

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No. 160/2003

R.A/C.P No.

E.P/M.A No.

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SECTION OFFICER (Judl.)

FROM No. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No: 160 159 103 (160/03)

Misc Petition No: _____

Contempt Petition No: _____

Review Application No: _____

Applicants: - C. ZIRILIANA

Respondants: - W.O.I. Form

Advocate for the Applicants: - Mr. L. Gochon Singh, H. Prem Singh

Advocate for the Respondants: - CAGC

Notes of the Registry	Date	Order of the Tribunal
<p>THIS APPLICATION IS IN FORM BUT NOT IN RECORDS OF THE REGISTRY. IT IS NOTED THAT THE APPLICANT HAS FILED THE APPLICATION ON 16.7.2003. THE APPLICATION IS ADMITTED. CALL FOR THE RECORDS. LIST AGAIN ON 22.8.2003 FOR ORDERS.</p> <p>20F092466-65 4-7-03</p> <p>Dr. Registrar</p> <p>Steps taken along with envelope.</p> <p>15/7/03</p>	16.7.2003	<p>Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. The Hon'ble Mr. N.D. Dayal, Member (A).</p> <p>Heard Mr. H. Prem Singh, learned counsel for the applicant.</p> <p>The application is admitted. Call for the records.</p> <p>List again on 22.8.2003 for orders.</p> <p>Member</p> <p>Vice-Chairman</p>
<p>Notice prepared & sent to D/S for issuing the new account No. 1 to 4 by Regd. AID. DIN No 1596 to 1599 D/d 31/7/03</p> <p>17/7</p> <p>① Service report are still awaited. 21/8/03</p>	22.8.2003	<p>List again on 24.10.2003 to enable the respondents to file written statement.</p> <p>Vice-Chairman</p> <p>There is no Bench today. Adjourned to 5-11-03.</p> <p>24.10.03</p> <p>mb</p>

(2)

5-11-03

No Bench today.
Adj'd to 27-11-03.

By
12

No Wks has been
billed.

May
16-12-03

27-11-03

No Bench today.
Adj'd to 17-12-03.

By
12

17.12.2003

List on 29.1.2004 for orders.

K. D. B. B. B.
Member (A)

6-2-04

W/s filed by the
Respondent Nos. 1, 2, 3,
2-4.

mb

17.2.2004

List the case for hearing on
22.3.2004 alongwith O.A.265/2003.

By

K. D. B. B. B.
Member

bb

12.3.2004

On the plea of counsel for the
respondents the case is adjourned.
List on 22.3.2004 for hearing.

K. D. B. B. B.
Member (A)

mb

22.3.2004

On the plea of counsel for the
respondents the case is adjourned. List
again on 21.4.2004 for hearing.

W/s has been
billed.

May
26-4-04

K. D. B. B. B.
Member (A)

mb

27.4.2004

On the plea of counsel for the
respondents the case is adjourned. List
on 25.5.2004 for hearing.

K. D. B. B. B.
Member (A)

mb

25.5.2004

On the plea of counsel for the respondents the case is adjourned. List on 21.6.2004 for hearing.


Member (A)

mb

29.7.2004

Heard learned counsel for the respondents. Judgment delivered in open Court. The application is allowed.

No order as to costs.


Member (A)

mb

16.8.04

Copy of the judgment
has been sent to the
Office for issuing
the same to the applicant
by post.

45

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./R.A.No. 1111 160/2003

DATE OF DECISION 29.7.2004.

C. Ziriliana

.....APPLICANT(S).

Mr. L.J. Singh

.....ADVOCATE FOR THE
APPLICANT(S).

-VERSUS-

Union of India & Ors.

.....RESPONDENT(S)

Mr. B.C. Pathak, Addl. C.G.S.C.

.....ADVOCATE FOR THE
RESPONDENT(S).

THE HON'BLE MR. K.V. PRAHLADAN, MEMBER (A).

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the judgment ?
 2. To be referred to the Reporter or not?
 3. Whether their Lordships wish to see the fair copy of the Judgment ?
 4. Whether the judgment is to be circulated to the other Benches ?
- Judgment delivered by Hon'ble Member (A).

62D

Original Application No. 160 of 2003.

Date of Order : This the 29th day of July, 2004.

THE HON'BLE MR. K.V. PRAHLADAN, ADMINISTRATIVE MEMBER.

Sri C. Ziriliana aged about 44 years
S/o late C. Hrangchhunga
Section Officer
Office of the Directorate General,
SSB (MHA), East Block-V, R.K. Puram,
New Delhi - 66.

He earlier worked as such in the Office
of the Area Organisation, SSB, Imphal (Manipur),
under the Administrative Control of the Divisional
Organiser, SSB, Manipur & Nagaland Division,
Imphal (Manipur). . . . Applicant.

By Advocates Mr. I. Singh & Mr. H. Prem Singh.

- VERSUS -

1. The Union of India (represented by the
Secretary to the Govt. of India, Ministry
of Home Affairs, New Delhi).
2. The Director General, SSB, Ministry of
Home Affairs, Govt. of India, East Block-B,
R.K. Puram, New Delhi.
3. The Divisional Organiser, SSB, Manipur
& Nagaland Division, Imphal - 795 001.
4. The Area Organiser, SSB, Imphal, Manipur.

. . . Respondents.

By Mr. B.C. Pathak, Addl. C.G.S.C.

O R D E R

K.V. PRAHLADAN, MEMBER (A):

the law

This application is against ~~illegal and arbitrary~~
action of the respondent authorities in not allowing the
applicant to draw Ration Allowance, because he was not a
party in various applications decided by this Hon'ble
Tribunal whereby the Ration Allowance was allowed to the
applicants.

Dud

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2. The Respondents stated that the applicant was not eligible for Ration Allowance since he was not party in the various applications decided by this Hon'ble Tribunal, whereby the Ration Allowance was allowed to the applicants.

3. As per Judgment dated 08.09.1999 passed in O.A. No. 103/1999 :

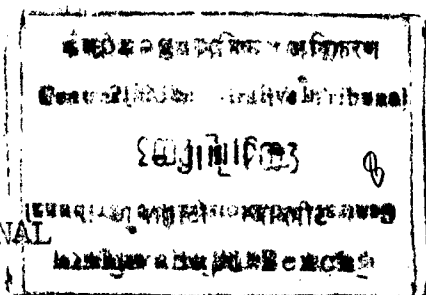
" I am of the view that the applicants in the O.A. presently under consideration are similarly situated with the applicants in those cases and the judgments in those O.A.s covered the case of the applicants in the present O.A. I therefore, direct the respondents to pay ration allowance to the applicants with effect from the date of allowance became admissible to Itanagar on the strength of order dated 8.11.1994 and subsequent orders extending payment of the allowance or from the date of thier actual posting in Itanagar, which ever is later. The payment of the arrear amount as admissible to each applicant shall be made by the respondents within 90 days from the date of receipt of this order."

