

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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GENERAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

Original Application No. : 30/03
Misc. Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicant (s) Kangit Subadieu

-VS-

Respondent (s) W. O. R. Fern:

Advocate for the Applicant (s) M. Chandra, G.N. Chakrabarty
Mr. A. Jee Ray

Advocate for the Respondent(s) Sr. C. J. R.

Notes of the Registry	Date	Order of the Tribunal
<p>Application is in but not in time <u>for admission</u> of the case. Xs are placed in the file and</p> <p><i>[Signature]</i> Dy. Registrar</p> <p>s taken with elops.</p> <p><i>[Signature]</i></p> <p>prepared and sent to Dls the respondents by Regd- A/D <i>[initials]</i> 25/2</p> <p>327w329 dtd 28/2/03</p> <p>ice report are still real. <i>[initials]</i> 28.3.03</p>	21.2.2003	<p>Issue notice to show case cause as to why this application shall not be admitted.</p> <p>Also issue notice on the respondents to show cause as to why interim order as prayed for shall not be granted, returnable by four weeks.</p> <p>In the meantime the respon- dents are ordered not to make recovery of SDA already paid to the applicant till the returnable dated.</p> <p>List the case on 28.3.2003</p> <p><i>[Signature]</i> Vice-Chairman</p>

②
O.A. 30/2003

Order dtd 28/3/03
Communicated to the
Parties concerned.

31/3

28.3.2003

List again on 25.4. 2003
to enable the respondents to file
reply. In the meantime, interim order
dated 21.2.2003 shall continue to
operate.

No reply has been
filed.


Vice-Chairman

mb

25.4.2003

Put up again on 30.5.2003
to enable the respondents to file
reply as prayed by Mr. A. Deb Roy,
learned Sr. C.G.S.C. for the respon-
dents.


Vice-Chairman

8.5.03

Wfs submitted
by the Respondents,

mb

30.5.2003

Written statement has been filed
by the respondents. Put up again on
3.6.2003 for admission. Endeavour
shall be made to dispose of the same
at the admission stage.


Vice-Chairman

mb

3.6.2003 . Present : The Hon'ble Mr. Justice
D.N. Chowdhury, Vice-Chairman.

The issue relates to payment of Special Duty Allowance (SDA). The applicants are 25 in number who were working group 'C' and 'D' cadre in the Canteen Store Department, Missamari save and except applicant No.9 who was posted at Port Blair Canteen Store Department at the time of filing this application.

Considering the nature of the cause of action and relief sought for, the applicants were allowed to espouse their cause in a single application under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1985.

According to the applicants, they were paid SDA in terms of memorandum dated 14.12.1983, 1.12.1983 and 22.7.1998 and the same was sought to be stopped whereupon the applicants moved this Tribunal by the O.A.

The respondents submitted written statement and contended that in view of the decision rendered by the Supreme Court in S. Vijaya Kumar and Ors. and like cases the Ministry of Fiance issued appropriate direction for taking appropriate measure in regards payment of SDA vide communication dated 29.5.2002. According to the respondents SDA is admissible only to civilian employees posted from the outside region and not others. The decision of the Supreme Court in U.O.I. & Ors. Vs. Sh. S. Vijaya Kumar & Ors. has clarified the same. It was also mentioned that SDA would not be payable merely because of a clause in the appointment order relating to All India Transfer Liability.

I have heard Mr. M. Chanda, learned counsel for the applicant and

Contd/-

3.6.2003 also Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents at length.

In view of the decision rendered by the Courts, the matter of payment of SDA is no longer unresolved. Normally, SDA is admissible to the employees posted at North-eastern region from the outside region. As a matter of fact, the same was clarified by the Cabinet Secretariat (E.A. Section) vide Cab. Sectt. UO. No. 20/12/99-EA-1-1799 dated 2.5.2000. There is no dispute that the those officers who belong to N.E. Region, subsequently posted from the outside region have a common All India Seniority and All India Transfer Liability are eligible for the SDA. As per memorandum mentioned above the applicants are also eligible for the SDA. The applicants were either posted North East on public interest or transferred out from North East and posted out who were subsequently reposted in N.E. Region. The above communication clarified and resolved the issues in favour of these applicants. In the circumstances, it would not be appropriate to deny the claim of the applicants.

Accordingly, the application is allowed in the light of the decision of this Bench in O.A. No. 88/2001 disposed on 12.9.2001.

The application is allowed.
No order as to costs.

Vice-Chairman

6.6.2007
Copy of the order
has been sent to the
D/Sec. for camp
in due to the applicant
as well as to the
for C.S.C. for the
Respondents.
MB

13.8.07
W.P.(C) No. 2472/04
Judgement and order dt.
15.7.07. received from
The Hon'ble High Court and
same has been kept in
O.A. 30/03 'A' file.

13/8/07

mb

6

Memo No. HC XX1/13,383-86 R.M. dated 27-7-09
judgment and order dtd 15/7/09 received
from the Registry of the Honible High Court.

The judgment and order (oral) dated 15/7/09
passed by the Honible High Court is WP(c)
2472/04 received from the Registry of the Honible
High Court along with the case records of CAT,
Guwahati Bench O.A. No. 30/2003. The WP(c) was
filed by the petitioner against the order dated
3/06/2003 ^{passed} by the CAT, Guwahati Bench.

The Honible High Court dismissed the
Writ petition and the order of the learned
Tribunal is affirmed.

The matter laid before the Honible
Vice-Chairman for kind perusal.

S. O. (S)
24.8.09
D.R.

S. O. (S)
24.8.09

S. O. (S)
21/8/09

Honible V.C.
24/8/09

Handle Member (A)

S. O. (S)
25/8/09

X

**IN THE GAUHATI HIGH COURT
(THE HIGH COURT OF ASSAM;NAGALAND;MEGHALAYA;MANIPUR;
TRIPURA;MIZORAM AND ARUNACHAL PRADESH)**

WRIT PETITION(C) NO. 2472 OF 2004

1. The Union of India,
Represented by the Secretary to the
Govt. of India, Ministry of Defence,
New Delhi.

2. The General Manager,
Canteen Stores Department,
Ministry of Defence,
Govt. of India
Adelphi 119, MK Road,
Mumbai- 400020

3. The Area Manager,
Canteen Stores Department,
Missamari, Assam.

.....PETITIONERS

-versus-

1. Sri Ranjit Sutradhar
2. Sri Biman Behari Das
3. Sri Hemanta Kr. Deka
4. Sri Z Pangkhum
5. Sri NC Kachari.
6. Sri PC Malakar
7. Sri BD Sharma
8. Sri DK Dutta
9. Sri SC Rabha
10. Sri Paresh Sutradhar
11. Sri Kasim Ali

- 12.Sri I Nath
13.Sri Lakheswar Das
14.Sri DC Das
15.Sri PC Das,
16.Sri Ramzan Ali
17.Sri Ganesh Kumar
18.Sri Debeswar Das
19.Sri Kajal Ch. Das
20.Sri SP Neog
21.Sri NC Boro
22.Sri NC Boro
23.Sri NC Rava
24.Sri Anthony Topna
25.Sri HK Das
26.Sri BC Nath

All are working as Grade C and D cadre and posted in the Canteen Stores Department at Missamari, Asam except serial No.9 who is posted on transfer in Canteen Stores Department at Port Blair

.....RESPONDENTS

P R E S E N T
HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE A.C.UPADHYAY

For the petitioners : Mr B Pathak,
Central Govt. counsel
For the respondents : S Dutta,
Advocate

Date of hearing &
Judgment

: 15.7.2009

JUDGMENT & ORDER
(ORAL)

Ranjan Gogoi, J

Aggrieved by the order dated 3.6.2003 passed by the Gauhati Bench of the Central Administrative Tribunal in Original Application No. 30 of 2003, the Union of India has instituted the present proceeding under Article 226 of the Constitution. By the aforesaid order, the learned Tribunal has held the respondents herein, who were the applicants before the learned Tribunal, to be entitled to Special Duty Allowance (SDA) in accordance with the Office Memorandum dated 2.5.2000.

2. We have heard Sri B Pathak, learned Central Govt. counsel appearing on behalf of the writ petitioners and Sri S Dutta, learned counsel for the respondent Nos. 1 and 2.

3. We have perused the order of the learned Tribunal dated 3.6.2003 and the Office Memorandum dated 2.5.2000 on which reliance has been placed by the learned Tribunal in coming to the impugned conclusions.

4. The materials on record indicate that the applicants before the learned Tribunal i.e. the respondents herein were working in Group-C and D posts in the Canteen Stores Department at Missamari except the applicant No.9 who was posted at Port Blair Canteen Stores Department on the date when the learned Tribunal was moved. The applicants belong to the north-eastern region and were posted out of the said region, whereafter, they have been brought back to the north-eastern region by way of transfer. Accordingly, a question arose as to whether they would be entitled to SDA on being re-posted in the north-eastern region. The learned Tribunal taking note of the contents of the Office Memorandum dated 2.5.2000 came to the

conclusion that the said Office Memorandum clearly provided that employees like the applicants are entitled to payment of SDA and, accordingly, allowed the Original Application. Aggrieved, the Union of India has instituted the present proceeding.

5. Under Clause (iv) of the Office Memorandum dated 2.5.2000 "an employee hailing from NE Region, posted to NE Region initially but subsequently transferred out of NE Region but re-posted to NE Region after sometime serving in non-NE Region" is entitled to payment of SDA. The provisions of Clause (iv) of the Office Memorandum being clear and unambiguous and the applicants having belonged to the said category, there can be no manner of doubt that the learned Tribunal had correctly determined the entitlement of the applicants before it (respondents herein) for payment of SDA.

6. We, therefore, unhesitatingly take the view that no infirmity is disclosed in the order of the learned Tribunal so as to require any interference by us.

7. The writ petition, consequently, is dismissed. However, in the facts and circumstance of the case, there will be no order as to cost.

Sd/- A.C. UPADHAYAY
JUDGE

Sd/- RANJAN GOGOI
JUDGE

Memo No. HC XXI-13,283-86-R.M. Dtd. 27/07/09

Copy forwarded for information and necessary action to: -

1. The Union of India, represented by the Secretary to the Government of India; Ministry of Defence, New Delhi.
2. The General Manager, Canteen Stores Department, Ministry of Defence, Government of India, Adelphi 119 M.K. Road, Mumbai- 400020.
3. The Area Manager, Canteen Stores Department, Missamari, Assam.
4. ✓ The I/C Deputy Registrar, Central Administrative Tribunal, Guwahati Bench, Rajgarh Road, Bhangagarh, Guwahati- 781005. He is requested to acknowledge the receipt of the following records. This has a reference to his letter No.CAT/GHY/68/2001 Judl./543 Date 29.7.2004
Encl:-

1. O.A. 30/03 Part A

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

988

28 JUL 2009

Guwahati Bench
গুৱাহাটী বেঞ্চ

By order

Asstt. Registrar (B)
Gauhati High Court, Guwahati.

24/7/09

Annexure A'

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 88 of 2001.

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

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

The Hon'ble Mr K.K.Sharma, Administrative Member.

Sri Ambika Majumdar,
Son of late Chakrachar Majumdar,
Resident of Jatia,
Kahilipara Road,
Guwahati-6.

. . . Applicant.

By Advocate Sri M. Ghanda.

- Versus -

1. Union of India,
through the Secretary to the
Government of India,
Ministry of Defence,
New Delhi.
2. The Headquarter Chief Engineer,
Eastern Command,
Fort William,
Calcutta.
3. The Chief Engineer,
MES, Shillong Zone,
S.E. Falls, Shillong.
4. The Area Accounts Officer,
MES Shillong Zone,
Shillong.
5. The Garrison Engineer, (I)(P)
Darengi,
MES, Guwahati.

. . . Respondents.

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

ORDER

CHOWDHURY J. (V.C)

This is an application under Section 19 of the Administrative Tribunals Act 1985 seeking for a direction on the respondents for granting Special Duty Allowance (SDA) in terms of Office Memorandum dated 14.12.83, 1.12.96, 22.7.98 and 12.1.96. The applicant no doubt belongs to the North Eastern Region. He was however, posted out of North

Eastern Region vide order dated 21.11.90 whereby he was posted to Balasore on promotion to the post of Superintendent B/R Ord.I. pursuant thereto he joined in Balasore on 31.12.90 and subsequently reposted to North Eastern Region. After serving outside the North Eastern Region the applicant thus/squarely covered by the direction contained in para 2 clause (iv) of the Cabinet Secretariat communication dated 2.5.2000.

The application is accordingly allowed and the respondents are directed to continue to pay SDA to the applicant in terms of the Office Memorandum dated 14.12.83 and 12.1.96.

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

Sd/VICE CHAIRMAN

Sd/MEMBER (Adm)

Certified to be true Copy

प्रमाणित प्रतिलिपि

3/10/2001

Section Officer (J)

आयुक्त अधिकारी (न्यायिक शाखा)
Central Administrative Tribunal

केन्द्रीय प्रशासनिक अधिकरण
Guwahati Bench, Guwahati-8

গুৱাহাটী ব্যাংক, গুৱাহাটী-৪

3/10/2001

Annexure B

B

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

ORDER SHEET

Original No. _____
Misc. Petition No. 64/2002 M.O.A. 88/2001
Contempt Petition No. _____
Review Application No. _____

Applicant(s) Union of India & Ors

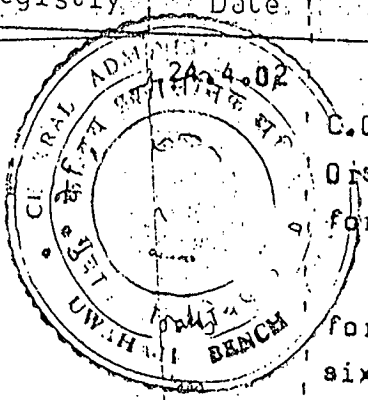
Respondent(s) Anbika Mazumdar

Advocate for Applicant(s) Mr. A. D. Choudhary & Mr. B. C. Pathak
Advl. C.G.S.C.

Advocate for Respondent(s) Mr. Chanda, Mrs. N. D. Goswami

Notes of the Registry _____ Date _____ ORDER OF THE TRIBUNAL

TRUE COPY



Heard Mr. B.C. Pathak, learned Addl. C.G.S.C. for the applicants Union of India & Ors. and also Mr. M.Chanda, learned counsel for the Respondents.

Mr. M.Chanda, learned counsel appearing for the Respondent/Applicant stated that the six months period already is over from the date of passing of the orders. Therefore, he should not be given any further extension of time to the Respondents Union of India. However, considering the nature of the case and other relevant facts, the applicant Union of India need to be granted some more time to comply with the judgment. Accordingly, four months time is allowed to the Union of India. The application is accordingly disposed of.

Memo No -

dated: - 1/2001

Copy for information and necessary action to:-

1) Mr. B.C. Pathak, Addl. C.G.S.C., CAT, Guwahati for Union of India

2) Mr. Mamik Chanda Advocate for Respondent.

Section Officer (Sd/ VICE CHAIRMAN
General Administration Tribunal
Guwahati Bench, Guwahati

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

O.A. No.30 of 2003

Sri Ranjit Sutradhar & Ors.

-VS-

Union of India & Ors.

12.09.1990 Clause of All India Transfer Liability are
28.07.1998 stipulated in the individual appointment
31.01.1979 letters.
06.03.1990

14.12.1983 Govt. of India, Department of Expenditure,
Ministry of Finance, issued an O.M. granted
certain benefits to the Central Government
Civilian employees working in the North
Eastern region with all India transfer
liability. One of such benefit is special
duty allowance at the rate 25% of the Basic
pay. The rate of Special Duty Allowance was
subsequently modified to the extent at the
rate of 12 and half percent of basic pay by
the O.M. dated 1.12.1988 and 22.7.1998.

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Filed by the applicant
through advocate
G. N. Chakravarty, for

Art I
A1
A22 P23
23
Art V
P 39-60
P 47
P 7 A

15

20.05.1992	All the applicants were transferred and
03.07.2001	posted in different places outside the North
July 1992	Eastern Region in public interest and
Feb.1992	subsequently they have been reposted to this
29.1.1997	Region.
01.05.2001	
Jan. 1991	
27.01.2002	
21.12.1990	
July 1997	
16.03.1993	
June 1993	
Oct. 1995	
09.07.2002	
11.07.2002	
03.06.1997	
06.02.1995	
Aug. 1991	
21.08.1996	Individual representation submitted to the
01.08.2001	Respondents praying for continuation of
11.01.2002	payment of Special Duty Allowance.
12.06.2001	
27.08.1996	Correspondences were made by the local
26.04.2002	authority with the Headquarter Office, Mumbai
Sept. 2001	recommending entitlement of Special Duty
26.03.02	Allowance in the case of the applicants.
29.5.2002	Govt. of India Ministry of Finance, issued
10.7.2002	O.M. dated 29.05.2002 wherein it is stated
	that the amount paid on account of SDA to

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ineligible persons after 5.10.2001 will be recovered in view of the decision of the Supreme Court in Civil Appeal No. 7000/2001 arising out of SLP No. 5455 of 1999 and the said Memorandum was forwarded vide CSD order dated 10.7.2002.

