ministry of Finance OM No.50(4)/97-IC dated 11/01/2000.

2. Special Service Bureau/Aviation Research Centre is requested to comply with the above orders of the Government. The Ration Allowance will consequently be admissible only prospectively based on the review undertaken for the purpose. The revised orders relating to the classification of stations should also be issued simultaneously along with the orders relating to the Ration Allowance.

3. No additional Budgetary provisions will be agreed to on account of liberalization.

4. This issues with the approval of Ministry of Finance (Department of Expenditure) vide their UO 1 to 50(4)/97-IC dated 30.01.2001.




(Mukul Chatterjee)

Deputy Secretary to the Government of India

Copy to:-

1. Director, SSB.
2. Director, ARC. [ARC may critically review the justification and necessity for the continued categorization of the stations as 'B' & 'C' as has already been done by R&AW/SSB under intimation to this Secretariat.]
3. Director of Accounts, Cabinet Secretariat.
4. Director(F/S).
5. US(SR)
6. SO/EA-II.
7. Guard file.

C.T.C

  
 15/6/01  
 Section Officer  
 SSB/Itanagar

IMMEDIATE

No. 30/SSB/A-2/97(17)-485-508  
GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS  
OFFICE OF THE DIRECTOR : SSB  
EAST BLOCK - V, R.K. PURAM  
NEW DELHI - 110066.

DATED THE, 08/02/2001

MEMORANDUM

Subject:- Grant of Ration Money allowance to the Non-Executive personnel including ministerial personnel of SSB.

-.-.-

Cabinet Secretariat vide their order No.A-49011/2/2000-DO-I(Vol.II)-99 dated 30/01/2001 have sanctioned Ration Money Allowance to the non-executive personnel including ministerial personnel of SSB posted to category 'B' and 'C' stations. A copy of the Cabinet Secretariat order dated 30/01/2001 refer to above is enclosed.

2. All non-executive personnel including ministerial personnel holding non-gazetted posts and posted to category 'B' and 'C' stations declared vide this Directorate order No.30/SSB/A-2/97(17) dated 01/11/2000 are entitled to draw ration allowance w.e.f. 30/01/2001.

Encls: As above.

( S.S. BORA )  
JOINT DEPUTY DIRECTOR(EA)

To

1. D.O. : HP/UP/J&K/R&G/SB/NB/AP/NA/Shillong/M&N Division.
2. DisG : FA Gwaldam/TC Sarahan/Haflong/Jammu/Salonibari/Kumarsain.
3. Commandant, CSD 'W' Bhopal/TC Faridabad.
4. Accounts Officer, SSB.
5. AI/A4/E1/E2 branches.
6. Order File.

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

No.NGE/F-9(C)/96-2001/85

Dated:15.2.2001

Copy to:-

1. The AOs:SSB:Bomdila/Ziro/Along/- for information and necessary action please.  
Tezu/Khonsa
2. The Comdts:SSB:GC:Dirang/Basar/Tezu -do-
3. The Comdt.,WATS,SSB, Itana-gar -do-
4. The Accounts Officer,Div.HQ,A.P.Itanagar-do-

SECTION OFFICER  
DIV.HQ:SSB:ITANAGAR