4. The above Judgment is applicable in case of present applicant also. Therefore, the respondents are directed to pay the Ration Allowance to the applicant from ^{date of} the actual posting in Imphal. or from the date of declaration of the station as 'B' and 'C' category whichever is later.

The application is accordingly allowed. No order as to costs.


(K.V. PRAHLADAN)
ADMINISTRATIVE MEMBER

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH



Original Application No. 160/03 of 2003.

Sri C. Ziriliana

... Applicant.

-Vrs-

Union of India & ors.

.... Respondents.

Synopsis of the Application

Sl. No.	Dated	Particulars of the documents	Annexures & page
1.	18-12-87	Letter No.A-27011/A/86-EA-II Govt. of India,Cabinet Secretariat,New Delhi for grant of various concessions to the staff of SSB,SFF,CIOA and Directorate Accounts.	Annexure-R/I Page - 24.
2.	28.10.86	Letter No.A-11016/6/86-DOI Govt. of India,Cabinet Secretariat for extension of House Rent allowance concessions to other cadres of ARC at part with executive Cadres.	Annexure-R/II page - 31
3.	9-8-89.	Memorandum No.9/SSB/A2/86(I) IV.Pat-II of Director General Security of SSB,for granting of Concessions to the staff of SSB & conveyed saction to the classification of Imphal as category 'B' for the purpose of ration allowance & ors. for a period of 3 yrs. w.e.f. 9-8-89 to 8-8-92.	Annexure-R/III Page 38.

contd. . 2/-

1.	2	3	4
4.	12-01-99	O.M. No.9/SSB/A2/86(1)-IV Pt. 75-90 of the Directorate General Security,SSB for renewal of the Classification of Imphal as cate- gory 'B' w.e.f. 9-8-89 to 8-8-01.	Annexure-R/IV page. 39.
5.	26-8-92	O.M. No.9/SSB/A2/86(1)-V(pt)/ 4122 of the Dte.General of Secu- rity,SSB for grant of various concessions to the SSB employees posted at Kohima & classification of Kohima as category 'B' station for purpose of granting ration allowance & ors for 2 yrs.	Annexure-R/V Page - 40
6.	8-12-97	O.M. No.9/SSB/A2/86(1)-V(pt)/ 4122 of the Dte. General of Secu- rity SSB for renewal the classification of Kohima w.e.f.24-8-94 to 25-8-98.	Annexure-R/VI Page No. 41
7.	22-7-98	OM.No.9/SSB/A2/86(1)-Manipur, of Dte. General of Security, SSB for renewal of the classifi- cation of Kohima as Category 'B' w.e.f. 26-8-98 to 25-8-01.	Annexure-R/VII Page No. 42
8.	27-5-92	O.M. No.9/SSB/A-2/86(1)-V(pt)/ 3049 of the Dte.General of Security SSB, conveying for classi- fication Karong and some stations in Manipur & Nagaland Divn. of SSB as category 'B' forthe purpose of ration allowance and other conce- ssions for a period of 3 yrs. w.e.f. 27-5-92 to 26-5-95.	Annexure-R/VIII Page. No.43
9.	18-9-95	O.M. No.9/SSB/A2/86(1) Manipur of Dte. General of Secu- rity,SSB for renewal of the classi- fication as category 'B' w.e.f. 27-5-95 to 26-5-98.	Annexure-R/IX Page - 45

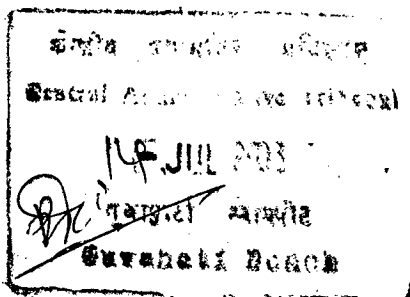
1	2	3	4
10.	22/7/98	OM.No./9SSB/A2/86(1)-Manipur of Dte. General of Security,SSB for latest renewal of the classification of Karong as category 'B' station w.e.f. 27-5-98 to 26-5-01.	Annexure-R/X Page - 46
11.	14-6-96	A Division Bench of this Hon'ble Tribunal order in O.A. No.245/95 in respect of granting the ration allowance to the applicants of non-executive staffs of A.R.C. Doomdoooma.	Annexure-R/XI page - 47
12.	16-3-98	Hon'ble Supreme Court's order in in S.L.P. No. 1706/97 arising out of O.A. No. 245/95 and same was dismissed.	Annexure-R/XII Page - 51
13.	8/9/99	Hon'ble Tribunal Order in O.A. No. 103/99 directing the authorities to issue/pay the arrear amount as admissible to the applicants of Itanagar 'B' station within 90 days.	Annexure -R/XIV Page - 53
14.	12/1/00	Hon'ble Tribunal Order in O.A. No.267/99 directing the authorities to pay the due/arrear amount(ration allowance) as admissible to the applicants of Shillong 'B' station.	Anneuxre-R/XV Page - 56
15.	30/10/2000	Hon'ble CAT order in O.A. No.133/2000 directing the authorities to pay the ration allowance to the applicants of Imphal 'B' station.	Annexure-R/XVI Page - 59
16.	14/8/01	Hon'ble CAT order in O.A. No.174/01 directing the authoriteis to pay the due/arrear ration allowance to the applicants 'B' station.	Anneuxure-R/XVII Page - 62

1 2 3 4

17. 14/1/03 OM.No.35/SSB/A2/2001(12) of the Ministry of Home Affairs, Dte. General Security,SSB for compliance order of the Hon'ble CAT order ~~in~~ in O.A. No. 174/01. Annexure-R/XVII
Page - 63
18. 31/12/02 O.M. No. OA.133/RA/CAT/00/Ministry of Home Affairs, Office of the Divisional Organiser,SSB, Manipur & Nagaland Divn. for rejecting the representation filed by the applicant(Impugned order). Annexure-R/XVIII
Page - 66
19. 10/2/2000 OM.No.9/SSB/A2/86(1)-Manipur for not allowing to get the reation allowance on the ground of non-applicant in the various cases disposed by the Hon'ble CAT(Impugned order). Annexure-R/XIX
Page - 67

Dated: 14/7/03

Filed by: H. Prem Sbr
Counsel for the applicant.



12
PRESENTED BY
H. Prem Singh

Ad. v. v. v.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH
GUWAHATI

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

Original Application No. 150 of 2003

1. Shri C. ZIRILIANA

... Applicants .

- Versus -

1. The Union of India and 3 ors.

... Respondents .