Respondents surprisingly effected recovery in respect of applicant no. 2 as such other applicants are apprehending that recovery of SDA may also be effected at any moment to them by the Respondents.

02.05.2002 Cabinet Secretariat issued letter dated 2.5.2002 in consultation with the Ministry of Finance, Department of expenditure clarifying the entitlement of Special Duty Allowance to the Central Govt. Civilian employees belong to N.E.Region.

P R A Y E R

8.1 That the Hon'ble Tribunal be pleased to declare that the applicants are entitled to draw Special (Duty) Allowance in terms of the O.M. dated 14.12.1983, 1.12.1988 and in terms of O.M. dated 22.7.1998 and also in the light of the clarification issued by the Cabinet Secretariat after consultation with the Govt.

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of India, Ministry of Finance, Department of Expenditure dated 2.5.2000 (Annexure-VI).

8.2 That the Hon'ble Tribunal be pleased to declare that the respondents are not entitled to make any recovery of SDA which is already paid to the applicants and further be pleased to direct the respondents to refund the amount of SDA already recovered from the salary bill of the applicants.

8.3 That the Hon'ble Tribunal be pleased to direct the respondents to pay the arrear Special (Duty) Allowance from the respective date of discontinuation of the said allowance to the individual applicants.

8.4 Costs of the application.

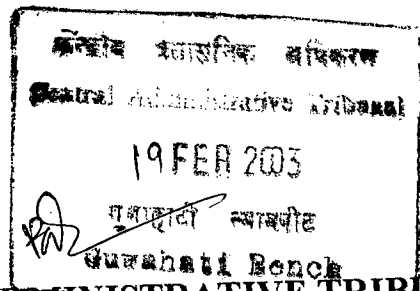
8.5 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9.

INTERIM PRAYER

During pendency of this application, the applicant prays for the following relief: -

That the Hon'ble Tribunal be pleased to direct the respondents not to make any recovery of SDA which is already paid to the applicants.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(An Application under Section 19 of the Administrative Tribunals Act, 1985)

Title of the case :

O. A. No. 30 /2003

Sri Ranjit Sutradhar :

Applicant

- Versus -

Union of India & Others:

Respondents.

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Date 17-2-2003

Filed by

G. W. Chakravorty

Advocate

1/19

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

(An Application under Section 19 of the Administrative
Tribunals Act, 1985)

O. A. No. 30 /2003

BETWEEN

1. Sri Ranjit Sutradhar(8017) — P23
LDC(S)
2. Sri Biman Behari Das(1651)
Accountant
3. Shri Hemanta Kr. Deka (2191)
SK-II
4. Sri Z. Rangkhum (2476)
Security In charge
5. Sri N.C. Kachari(2172)
SK-II
6. Sri P.C. Malakar(2075)
SK-II
7. Sri B.D.Sharma(2733)
LDC(S)
8. Sri D.K.Dutta(2076)
SK-II

Ranjit Sutradhar

9. Sri S.C.Rabha(2362)
SK-III
10. Sri Paresb Sutradhar(5665)
Mazdoor
11. Sri Kasim Ali(4681)
Mazdoor
12. Sri I.Nath(4720)
Mazdoor
13. Sri Lakeswar Das(4952)
Mazdoor
14. Sri D.C.Das(4915)
W/Man
15. Sri P.C.Das(5066)
W/Man
16. Sri Ramzan Ali(5657)
Mazdoor
17. Sri Ganesh Kumar(5564)
W/Man
18. Sri Deheswar Das(5261)
W/Man
19. Sri Kajal Ch.Das(5800)
W/Man
20. Sri S.P. Neog(5945)
W/Man

Ranjit Sutradhar

21. Sri N.C.Boro(6046)
Peon
22. Sri N.C.Rava(6045)
W/Man
23. Sri Anthony Topna(6222)
W/Man
24. Sri H.K.Das(5279)
W/Man
25. Sri B.C.Nath(6036)
Cleaner

...Applicants

(All the applicants are working as Group C and D cadre and posted in the Canteen Store Department at Missamari except serial number 9. Presently serial no. 9 is posted on transfer in public interest at Port Blair Canteen Store Department Depot).

~~-AND-~~

1. The Union of India,
Represented by the Secretary to the
Government of India, Ministry of Defence,
New Delhi.
2. The General Manager
Canteen Store Department,
Government of India,

Ranjit Sutradhar

Ministry of Defence,
"Adelphi 119 M.K.Road,
Mumbai-400 020.

3. The Manager,
OSD Depot,
Missamari, Assam.

...Respondents.

DETAILS OF THE APPLICATION

1. Particulars of order(s) against which this application is made.

This application is made against arbitrary recovery of Special (Duty) Allowance already paid to the applicants without following the principles of natural justice and also praying for a direction upon the respondents to continue to pay Special (Duty) Allowance to the applicants as well as for payment of arrear Special (Duty) Allowance from the date of discontinuation of the aforesaid allowance in terms of the Memorandum dated 14.12.1983, 1.12.1988 and 22.7.1998 issued by the Ministry of Finance, Govt. of India, Department of Expenditure. New Delhi.

Ranjit Singh Dhar

2. Jurisdiction of the Tribunal.

The applicants declare that the subject matter of this application is well within the jurisdiction of this Hon'ble Tribunal.

3. Limitation.

The applicants further declare that this application is filed within the limitation prescribed under section-21 of the Administrative Tribunals Act, 1985.

4. Facts of the Case.

4.1 That the applicants are the citizens of India and as such they are entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

4.2 That all the applicants are presently working in the cadre of Group C and D under the respondent no.3 in the Canteen Store Department Depot, Missamari except applicant no.9 who is presently posted at Port Blair, Canteen Store Department Depot from Missamari.

4.3 That the applicants pray for permission to move this application jointly in a single application under Section 4(5) (a) of the Central Administrative Tribunal (Procedure) Rules 1985 as the reliefs sought for in this application by the applicant are common, therefore they pray for granting leave to approach the Hon'ble Tribunal by a common application.

Ranjit Suresh Kumar

4.4 That all the applicants were initially recruited on All India basis in different capacities and their appointment letter were issued from the office of Canteen Store Department, Bombay now Mumbai. Some of the applicants were initially posted in different places outside the North Eastern Region and some of the applicants were although initially posted at North Eastern Region but subsequently during their service career transferred and posted outside the North Eastern Region and again they have been posted to North Eastern Region on transfer and all of them except applicant no. 9 are now working in different capacities under the Respondent No.3 at Missamari.

It is categorically stated that all the applicants are saddled with All India Transfer liability and a clause specifically to that effect is stipulated in their respective appointment letter. It is further submitted that the seniority and promotion of all the applicants are also maintained and made on all India basis.

Applicants urge to produce those relevant documents in support of their aforesaid contentions at the time of hearing of the Original Application. However a few copies of appointment letters/posting orders and common seniority list are annexed hereto and marked as **Annexure-I** series.

Ranjit Subhakar

4.5 That your applicants while serving under the respondents, Government of India, Ministry of Finance, Department of Expenditure, issued an Office Memorandum under letter No. 20014/3/Estt.-IV dated 14.12.1983 granting certain improvements and facilities to the Central Government Civilian employees serving in the North Eastern Region. As per the said Office Memorandum the Special (Duty) Allowance (in short SDA) has been granted to the Civilian Employees of the Central Government who are saddled with all India Transfer Liability. The relevant portion of the O.M. dated 14.12.1983 is quoted below :

"The need for attracting and retaining the services of competent officers for service in the North Eastern Region comprising the States of Assam, Meghalaya, Manipur, and Tripura and the Union Territories of Arunachal Pradesh and Mizoram has been engaging the attention of the Government for some time. The Government has appointed a Committee under the Chairmanship of Secretary, Department of Personnel and Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of civilian Central Government employees serving in the region and to suggest suitable improvements. The recommendations of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows :

Ranjit Sukhthan

(iii) Special Duty Allowance

Central Government civilian employees who have All India transfer liability will be granted Special (Duty) Allowance at the rate of 25 percent of basic pay subject to a ceiling of Rs. 400/- per month on posting to any station in the North Eastern Region. Such of those employees who are exempt from payment of income tax, will however, not be eligible in addition to any special pay and/or Deputation (Duty) Allowance already being drawn subject to the condition that the total of such Special (Duty) Allowance will not exceed Rs. 400/- P.M. Special Allowances like Special Compensatory (Remote Locality) allowance, Construction Allowance and Project Allowance will be drawn separately."

It is submitted that after issuance of the Office Memorandum dated 14.12.1983 the Government of India extended the aforesaid benefit from time to time to the civilian Central Government employees working from time to time vide O.M. dated 1.12.1988 and 22.7.1998 and the said O.Ms are still in force.

An extract of the O.M. dated 14.12.1983 is annexed hereto and marked as **Annexure-II**.

Ranjit-Singh

4.6 That it is stated that the Canteen Store Department granted the benefit of Special (Duty) Allowance to all the applicants on and from different dates on their posting at Missamari, Assam. However, the payment of the said Special (Duty) Allowance has been arbitrarily stopped by the Respondent No.3 on and from different dates in respect of the applicants that too without providing any opportunity or intimation in writing. It is also decided arbitrarily by the Respondents to effect recovery of the Special (Duty) Allowance already paid to the applicants by the respondents on their own following the instructions of the Headquarter office, Mumbai and accordingly recovery have been effected in respect of some of the applicants.

4.7 That it is stated that all the applicants are saddled with All India Transfer Liability and all the applicants served in different stations outside North Eastern Region either on their initial posting or on subsequent transfer from North Eastern Region. However, all the applicants are presently posted at Missamari under respondent no 3 except the applicant no. 9. Surprisingly, the payment of Special (Duty) allowance has been arbitrarily stopped following the instructions of the Headquarter office, Mumbai, so far learnt by the applicants from a reliable source. The detail particulars of transfer and postings outside the North Eastern Region in respect of the individual applicants are furnished hereunder :

Ranjit Kumar Dhan

Sl. No.	Name and Designation	Name of the Depot served outside NE Region
1	Sri Ranjit Sutradhar (8017) LDC(s)	CSD Srinagar in Sept.'90
2	Sri Biman Behari Das (1651)	Batinderu Punjab re
3	Sri Hemanta Kr. Deka(2191)	CSD, B.D.Bari, Feb'89 Jammu re
4	Sri Z. Rangkhum (2476) Security in Char	Base Depot, Memumabi in 1990
5	Sri N.C.Kachari(2172) SK-II	CSD, Port Blair, May 1999
6	Sri P.C.Malakar(2075) SK-II	CSD, Baghdogra in 1978
7	Sri B.D.Sharma(2733) LDC(S)	CSD, Srinagar in Nov.92
8	Sri D.K.Dutta (2076) SK-II	CSD, Baghdogra in Dec.'90
9	Sri S.C.Rabha(2362) SK-II	Srinagar re.
10	Sri Paresh Sutradhar (5665) Mazdoor	Padaman nicobar re
11	Sri Kasim Ali(4681) Mazdoor	CSD, Baghdogra in Jan.'94
12	Sri I.Nath (4720)	CSD Kochin in Mar'95
13	Sri Lakeswar Das(4952)	CSD Port Blair in

Ranjit-Sutradhar

	Mazdoor	Feb'88
14	Sri D.C.Das (4915) W/Man	CSD, B.D.Bari in May 88 <i>Tamam m</i>
15	Sri P.C.Das(5066) W/Man	<i>Kolkata m</i>
16	Sri Ramzan Ali (5657) Mazdoor	CSD Port Blair, Apr. 89
17	Sri Ganesh Kumar (5564) W/Man	CSD Kolkata Jan.'93
18	Sri Deheswar Das(5261) W/Man	CSD, Agra in Jan.'95
19	Sri Kajal Ch. Das (5800) W/Man	CSD, Ramgarh in Jan.'95
20	Sri S.P.Neog (5945) W/Man	CSD Vishakhapatnam in Mar'95
21	Sri N.C.Boro (6046) Peon	CSD Delhi in 1992
22	Sri N.C.Rava (6045) W/Man	<i>Bangalore (CB) m</i>
23	Sri Anthony (6222) W/Man	CSD Bikanir in Sept.98
24	Sri H.K.Das (5279) W/Man	<i>Delhi m</i>
25	Sri B.C.Nath (6036) Cleaner	<i>Bhagdogri m</i>

A few copies of orders of transfer and postings which were effected in public interest are annexed as Annexure-III(Series).

4.8 That your applicants beg to state that all of them fulfilled the necessary eligibility criteria laid down for payment of Special (Duty) Allowance in the

Ranjit-Sinha

Memorandum dated 14.12.1983, 1.12.1988 and also in terms of the Memorandum dated 22.7.1998 and such all the applicants have attained the eligibility for Special (Duty) Allowance. It is relevant to mention here that the applicants represented before the competent authorities on several occasions after arbitrary stoppage of payment of Special (Duty) Allowance to them and the same would be evident from the representations submitted by the applicants on different dates i.e. 21.8.96, 1.8.01. and 11.1.2002 and the correspondences bearing letter nos. MMD/EST/60/3860 dated 27.8.96, 26.4.2002, MMD/EST/66/1178 Sept.2001, MMD/EST/66/261 dated 26.4.2002, GD/PR/SDA/1082 dated 26/3/02 and Ref. No. 3/Admn./B-9/1791 dated 10.7.2002.

Copy of the representations dated 21.8.96, 1.8.01. and 11.1.2002 are annexed as **Annexure IV** series and the correspondences dated 27.8.96, 26.4.2002, Sept. 2001, 26.4.2002, 26.3.2002 and 10.7.2002 are annexed as **Annexure V** series respectively.

- 4.9 That it is stated that the local authorities although strongly recommended the case of the applicants for payment of Special (Duty) allowance to the Headquarter office in Mumbai repeatedly stating details of their posting in outside the N.E. Region in public interest but in spite of repeated requests the Headquarter office, Mumbai did not take any steps for continuation of Special (Duty) Allowance rather the respondents on receipt of the Headquarter CSD Order No. 11/2002

Ranjit Subhedar

bearing letter No. 3/Admn/B-9/1791 dated 10.7.2002 enclosing the copy of the Office Memorandum bearing letter No. F.No. 11(5)/97-E.II(B) dated 29.5.2002 issued by the Government of India, Ministry of Finance, has decided to make recovery of the Special (Duty) Allowance already paid to the applicants and the said recovery has already been effected in respect of applicant no. 2. In this connection it may be stated that a mere reading of clause 4 of the Memorandum dated 29.5.2002 makes it abundantly clear that the respondents are not entitled to make any recovery of Special (Duty) allowance, in view of the Supreme Court Order mentioned therein whereas three instalments have already been recovered from the salary bill of the applicant without providing any opportunity and the other applicants are also apprehending that similar recovery of SDA are likely to be started from the salary bill. Therefore Hon'ble Tribunal be pleased pass an appropriate order directing the respondents not to make any recovery so far as the payment of SDA is concerned and further be pleased to pass an appropriate order directing the respondents to continue to pay the Special (Duty) allowance to the applicants as they have attained eligibility in view of the Clarification given by the Government of India, Department of Expenditure, Ministry of Finance, mentioned in the cabinet Secretariat Letter bearing No. (EA-1 Section) UO No. 20/12/99 EA-1-1799 dated 2.5.2000.

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4.10 That the applicant begs to state that after issuance of the O.M. dated 14.12.1983, some Central Govt. Civilian Employees working in the N.E. Region had approached the Central Administrative Tribunal (for short, CAT), Guwahati Bench praying for grant of SDA to them in terms of the O.M. dated 14.12.1983 and the subsequent memoranda issued thereto. The CAT, Guwahati Bench had upheld the prayers of those employees on the ground, amongst others, that they were having All India Transfer Liability as was revealed from their appointment letters. The Hon'ble CAT, therefore, directed for payment of SDA to those employees. The said directions of the Hon'ble CAT were implemented in some cases but some of the concerned Ministries/Departments had challenged those directions of the Hon'ble CAT before the Hon'ble Supreme Court. However, the Hon'ble Supreme court in its judgment rendered on 20.09.1994 (in Civil Appeal No. 3251 of 1993) had upheld the contention of the Govt. of India to the effect that SDA would be admissible to the Central Govt. Employees (having All India Transfer Liability) on their being posted to N.E. Region from outside the Region and SDA would not be payable merely because of the clause in the appointment order relating to All India Transfer Liability. It was, however, directed in the said judgment that the amount paid on account of SDA to the ineligible persons on or before

Ranjit-Subramaniam

20.9.1994 would be waived but payments made thereafter would be recovered.