I N D E X

Sl.No.	Particulars/documents	Pages
1.	Original Application.	1 - 21
2.	Verification	- 22 -
3.	Affidavit	- 23 -
4.	Annexure R/1 - Copy of letter dated 18.12.87.	- 24 - 30
5.	Annexure R/II - Copy of letter dated 28.10.86.	31 - 37
6.	Annexure R/III - Copy of Office Memorandum dated 9.8.89.	- 38 -
7.	Annexure R/IV - Copy of order dated 12.1.99	- 39 -
8.	Annexure R/V - Copy of O.M. dt. 26.8.92. for grant of various concession to the SSB employees posted at Kohima.	- 40 -
9.	Annexure R/VI - Copy of order dt. 8.12.97.	- 41 -
10.	Annexure R/VII - Copy of Order dt. 22.7.98.	- 42 -
11.	Annexure R/VIII - Copy of order dt. 27.5.92.	- 43 - 44
12.	Annexure R/IX - Copy of order dt. 18.9.95	- 45 -
13.	Annexure R/X - Copy of order dt. 22.7.98.	46

contd.. 2/-

Sl.No.	Particulars/documents	Pages
14.	Annexure R/XI - Copy of the Judgement/order dt. 14.6.96 of O.A. No. 245/95.	47-50(2)
15.	Annexure R/XII - Copy of order dated 16.3.98 passed by the Hon'ble Supreme Court.	51-52
16.	Annexure R/XIII - Copy of order dated 8.9.99 passed in O.A. No. 103/99.	53-55
17.	Annexure R/XIV - Copy of order dated 12.1.2000	56-58
18.	Annexure R/XV - Copy of order dated 30.10.2000 passed in O.A. No. 133/2000.	59-61
19.	Annexure R/XVI - Copy of order dated 24.8.2001 passed in O.A. No. 174/2001.	-62-
20.	Annexure R/XVII - Copy of O.M. dated 14-01-03 for compliance of the court's order.	-63-65
21.	Annexure R/XVIII - Copy of impugned Memorandum dated 31-12-2002.	-66-
22.	Annexure R/XIX - Copy of representation dated 14.2.2002.	-67-

Dated :

Filed by :

H. Prem Singh
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :GUWAHATI
BENCH: GUWAHATI

(An application U/S 19 of the Administrative
Tribunal's Act, 1985).

ORIGINAL APPLICATION NO. 159 OF 2003.

Sri C. Ziriliana aged about 44 years
s/o. late C. Hrangchhunga,
Section Officer,

Office of the Directorate General,
SSB, (MHA), East Block-V, R.K. Puram
New Delhi - 66.

He earlier worked as such in the Office
of the Area Organiser, SSB, Imphal (Manipur),
under the Administrative Control of the
Divisional Organiser, SSB, Manipur & Nagaland
Division, Imphal (Manipur).

.... Applicant.

1. The Union of India (represented by the
Secretary to the Govt. of India, Ministry
of Home Affairs, New Delhi).
2. The Director General, SSB, Ministry of
Home Affairs, Govt. of India, East Block-B,
R.K. Puram, New Delhi.
3. The Divisional Organiser, SSB, Manipur
& Nagaland Division, Imphal - 795001.
4. The Area Organiser, SSB, Imphal, Manipur.

.... Respondents.

Signature
Manipur

Ziriliana

PRESENTED BY
H. Prem Singh
Ad 10

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

1. Illegal and arbitrary action of the respondent-authorities is not allowing the applicant to draw Ration Allowance only on the ground that he was not applicants in various original Applications disposed of by this Hon'ble Tribunal directing payment of ration allowance to the applicants from the due dates. The SSB Directorate (New Delhi) had intimated the Divisional Organiser, SSB, Manipur and Nagaland Division, Imphal (Respondent No. 3) that the non-applicants in various cases disposed of by this Hon'ble Tribunal directing payment of ration allowance to the applicants were not entitled to draw ration allowance on the basis of judgment/orders passed by this Hon'ble Tribunal.

2) Office Memorandum No. 133/RA/CAT/OO/ dated 31-12-02 issued by the Respondent No. 4 whereby the representation submitted by the applicant ~~xxxxxx~~ ~~xxxxxx~~ praying for grant of Ration Allowance prior to 30-01-2001 is/was not feasible. It would appear from the said Memorandum that the case of the applicant could not be acceded to for granting Ration Allowance in Central Administrative Tribunal cases which had amounted to summarily rejecting the claim of the applicants for ration allowance.

contd. . 3/-


Oath Commissioner,
Manipur

Z. S. K. S. K.

2. JURISDICTION OF THE TRIBUNAL :

The applicant desire that the subject matter of the order against which he want redressal is within the jurisdiction of the Tribunal.

3. LIMITATION :

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

4. FACTS OF THE CASE :

1) That the applicant is non-executive personnel who was serving in the Special Service Bureau (SSB in short), Imphal in the office of the Area Organiser (SSB, Manipur & Nagaland Division, Imphal), Manipur under the Administrative Control of the Divisional Organiser, SSB, Manipur & Nagaland Division, Imphal (Manipur) (Respondent No.3). Recently he was posted to the Directorate General, SSB, New Delhi.

The SSB is a Department of the Govt. of India directly under the Cabinet Secretary but the organisation has been detached from the Cabinet Secretariat and brought recently under the Administrative Control of the Ministry of Home Affairs, Government of India.

Contd. .4/-


Oath Commissioner,
Manipur

Ziriliqna

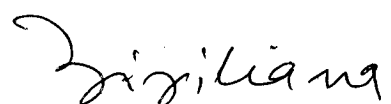
The applicant have a grievance due to non-payment of Ration/ Allowance prior to 30-01-2001 and as such he is filing an application before this Hon'ble Administrative Tribunal. The applicant crave leave of this Hon'ble Tribunal to allow ~~to~~ him to file this application as provided in Rule 4 of the CAT (Procedure) Rules, 1987.

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

3. That the applicants beg to state that the Cabinet Secretariat, vide letter No. A.27011/4/86-EA-II dated 18-12-87 addressed to the Director, Planning, Directorate General of Security, informed that certain concessions were granted to the staff of SSB., S.F.F., C.I.O.A. (Chief Inspectorate of Armaments) and Directorate of Accounts and the concessions were listed in Annexure - I. in the said

Contd. . 5/-


Oath Commissioner,
Manipur



- 5 -

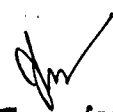
18

Letter it was also mentioned that for some of the concessions, the various hardship locations had been categorised as "B" and "C" stations as mentioned in the Annexure-II to the letter. In the said letter, it was also mentioned that for the purpose of House Rent Allowance, concessions to the various categories to Staff, the equation of post as listed in Annexure-A to the Cabinet Secretariat order dated 28.10.86 would also be applicable in respect of the Staff of S.S.B., ~~S.F.F.~~ S.F.F., C.I.O.A. and Directorate of Accounts.

Copy of the said letter dated 18.12.87 alongwith two Annexures is annexed herewith and marked as Annexure R/1.

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

contd.....


Oath Commissioner,
Manipur

Ziriling


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

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

6. That the applicant beg to state that in terms of Cabinet Secretariat letter dated 18.12.87, as provided in Annexure II to that letter, the following hardship locations in Manipur had been categorised as "C" with effect from 1.8.87 :-

- I) Tamenglong
- II) Ukhrul
- III) Churachandpur
- IV) Nungba (Not Mongbba)

contd....


Joint Commissioner,
Manipur

Ziriliang

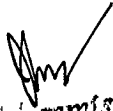
7. That the applicant further beg to state that in terms of the above-noted Cabinet Secretariat letter dated 18.12.87 (Annexure I), the following hardship locations were not categorised as either "B" or "C" Stations and as such the S.S.B. personnel serving in these stations were not granted ration allowance initially.

- I) Imphal
- II) Kohima
- III) Karong.

In exercise of powers conferred on him as the Head of the Department in terms of paragraph 3 of the aforesaid Cabinet Secretariat letter dated 18.12.87 (Annexure II), the then Director, SSB, New Delhi which had since been resigned as Director General, SSB (Respondent No. 2) by his O.M. No. 9/SSB/A2/86(1)IV Pt-II dated 9.8.89, conveyed his sanction to the classification of Imphal in Manipur as category "B" Station for the purpose of granting ration allowance and other concessions as referred to in the said letter dated 18.12.87 (Annexure - I) for a period of 3 (three) years with effect from the date of issue of that order dated 9.8.99, i.e., from 9.8.89 to 8.8.92.

Thereafter, the classification of Imphal (Manipur) as Category "B" Station for the purpose of

contd...


Commissioner
Manipur

Ziriliang

-8-


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granting ration allowance and other concessions was duly renewed from 9.8.92 to 8.8.95 by CM dated 30.9.92 and then from 9.8.93 to 8.8.89 by CM dated 8.12.97. The latest renewal of the classification of Imphal (Manipur) as Category "B" location with effect from 9.8.89 to 8.8.2001 was sanctioned by the competent authority vide his O.M. dated 12.1.99.

The copies of the said office Memoranda dated 9.8.89 and 12.1.99 are annexed herewith and marked as Annexure R/III and R/IV respectively.

8. That, similarly, the competent authority, as stated above, conveyed the sanction to the classification of "Kohima" (Nagaland) as category "B" station for the purpose of granting ration allowance and other concessions for a period of 2 (two) years with effect from the date of issue of the O.M. No. 9/SSB/A2/86(1)-V (Part)/4122 dated 26.8.92 i.e. from 26.8.92 to 25.8.94. The classification of Kohima was duly renewed from 24.8.94 to 25.8.98 and from 26.8.98 to 25.8.2001. The above renewal of the classification of Kohima (Nagaland) as category "B" Station was sanctioned by the competent authority vide CM dated 8.12.97 and CM dated 22.7.98.

contd...


26/8/99

Zirihang

Copies of the said Office Memoranda dated 26.8.92, dated 8.12.97 and 22.7.98 are annexed herewith and marked as Annexure R/V, R/VI and R/VII respectively.

9. That by OM No. 9/SSB/A-2/86(1)-V(Pt)/3049 dated 27.5.92, the competent authority conveyed the sanction to the classification Karong and some other stations in Manipur and Nagaland Division of the SSB as category "B" Stations for the purpose of granting ration allowance and other concessions for a period of 3 (three) years with effect from the date of issue of that order dated 27.5.92 i.e., from 27.5.92 to 26.5.95. The classification of Karong as category "B" location was duly renewed from 27.5.95 to 26.5.98 by O.M. dated 18.9.95. The latest renewal of the classification of Karong as category "B" Station was sanctioned vide OM dated 22.7.98 covering the period from 27.5.98 to 26.5.2001.

Copies of the said office memoranda dated 27.5.92, dated 18.9.95 and dated 22.7.98 are annexed herewith and marked as Annexure R/VIII, IX and X respectively.

10. That the applicant, being non-executive personnel of the S.S.B. serving under the administrative control of the Divisional Organiser, SSB, Manipur and Nagaland Division, Imphal (Respondent No.3) in the

contd...

Zirilliana

- 10 -

13

following stations which are categorised as 'B' and 'C' locations are entitled to the grant of ration allowance with effect from the date of categorisation of the stations or from the date of their posting whichever is later.

- I) Tamenglong - 'C' category with effect from 1-8-87.
- II) Imphal - 'B' category - with effect from 09-08-89.
- III) Kohima - 'B' category - with effect from 26-08-92.
- IV) Ukhrul - 'C' Category - with effect from 01/08/87.
- V) Churachandpur - 'C' category with effect from 01-08-87.
- VI) Nungba(Net Mongba) - 'C' category - with effect from 01-08-87.
- VII) Karong - 'B' category - with effect from 27-05-92.

Contd. .



Asst. Commissioner

Ziriana

- 11 -

24

11. That, after categorisation of the above noted stations as "B" and "C" locations, the employees of the S.S.B. serving in these locations became eligible for receiving ration allowance with effect from the respective dates of categorisation or from the date of their joining in these locations, whichever is later, and accordingly the Field Officers and below were being paid ration allowance. However, for reasons best known to the authorities, the applicants were not paid ration allowance in a most illegal and arbitrary manner.

12. That the applicant beg to state that the Aviation Research Centre is a part of Directorate General of Security alongwith S.S.B. and two other organisations. Similar concessions including Ration Allowance were granted to the employees of the Aviation Research Centre. The non-executive staff of the Aviation Research Centre were also deprived of the Ration Allowance and only executive Staff was given the same. Some employees of Aviation Research Centre, Doomdooma had filed an application before this Tribunal claiming that being non-executive staff, they were also entitled to get the Ration Allowance as was being given to the executive Staff, according to the equalisation done as per order dated 28.10.86 (Annexure R/II) and the same was number as O.A. 245/95. A Division Bench of this Tribunal, by judgment dated 14.6.96, held that the Ration Allowance was admissible to the applicants and directed that the

contd....

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Ziriliama

Ration Allowance be paid to the applicants at the rate applicable to them with effect from the due date and to pay the arrear amounts within a fixed period. The Aviation Research Centre authorities, instead of granting the concessions, filed an S.L.P. in the Hon'ble Supreme Court challenging the order passed by this Hon'ble Tribunal granting Ration Allowance to the non-executive staff and the same was numbered as Special Leave to appeal (Civil) No. 1706/97. The Hon'ble Supreme Court, by order dated 16.3.98, dismissed the Special Leave to appeal and directed that the order be punctually observed and carried into execution by all concerned.