4.11 That after passing of the above mentioned judgment, the Govt. of India issued the O.M. dated 12.1.1996 clarifying the point on entitlement of SDA to the Central Govt. Civilian Employees posted to N.E. Region. The said O.M. dated 12.1.1996 was issued in the line of the judgment of the Hon'ble Supreme Court mentioned above. But yet thereafter, some department raised queries on, amongst others, the following points:

- i) An employee having All India Transfer Liability and common All India Seniority belongs to N.E. Region and subsequently posted outside N.E. Region, whether he will be eligible for SDA if posted/transferred to N.E. Region; and
- ii) An employee hailing from N.E. Region, posted to N.E. Region initially but subsequently transferred out of N.E. Region but reposted to N.E. Region after sometime serving in non NE Region, whether would be eligible for SDA.

However, all those queries raised after issuance of the O.M. dated 12.1.1996 that the Cabinet Secretariat, Government of India issued a clarification being U. O. No. 20/12/99-EA-1-1799 dated 2.5.2000 wherein the above mentioned two queries were answered in affirmative. It is pertinent to mention here that

Ranjit-Singh

the said clarification was issued with the concurrence of the Finance Division, Cabinet Secretariat vide Dy. No. 1349 dated 11.10.99 and Ministry of Finance (Expenditure)'s I.D. No. 1204/E.II(B) dated 30.3.2000.

A copy of the aforesaid clarification dated 2.5.2000 is annexed herewith as **Annexure-VI**.

4.12 That it is stated that in view of the above clarification dated 2.5.2002 the present applicants are entitled to Special (Duty) Allowance. In this connection it may be stated the Headquarter office of the Canteen Store Department Mumbai directed vide letter No. 6D/PR/SDA/ dated 26.3.2002 to furnish detail particulars of the eligible employees for grant of Special (Duty) Allowance and in terms of the aforesaid letter the detail particulars of the applicants were duly forwarded to the Headquarter office, Mumbai for consideration of payment of Special (Duty) Allowance but surprisingly till date no decision is taken in favour of the applicants rather the respondents decided to recover the amount of SDA which has already paid to the applicants.

In the facts and circumstances stated above, the applicants finding no other alternative approaching the Hon'ble Tribunal for a direction to the respondents not to make any recovery of SDA from the applicants and further be pleased to direct the respondents to continue to pay SDA to the applicants along with

Ranjit-Subudhan

arrears in the light of the Cabinet Secretariat letter dated 2.5.2000 (Annexure-VI).

4.13 That this application is made bonafide and for the cause of justice.

5. Grounds for relief(s) with legal provisions.

5.1 For that, the applicants are saddled with All India Transfer Liability, All India Seniority and recruitment and promotion are also based on All India basis as such they are entitled to Special (Duty) Allowance in terms of the O.M dated 14.12.1983, 1.12.1988 and 22.7.1998.

5.2 For that, the applicants are entitled Special (Duty) Allowance in view of the clarificatory letter dated 2.5.2000 issued by the Cabinet Secretariat after consultation with the Ministry of Finance, Department of Expenditure, New Delhi.

5.3 For that, the applicants were posted at different places outside the North Eastern Region in public interest and reposted to North Eastern Region, as such they are entitled to draw Special (Duty) Allowance.

5.4 For that, the local authority also recommended the case of the applicants for continuation of payment of SDA to the applicants in view of the Cabinet Secretariat letter dated 2.5.2000.

5.5 For that, the decision of recovery of Special (Duty) allowance without providing any opportunity of

Ranjit-Sinha

principles of natural justice to the applicants is highly arbitrary, illegal and unfair.

- 5.6 For that, the order of recovery is contrary to the decision of the Hon'ble Supreme Court indicated in clause 4 of the O.M. dated 29.5.2002.

6. Details of remedies exhausted.

That the applicants state that they have already exhausted all the remedies available to them and there is no other alternative and efficacious remedy than to file this application.

7. Matters not previously filed or pending with any other Court.

The applicants further declare that they had not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of the Court mentioned above.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause

Ranjit-Singh

as to why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

- 8.1 That the Hon'ble Tribunal be pleased to declare that the applicants are entitled to draw Special (Duty) Allowance in terms of the O.M. dated 14.12.1983, 1.12.1988 and in terms of O.M. dated 22.7.1998 and also in the light of the clarification issued by the Cabinet Secretariat after consultation with the Govt. of India, Ministry of Finance, Department of Expenditure dated 2.5.2000 (Annexure-VI).
- 8.2 That the Hon'ble Tribunal be pleased to declare that the respondents are not entitled to make any recovery of SDA which is already paid to the applicants and further be pleased to direct the respondents to refund the amount of SDA already recovered from the salary bill of the applicants.
- 8.3 That the Hon'ble Tribunal be pleased to direct the respondents to pay the arrear Special (Duty) Allowance from the respective date of discontinuation of the said allowance to the individual applicants.
- 8.4 Costs of the application.
- 8.5 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

Ranjit-Sukhthan

9. Interim order prayed for.

During pendency of this application, the applicant prays for the following relief: -

That the Hon'ble Tribunal be pleased to direct the respondents not to make any recovery of SDA which is already paid to the applicants.

10.

This application is filed through Advocates.

11. Particulars of the I.P.O.

- | | | | |
|------|---------------|---|-----------------|
| i) | I. P. O. No. | : | 76 605766 |
| ii) | Date of Issue | : | 19-2-2003 |
| iii) | Issued from | : | G.P.O, Guwahati |
| iv) | Payable at | : | GPO, Guwahati. |

12. List of enclosures.

As given in the index.

Ranjit-Subhasan

VERIFICATION

I, Shri Ranjit Sutradhar, Son of Late Manindra Sutradhar, aged about 42 years, working as L.D.C., resident of P.O. Tangla, District-Darrang presently posted in the office of the Canteen Store Department, Misamari, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 17th day of February, 2003.

Ranjit Sutradhar

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
CARTON STORES DEPARTMENT
"ADELPHI", 119 H.K. ROAD,
BOMBAY-400 020.

Ref. No. 3/A-1/1035/CL-2869/ 6029

Date: 12 Sept '90.

SHRI RANJIT SUTRADHAR

O/O CSD DEPOT

MISAMARI

(THROUGH DEPOT MANAGER)

A P P O I N T M E N T

Shri ~~RANJIT SUTRADHAR~~ RANJIT SUTRADHAR is hereby informed that he/~~she~~ is appointed as a temporary LDC in this Department with effect from 14th Sept '90 and is posted at Srinagar under the following terms and conditions:-

i) MEDICAL FITNESS:

This appointment is subject to his/~~her~~ being declared medically fit by the MO Incharge MI Room, HE Misamari. It will be open to the Department to get him/~~her~~ medically examined at any time during the tenure of his/~~her~~ service to ascertain his/~~her~~ medical fitness.

ii) SCALE OF PAY:

This appointment carries the pay scale of Rs. 950-20-1150-EB-20-1500 and he/~~she~~ will be entitled for an initial pay of Rs. 950/- per mensem plus allowances as applicable.

iii) PROBATION:

He/~~she~~ will be on probation for a period of two years during which his/~~her~~ services are liable to be terminated without assigning any reason or notice.

iv) TA/DA:

No TA/DA is admissible for his/~~her~~ joining duty.

☒ v) SERVICE LIABILITY:

He/~~she~~ shall be prepared to serve in any establishment of this Department in any part of India, including operational areas and to abide by all the rules governing the conditions of service in this Department, which he/~~she~~ shall confirm in writing in the proforma attached.

vi) COUNTING OF PRE-RETIREMENT CIVIL/MILITARY SERVICE:

The option for counting the pre-retirement civil service or military service for qualifying for person in accordance with the provisions of rule 18 or 19 of the CCS (Pension) rules as the case may be, must be exercised within 3 months from the date of his/~~her~~ confirmation. (APPLICABLE FOR RE-EMPLOYED GOVT. SERVANTS). Requests/claims received after 3 months after the date of confirmation will NOT be entertained.

*Attested
for
Srinagar*

iii) This appointment carries the clear stipulation that any past service rendered in the department as a daily rated/casual worker will not be counted for the purpose of fixation of pay, seniority, promotion, pension etc.

iv) CHANGE IN RELIGION :

In case he/she belongs to one of the recognised scheduled caste categories, he/she will inform the Appointing/Administrative authority immediately he/she changes his/her religion, as no person professing religion, other than Hindu or Sikh religion can be deemed to be a member of Scheduled Caste.

2. If the above terms and conditions are acceptable to him/her in toto, he/she may report to this Office/The Manager, CSD Depot Srinagar at the following address on. 14.9.90.

Canteen Stores Department,
Near Das Memorial Park,
Badamt Bagh Cant, P.O. Box No. 2,
SRINAGAR - 190 001 (Kashmir).

(-A.S.PALL)

Joint General Manager-II
For General Manager
Canteen Stores Department

NOO :
cc : The Manager, CSD Depot, Srinagar

The date in which he/she has been taken on the regular roll should be communicated telegraphically to this office on the same day.

Three clear working days break should be given to the individual before he/she is taken on regular rolls, if he/she is working on Casual/Daily Rated Basis.

cc : HO Accounts Branch.

cc : The Manager, CSD Depot, Kisamari.

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
CENTRAL STORES DEPARTMENT
ADDRESS: 119 B. ROAD,
MUMBAI-100 020.

ANNEXURE-I (Serial)

Ref. No. 3/Pers/A-1/1095/02-3771/3562

Date: 28 Jul '98

Shri. Anthoni Topna

Vill. Dhokipalwa

P.O. and Garubanda

Thana. Nissamari

District. Sonitpur (Assam)

REGD. A.D.

APPPOINTMENT

Shri/mt/mr Anthoni Topna

is hereby informed that he/she is appointed as a temporary Watchman in this department with effect from 01 Sep 98 and is posted at Bikaner under the following terms and conditions:-

i) MEDICAL FITNESS :

This appointment is subject to his/her being declared medically fit by the MO Incharge M.I. Room at Bikaner. It will be open to the department to get him/her medically examined at any time during the tenure of his/her service, to ascertain his/her medical fitness.

ii) SCALE OF PAY :

This appointment carries the pay scale of Rs. 2550-55-2660-60-3200 and he/she will be entitled for an initial pay of Rs. 2550/- per mensem plus allowances as applicable.

iii) PROBATION :

He/she will be on probation for a period of two years during which his/her services are liable to be terminated without assigning any reason or notice.

iv) TA/DA :

No TA/DA is admissible for his/her joining duty.

v) SERVICE LIABILITY :

He/she shall be prepared to serve in any establishment of this department in any part of India including operational areas and to abide by all the rules governing the conditions of service in this department, which he/she shall confirm in writing before 25 August 98 in the proforma attached.

vi) COUNTING OF PRE-RETIREMENT CIVIL/MILITARY SERVICE :

The option for counting the pre-retirement civil service or military service for qualifying for pension in accordance with the provisions of rule 16 or 19 of the UOS (Pension) rules as the case may be, must be exercised within 3 months from the date of his/her confirmation. (APPLICABLE FOR RE-EMPLOYED GOVT. SERVANTS). Requests/claims received after 3 months after the date of confirmation will NOT be entertained.

*Attested
for
Adm. cell*

P.T.O.

- vi) The appointment carries the clear stipulation that any past service rendered in the department as a daily rated/casual worker will not be counted for the purpose of fixation of pay, seniority, Promotion, Pension etc.
- vii) In case he/she belongs to one of the recognized Scheduled Caste categories, he/she will inform the appointing Administrative authority immediately he/she changes his/her religion, as no person professing religion other than Hindu or Sikh or Buddhist religion can be deemed to be a member of Scheduled Caste.

2. If the above terms and conditions are acceptable to him/her in toto, he/she may report to ~~this office~~ The Manager, CSD Depot, Bikaner at the following address with original testimonial in support of date of birth, educational qualification, caste certificate etc. on 01 Sep 98

Canteen Stores Department
Wall Road, Head Post Office
Post Box No. 74
Bikaner - 334 001

(A.O. SEKHAR)
Commander
Dy. General Manager (P&A)
For Joint General Manager
Canteen Stores Department

NOO

cc: The Manager, CSD Depot, Bikaner

1. A copy of the application form alongwith the Photograph of the individual is sent herewith which may be verified with the original documents of the individual and returned duly confirmed, alongwith your reporting advice.

The individual may be directed for medical examination on his/her reporting and taken on roll only if declared medically fit, on or after 01 Sep 98 depending upon the date the individual is declared medically fit but under no circumstances before 01 Sep 98.

The date on which he/she has been taken on the regular rolls should be communicated telegraphically to this Office on the same day.

Three clear working days break should be given to the individual before he/she is taken on regular rolls, if he/she is working on Casual/daily rated basis.

cc: HO Accounts Branch

cc: The Manager, CSD Depot,

Ref. No. 3/A-1/PN- 2191/700

Date: 21 JAN 1979

Shri. Hemanta Kumar Deka,
P. Shri. Parag U. Deka,
Chandamari,
PO: Tempur,
(ASEAN)

(Through the Manager)

SUB: A P P O I N T M E N T

Shri/Ky//H//H// Hemanta Kumar Deka is hereby
informed that he//H// is appointed as a temporary L.D. Short
in this Department with effect from 1.9.78 and is posted at
Mishamari under the following terms and conditions:-

- i) MEDICAL FITNESS: It will be open to the Department to get him//H// medically examined at any time during the tenure of his//H// service to ascertain his//H// medical fitness.
- ii) SCALE OF PAY: This appointment carries the pay scale of Rs. 260-6-290-13-6-326-3-366-13-3-400-10-400 and he//H// will be entitled for an initial pay of Rs. 260/- per month plus allowances as applicable.
- iii) PROBATION: He//H// will be on probation for a period of two years during which his//H// services are liable to be terminated without assigning any reason or notice.
- iv) TA/DA: No TA/DA is admissible for him//H// joining duty.
- v) SERVICE LIABILITY: He//H// shall be prepared to serve in any establishment of this Department in any part of India, including operational areas and to abide by all the rules governing the conditions of service in this Department, which he//H// shall confirm in writing before 25.2.79 in the proforma attached.
- vi) The option for counting the pre-retirement civil service or military service for qualifying for pension in accordance with the provisions of rule 18 or 19 of the CCS(Pension) rules, as the case may be, must be exercised within 3 months from the date of your appointment as advised earlier (APPLICABLE FOR RE-EMPLOYED GOVT. SERVANTS)

Major General (Retd)
General Manager
Cantonment Staff Department
(R. S. AHAND)

Encl:

NOO

cc: The Manager, CSD Depot, Mishamari.

cc: DCM (Finance & Accounts)

cc: Group A-2/A-7

md/-

Government of India
Ministry of Defence
Central Stores Department
"A" Depot, 112, A.K. Road
Bombay 1, India

✓ No. 3/1085/CL-2697/11-5

06 March '90

Shri. KAJAL CH. DAS,
C/O CSD Depot,
NISAMARI.

(THROUGH DEPOT MANAGER)

KAJAL CH. DAS

is hereby

appointed as a temporary Handover
in this Department with effect from 15.03.90
under the following terms and conditions:-

1) MEDICAL FITNESS

This appointment is subject to his/her being
declared medically fit by the MO Incharge of room No.
Nisamari. It will be open to the Department to get
him/her medically examined at any time during the tenure
of his/her service to ascertain his/her medical fitness.

2) SCALE OF PAY

His appointment carries the pay scale of Rs.
750/- and he/she will be entitled to
apply for increment plus allowances
applicable.

3) PROBATION

He/she will be on probation for a period of two years
from the date of joining. He/she will be liable to be terminated
without assigning any reason or notice.

No I.A./D.A. is admissible for his/her joining duty.

4) SERVICE LIABILITY

He/she shall be prepared to serve in any establishment
of this Department in any part of India, including operative
posts abroad and to abide by all the rules governing the
conditions of service in this Department, which he/she shall
sign in writing before 15.03.90 in the proforma
attached.

5) OPTION OF PRE-RETIRE CIVIL/MILITARY SERVICE

The option for counting the pre-retirement civil service
or military service for qualifying for pension in accordance
with the provisions of rule 10 or 19 of the CCS (Pension)
Rules as the case may be, must be exercised within 3 months
from the date of his/her confirmation. APPLICABLE FOR RECH.
GOVT. SERVANTS.
Confirmation received after 3 months after the date of
confirmation will not be entertained.

vii) This appointment carries the stipulation that any
past service rendered in the department as a fully rated/
confirmed employee will not be counted for the purpose of fix-
ation of pay, gratuity, pension, etc.

P.T.O.

*Advised
Jr.
Advised*

416

121

1. If the above terms and conditions are acceptable to him/her, he/she may report to this office/The Manager, CSD Depot, Bagdogra at the following address, with original documents in support of Date of Birth, Education, marital status, etc., on 15.03.50.
2. If the above terms and conditions are acceptable to him/her, he/she may report to this office/The Manager, CSD Depot, Bagdogra at the following address, with original documents in support of Date of Birth, Education, marital status, etc., on 15.03.50.

CANTEN STORES DEPARTMENT,
P.O. Bagdogra,
Dist-Darjeeling, (West Bengal),
BAGDOGRA - 734 422.

(A. TRIVAGARAJAN)
Deputy Manager-II
For General Manager
Canteen Stores Department

NOU :

cc: The Manager CSD Depot, Bagdogra

A copy of the application form alongwith the photograph of the individual is sent herewith which may be verified with the original documents of the individual and returned duly confirmed, alongwith your reporting advice.

The individual may be directed for medical examination on his/her reporting and taken on roll only if declared medically fit, on or after depending upon the date the individual is declared medically fit but under no circumstances before 15th March '50.

The date in which he/she has been taken on the regular roll should be communicated telegraphically to this office on the same day.

Three clear working days break should be given to the individual before he/she is taken on regular rolls, if he/she is working on Casual/Daily Rated basis.

cc: HO Accounts Branch

cc: Manager CSD Depot - Miscamari.

30 -
Ministry of Defence
Defence Department
10, Minto Road
Bombay - 400 020

1005/OL-2/34/3134

Mr. M. NARAYAN ALI

1st Deputy

Defence

SUBJECT: APPOINTMENT

It is hereby informed that he/she is appointed as a temporary in this department with effect from 15th March 2004 at PORT BLAIR under the following terms and conditions:

i) MEDICAL FITNESS

This appointment is subject to his/her being medically fit by the MO incharge MI Room. It will be open to the Department to get him/her medically examined at any time during the term of his/her service to ascertain his/her medical fitness.

ii) SCALE OF PAY

This appointment carries the pay of Rs. 10,000/- and he/she will be entitled for an initial pay of Rs. 10,000/- plus allowances as applicable.

iii) PROBATION

He/she will be on probation for a period of two years during which his/her services are liable to be terminated without assigning any reason or notice.

iv) TALLIES

No TA/DA is admissible for his/her joining trip.

v) SERVICE LIABILITY

He/she shall be prepared to serve in any establishment of this department in any part of India, including operational areas and to abide by all the rules governing the conduct of service in this Department which he/she shall confirm in writing before joining in the proforma attached.

vi) COUNTING OF PRE-RETIRE CIVIL/MILITARY SERVICE

The option for counting the pre-retirement services in military service for qualifying for pension in accordance with the provisions or rule 10 or 11 of the CUS (Pension) Rules as the case may be, must be exercised within 3 months from the date of his/her resignation. (APPLICABLE FOR RE-EMPLOYED SERV. SEVANTS). Requests/claims received after 3 months after the date of resignation will not be entertained.

Annexure-II

No. 20014/2/83/B.IV
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 14th Dec'83

OFFICE MEMORANDUM

Sub : Allowances and facilities for civilian employees of the Central Government serving in the States and Union Territories of North Eastern Region-improvements thereof.

The need for attracting and retaining the services of competent officers for service in the North Eastern Region comprising the State of Assam Meghalaya, Manipur, Nagaland and Mizoram has been engaging the attention of the Government for some time. The Government had appointed a Committee under the Chairmanship of Secretary, Department of Personnel and Administrative Reforms, to review the existing allowances & Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of Civilian Control Government employees serving in this region and to suggest suitable improvements. The recommendations of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows :-

i) Tenure of posting/deputation :-

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years of less and of 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc., in excess of 15 days per year will be excluded in counting the tenure period of 2/3 years. Officers, on completion of the fixed tenure of service mentioned above, may be

*Attested
J. Advocate*

considered for posting to a station of their choice as far as possible.

The period of deputation of the Central Government employees to the States/Union Territories of the North Eastern Region, will generally be for 3 years which can be extended in exceptional cases in exigencies of public service as well as when the employee concerned is prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended.

ii) Weightage for Central deputation/training abroad and Special mention in Confidential Records:

XX

iii) Special (Duty) Allowance :

Central Government civilian employees who have all India Transfer Liability will be granted a Special (Duty) Allowance at the rate of 25 per cent of basic pay subject to a ceiling of Rs.400/- per month on posting to any station in the North Eastern Region. Such of those employees who are exempted from payment of Income Tax will, however, not be eligible for this Special (Duty) Allowance. Special (Duty) Allowance will be in addition to any special pay and pre-Deputation (Duty) Allowance already being drawn subject to the condition that the total of such Special (Duty) Allowance plus Special pay/deputation (Duty) Allowance will not exceed Rs.400/- P.M. Special Allowance like Special Compensatory (Remote Locality) Allowance, Construction Allowance and Project Allowance will be drawn separately.

Sd/ S.C. MAHALIK
Joint Secretary to the Government
of India

-34-

ANNEXURE 8 (Series)
III serial

CP 60 Pdx100's (0291) 2/88

CSF 16

कैंटीन स्टोर्स विभाग
CANTEN STORES DEPARTMENT
Station SRINAGAR

Ref. No. SND/EST/PN-8017/402

Date: 20 MAY 1992.

✓ To, SHRI RANJIT KX SUTRADHAR, LDC (O),
CSD DEPOT SRINAGAR:
PN. 8017

MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 10/92 Dated 10-1-1992
you are/will be relieved of your duties w. e. l. 30-5-1992 (XN/AN) with instructions to
report to MANAGER, CSD DEPOT MISAMARI on 15-6-1992 after availing
-NIL- days leave ★ and 15 days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving
are given below :-

(a) EL NIL days (b) HPL 01 days (c) SL - days
(d) CL 12 days (e) Restricted Holidays 02 days.

3.* (a) YOU ARE ELIGIBLE FOR TRANSFER BENEFITS.
(b) You are eligible for transfer benefits as per rules.

(NB :- *Strike out whichever
is not applicable)

★ Leave other than Casual leave only
should be Sanctioned.
Leave credited upto 30-6-1992.

DISTRIBUTION :-

1. CSD, H.O. Admn. Branch (3 A)
2. CSD, H.O. Accounts Branch (6 D)
3. CSD, Depot, MISSAMARI
H. O. Branch
4. Personal File

Signature H N Bhan
Area Manager
Name : Canteen Stores Department
Min. of Defence
Designation Inagar (Kmr)

The individual's personal file
and L.P.C. are enclosed with copy.

Reported on
15/6/92 (F/N)

Pls. send
Jm
Sero cat

केन्द्रीय स्टोर्स विभाग

CANTEEN STORES DEPARTMENT

ANNEXURE 3 (S.O. 113)

Station PORT BLAIRRef. No. PBD/0014/05/EST/748Date 3rd Jul, '01

To,

PN. = 2172, SH. N.C. KACHARI,
SK-II, CSD, PORT BLAIR**MOVEMENT ORDER - ON TRANSFER**

In accordance with Head Office Transfer Order No. 145/2001 Dated 1.5.01
you are/will be relieved of your duties w. e. f. 7.7.2001 (AN/PA) with instruction to
report to 'AREA MANAGER CSD MISSAMARI on 23.7.01 after availing
- - days leave ★ and 15 days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving are
given below :-

(a) EL 300 days (b) HPL 405 days (c) SL - days
(d) CL 4 days (e) Restricted Holidays 2 days.

3.* (a) You are NOT eligible for transfer benefits
(b) You are eligible for transfer benefits as per rules
Leave credited upto 31.12.2001.

(NB :- *Strike whichever
is not applicable.)

★ Leave other than Casual leave only
should be Sanctioned.

Signature

Name :

Designation :

T. PUGALENDHI
Area Manager
C S D. Depot
Port Blair

DISTRIBUTION :-

1. CSD, H.O. Admn. Branch (JA)
2. CSD, H.O. Accounts Branch (GD)
3. CSD, Depot, Missamari
H.O. Branch
4. Personal File
5. Rm (S) Purne, Rm (E) Nanyang

The individual's personal file,
and L.P.C. are enclosed/will follow.

*Pls. send
Inv.
Advocate*

CANTEREN STORES DEPARTMENT

Station PORT BLAIR

ANNEXURE 3 (Series) III

Ref. No. FBD/EJT/PU-5655/

Date: 21 JULY 1992

To: Shri Parash Subrahkar,

PN. 5655 B BADD CR,
C S D DEPOT,
PORT BLAIR

MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 113/92 Dated 21-05-92
you are/will be relieved of your duties w.e.f. 6-07-92 (AN/EU) with instructions to
report to MAGAZINE, CSD DEPOT, MISHKALI on 21-07-92 after availing
_____ days leave * and 15 days jobbing time.

2. Particulars of leave remaining to your credit as on the date of relieving
are given below: ADJUTANT QUARTER 31-07-1992
 - (a) EL 41 days (b) HPL 41 days (c) SL - - days
 - (d) CL 10 days (e) Restricted Holidays 2 days.
3. (a) ~~XXXXXX~~ NOT eligible for transfer benefits ~~XXXXXX~~
(b) You are eligible for transfer benefits as per rules.

(NB :- *Strike out whichever
is not applicable)

* Leave other than Casual leave only
should be Sanctioned.

DISTRIBUTION:-

1. CSD, H.O. Admin. Branch (3 A)
2. CSD, H.O. Accounts Branch (6 D)
3. CSD, Depot, MISHKALI,
H. O. Branch
4. Personal File

Signature

Name BAKSHI SUBRAH KAR

Designation

The individual's personal file
and L.P.C. are enclosed/will follow.

*Attended
for
Advocate*

केंद्रिय स्टोरी विभाग

CARTHEAN STORES DEPARTMENT

Station PORT BLAIR

ANNEXURE-3 (Series)

Ref. No. PBD/EST/FN-5657/3550

Date: FEB. 1992

To, PN-5657 Shri Ramzan Ali

PN. Mazdoor, C S D DEPOT, PORT BLAIR

MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 345/91 Dated 23-12-91 you are ~~XXXXX~~ relieved of your duties w. e. f. 13-02-92 (AN/88) with instructions to report to C S D DEPOT, MISSAMARI. on 29-02-92 after availing

 days leave * and 15 days joining time. *Excl. Ship grow-
ney*

2. Particulars of leave remaining to your credit as on the date of relieving are given below :-

(a) EL 15 days (b) HPL 17 days (c) SL — days
(d) CL 11 days (e) Restricted Holidays 2 days.

3. (a) ~~XXXXXXXXXXXXXXXXXXXX~~
(b) You are eligible for transfer benefits as per rules.

(NB :- Strike out whichever is not applicable)

* Leave other than Casual leave only should be Sanctioned.

Signature

Name: RAKESH KULSHRESTHADesignation: AREA MANAGER
C S D DEPOT, PORT BLAIRDISTRIBUTION :-

1. CSD, H.O. Admn. Branch (3 A)
2. CSD, H.O. Accounts Branch (6 D)
3. CSD, Depot, MISSAMARI

~~XXXXXXXXXX~~

4. Personal File

The individual's personal file and L.P.C. ~~XXXXXXXXXX~~ will follow.

*Attested
by
Advocate*

CANTEEN STORES DEPARTMENT

ANNEXURE-3 (Series)

Station Agga

Ref. No. AGD/0014/05/P-4/183

Date: 29 Jan 97

To: Chief, Bangalore Depot, W/MH

PN: 5281

Gurubanda daily Market

District Road, New Mysamari

MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 188/96 Dated 30-12-96

you are/will be relieved of your duties w. e. f. 8-2-97
report to Manager, CSD Depot, Mysamari

(OP/EN) with instructions to
on 8-2-97 after availing

 days leave ★ and days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving are given below: (Leave credited upto 30-6-97)

(a) BL 40 days (b) HPL 102 days (c) SI days

(d) OL 12 days (e) Restricted Holidays 2 days

3. (a) You are NOT eligible for transfer benefits.

(b) ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

(NB :- *Strike out whichever is not applicable)

★ Leave other than Casual leave only should be Sanctioned.

Signature Chandra

Name (OP CHANDHA)
Designation AREA MANAGER

DISTRIBUTION :-

1. CSD, H. O. Admin. Branch (3 A)
2. CSD, H. O. Accounts Branch (6 D)
3. CSD, Depot Mysamari
H. O. Branch
4. Personal File

The individual's personal file and L.P.C. are enclosed/will follow.

*Attested
Signature
Sd/-*

GOVERNMENT OF INDIA,
MINISTRY OF DEFENCE,
CANTEEN STORES DEPARTMENT
"ADELPHI," 119, G. R. ROAD,
MUMBAI-400 020.

EST
14/5

ANNEXURE-3 (Series)

Ref.No. 3/Pers/A-2/A-N-2172

01 May 2001

TRANSFER ORDER NO. 145/2001

The following transfers are ordered :-

S.No.	Sl	Name	Design	From	To
✓ 1.	2172	Shri NO Kachari	SK II	Port Blair	Misamari
✓ 2.	2362	Shri Subal Ch Rabha	SK III	Misamari	Port Blair

2. They are eligible for all transfer benefits admissible as per rules.

3. Serial No.1 may be relieved after adjusting excess leave availed by the individual during his tenure at Port Blair and serial No.2 may be relieved immediately.


(MARIA P'COUZA)
MANAGER (P)
FOR GENERAL MANAGER

DISTRIBUTION :-

1. DGM(F&A)
2. RM(S)/(E)
3. The Manager, CSD Depot, Port Blair/Misamari
4. HO Accounts branch (Pay Roll)
5. The individual concerned (Through depot manager)
6. PF 2362
7. 3/Computer cell.
8. Sub Gps 3/A-1/A-3/A-7/B-6/B-7/B-8/A-2(13C)

Attended
Advocate

Ref : 3/A-2/PN 2191

Jan '91.

TRANSFER ORDER NO. 11/191.

The following transfer is ordered :

PN	Name	Design	From	To
✓✓ 2191	Shri. H.K. Deka	LDC(3)	Barit Brahmana	Misamari

2. He is eligible for all transfer benefits admissible as per rule.

3. He may be relieved immediately.

(R.K. SHARMA)
Asst. Gen. Manager (F)
for Gen. Manager

Distribution :

1. DGM (F&A)
2. RM(R)/(E)
3. The Manager, C&B Depot, Barit Brahmana/Misamari
4. HO Accts Br (Pay Roll)
5. Shri. H.K. Deka (Through the depot Manager)
6. Sub Gps : 3/A-1/A-3/A-7/B-6/B-7.

SSM/-

Attended
for
Adro cati

CANTEN STORES DEPARTMENT

ANNEXURE 3 (Series)

Station: DIR/INRRef. No. BKD/FST/PN-6222/1122Date: 19 Jan 2002To, Shri Anthony Topna,PN. 6222

CSD Depot,

Bikaner.

MOVEMENT ORDER ON TRANSFER

Bearing No. 13/Pers/A-2/PN-6222In accordance with Head Office Transfer Order No. 13/2002Dated 15.01.2002

you are/will be relieved of your duties with effect from 31.01.2002 (ANNEX) with instruction to report to Area Manager CSD Depot, Bikaner on 16.02.2002 after availing 15 days leave and 15 days joining time.

Particulars of leave remaining to your credit as on the date of relieving are -

(a) EL 63 days (b) HPL 66 days (c) SL - days
(d) OT 03 days (e) Restricted Holidays 2 days

3. (a) ~~YOU ARE NOT ELIGIBLE FOR TRANSFER BENEFIT~~
(b) You are eligible for transfer benefit as per rules

(NB) - Strike whichever is not applicable.

★ Leave other than Casual leave only should be sanctioned.

Signature: (Signature)

Name: Area Manager
Canteen Stores Department
Bikaner Depot

Designation: IX

DISTRIBUTION

1. CSD, H.O. Accounts Branch (H.O.) AGM (P) Pers (A-2)
2. CSD, H.O. Accounts Branch (H.O.) Pay roll, Bikaner.
3. CSD, Depot, Bikaner.
4. Personal File - Bikaner (W) Delhi.