Copies of the judgment/order dt. 14.6.96 passed by this Hon'ble Tribunal passed in OA No. 245/95 and the order dated 16.3.98 passed by the Hon'ble Supreme Court is here annexed herewith & marked as Annexure R/XI and XII respectively.

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


contd....

14. That, thereafter, the non-executive personnel serving in the S.S.B. at Itanagar (Arunachal Pradesh) under the administrative control of the Divisional Organiser, SSB, Itanagar filed an application before this Hon'ble Tribunal which was registered as O.A. No. 103/99 claiming grant of ration allowance with effect from 8.11.94, date from which Itanagar was categorised as "B" Stations. This Hon'ble Tribunal, by order dated 8.9.99, allowed the application directing the respondent-authorities to pay ration allowance to the applicants with effect from due date. It was further directed that the arrear amount, as admissible to the applicants, should be paid within 90 days from the date of receipt of the order.

Copy of the said order dated
8.9.99 passed in O.A. No.103/99 is
annexed herewith and marked as
Annexure R/XI.

15. That, thereafter, the non-executive personnel of the SSB serving in Shillong under the administrative control of the Divisional Organiser, SSB, Shillong, Meghalaya who were similarly denied ration allowance also filed an application before this Hon'ble Tribunal praying for grant of ration allowance with effect from the date of when Shillong was categorised as "B" station by the competent authority. The said application was registered and admitted as O.A. No. 367/99. This Hon'ble Tribunal,

contd...


District Commissioner,
Dimapur

Ziviliana

by order dated 12.1.2000, disposed of the application by directing the respondents to pay Ration Allowance to the applicants from the due date.

Copy of the said order dated 12.1.2000 is annexed herewith and marked as Annexure-R/XIV

16. That 104 non-executive personnel serving in S.S.B. under the administrative control of the Divisional Organiser, S.S.B., Manipur and Nagaland Division, Imphal (Respondent No. 3) also filed an application before this Hon'ble Tribunal claiming payment of ration allowance to them with effect from 9.8.89, the date from which Imphal was categorised as "B" Station or from the date of actual joining at Imphal whichever is later which was registered as O.A. No. 133/2000. This Hon'ble Tribunal, by order dated 30.10.2000, allowed the application directing the respondent-authorities to pay ration allowance to the applicants according to their entitlement.

Copy of the said order dated 30.10.2000 passed by this Hon'ble Tribunal in O.A. No. 133/2000 is annexed herewith and marked as Annexure R/XV.

17. That 18 non-executive personnel serving in S.S.B. under the administrative control of the Divisional Organiser, S.S.B., Manipur and Nagaland Division, Imphal (Respondent No. 3) also filed an
contd....

an application before this Hon'ble Tribunal claiming payment of ration allowance to them with effect from 9.8.89, the date from which Imphal was categorised as "B 2 Station or from the date of actual joining at Imphal whichever is later which was registered as O.A. No. 174/2001. This Hon'ble Tribunal, by order dated 14.8.2001, allowed the application directing the respondent-authorities to pay ration allowance to the applicants according to their entitlement, and the same was complied with by the concerned authority.

Copy of the said order dated 14.8.2001 passed by this Hon'ble Tribunal in O.A. No. 174/2001 is annexed herewith and marked as Annexure R/XVI.

Copy of the Memorandum dated 14-01/03 of the Assistant Director (EA) under O.M. No. 35/SSB/A2/2001(12) is annexed herewith and marked as Annexure R/XVII.

18. That the applicant beg to state and submit that he is also similarly situated like the applicants in the above noted original applications and as such their case for granting ration allowance is squarely covered by the orders passed by this Hon'ble Tribunal allowing the above-noted original applications.

contd...


Oath Commissioner,
Manipur

Ziviliana

The present applicant is entitled to the grant of ration allowance with effect from the date of categorisation of the above Stations as "B" and "C".

19. That the applicant submitted a representation on 5-12-02 to the respondent authorities through proper channel praying for grant of ration allowance otherwise due to him. In this regard the respondent No.4 issued a Memorandum on 31-12-2002 under his O.M. No. OA.133/RA/CAT/00 stating on the basis of the O.M. No.9/SSB/A2/86(1) -Manipur dt. 10/2/2000 stating that the case of the applicant could not be acceded to at his end for granting ration allowance prior to 30-1-01 as he was not an applicant in various cases decided by this Hon'ble Tribunal directing payment of ration allowance to the applicant. From the said impugned O.M. dated 31-12-2002 and 10-2-2000 it would appear that the representation submitted by the applicant has been summarily rejected.

It would be pertinent to mention here that the respondent No. 3 had issued standing instructions that non-applicant(s) in various cases finalised by the Guwahati Bench of the Central Administrative Tribunal is/are not entitled to get ration allowance. Because of illegal and arbitrary action of the respondent - authorities, as stated above, the applicant is convinced that no useful purpose will be served by waiting any longer and as such the applicant is now approaching this Hon'ble Tribunal praying for relief.

Copy of the impugned Memorandums dated 31-12-02 and 10-02-2000 annexed herewith and marked as Annexure-R/XVII/ And R/XIX.

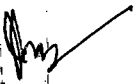


Oath Commissioner,
Manipur

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5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

- I) For that the action of the respondent-authorities in denying Ration Allowance to the applicant is illegal, arbitrary and highly discriminatory and as such this is a fit case where this Hon'ble Tribunal will exercise jurisdiction and grant relief otherwise due to him.
- II) For that the applicants have been illegally discriminated against is not allowing him to draw ration allowance although they are similarly situated like those applicant in OA No. 245/95, O.A. No. 103/99, OA 367/99 and OA No. 133/2001 and OA No. 174/2001 who have since been granted ration allowance, with arrears, in pursuance of the orders passed by this Hon'ble Tribunal and as such the action of the respondent-authorities is bad in law and liable to be set aside.
- III) For that respondent-authorities are legally required to extend the benefit of ration allowance to the present applicant of their own in pursuance of orders passed in various original applications by this Hon'ble Tribunal directing payment of ration allowance to the applicants and that no having been done, the action of the respondent-authorities is denying ration allowance to the applicant is bad in law and liable to be set aside.