The individual's personal file and L.P.C. are enclosed/will follow.

*Attested
for
Advocate*

- 62 -

ANNEXURE-3 (Series)

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
CANTEEN STORES DEPARTMENT
"ADELPHI" 119 M.K. ROAD
BOMBAY - 20.

Ref : 3/A-2/PN 4662

21 Dec '90.


TRANSFER ORDER NO. 378 /90

The following transfers are ordered :

Sr.	PN	Name	Design	From	To
1.	4662	Shri. Kewal Ram	W/man	Nissamari	Khadki
2.	5813	" Ashok Kumar	"	Khadki	Bart Brahmana
3.	4915	" D.C. Dasa	"	Bart Brahmana	Nissamari

2. The above transferees are eligible for all transfer benefits admissible as per rule.

3. Shri. Kewal Ram may be relieved immediately and others on relief.


 (H.K. SHARMA)
 Asst. Gen. Manager (P)
 for Gen. Manager

DISTRIBUTION :

1. DGM(F&A)
2. RM(S)/(N)/(E)
3. The Manager, OSD Depot, Khadki/Nissamari/Bart Brahmana
4. The individuals concerned (Through the Depot Manager)
5. PFs 5813, 4915
6. HO Accts Br (Pay Roll)
7. Sub Gps : 3/A-1/A-3/A-7/B-1/B-6/B-7.

Submitted
 for
 Adv. Cont.

केंद्रीय भंडार विभाग - ५३ -
CANTEEN STORES DEPARTMENT

Station Visakhapatnam

ANNEXURE-2 (Series)

Ref. No.: VPD/0014/05/Eat/

Date: July '97

To,

✓ PN. 5945 Shri. S.P. Neog, W/Man
CSD Depot, Visakhapatnam.

MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 147/97 Dated 27/6/97
you are/will be relieved of your duties w.e.f. 15/7/97 (AN/FN) with instruction to
report to Area Manager CSD Depot Missamari on 28/7/97 (Fri) after availing
 days leave * and 2 days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving are
given below :-

(a) EL 18 days (b) HPL 50 days (c) SL days
(d) CL 8 days (e) Restricted Holidays 2 days.

3. (a) ~~You are not eligible for transfer benefits~~
(b) You are eligible for transfer benefits as per rules

(NB :- *Strike whichever
is not applicable.)

* Leave other than Casual leave only
should be Sanctioned.

Signature

Name :

Designation :

PHILIP ABRAHAM
Deputy Manager
Canteen Stores Department
Visakhapatnam-530 008

DISTRIBUTION :-

1. CSD, H.O. Admn. Branch (JA)
2. CSD, H.O. Accounts Branch (BD)
3. CSD, Depot, Misamari
H.O. Branch RM(S) Pune
4. Personal File
5. A/C Sec (Internal)

The individual's personal file,
and L.P.O. ~~concerned~~/will follow.

Distressed
by
Advocate

8541043/PBCH/A-2/1207

44-

ANNEXURE-3 (Contd)
16 May 93

TRANSFER ORDER NO. 40 /93

The following transfers are ordered.

Sl. No.	PN	Name	Present	From	To
1.	0794	Shri. Raj Singh	B.C.D.	DIGGS Office	RTD B.D. Bari
2.	2975	Shri. Jemuraj	Driver	Fort Blair	Secunderabad
3.	2460	Shri. Pathan	Driver	Secunderabad	Fort Blair
4.	5564	Shri. Ganesh Kumar	Watchman	Minamari	Calcutta
5.	4516	Shri. Ramji Raj	Watchman	Calcutta	Minamari
6.	4743	Shri. Purna Singh	Mazdoor	B.D. Bari	Pathankot
7.	5513	Shri. Kothu Ram	Mazdoor	Pathankot	B.D. Bari
8.	4556	Shri. S.T. Gaudh	Mazdoor	Bombay Area	Bombay Area
9.	4558	Shri. H.M. Dange	Mazdoor	Bombay Area	Bombay Area
10.	4570	Shri. B.N. Patanpata	Mazdoor	Bombay Area	Bombay Area
11.	4600	Shri. N.D. Nalk	Mazdoor	Bombay Area	Bombay Area
12.	4672	Shri. D.P. Gud	Mazdoor	Bombay Area	Bombay Area
13.	5808	Shri. Mohd. Wazid Raza	Mazdoor	Bombay Area	Bombay Area
				HO Admin	Udhari

Individuals at Sl. No. 1 to 7 are eligible for all transfer benefits admissible as per rules.

Relieving Date

Sl. No. 1 to 7 by 15th April 93
Sl. No. 8 to 13 by 31st May 93

(Signature)
(Sd/-)
Asst. General Manager (P)
for General Manager

DISTRIBUTION

1. DGM (F&A) / DGM (B&E)
2. DM (N) / (S) / (E) / (C)
3. DIGGS OFFICE, New Delhi : Intellim Confidential Report as per out service order No. 5/87 dated 14.7.87.
4. The Manager, CSB Depot, Fort Blair, Secunderabad, Minamari, Udhari, Calcutta, B.D. Bari, Pathankot, Bombay Area and RTD B.D. Bari.
5. Individuals concerned (Through the Depot Manager)
6. HO Accounts Branch (Pay Roll) C.O. AGM (F&A)
7. PRS concerned
8. Sub Cps. 3/A-1/A-3/A-7/B-1/B-6/C-1.

*Attended
Sd/-
Sd/-*

- 45 -
CANTEN STORES DEPARTMENT

b2
ANNEXURE-3 (Series)

Station: HUSKATIA

Ref. No. HMD/ESC/22/1295

Date: 07 Jun '93

To: PH-5564
Shri Ganesh Kumar, W/comm,
PN. CSD Depot, H. Huskatia

MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 48/91 Dated 16-3-93
you are/will be relieved of your duties w.e.f. 24th Jun '93 (AS/PT) with instructions to
report to W. Nagar, CSD Depot, Calcutta on 21 Jun '93 if or availing
12 days leave & and 12 days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving are given below :-

(a) EL. 43 days (b) H.C. 36 days (c) S. 1 day

(d) CL 2 (144) days (e) Sanctioned Holidays 1 day

3. (a) Y. K. S. H. O. eligible for transferable posts

(b) You are eligible for transfer benefits as per rules.

(NB :- *Strike out whichever is not applicable)

★ Leave other than Casual leave only should be Sanctioned.

Signature

Name: S. P. S. (P. S.)

H. Huskatia

Designation

DISTRIBUTION

1. CSD, H. O. Admin. Branch (V.A)
2. CSD, H. O. Accounts Branch (V.D)
3. CSD, Depot - Calcutta
H. O. Branch
4. Personal File - PH-5564

The individual's personal file and L.P.C. are enclosed/will follow.

*Attended
for
Advocate*

Conclusion

Date: 06-10-95

MOVEMENT ORDER FOR TRANSFER

In accordance with the Office Transfer Order No. 153/95 Dated 20-9-95

In accordance with the above instructions, you will be relieved of your duties w.e.f. 07-10-95 (AN/EM) with instructions to report to The Manager, CID Depot, Bangalore on 21-10-95 after availing 12 days leave and 12 days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving are given below:- Leave accounted upto 31-12-95

(a) PI 190 days (b) HPL 120 days (c) SEC C/OFF 02 days
(d) CL HPL days (e) Restricted Holidays 02 days.

3 * (a) You are NOT eligible for transfer benefits. (2/10/95 and 3/10/95)
(b) You are eligible for transfer benefits as per rules.

(NB :- *Strike out which is not applicable)

★ Leave other than Casual leave only should be sanctioned

Signature

Name 1 (SHIP. B. HALL)

Designated by S. M. Hall, Clerk
Area Manager

Canteen Stores Department
Govt. of India (Min. of Defence)
Forty-third, Calcutta 700021

DISTRIBUTION :-

1. CSD, H.Q. Admin. Branch (3 A)
2. CSD, H.Q. Accounts Branch (6 D)
3. CSD, Depot Headquarters
4. Hq. Branch
5. Elec. Hq. (C), CSD, Depot
6. Personal File

The individual's personal file and L.P.C. material will follow.

Arrested
by
Admiral

- 47 -
GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
CANTEEN STORES DEPARTMENT
'ADELPHI', 119 MK ROAD
MUMBAI 400 029

ANNEXURE 3 (Series)

Ref.No. 3/Pers/A-2/PN-5279

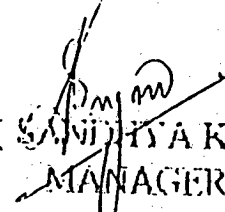
67 Jul 2002

TRANSFER ORDER NO. 206/2002

The following transfer is ordered :-

<u>PN</u>	<u>Name</u>	<u>Design</u>	<u>From</u>	<u>To</u>
5279	Shri Hriday Kumar Das	Watchman	Delhi	Misamari

2. He is eligible for all the transfer benefits admissible as per rules.
3. He may be relieved immediately.


(SANDHYA KIJUR)
MANAGER (P)
FOR GENERAL MANAGER

DISTRIBUTION :-

1. DGM(F&A)
2. RM (E)/(W)
3. The Manager, CSD Depot, Delhi/Misamari
4. HQ Accounts branch (Pay Roll)
5. The individual concerned (Through depot manager)
6. 3/Computer section
7. Sub Gps 3/A 4/A 5/A 7/B 6/B 7/B 8

*Attended
Advocate*

CANTEN STORES DEPARTMENT

ANNEXURE-3 (series)

Station DELHI CNTTDate : 11 July 2002Ref. No. DID/EST/5279/782To, Shri Hirday Kumar Das W/1101PN, 5279MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 206/2002 Dated 4/7/02
 you are/will be relieved of your duties w.e.f. 13.7.02 (AN/EN) with instructions to
 report to Manager CSD Depot Misamari on 23.7.02 after availing
 days leave * and 15 days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving are
 given below :-

(a) EL 14 days (b) HPL 30 days (c) SL days
 (d) CL 8 days (e) Restricted Holidays days

3. (a) ~~You are NOT eligible for transfer benefits.~~
 (b) You are eligible for transfer benefits as per rules.

(NB :- *Strike out whichever
 is not applicable.)

* Leave other than Casual leave only
 should be Sanctioned.

Signature

Name :

Designation :

Area Manager
CSD Depot
Min of Defence
Delhi Cantt-10

DISTRIBUTION :-

1. CSD, H.O. Admn. Branch (3A)
2. CSD, H.O. Accounts Branch (6D)
3. CSD, Depot. Misamari
H.O. Branch
4. Personal File

5. RI (W)

6. RI (East)
Misamari

The individual's personal file.
 and L.P.C. are enclosed/will follow.

Attested
[Signature]
Adv. cat

MINISTRY OF DEFENCE
ARTEFACT STORES DEPARTMENT
'ADELPHI', 110 THE ROAD
MUMBAI - 400 020

ANNEXURE-3 (Series) ^{b6}

Ref.No.3/Pers/A-2/1207

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3 Jun '97

TRANSFER ORDER NO. 110 /97

The following transfers are ordered.

Sr. No.	PN	Name	Design	From	To	Specified relieving date
1.	2750	Shri. B.P. Parekh	LDC	Srinagar	Jaipur	31.07.97
2.	8042	Shri. S.D. Rai	LDC	Udhampur	Srinagar	15.07.97
3.	2862	Shri. Sandeep Bharadwaj	LDC	Jaipur	Udhampur	30.06.97
4.	2256	Shri. Ramprakash	LDC	Srinagar	Pathankot	Immediate
5.	2719	Shri. Laxmi Narayan	LDC	Jalandhar	Srinagar	20.06.97
6.	2760	Shri. K.C. Giri	LDC	Srinagar	Delhi	30.06.97
7.	4822	Shri. T.R. Sharma	LDC	Udhampur	Srinagar	20.06.97
8.	2668	Shri. A.K. Karnail	LDC	Delhi	Udhampur	10.06.97
9.	2560	Shri. Pawan Kumar	LDC	B.D. Bari	Pathankot	30.08.97
10.	2684	Shri. Sham Lal	LDC	Pathankot	B.D. Bari	15.08.97
11.	8118	Kum. Meenakshi Kaul	LDC	B.D. Bari	Delhi	30.06.97
12.	2687	Shri. Surinder Kumar	LDC	Jalandhar	B.D. Bari	20.06.97
13.	2374	Shri. H.N. Viswambaran	LDC	Leh	Secunderabad	30.09.97
14.	2747	Shri. Salimuddin	LDC	Secunderabad	Leh	30.08.97
(after ascertaining his fitness)						
15.	2766	Shri. Lalit Gogoi	LDC	Narangi	Misamari	30.06.97
16.	2735	Shri. G.N. Kalita	LDC	Misamari	Narangi	20.06.97
17.	2405	Shri. S.P. Sharma	LDC	Leh	Ambala	30.08.97
18.	8279	Shri. Ashok Kumar	LDC	Ambala	Leh	31.07.97
(after ascertaining his fitness)						
19.	8128	Shri. Subit Dey	LDC	Baghdogra	Calcutta	30.06.97
20.	8245	Shri. F.K. Haskar	LDC	Calcutta	Baghdogra	20.06.97
21.	2689	Shri. L.U. Baskar	LDC	Masimpur	Misamari	30.06.97
22.	2035	Shri. U.C. Guleriya	SK-II	Mumbai Base	Jaipur	20.06.97
23.	1733	Shri. D.B. Jain	SK-III	Delhi	Rangarh	30.06.97
24.	2725	Shri. S. Rath	LDC (O)	Baghdogra	Rangarh	30.06.97
25.	1560	Shri. H.C. Pant	UDC	Agra	Rangarh	Immediate
26.	1952	Shri. R. Sharma	UDC	Delhi	Agra	30.06.97
27.	1926	Shri. S.J. Jaiswal	SK-II	Srinagar	Mumbai Area	Immediate
28.	4316	Shri. Kori A. Kunjilal	SK-III	Jaipur	Srinagar	30.06.97
29.	4399	Shri. B.D. Kamble	SK-III	Fort Blair	Mumbai Area	Immediate
30.	2746	Shri. Bharat Bhushan	LDC	Jalandhar	Ambala	20.06.97
31.	8138	Shri. Prakash Gariyal	LDC	Ambala	Jalandhar	30.06.97

contd..2/-

Attested
Advocate

Sr. No.	FN	Design	From	To	Specified relieving date
32.	4536	Shri. Pyare Lal	Hazdoor	Bareilly B.D. Bari	15.07.97
33.	5655	Shri. K.H. Pandey	Hazdoor	Baghdogra Bareilly	30.06.97
34.	4910	Shri. Kaliram Das	Hazdoor	Cochin Baghdogra	20.06.97
35.	4720	Shri. Indeshwar Nath	Hazdoor	Cochin Misamari	20.06.97
36.	4202	Shri. A.K.Mandal	Hazdoor	Bareilly Calcutta	30.06.97
37.	4511	Shri. Ram Pukkar Rai	Hazdoor	Calcutta Bareilly	15.07.97
38.	5527	Smt. Laxmi Muchi	Safaiwala	RTD Narangi Secunderabad	30.06.97
39.	5684	Shri. Lachman Bari	Safaiwala	Port Blair RTD Narangi	15.07.97
40.	6057	Shri. Ramkumar Dhanuk	Safaiwala	Ahmedabad Port Blair	30.06.97
41.	5527	Shri. Kurruppih	Safaiwala	Port Blair Visakhapatnam	30.07.97
42.	5061	Shri. Madanlal Sciarki	Safaiwala	Delhi Bareilly	30.06.97
43.	5161	Shri. Sunder	Safaiwala	Bareilly Ahmedabad	15.07.97
44.	5548	Smt. K. Appalsa	Safaiwala	Visakhapatnam Cochin	30.06.97
45.	6044	Smt. Anusuya	Safaiwala	Secunderabad Port Blair	15.07.97

2. Transfer order is consisting of 45 individuals out of which 22 have requested ; and to consider their requests, we have adjusted 6 volunteers and wherever it is not possible we have posted out the longest stayees as per policy existing on this issue.
3. Except Sr.No.30 remaining are eligible for all transfer benefits admissible as per rules.
4. Individuals may be positively relieved as per the specified relieving date shown against their names.