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Secy. 
Date 

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- IV) For that the respondent-authority, instead of extending the benefit of the above-noted orders allowing ration allowance to the applicants of their own, committed a serious illegality by driving and harassing the applicants to approach this Hon'ble Tribunal causing multiplicity of litigations and as such the action of the applicants deserves to be struck down at unsustainable in law.
- V) For that the action of the authorities in not allowing the applicants to draw Ration Allowance has resulted ~~to~~ in serious discrimination offending the equality provisions contained in Article 14 and 16 of the Constitution of India and as such the action of the authority is bad in law and liable to be set aside.
- VI) For that, in any view of the matter, the action of the authorities in subjecting the applicants to serious and illegal discrimination and denying ~~him~~ the Ration Allowance otherwise due to ~~him~~ is bad in law and liable to be set aside.

6.

DETAILS OF THE REMEDIES EXHAUSTED :

The applicant, and submitted representations to the competent authority through proper channel but these were rejected only on the ground that

contd..


Oath Commissioner,
Manipur

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that ~~he was~~ not applicants in earlier cases allowed by this Hon'ble Tribunal in the matter of granting ration allowance.

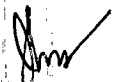
7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT :

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

8. RELIEF SOUTHT :

It is, therefore, prayed that Your Lordships would be graciously pleased to admit this application, call for the entire records of the case, ask the respondents to show cause as to why the applicant should not be granted the benefit of ration allowance with effect from the date of categorisation of the stations (places of posting) as "B" and "C" or from the date of Actual joining at such Stations whichever is later as has been granted to others who are similarly situated like the applicant

contd...


Seth Commissioner,
Mant...

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and after perusing the causes shown, if any, and hearing the parties, direct that, in view of the attending facts and circumstances of the case, the applicant be granted ration allowance with effect from the dates from which the places of posting of the applicants have been categorised as "B" and "C" Stations, as stated above or from the date of their actual joining at these places, including arrears due to him as has been granted to the similarly situated non-executive employees of the ARC and S.S.B. after setting aside the impugned order dated 31-12-2002 (Annexure - R/XVII) and/or pass any other order/orders as Your Lordships may deem fit and proper.

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


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

NIL-

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

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

contd...


M. S. Chatterjee
Manager

Zirilliana

I.P.O. No.

dated

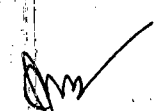
issued by Guwahati Post Office payable at
Guwahati is enclosed.

12. LIST OF ENCLOSURES :

As stated in the Index.

contd....

Ziridiana


Oath Commissioner.
Manipur

VERIFICATION

I, Sri C. Ziriliana aged about 44 years
s/o. late C. Hrangchhunga, presently serving as
Section Officer in the office of the Directorate
General, SSB(MHA) East Block-V, R.K. Puram New Delhi
do hereby verify that I am the applicant in this
original application.

The statements made in paragraphs
are true to my personal knowledge, those in
paragraphs No. are believe to be true on
legal advice that I have not suppressed any
material facts.

Dated/Imphal
the 10/7/03

Signature of the Applicant.

Ziriliana



A F F I D A V I T

I, Sri C. Ziriliana aged about 44 years s/o. late C. Hrangchhunga presently serving as Section Officer in the office of the Directorate General, SSB(MHA) East Block - V, R.K. Puram New Delhi do hereby make Oath and states as under:

1. That I am the applicant and accompanying in this Original Application. This is true to my knowledge.
2. That the statements made in this Original Application from para No. 1 to relating to factual matters are true to personal knowledge and based on records and the legal points are submissions made on legal advice which I believe to be true and the Annexures are true copies/ extract true copy of the original and I believe the same to be true. This is true to my knowledge.

Verified that this affidavit contains only the truth and no part of the same is false.

Dated/Imphal

the 10/7/03

By:-

Advocate.

Signature of the deponent.

Ziriliana

Oath Commissioner,
Manipur

I solemnly affirmed before me on 10/7/03
at Imphal
in Court premises by the Deponent
as verified by H. Prem Singh Esq. Advr.
The Deponent seems to understand the contents fully well on their being read over and explained to him.

-24-
ANNEXURE

R/1

Annexure - I

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

Government of India,

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

New Delhi.

New Delhi, the 18.12.87.

To,

18-12-87

The Director (Planning),

Director General of Security,

East Block, P.O. Kuram,

New Delhi-66.

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

Sir,

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

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

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


Oath Commissioner,
Manipur

contd...

- 25-25-
(24)

38

2.

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

4. For the purpose of House rent Allowance concessions to the various categories of staff, the equation of posts as listed in Annexure-'A' to the cabinet secretariat's order No. A-11016/86-DO-I, dated 28.10.86, will also be applicable in respect of the staff of SSB, SFF, CIOA and Directorate of Accounts.

5. This issues with the concurrence of the Ministry of Finance vide their U.O. No. S-1428/SE/87 dated 10.8.87 read with UO No.

1151/Dir. FI (S)/31, dated 2nd Dec. 1987.

TRUE COPY
H. P. Meem
10/7/03
Director

Yours faithfully

Sd/-

(R.K. GANGAR)

Deputy Secretary (SE)

Encl: Annexure-I & II.

Copy to:-

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

[Signature]
Oath Commissioner,
Manipur

contd...

215-26-
35
3.

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

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

dated. 20.11.97

copy to :

1. The comdts. of CC, SSB, Nirang/Paser/Tezu-for information and necessary action. w.v.t. your signal No. 4724 dated 25.10.97.

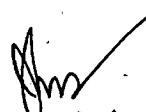
sd/-Illegible

AREA ORGANISER (S)

DIVL. HQS: SSB: ITANAGAR.

TRUE COPY

W/7
Advocate


Oath Commissioner,
Manipur

27 - (2) (36) - 26

✓
Annexure-I.

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

Sl. No.	Nature of the concession.	Extent of the concession granted	Remarks.
1	2	3	4
1) Hardship Allowance		A hardship allowance of 8.25% of basic pay subject to maximum of Rs. 600/- p.m. in respect of category 'C' and 12.5% of basic subject to maximum of Rs. 200/- p.m. to category 'B' stations <u>other than those situated in the North-Eastern region, Andaman & Nicobar Island and Lakshadweep</u> , where special allowance is already sanctioned.	declared for the stations which are/ as belonging to category 'B' and 'C' by the Head of the Department under the powers now delegated to him, the same rates will apply.

CCP
10/17
12/10/87

[Signature]
Joint Commissioner.

contd...

40

-27-
28 - (27) (37)

-2-

✓
2) Ration Allowance

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

contd...

10/7

[Signature]

[Signature]
N. N. S. S. S.

1

2

3

4

8. cash compensation
for work on
holidays

cash compensation for work on holi-
day as admissible to the staff of
the executive cadre upto the rank of
field officers, in the TR & E & PW,
will be admissible to personal Assis-
tants, stenographers and other
staff of telecom, cipher and M.T.
cadres, who are drawing basic pay of
Rs. 900/- (pre-revised) and below
are not entitled to overtime allow-
ance.