5. Please confirm action.

(M.L. SARKAR)
Asst. Gen. Manager (P)
for D.G.H. (F&A)

DISTRIBUTION :

1. JGM-I / JGM-II
2. DGM (F&A) / DGM (Base)
3. All RMs
4. The Manager, C&D Dept., Bijnagar/ Udhampur/ Jaipur/ Jalandhar/ Delhi / B.D. Bari/ Pathankot/ Leb/ Secunderabad/ Narangi/ Misamari/ Ambala/ Baghdogra, Calcutta/ Nasirpur/ Agra/ Jabalpur/ Port Blair/ Bareilly/ Cochin/ RTD Narangi/ Ahmedabad/ Visakhapatnam/ Jaipur/ Ramgarh/ Mumbai Area/
5. HO Accounts Branch (Pay Roll)
6. 3/Computer section
7. Individual concerned (Through Proper Channel)
8. PFs concerned
9. Sub Gps. 3/A-3/A-7/B-6/B-7/B-8/B-1.

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ANNEXURE 3 (series)

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
CENTRAL STORES DEPARTMENT
ADDITIONAL M.P. ROAD
BOMBAY - 400 020

Ref. No. 3/Perp/A-2/1207

6 Feb '95

TRANSFER ORDER NO. 17 /95

The following transfers are ordered.

Sr.No.	INO.	Name	Design	From	To
1.	4838	Shri R.B. Pawar	W/Man	Madras	Khadki
2.	4720	Shri Indreshwar Nath	Mazdoor	Misamari	Cochin
3.	4910	Shri Kaliram Das	Mazdoor	Misamari	Cochin
4.	5833	Shri Hool Chand	Mazdoor	Baghdogra	Lucknow
5.	4201	Shri D. Patra	Mazdoor	Port Blair	Calcutta
6.	4468	Shri A.K. Chatterjee	Mazdoor	Calcutta	Port Blair
7.	4322	Shri Putton Lal	Safaiwala	Masimpur	Bareilly
8.	5394	Shri Suresh Halmiki	Safaiwala	Bareilly	Masimpur

2. Except Sr.No. 1, remaining are eligible for all transfer benefits admissible as per rule.

3. They may be relieved by 6th March 1995.

(J. N. KAR)
ASST. GENERAL MANAGER (P)
for GENERAL MANAGER

DISTRIBUTION :

1. LGM (F&A)
2. RM(S)/(E)/(C)
3. The Manager, CSD Depot, Madras/Khadki/Misamari/Cochin/Baghdogra/Lucknow/Port Blair/Calcutta/Masimpur/Bareilly.
4. HO, Accounts Branch (Pay Roll)
5. Individuals concerned (Through proper channel)
6. Pts concerned
7. Sub Gpr: 3/A-3/A-7/3-6/3-7/A-1

Sheshil
Sarvo cali

CANTINE STORES DEPARTMENT

Station BAGDOURA

ANNEXURE-3 (series) 69

Ref. No. HOD/EST-TH-111000

Date: 16 August 1991

To,

PN. 5800-Shri Rajal Chandra Das. No. 107

CSD DEPOT BAGDOURA.

MOVEMENT ORDER - ON TRANSFER

In accordance with Head Office Transfer Order No. 230/91 Dated 16-7-1991.

you are/will be relieved of your duties w. e. f. 5. Aug. 1991 (AS/FN) with instructions to report to CSD MISAMARI on 6. Aug. 1991 after availing

X days leave * and X days joining time.

2. Particulars of leave remaining to your credit as on the date of relieving are given below:-

(a) EL 30 days (b) HPL 70 days (c) SL - days
(d) CL 01 days (e) Restricted P. 02 days

3. (a) You are NOT eligible for transfer benefits.

(b) ~~You are eligible for transfer benefits.~~

Leave order credited upto 11-12-1991.

(NB :- *Strike out whichever is not applicable)

★ Leave other than Casual leave only should be Sanctioned.

Signature

Name: M. C. BAGDIAL

Designation: Asst. Commr.

Department: Canteen Stores
Bagdura.

DISTRIBUTION :-

1. CSD, H.O. Admn. Branch (3 A)
2. CSD, H.O. Accounts Branch (6 D)
3. CSD, Depot MISAMARI
HOD/EST-TH-111000 CSD Co-op. Credit Society
BAGDURA
4. Personal File

The individual's personal file and L.P.C. are enclosed/will follow.

Attested
by
Advo. calc

Annexure-IV series

To:
The Deputy General manager (F&A)
Canteen Stores Department
"ADELPHI" 119 M.K. Road,
MUMBAI-400 020

(THROUGH PROPER CHANNEL)

Respected Sir,

Sub : PAYMENT OF SDA IN NE REGION.

Reference HO Service Order No. 9/96 dated 15.7.96 and
3/Adm/B-1/1751/4518 dated 6th Aug'96.

I was appointed as LDC and joined in my duty at CSD
Depot Srinagar. After completion of tenure at Srinagar depot
I was posted to Missamari on 15 Jun'92.

In this connection, I am eligible for SDA @ Rs. 12 1/2%
since my reporting at this depot which is located at NE
Region. Therefore, I request you to be kind enough to pay
the SDA which has been stopped in August, 1996.

Thanking you,

Yours faithfully,

Date 21st Aug'96

Sd/- Illegible
(RANJIT SUTRADHAR)
LDC PN 8017
CSD DEPOT, MISSAMARI

*Attested
for
Advocate*

Annexure-IV series

To
The DGM(F & A)
CANTEEN STORES DEPARTMENT
"ADELPHI" 119 M.K.Road,
MUMBAI-400 020

((THROUGH PROPER CHANNEL))

Sir,

Sub : PRAYER FOR PAYMENT OF S.D.A.

With due respect, I beg to state the following few lines for your kind information and necessary action please.

That Sir, initially I was posted at CSD Depot Dimapur in 1984 and subsequently I have been transferred to Base Depot Mumbai in the year 1990 and further re-posted at CSD Masimpur wef Nov'92. In this connection I am eligible to get SDA from 92 onwards as per directive of Guwahati High Court judgment (Copy enclosed).

However, I had already represented vide my application dated 18.2.2000 which was forwarded my Masimpur depot letter No. MPD/EST/-PN-2476/151 dated 24.2.2000. Again I submitted a reminder on 28.6.2000 but till date neither I have been paid SDA nor any reply received.

In view of the above I therefore, requesting your honour would be kind enough to please look into the matter and necessary SDA as applicable may kindly be paid to me at the earliest.

Thanking you,

Yours faithfully,

Date 01.8.01

Sd/-
(Z. RANGKHUM)
PN-2476, Security Incharge,
CSD Depot Missamari

*Attested
In.
Advocate*

Annexure-IV series

MMD/EST/66/1745

11 Jan.2002

To
THE DGM(P & A)
CSD HO MUMBAI

SUB : PAYMENT OF SDA.

Reference your letter No.3/Adm/B-1/1634(SDA)/6472 dated 9.11.01 advising us to obtain and forward original ruling to annexure 10 to pages 60/63 to Cabinet Secretariat (EAI Section) UO No. 26/12/99-Est-IV dated 2.5.2000 regarding clarification for payment of SDA to the entitled person.

2. Accordingly the concerned staff members have obtained the certified copy of Original Cabinet Secretariat Ruling UO No. 20/12/-99-EA-1-1799 dated 2.5.2000 from the Central Administrative Tribunal Guwahati Branch-Assam to the same effect regarding payment of SDA to the entitled persons serving in N.E.Region.

3. At the time of obtaining the above certified true copy of the Cabinet ruling shown in para 2 above, the reason for differences in number and date to the same ruling was also clarified and confirmed to say that the date and numbers to the Secretariat ruling as shown in para 1 above under reference was erroneously typed and the ruling number forwarding herewith is correct.

4. Keeping in view of the Cabinet Secretariat ruling you are requested to please settle the long pending issue as admissible regarding payment of SDA to entitled staff as per Sl. No. III and IV at para 2 of CAO Sectt UO No. 20/12/99-EA-1-1799 dated 2.5.2000 order.

Encls : a/a

Sd/-
(S.K.GUPTA)
AREA MANAGER

*Attended
for
Advocate*

To

The General Manager
Canteen Stores Department
"Adelphi Building"
119 M.F. Road
Mumbai - 400020

(Through Proper Channel)

Sub 1:- REGARDING GRANTING OF SPECIAL DUTY ALLOWANCE
FOR THE EMPLOYEES.

Sir,

With due respect I humbly submit that I am an employee in the Canteen Stores Department at present posted at Missamari.

Port Blair That I was appointed as such in the year 1989 at ⁽¹⁹⁸⁹⁾ ~~Port Blair~~ depot. I had been serving there at for *three* years continuously. Thereafter I had been transferred to Missamari.

That since my transfer from Jammu & Kashmir Depot in 1992 I had not been granted the Special duty allowance inspite of my representation to my highups.

That the position of granting Special Duty allowance to the employees belong to the N.E. Region and subsequent by outside the N.E. Region has been changed and it is abundantly clear from the direction issued by Director (S.R) in this respect that even the subsequently posted outside N.E. Regions employee and there after posted/transferred to N.E. Region is also eligible for the said Special duty allowance. This has the reference of paragraph III of Annexure II of the direction of Shri P.N. Thakur, Hon'ble Director (S.R.).

That inspite of the above clarification I have been deprived of having the special duty allowance from the department concession since my transfer to N.E. Region from *Port Blair* without any reason whatsoever.

Under the above facts and circumstances may I appeal your Honour to be gracious enough to consider my case sympathetically, legally as well as equitably and pass necessary order from your Honour's end for granting the special duty allowance admissible to my case for ends of Justice.

Thanking You,

Yours faithfully,

Parash Subudhan

Name : *Parash Subudhan*

P. No. : 5665

Designation : *Plazdoor*
CSD Depot, Missamari.

Encl :-

1. Court Case Verdict.
2. Appointment letter.
3. Movement order.

*Attested
Signature
Adm. Control*

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Annexure - 4 (Series)

74

To

The General Manager
Canteen Stores Department
"Adelphi Building"
119 M.K. Road
Mumbai - 400020

(Through Proper Channel)

Sub :- REGARDING GRANTING OF SPECIAL DUTY ALLOWANCE
FOR THE EMPLOYEES.

Sir,

With due respect I humbly submit that I am an employee in the Canteen Stores Department at present posted at Missamari.

That I was appointed as such in the year 1990 at Srinagar depot. I had been serving there at for one & half years continuously. Thereafter I had been transferred to Missamari.

That since my transfer from Jammu & Kashmir Depot in 1992 I had not been granted the Special duty allowance inspite of my representation to my highups.

That the position of granting Special Duty allowance to the employees belong to the N.E. Region and subsequent by outside the N.E. Region has been changed and it is abundantly clear from the direction issued by Director (S.R.) in this respect that even the subsequently posted outside N.E. Regions employee and thereafter posted/transferred to N.E. Region is also eligible for the said Special duty allowance. This has the reference of paragraph III of Annexure II of the direction of Shri P.N. Thakur, Hon'ble Director (S.R.).

That inspite of the above clarification I have been deprived of having the special duty allowance from the department concession since my transfer to N.E. Region from J & K without any reason whatsoever.

Under the above facts and circumstances may I appeal your Honour to be gracious enough to consider my case sympathetically, legally as well as equitably and pass necessary order from your Honour's end for granting the special duty allowance admissible to my case for ends of Justice.

Thanking You,

Yours faithfully,

Name : Ranjit Subudhan
P. No. : 8017
Designation : LDC (S)
CSD Depot, Missamari.

Encl :-

1. Court Case Verdict.
2. Appointment letter.
3. Movement order.

22th June '01

Attested
by
Advocate

MMD/EST/60/3860

Annexure-V series

27 Aug.. 2002 1996

To
The
HO MUMBAI
SEC.6(PS)

SUB : PAYMENT OF SDA TO THE STAFF POSTED IN THE NE
REGION.

Further to our letter No. MMD/EST/60/3818 dated 22.8.96
on the above subject.

3 more application dated 21.8.96 submitted by the
undermentioned staff are forwarded herewith for your
necessary action please.

1. 8017 Shri Ranjit Sutradhar, LDC
2. 5665 Shri Paresh Sutradhar, Mazdoor
3. 4210 Shri Chetelai, E. Vatchman

Personal service dates in brief for the above staff are
as below for your ready reference please :

1. PN 8017 Shri Ranjit Sutradhar, LDC was initially
appointed at Srinagar and then posted to Missamari
on 15.6.92. His home address is within the NE
Region.
2. PN 5665 Shri Paresh Sudradhar, Mazdoor was
initially appointed at Port Blair and then posted
to Misamari on 16.7.92. He home address is within
the NE Region.
3. PN 4210 Sri Chetelal, E. Vatchman was initially
appointed at Arunachal Depot (now known as Masimpur) before
originating the SDA order. Now he has posted at this depot
ex Calcutta from 1.7.94. His home address is outside the NE
Region.

In view of the different personal service dates we
request you to please verify their eligibility and if they
are eligible, payment may be made.

Encls : 03

Sd/- D.P.Misra
Officer in charge

Cc : No. Sec 3 (B-1)- For information with reference to
your Ser Order No. 9/96
and your letter No. 3/Adm/
B-1/1791/4518 dated 6.8.96

Cc : RM(East) - For information please.

*Attested
for
Sdho cali*

CSD Depot
MISSAMARI

Annexure-V series

A.G.M.(ACCTS)
SEC-6 (PAY ROLL)
CSD HO MUMBAI

MMD/EST/66/261

26 Apr 2002

Sub : PAYMENT OF SDA.

Reference your letter No. 6D/PR/SDA/1052 dated 26.3.2002 for payment of SDA endorsed to RM(E).

As desired a list of the eligible employees of this depot for payment of SDA as per enclosed format is forwarded herewith.

The enclosed format is duly signed by the eligible employees and shown details of posting effected to them till date during service period.

The details of the employees as per attached format are as under :-

Sl.No.	P.No.	Name	Design	Name of the depot served outside the NE Region
01	2078	Sri D Mazumdar	Asstt.	CSD Baghdogra in May '97
02	1402	Sri A.N.Sharma	Supdt.	CSD Jabalpur in 1969
03	2073	Sri P.C.Malakar	SK-II	CSD Baghradogra in 1978
04	2172	Sri N.C. Kachari	SK_II	CSD Port Blair in May '99
05	2191	Sri H.K.Deka	SK III	CSD B.D.Bari in Feb 89
06	2476	Sri Z. Rangkhum	S/Incharge	Base depot, Mumbai in 1990
07	2733	B.D.Sharma	LCS(S)	CSD Srinagar in 11/92 (11/92)
08	4952	Sri Lokeswar Das	Mazdoor	CSD Port Blair in 2/88
09	5261	Sri Dheswar Das	W/Man	CSD Agra in 01/95
10	5198	Sri B.D.Barman	W/Man	CSD Kolkata in 11/97
11	5564	Sri Gansh Kumar	W/Man	CSD Kolkata in Jan '93
12	5945	Sri S.P.Neog	W/Man	CSD Visakhapatnam in Mar'95
13	4915	Sri Deben Ch. Das	W/Man	CSD B.D.Bari in May'88
14	4720	Sri Indreswar nath	Mazdor	CSD Cochin in Mar'95

*Attested
by
Sd/-ocali*

15	4681	Sri Kasim Ali	Mazdoor	CSD Baghdogra in Jan '94
16	5657	Sri Sri Ramjan Ali	W/Man	CSD Port Blair in Apr '89
17	5787	Sri B.B.Debnath	W/Man	Kolkata in Mar '90
18	5800	Sri Kajal Das	W/Man	CSD Ramgarh in Jan '95
19	8017	Sri Ranjit Kr. Sutradhar	LDC(s)	CSD Srinagar in Sept '90
20	6222	Ri Antony Topas	W/Man	CSD Bikanar in Sept '98
21	2076	P.K.Dutta	SK-II	CSD Baghradogra in Dec '90
22	6046	Sri N.C.Boro	Peon	CSD Delhi in 1992

Sd/- Illegible
(S.K.GUPTA)
AREA MANAGER

Enclo : A/s

Cc : No. Sec 1(Admn) -

This has reference to your letter

No. 3/Admn/B-I/1634(SPA)/1549 dt. 8.4.2002
addressed to AAO (Pay Bill) with a copy to us.

Cc : RM (East)

- for information please.

Annexure-V(Series)

THE MANAGER
CSD DEPOT MISSAMARI

THE DCM (F & A)
CSD HO MUMBAI

MMD/EST/66/1178

Sept'2001

Sub : PAYMENT OF SDA TO ALL CSD EMPLOYEES SEIVING IN N.E.
REGION.

Reference this office letter No. MMD/EST/66/2241 dated 11th Feb'2000 vide which the copy of representation received from President and Secretary of CSD Depot Missamari employees Union (Copy Enclosed) requesting to release SDA to CSD employees serving in N.E.Region on basis of having All India Transfer Liabilities was forwarded to you for favourable action.

2. Since the union side is pressing as hard to know about the action, you are requested to please convey us the progress in the matter if any to enable us to convey the same to the union rep.

Enclo : a/a

Sd/- Illegible

(V. PANDIAN)

AREA MANAGER

CC : President/Secretary
CSD Employees Union
Missamari

: For information

CC : MMD/0012/02/EST/

*Attested
for
Advocate*

Annexure-V series
CANTEEN STORES DEPARTMENT

From
Accounts Section
Pay Roll
CSD HO, Mumbai

To
The Manager
CSD Depot
Narengi/Dimapur/Masimpur/
Missamari

Ref No. GD/PR/SD/1052

Date 26 MAR 02

Sub : PAYMENT OF SDA

Reference clarification Cabinet Secretariat not No.
20/12/99-EA-1-1799 dated 2.5.2000 on payment of SDA.

2. The following category of employees are eligible for SDA.
 - a) An employee belongs to NE Region and subsequently posted outside NE Region, if posted/transferred to NE Region and he is also having a common All India seniority and All India transfer liability.
 - b) An employee hailing from NE Region posted to NE Region initially but subsequently transferred out of the NE Region but reposted to NE Region after sometime serving in Non NE Region.
3. In view of the above, you are requested to forward the details of such employees who had worked or are working in your depot for working out the SDA arrears.
4. Please accord priority.

Sd/- Illegible
(M.S. RAJPUT)
AGM (ACCTS)
FOR DGM(F & A)

Cc : RM (E) - for information and necessary action
please.

*Attested
for
DGM(F & A)*

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✓
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GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
CANTEEN STORES DEPARTMENT
'ADELPHI' 119 M>K>ROAD
MUMBAI-400 020

Ref No. 3/ADMN/B-9/1791

10 July 2002

CSD ORDER NO. 11/2002

PART : PERSONNEL & ADMINISTRATION

SUB : SPECIAL DUTY ALLOWANCE FOR CIVILIAN EMPLOYEES OF
THE CENTRAL GOVERNMENT SERVING IN THE STATE AND
UNION TERRITORIES OF NORTH EASTERN REGION
INCLUDING SIKKIM.

A copy of Govt. of India Ministry of Finance Department
of Expenditure O.M. No.11(5)/97-E.II(B) dated 29.05.2002 on
the above subject is reproduced as Annexure "A" to this CSD
Order.

Sd/-
(N.B.SINGH)
DY. GENERAL MANAGER (P & A)
FOR GENERAL MANAGER

DISTRIBUTION

1. The Secretary, BOCCS, New Delhi
2. GM
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
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*Assisted
Secretary*

(H)

F.No.11(5)/97-E.II.(B)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, dated the 29th May, 2002.

OFFICE MEMORANDUM

Subject: Special Duty Allowance for civilian employees of the Central Government Serving in the State and Union Territories of North Eastern Region including Sikkim.

The undersigned is directed to refer to this Department's OM No.20014/3/83-E.IV dated 14.12.83 and 20.4.1987 read with OM No.20014/16/86-E.IV/E.II.(B) dated 1.12.88, and OM No.11(3)/95-E.II.(B) dt. 12.1.1996 on the subject mentioned above.

2. Certain incentives were granted to Central Government employees posted in NE region vide OM dt. 14.12.83. Special Duty Allowance (SDA) is one of the incentives granted to the Central Government employees having 'All India Transfer Liability'. The necessary clarification for determining the All India Transfer Liability was issued vide OM dt.20.4.87, laying down that the All India Transfer Liability of the members of any service/cadre or incumbents of any post/group of posts has to be determined by applying the tests of recruitment zone, promotion zone etc., i.e., whether recruitment to service/cadre/post has been made on All India basis and whether promotion is also done on the basis of an all India common seniority list for the service/cadre/post as a whole. A mere clause in the appointment letter to the effect that the person concerned is liable to be transferred anywhere in India, did not make him eligible for the grant of Special Duty Allowance

3. Some employees working in NE region who were not eligible for grant of Special Duty Allowance in accordance with the orders issued from time to time agitated the issue of payment of Special Duty Allowance to them before CAT, Guwahati Bench and in certain cases CAT upheld the prayer of employees. The Central Government filed appeals against CAT orders which have been decided by Supreme Court of India in favour of UOI. The Hon'ble Supreme Court in judgement delivered on 20.9.94 (in Civil Appeal No. 3251 of 1993 in the case of UOI and Ors V/s Sh. S. Vijaya Kumar and Ors) have upheld the submissions of the Government of India that C.G. civilian Employees who have All India Transfer Liability are entitled to the grant of Special Duty Allowance on being posted to any station in the North Eastern Region from outside the region and Special Duty Allowance would not be payable merely because of a clause in the appointment order relating to All India Transfer Liability.

4. In a recent appeal filed by Telecom Department (Civil Appeal No.7000 of 2001 - arising out of SLP No.5455 of 1999). Supreme Court of India has ordered on 5.10.2001 that this appeal is covered by the judgement of this Court in the case of UOI & Ors. vs. S. Vijayakumar & Ors. reported as 1994 (Supp.3) SCC, 649 and followed in the case of UOI & Ors vs. Executive Officers' Association 'Group C' 1995

(Supp.1) SCC, 757. Therefore, this appeal is to be allowed in favour of the UOI. The Hon'ble Supreme Court further ordered that whatever amount has been paid to the employees by way of SDA will not, in any event, be recovered from them inspite of the fact that the appeal has been allowed.

5. In view of the aforesaid judgements, the criteria for payment of Special Duty Allowance, as upheld by the Supreme court, is reiterated as under:-

"The Special Duty Allowance shall be admissible to Central Government employees having All India Transfer Liability on posting to North Eastern region (including Sikkim) from outside the region."

All cases for grant of Special Duty Allowance including those of All India Service Officers may be regulated strictly in accordance with the above mentioned criteria.

6. All the Ministries/Departments etc. are requested to keep the above instructions in view for strict compliance. Further, as per direction of Hon'ble Supreme Court, it has also been decided that -

(i) The amount already paid on account of Special Duty Allowance to the ineligible persons not qualifying the criteria mentioned in 5 above on or before 5.10.2001, which is the date of judgement of the Supreme Court, will be waived. However, recoveries, if any, already made need not be refunded.

(ii) The amount paid on account of Special Duty Allowance to ineligible persons after 5.10.2001 will be recovered.

7. These orders will be applicable *mutatis mutandis* for regulating the claims of Islands Special (Duty) Allowance which is payable on the analogy of Special (Duty) Allowance to Central Government Civilian employees serving in the Andaman & Nicobar and Lakshadweep Groups of Islands.

8. In their application to employees of Indian Audit & Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India.

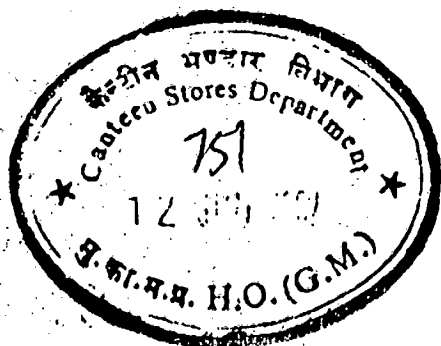
N.P. Singh

(N.P. Singh)

Under Secretary to the Government of India.

All Ministries/Departments of the Government of India, etc.

Copy(with spare copies) to C&AG, UPSC etc. as per standard endorsement list.



Annexure-VI

COURT CASE

MOST IMMEDIATE

Cabinet Secretariat
(E.A.Section)

Subject : Special (Duty) Allowance for Civilian employees of the Central Government serving in the State and Union Territories of North Eastern Region - regarding.

1. SSB Directorate may kindly refer to their UO No. 42/SSB/AT/99(18)- 2369 dated 31.03.2000 on the subject mentioned above.
2. The points of doubt raised by SSB in their UN No. 42/SSB/AT/99(18) - 5282 dated 2.9.1999 have been examined in consultation with our Integrated Finance and Ministry of Finance (Department of Expenditure) and clarification to the points doubt is given under for information, guidance and necessary action :

i)	The Hon'ble Supreme Court in their Judgment delivered on 26.11.96 in Writ Petition No. 794 of 1996 held that civilian employees who have All India transfer liability are entitled to the grant of SDA on being posted to any station in the N.E.Region from outside the region and in the following situation whether a Central Government employee would be eligible for the grant of SDA keeping in view the clarifications issued by the Ministry of Finance vide their uO No. 11(3)/95.E.II(B) dated 7.5.97	
a)	A person belongs to outside N.E.Region but he is appointed and on first appointment posted in the N.E.Region after selection through direct recruitment based on the recruitment made on all India basis and having a common/centralised seniority list and All India Transfer Liability.	No
b)	An employee hailing from the N.E. Region selection on the basis of an All India recruitment test and borne on the Centralised cadre/service common seniority on first appointment and posted in the N.E.Region. He has also All India Transfer Liability.	No
ii)	An employee belongs to N.E.Region was appointed as Group "C" or "D" employee based	No

Pls send
let
Advocate

	on local recruitment when there were no cadre rules for the post (prior to grant of SDA vide Ministry of Finance OM No. 20014/2/83-E.IV dated 14.12.1983 and 20.4.87 read with O.M. 20014/16/86E.II(B) dated 1.12.1988) but subsequently the post/cadre was centralised with common seniority list/promotion/All India Transfer Liability etc. on his continuing in the N.E.Region though they can be transferred out to any place outside the NE Region having All India Transfer Liability.	
iii)	An employee belongs to N.E.Region and subsequently posted outside N.E.Region, whether he will be eligible for SDA if posted/transferred to N.E.Region. He is also having a common All India seniority and All India Transfer Liability	YES
iv)	An employee hailing from NE Region, posted to NE region initially but subsequently transferred out of NE Region but reposted to NE Region after sometime serving in non NE Region	YES
v)	The MOF. Deptt. Of Expdr. Vide their UO No. 11(3)/95-E.II(B) dated 7.6.97 have clarified that a mere clause in the appointment order to the effect that the person concerned is liable to be transferred anywhere in India does not make him eligible for the grant of Special Duty Allowance. For determination of the admissibility of the SDA to any Central Govt. Civilian employees having All India Transfer Liability will be by applying tests (a) whether recruitment to the Servic/Cadre /Post has been made on All India basis (b) whether promotion is also done on the basis of All India Zone of promotion based on common seniority for the service/cadre/post as a whole (c) in the case of SSB/DGS, there is a common recruitment system made on All India basis and promotions are also one on the basis of All India Common Seniority. Based on the above criteria/tests all employees recruited on the All India basis and having a common seniority list of All India basis for promotion etc. are eligible for the grant of SDA irrespective of the fact that the employee hails from N.E.Region or posted to N.E.Region from outside the N.E.Region	In case the employee hailing from NE region is posted within NE Region he is not entitled to SDA till he is once transferred out of that Region
vi)	Based on point (iv) above, some of the units of SSB/DGS have authorised payment of SDA to othe employees hailing from NE Region and posted within the N.E.Region while in the case of others, the DACS have objected payment of SDA	It has already been clarified by MOF that clause in the appointment order regarding All India

	to employees hailing from NE Region and posted within the NE Region irrespective of the fact that their transfer liability is All India Transfer Liability or otherwise. In such cases what should the norm for payment of SDA i.e. on fulfilling the criteria of All India Recruitment Test & to promotion of All India Common Seniority basis having been satisfied are all the employees Eligible for the grant of SDA	transfer Liability does not make him eligible for grant of SDA
vii)	Whether the payment made to some employees hailing from NE Region and posted in NE Region be recovered after 20.9.1994 i.e. the date of decision of the Hon'ble Supreme Court and/or whether the payment of SDA should be allowed to all employees including those hailing from N.E.Region with effect from the date of their appointment if they have All India Transfer Liability and are promoted on the basis of All India Common Seniority List.	The payment made to employees hailing from NE Region & Posted in NE Region be recovered from the date of its payment. It may also be added that the payment made to the ineligible employee hailing from NE Region and posted in NE region be recovered from the date of payment or after 20th Sept., 94 whichever is later.

3. This issues with the concurrence of the Finance Division, Cabinet Secretariat vide Dy. No. 1349 dated 11.10.1999 and Ministry of Finance (Expenditure)'s I.D. No. 1204/E.II(B) dated 30.3.2000.

Sd/-
Illegible
(P.N.THAKUR)
DIRECTOR(SR)

1. Shri R.S.Bedi, Director ARC
2. Shri R.P. Kureel, Director, SSB
3. Birg.(Retd)G.S.Uban, IG,SFF
4. Shri S.R.Mehra, JD(P&C), DGS
5. Shri Ashok Chaturvedi, JS(Pers),R&AW,
6. Shri B.S.Gill, Director of Accounts, DACS
7. Shri J.M.Menon, Director Finance(S),Cab. Sectt.
8. Col. K.L. Jaspal, CIOA, CIA

Cab. Sectt. UO. No. 20/12/99-EA-1-1799 dated 2.5.2000.

25
Ad Polls
30/5/54
(A. G. G. G. G.)
St. G. G. G. G.
G. A. T. G. A. T. G. A. T.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI

Copy of OM dated 29 May 02 and Service Order No. 11/2002 dated 10 July 02 is enclosed as Annexure - 1 & 2. The issue was further clarified at Serial No. 130 of Swamy's News for the month of Sept, 2002 at page 75 and 76. Copy of the same is enclosed as Annexure-3.

So far as admissibility of Special Duty Allowance to the applicants in terms of OM dated 14 Dec 1983, 01 Dec 1988 and 22 July 1998 is concerned, and submit that in an Appeal filed by Telecom Department (Civil Appeal No. 7000 of 2001 arising out of SLP No. 5455 of 1999). Supreme Court of India has ordered on ~~04~~ 05 Oct 2001 that this appeal is covered by the Judgement of this Court in the case of UOI & Ors -Vs- S Vijaya Kumar & Ors reported as 1994 (Supp.3) SCC, 649 and followed in the case of UOI & Ors. Executive Officers' Association Group 'C' 1995 (Supp. 1) SCC, 757 . Therefore, this appeal is to be allowed in favour of UOI.

In view of the aforesaid judgement, the criteria for payment of Special Duty Allowance, as upheld by the Supreme Court is reproduced as under :-

" The Special Duty Allowance shall be admissible to Central Govt. Employees having All India Transfer Liability on posting to North Eastern Region including Sikkim from outside the region".

Consequent to the Hon'ble Supreme Court Judgement, GOI, Ministry of Finance, Department of Expenditure have issued OM No. F. No. 11(5)/97-E.II(B) dated 29 May 02 (Annexure-1).

2. That with regard to the statement made in para 2, 3, and 4.1, of the application the respondents beg to offer no comments.

-3-

3. That with regard to the statement made in para 4.2, of the application the respondents beg to state that it is correct that the applicants are employed at CSD Depot. Missamari except applicant No.9 who is presently posted at Port Blair.

4. That with regard to para 4.3, of the application the respondents beg to offer no comments.

5. That with regard to the statement made in para 4.4, of the application the respondents beg to state that it is reiterated once again that as per the direction given in Hon'ble Supreme Court Order dated 05 Oct, 2001 and Govt. of India, Ministry of Finance, Department of Expenditure OM No. F. No. 11(5)/97-E-II(B) dated 29 May 02 and Service Order No. 11/2002 dated 10 July 02 (Annexure-1 & 2) and ~~Swamy~~ ^{Swamy}'s News of Sept 02 (Annexure-3) on the subject of Special Duty Allowance to North Eastern Region, the applicants cannot claim the Special Duty Allowance merely because of a clause in the appointment order relating to All India Transfer Liability. Special Duty Allowance is admissible only to civilian employees posted from outside the region and not others.

6. That with regard to the statement made in para 4.5, of the application the respondents beg to state that the comments given at para 1 and 4.4 are reiterated once again. The Office Memorandum under letter No. 20014/3/83-E.IV dated 14 Dec 1983 mentioned in the said OA has already been superseded in view

of the latest Govt. of India, Ministry of Finance, Department of Expenditure OM No. F No. 11(5)/97-E-II(B) dated 29 May 02 and acted as Service Order mentioned above.

7. That with regard to the statement made in para 4.6, of the application the respondents beg to state that as per para-5 of OM No. F.No.11(5)/97-E-II(B) dated 29 May 02. Special Duty Allowance is admissible to Central Govt. Employees having All India Transfer Liability on posting to North Eastern Region (including Sikkim) from outside the region.

8. That with regard to the statement made in para 4.7, of the application the respondents beg to state that repeat and reiterate what is stated above.