TRUE COPY

[Signature]

Advocate

9. Government
transport

Government transport will be provi-
ded to the staff engaged in night shifts
for picking them up and to
enable them to return to their resi-
dence.

10. security allow-
ance to
Ministerial,
secretarial and
Accounts cadres.

Security allowance at the following
rates is sanctioned to the following
category of the staff working in top
secret branches
subject to a maximum of 1% in each
grade:-

Designation	Amount
i) L.D.C.	Rs. 20/ P.M.
ii) Steno. Gr. III/UDC	Rs. 30/ P.M.
iii) Steno. Gr. II/Assistant	50/ P.M.
iv) Section officer/pri- vate secretary/Sr. P.A. etc.	100/ P.M.
v) Assistant Director/ Area organiser/ Dy. Director of Accounts etc.	200/ P.M.

[Signature]
Oath Commissioner,
Manipur

44

236

43

ANNEXURE-II TO THE CABINET DEC. 1957-58 NO.
DATED:

STATE

ARUNACHAL PRADESH

CATEGORY 'A' LOCATION: CATEGORY 'C'
LOCATION:

BONDILA ✓
TAWANG ✓
DAPARIDO
ALONG
YINKIANG
ROING
HAULIANG
MIAO
NAMPONG
SEPPA ✓

C/TARO
KOLORIANG
BONIGAONG
MECHUKA
TUTING
WAKKA
HAWAI
LADU
LONGDING
PANCHAO (TI-
RAP)
CHANGOLONG
ANINI

GUJARAT
HIMACHAL PRADESH

RADHANPUR

KALPT (REKONG-PEO)
POOH

J & K

MANIPUR

KAJA
KALONG
NYOMA
HANLE
LEH
KHALSI
NORCH
CHAKRP
EKARONG
CHANDEL
CHURACHAN-
DPUR
HOUGHBA
TANENGLONG
YKHROOL
GHAI SAD
KARUNGA

MEGHALAYA ✓

TRIPURA

UTTAR PRADESH

WEST BENGAL

JOWAI
NONGSTOIN
KAILASEHAR
UDAIMUR
KHOWAI
SONEMURA
DHARCHULAI
JOSHIMATH
SUKIAPOKHRI
NAXALBARI

MUNSYARI

Joint Commission
Manipur

...

37-45

ANNEXURE R/11

Annexure- II

-31-

44

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

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

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

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

TRUE COPY
H. P. N. 10/17
Director

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

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

sd/-

(R.K.Ganger)

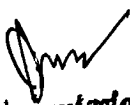
Deputy secretary

(S.R.)

TO

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

contd...


Bath Commissioner
M. 1/17

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

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

contd...

TRUE COPY

[Signature]
10/7
Advocate

[Signature]
Oath Commissioner,
Manipal

9. Technical Assistant Rs.550-750/-
(Air wing).
10. Communication Asstt. Rs.550-750/-
11. Professional Assistant. Rs.550-900/-
12. Jr. Accounts Officer. Rs.550-900/-
13. Senior Medical Asstt. Rs.550-900/-

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

3. Deputy Field
Officer.

- Rs.425-15-530-EB- 1. Steno, Gr.-III Rs.330-560/-
- 15-560-20-600/- 2. U.P.C. Rs.330-560/-
3. Technical Asstt. Rs.425-700/-
xx (Library).
 4. Overseer. Rs.425-700/-
 5. Teacher Rs.290-560/-
 6. Nursing Sister Rs.455-700/-
 7. Staff Nurse Rs.425-640/-
 8. Sr. Radio Rs.425-640/-
 9. Lab. Technician Rs.330-560/-
 10. Pharmacist (qualified). Rs.330-560/-
 11. Sanitary Inspector Rs.330-560/-
 12. Operation Theatre Technician. Rs.330-560/-
 13. Sr. Lab. Technician Rs.425-700/-
 14. Asstt. Foreman Rs.425-700/-

contd...

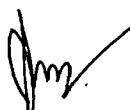
3.

15. Masscoursy Rs. 455-700/-
(Physiotherapist).
16. Dietician Rs. 425-640/-
17. Jr. Technical Rs. 425-700/-
Grade-II.
18. Jr. Stores Rs. 425-700/-
Officer
Grade-II.
19. P.O.I/super- Rs. 425-600/-
visor.
20. Head clerk Rs. 425-600/-
(Accounts)
21. Pay Accounts Rs. 330-560/-
Clerk.
22. Medical Assis-
tant (Dental). Rs. 425-600/-
23. Medical Assis- Rs. 425-600/-
tant (General)
24. Aerodrome Op-
erator. Rs. 380-660/-
25. Radio Tech- Rs. 380-560/-
nician.
26. Radio Ope- Rs. 380-560/-
rator.
27. Scientific Rs. 425-700/-
Asstt.
28. Senior Observer Rs. 330-560/-
29. Junior Acco- Rs. 425-700/-
untant.

4. A.F.O.

- Rs. 330-8-370-10- 1. L.D.C. Rs. 260-400/-
- 400-EB-10-480/- 2. Asstt. Station
Officer. Rs. 330-480/-
3. Leading Fire- Rs. 320-400/-
man/M.T. Fitter/
Driver/Driver
Havilder.

TRUE COPY

10/7
Advocate

 Bath Commission
 Manager

contd...

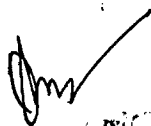
4. Fireman/Fire Operator	Rs. 260-400/-
5. Lab. Assistant	Rs. 260-400/-
6. Telephone Operator	Rs. 260-400/-
7. Carpenter (Air Wing)	Rs. 320-400/-
8. Carpenter (M.V.)	Rs. 260-400/-
Workshop .	
9. Tailer (Air Wing) (present Incumbent).	Rs. 320-400/-
10. Tailer (Air Wing) (Future Incumbent).	Rs. 260-400/-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

TRUE COPY

10/7
Advocate5. S.F.A.

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

contd...


 Advocate
 10/7

6. Field Assistant

i) Rs. 225-5-260-6-290-
EB-6-308/-

(Matriculate).

ii) Rs. 210-4-250-EB-
5-270/-

(Non-Matriculate).

iii) Rs. 225-5-260-6-290-
EB-6-308/-

(Non Matriculate
after 15 years of
regular service).