9. That with regard to the statement made in para 4.8, of the application the respondents beg to state that deny and reject the contention mentioned in the said para. Special Duty Allowance is not admissible in the case of the applicants as they belong to North Eastern Region.

Hon'ble Supreme Court Order and OM No. F No. 11(5)/97-E-II(B) dated 29 May 02 have clearly stated that Special Duty Allowance is admissible only to civilian employees posted from outside the region and not others. Hence the contention of the applicants that they have fulfilled the eligibility criteria laid for payment of Special Duty Allowance is not correct. The OM's dated 14 Dec 83, 01 Dec '88 and 22nd July '98 are not valid in view of fresh OM No. F. No.11(5)/97-E-II(B) dated 29 May '02

issued by Govt. of India Ministry of Finance, Department of Expenditure consequent to the Hon'ble Supreme Court Order.

10. That with regard to the statement made in para 4.9, of the application the respondents beg to state that repeat and reiterate what is stated above.

As regards recovery of Special Duty Allowance already paid to the ineligible persons are concerned, Respondents submit that recovery of Special Duty Allowance was carried out as per the direction given in para-6 of OM dated 29 May 2002 which is reproduced below -

Para-6 of GOI, Min. of Finance, Deptt. of Expenditure OM No. 11(5)/97-B-II(B) dated 29.05.2002.

All the Ministries/Departments etc, are requested to keep the above instructions in view ~~of~~ for strict compliance. Further, as per direction of Hon'ble Supreme Court, it has also been decided that -

(i) The amount already paid on account of Special Duty Allowance to the ineligible persons not qualifying the criteria mentioned in 5 above on or before 5.10.2001. which is the date of Judgement of the Supreme Court, will be waived. However, recoveries if any, already made need not be refunded.

(ii) The amount paid on account of Special Duty Allowance to ineligible persons after 5.10.2001 will be recovered

-6-

No staff has been paid SDA from 01.10.2001 to till date except PN-5279 Shri H K Dass, watchman, who has been erroneously paid SDA w.e.f. Jan 2003 to March 2003 Rs.1206/- and the same is being recovered as per AAO (Pay Roll) letter No. 6D/PR/F&A/1117 dated 01 Apr'03 (Annexure-4).

10. That with regard to the statement made in para 4.10, of the application the respondents beg to state that repeat and reiterate what is stated above.

11. That with regard to the statement made in para 4.11, of the application the respondents beg to state that the OM U.O. No. 20/12/99-EA-1-1799 dated 02 May 2000 is no longer valid in view of OM No. F No.11(5)/97-E-II(B) dated 29 May 02 issued by Ministry of Finance, Department of Expenditure consequent to the Supreme Court order.

12. That with regard to the statement made in para 4.12, of the application the respondents beg to state that repeat and reiterate what is stated above. The OM dated 02 May 2000 mentioned by the applicant has already been referred in the new OM No. F No.11(5)/97-E-II(B) dated 29 May 02 issued by Ministry of Finance, Department of Expenditure and submit that recovery of Special Duty Allowance has been carried out as per the instructions contained in the said OM dated 29 May 2002, as the Special Duty Allowance is admissible only to the employees posted from outside the region and not to others.

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13. That with regard to para 4.13, of the application the respondents beg to offer no comments.

14. That with regard to the statement made in para 5, of the application the respondents beg to state that the respondents have not done any injustice or discrimination to the applicants as alleged.

15. That with regard to para 6, 7, 8, 9, 10, 11 and 12, of the application the respondents beg to offer no comments.


That the applicants are not entitled to any relief sought for in the application and the same is liable to be dismissed with costs.

Verification

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

I, **Shri VINOD KUMAR**, presently
working as *Regional Manager (East) C S D Naxosgi*, being duly
authorised and competent to sign this verification, do hereby
solemnly affirm and state that the statements made in para
are true to my knowledge and belief and those made
in para being matter of records, are true to my ~~information~~
information derived therefrom and the rest are my humble submission
before this Hon'ble Tribunal. I have not suppressed any material
fact.

And I sign this verification on this 24th day of
April, 2003 .


Deponent *24/4/2003*
VINOD KUMAR
Regional Manager (East)
Canteen Stores Department
Govt. of India, Ministry of Defence
Guwahati-781027

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Amex 402 477

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INDEX LRE 'A' TO CSD ORDER NO. 11/2002 DATED 10 JULY 2002

F.No.11(5)/97-E.II.(B)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, dated the 29th May, 2002.

OFFICE MEMORANDUM

Subject: Special Duty Allowance for civilian employees of the Central Government Serving in the State and Union Territories of North Eastern Region including Sikkim.

The undersigned is directed to refer to this Department's OM No.20014/3/83-E.IV dated 14.12.83 and 20.4.1987 read with OM No.20014/16/86-E.IV/E.II.(B) dated 1.12.88, and OM No.11(3)/95-E.II.(B) dt. 12.1.1996 on the subject mentioned above.

2. Certain incentives were granted to Central Government employees posted in NE region vide OM dt. 14.12.83. 'Special Duty Allowance (SDA) is one of the incentives granted to the Central Government employees having 'All India Transfer Liability'. The necessary clarification for determining the All India Transfer Liability was issued vide OM dt.20.4.87, laying down that the All India Transfer Liability of the members of any service/cadre or incumbents of any post/group of posts has to be determined by applying the tests of recruitment zone, promotion zone etc., i.e., whether recruitment to service/cadre/post has been made on All India basis and whether promotion is also done on the basis of an all-India common seniority list for the service/cadre/post as a whole. A mere clause in the appointment letter to the effect that the person concerned is liable to be transferred anywhere in India, did not make him eligible for the grant of Special Duty Allowance.

3. Some employees working in NE region who were not eligible for grant of Special Duty Allowance in accordance with the orders issued from time to time agitated the issue of payment of Special Duty Allowance to them before CAT, Guwahati Bench and in certain cases CAT upheld the prayer of employees. The Central Government filed appeals against CAT orders which have been decided by Supreme Court of India in favour of UOI. The Hon'ble Supreme Court in judgement delivered on 20.9.94 (in Civil Appeal No. 3251 of 1993 in the case of UOI and Ors V/s Sh. S. Vijaya Kumar and Ors) have upheld the submissions of the Government of India that C.G. civilian Employees who have All India Transfer Liability are entitled to the grant of Special Duty Allowance on being posted to any station in the North Eastern Region from outside the region and Special Duty Allowance would not be payable merely because of a clause in the appointment order relating to All India Transfer Liability.

4. In a recent appeal filed by Telecom Department (Civil Appeal No.7000 of 2001 - arising out of SLP No.5455 of 1999), Supreme Court of India has ordered on 5.10.2001 that this appeal is covered by the judgement of this Court in the case of UOI & Ors. vs. S. Vijayakumar & Ors. reported as 1994 (Supp.3) SCC, 649 and followed in the case of UOI & Ors vs. Executive Officers' Association 'Group C' 1995

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(Supp. I) SCC, 757. Therefore, this appeal is to be allowed in favour of the UOI. The Hon'ble Supreme Court further ordered that whatever amount has been paid to the employees by way of SDA will not, in any event, be recovered from them in spite of the fact that the appeal has been allowed.

5. In view of the aforesaid judgements, the criteria for payment of Special Duty Allowance, as upheld by the Supreme court, is reiterated as under:-

"The Special Duty Allowance shall be admissible to Central Government employees having All India Transfer Liability on posting to North Eastern region (including Sikkim) from outside the region."

All cases for grant of Special Duty Allowance including those of All India Service Officers may be regulated strictly in accordance with the above mentioned criteria.

6. All the Ministries/Departments etc. are requested to keep the above instructions in view for strict compliance. Further, as per direction of Hon'ble Supreme Court, it has also been decided that -

(i) The amount already paid on account of Special Duty Allowance to the ineligible persons not qualifying the criteria mentioned in 5 above on or before 5.10.2001, which is the date of judgement of the Supreme Court, will be waived. However, recoveries, if any, already made need not be refunded.

(ii) The amount paid on account of Special Duty Allowance to ineligible persons after 5.10.2001 will be recovered.

7. These orders will be applicable *mutatis mutandis* for regulating the claims of Islands Special (Duty) Allowance which is payable on the analogy of Special (Duty) Allowance to Central Government Civilian employees serving in the Andaman & Nicobar and Lakshadweep Groups of Islands.

8. In their application to employees of Indian Audit & Accounts Department, these orders issue in consultation with the Comptroller and Auditor General of India.

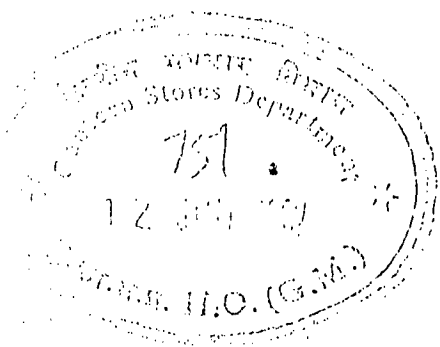
N.P. Singh

(N.P. Singh)

Under Secretary to the Government of India.

All Ministries/Departments of the Government of India, etc.

Copy (with spare copies) to C&AG, UPSC etc. as per standard endorsement list.



(11) 78 Annexure 12
7110

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
CANTEEN STORES DEPARTMENT
'ADELPHI' 119 M K ROAD
MUMBAI - 400 020.

Ref No. 3/Admn/B-9/1791

10 July 2002

CSD ORDER NO. 11/2002.

PART : PERSONNEL & ADMINISTRATION.

SUB : SPECIAL DUTY ALLOWANCE FOR CIVILIAN
EMPLOYEES OF THE CENTRAL GOVERNMENT
SERVING IN THE STATE AND UNION TERRITORIES
OF NORTH EASTERN REGION INCLUDING SIKKIM

A copy of Govt. of India, Ministry of Finance, Department of Expenditure, CV No. 113/97-E. II(B) dated 29/05/2002 on the above subject is reproduced as Annexure with this CSD Order.



(IN B SINGH)

DY. GENERAL MANAGER (P&A)
FOR GENERAL MANAGER

1-A
10/7/02 - 817

DISTRIBUTION:

1	The Secretary, EOCCS, New Delhi	(2 copies each)
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5	All RMs	(" ")
6	All Depot Manager/Base	(1 copies each)
7	HO Accounts Branch	(5 copies each)
8	All other branches at HO	(1 copy each)
9	CDA (CSD)	(" ")
10	RAO	(" ")
11	LAC	(" ")
12	Sub Group B- 1/6-2/A- 1/A-2/B-6/C-3	(" ")
13	A/O (Admn)	(" ")
14	All India COD Officers Association	(" ")
15	CSD Employees Union	(" ")
16	CSD Workers Association	(" ")

17. DGM-Base, Depot Manager / JGM / JGM II, 1 copy each to Union / Association Branch of CSD at their station.

Kindly confirm whether the above cases will come within the ambit of definition under CS (MA) Rules, 1944.

S. Chandramouly,
Manager - Internal Audit,
I.T.I. Limited,
Bangalore - 560 016.

As per O.M., dated 17-9-1999, the age-limit has been removed and all the sons who fulfil the other dependency conditions are entitled to medical facilities irrespective of their age, vide Page No. 106 of *Swamy's Compilation of CS (MA) Rules - 27th Edition*.

A female employee after marriage has got an option to choose her parents or parents-in-law as her family. Hence, if such an employee declares her father as dependent on her, she is entitled for reimbursement, subject to the other conditions.

The inclusion or otherwise in a Ration Card is not a criterion.

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Civilian employee working in N.E. Region is eligible for Special Duty Allowance, only if he is posted from outside the Region and fulfilling the specified conditions:

As per Ministry of Finance, Department of Expenditure O.M. No. 11 (3)/95-E.II (B), dated 12-1-1996, payment of Special Duty Allowance to the employees who belong to the North Eastern Region has been stopped by this office. But the said employees have now applied for payment of SDA. Would you please clarify whether Special Duty Allowance is admissible to the Central Government employees who have All India transfer liability and All India common seniority list in the following situation:—

- (a) A Central Government employee who belongs to N.E. Region initially posted in the N.E. Region and subsequently transferred out of N.E. Region but again re-transferred to N.E. Region.
- (b) A Central Government employee who belongs to the N.E. Region initially posted outside the N.E. Region and subsequently transferred to N.E. Region.

Kalyan Kamal Dey,
Jr. Accounts Officer,
All India Radio, CCW (E),
Guwahati - 781 003.

R-5.0

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55-5d
September, 2002

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SwamysnewsS

(13)
(14)
You may refer to G.I., M.F., O.M: No. 11 (5)/97-E. II (B), dated 29-5-2002. (Sl. No. 108 of SwamysnewsS, July, 2002) which stipulates that Special Duty Allowance is admissible only to civilian employees posted from outside the region and not to others.

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Pay on promotion to a post held earlier should not be less than the pay drawn on earlier occasion:

- An employee who was drawing a basic pay of Rs. 6,200 in the scale of Rs. 5,500-175-9,000 with DNI 1-7-1998 was promoted to the higher post in the scale of Rs. 8,000-275-13,500 on *ad hoc* basis from 13-11-1997. His pay in the promoted post was fixed at Rs. 8,000. He drew his annual increments in November, 1998, 1999 and 2000. He was reverted to his parent post on 3-5-2001 and his pay in that post was fixed at Rs. 6,725 taking into account the annual increments which he would have drawn had he continued in that post. He was also granted his increment on 1-7-2001 raising his pay to Rs. 6,900. On 26-11-2001, again he was promoted to the same higher post on regular basis. His pay was fixed at Rs. 8,000 in the scale of Rs. 8,000-13,500 on 26-11-2001 with DNI on 1-11-2002. As the post held by him on earlier occasion was not on regular basis, the pay drawn by him on the last occasion was not taken into account for fixation of his pay on his re-promotion.

Kindly clarify whether fixation of pay done on re-promotion of the employee, i.e., on 26-11-2001 is in order.

G.D. Gaikwad,
Dy. Secretary (Tech.)
Central Silk Board,
Chennai - 600 083.

Fixation of pay on promotion to a post held earlier should not be less than the pay drawn on earlier occasion even if such post held on earlier occasion was on *ad hoc* basis. But the period for which the pay was drawn earlier should not be counted for increment. Hence, in the case referred to by you, fixation of pay on 26-11-2001 should not be less than the pay drawn in the promoted post on 3-5-2001.

Date: April 2003.

SUB: OA NO.30/03 filed by Shri. Ranjit
Sutradhar IN CAT. Guwahati

Reference your letter No.3/A-3/Legal/CC-541/467 dt. 26.3.2003.

Under mentioned employees have not paid SDA from 1.10.2001 to till date.

<u>Sr.No.</u>	<u>P.NO.</u>	<u>Name</u>	<u>Designation</u>
1.	1651	Shri. Biman Dass	Accountant
2.	2075	Shri. P.C. Makkar	SK II
3.	2076	Shri D.K. Datta	SK II
4.	2172	Shri. N.C. Kacchar	SK II
5.	2191	Shri. H.K. Deka	SK II
6.	2476	Shri. Z.RangKuns	S/incharge
7.	2733	Shri. B.D. Sharma	LDC(S)
8.	4681	Shri. Kargim Ali	Mazdoor
9.	4720	Shri. I Nath	Mazdoor
10.	4915	Shri. D.C.Dass	Watchman
11.	4952	Shri. Lakeshwar Dass	Mazdoor
12.	5566	Shri. P.C.Dass	Watchmen
13.	5261	Dekhsvar Dass	Watchman
14.	5564	Shri. Ganesh Kumar	Watchman
15.	5657	Shri. Ramzan Ali	Mazdoor
16.	5665	Shri. Paresh Dutrdar	Mazdoor
17.	5800	Shri. Kapil Dass	Mazdoor
18.	5945	S.P.Neop	Mazdoor
19.	6036	Shri. B.C.Nath	Cleaner
20.	6045	Shri. N.C.Rewa	Watchman
21.	6046	Shri. N.C. Boro	Peon
22.	6222	Shri. Anthony Tophe	Watchman
23.	8017	Shri.Ranjit Sutradhar	LDC(S)

2. PN.5279 Shri. H.K.Dass W/M who is transferred from CSD Depot Delhi has been errorously paid SDA WEF Jan'2003 to MAR'2003 Rs.1206/- @ Rs.402/- P.M. The same is being recovered in April'2003 salary.

3. P.No.2362 Shri. S.C.Rabha SK III transfer to Port Blair.
This is for your information please.

To,
AGM(LEGAL)

(D.B.KADAM)
AAO(PAY ROLL)
For DGM (F&A)