1. Lab. Attendent	Rs. 210-270/-
2. Ayah	Rs. 196-232/-
3. Daftry	Rs. 200-250/-
4. Peon	Rs. 196-232/-
5. Sweeper (Safaiwalla).	Rs. 196-232/-
6. Chowkider/ Watchman.	Rs. 196-232/-
7. Gardener/Mali.	Rs. 196-232/-
8. Lineman.	Rs. 210-270/-
9. Lab. Attendent/ Bearer.	Rs. 210-270/-
10. Carpenter (Air- Wing)	Rs. 210-290/-
11. Carpenter, Grade-II (M.V. Workshop).	Rs. 210-290/-
12. Head Gardener	Rs. 210-270/-
13. Jamadar (Sweeper)	Rs. 210-250/-
14. Cook.	Rs. 210-250/-
15. Para-mainten- ance Assistant (Packer).	Rs. 210-290/-
16. Cobbler.	Rs. 210-290/-
17. Grass Cutter.	Rs. 196-232/-
18. Waterman/ Water carrier.	Rs. 196-232/-
19. Loader.	Rs. 196-232/-
20. Dresser.	Rs. 210-270/-
21. Ayah (para Medi- cal staff).	Rs. 200-250/-

TRUE COPY

10/7
Advocate

contd...

Joint Commissioner
Member

6.

- | | |
|---------------------------------------|---------------|
| 22. Barber | Rs. 200-250/- |
| 23. Ward Boy/Waiter/
Washer up. | Rs. 196-232/- |
| 24. Mazdoor/Anti-
Malaria Mazdoor. | Rs. 196-232/- |
| 25. Dhubi | Rs. 196-232/- |
| 26. Helper | Rs. 210-290/- |
| 27. cleaner. | Rs. 196-232/- |
| 28. Jr. Electrician. | Rs. 210-290/- |
| 29. Blacksmith,
Grade-II. | Rs. 210-290/- |
| 30. Welder, Grade-II. | Rs. 210-290/- |
| 31. Plant Room Atten-
dant. | Rs. 210-270/- |
| 32. Air Craft Assis-
tant. | Rs. 210-290/- |
| 33. Traffic Hand. | Rs. 200-250/- |
| 34. Observatory-
Attendant. | Rs. 210-250/- |

.....

District Commissioner
Manipal

TRUE COPY

District Commissioner

(COPY)

-38-

SECRET

ANNEXURE - III

ANNEXURE R/III

No. 9/SSB/A2/86(1)IV Pt.II
Directorate General of Security
Office of the Director, SSB
Block -V(East), R.K.Puram
New Delhi-110066.

Dated the, 9/8/89. ✓

MEMORANDUM

Subject :- Grant of concessions to the staff
of SSB.

In exercise of the powers vested in him as Head of Department, in terms of Para 3 of Cabinet Secretariat letter No. A-27011/4/06-EA.II dated 18.12.87, the sanction of the Director, SSB is hereby conveyed to the classification of the undermentioned stations as Category 'B' stations for the purpose of grant of various concessions mentioned in Annexure I (other than clothing grant) of the above quoted Cabinet Secretariat order dated 18.12.87, for a period of three years w.e.f. the date of issue of this order.

<u>Sl.No.</u>	<u>Name of the station</u>
1.	Gangtok (Sikkim)
2.	Aizwal (Mizoram)
3.	Imphal (Manipur).

TRUE COPY

H. Prem Singh
10/F
Advocate

Sd/-

(G.P. VERMA)

Dy. Inspector General (E).

To

1. The D.Os UP/NB/NA/AP/Manipur/Shillong/Raj & Gujarat/HP Divisions.
2. All Digs TCs.
3. Director of Accounts, New Delhi (5 copies)
4. Commandant, CSD & W Bhopal.
5. Commandant, TC Faridabad.
6. All Branches, SSB Dte.
7. Order file.

Accounts Officer,
D.O. SSB Manipal

Joint Commissioner
Manipal

-39-

ANNEXURE R/IV

✓

Nb.9/SSB/A2/86(1)-IVPt.75-90

DIRECTORATE GENERAL OF SECURITY,

OFFICE OF THE DIRECTOR : SSB,

EAST BLOCK, V.R.K. PURAM,

NEW DELHI - 110066

Dated, the 12th Jan., 1999.

O R D E R

In continuation of this Directorate Order of even number dated, 8th Dec. 1997, the sanction of the Director, SSB is hereby accorded to the classification of 'Imphal' M&N Division as Category 'B' station for the purpose of various concession with effect from 9-8-98 to 8.8.2001 in terms of para - 3 of the Cabinet Secretariat, letter No. A-27011/4/86-EA-II dated 18-12-87.

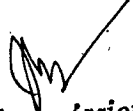
TRUE COPY
H. C. Menon
10/1/99
Secretary

Sd/-11.1.99

(N.C. BHATTACHARJEE)
ASSISTANT DIRECTOR(EA)

Copy to:-

1. Director of Accounts, Cabinet Secretariat, R.K. Puram, New Delhi - 110066.
2. Des: M&N/HP/J&K/UP/SB/NB/NA/AP/Shillong/R&G Divn.
3. DISB:TC Halflong/Sarahan/Salonibari/Jammu.
4. Accounts Officer, SSB Directorate.
5. Office file.


Oath Commissioner,
Me 1/1/99

40- ANNEXURE R/V
No.9/SSB/A2/86(1)-V(Part)/4122
DIRECTORATE GENERAL OF SECURITY
OFFICE OF THE DIRECTOR :SSB
BLOCK NO.V(EAST)R.K.PURAM,

//COPY//

NEW DELHI: 110066

DATED THE : 26/8/92

MEMORANDUM

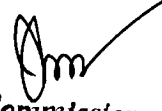
Sub: Grant of various concessions to the
SSB employees posted at Kohima

In exercise of the powers vested in him as Head of the Department in terms of para 3 of the Cabinet Secretariat letter No. A-27011/4 86-EA-II dated 18.12.87, the sanction of the Director, SSB, is hereby conveyed to the classification of the 'Kohima', Nagaland as Category 'B' Station for the purpose of grant of various concessions mentioned in Annexure- I (other than clothing grant) to the aforesaid Cabinet Secretariat letter dated 18.12.87 for a period of 2 (Two) years with effect from the date of issue.

Sd/-
(R.D. ADHIKARI)
ASSISTANT DIRECTOR (EA)

Copy to :-

1. The Director of Accounts, Cabinet Secretariat, R.K.Puram, New Delhi.
2. The Divisional Organiser, SSB, Manipur & Nagaland Division.
3. The D.I.O. Kohima, Pn No-210, Kohima -797001.
4. 'F' Branch.
5. Orders file/Guard file.


Oath Commissioner,
Manipur

ANNEXURE R/V

No. 9/SSB/A2/86(i)-IV(Pt).3569
Directorate General of Security,
Office of the Director, SSE,
East Block, V, R.K. Puram,
New Delhi- 110066.

Dated, the, 8th Dec. 1997.

ORDER

In continuation of this Directorate Memo No. 9/SSB/A2/86(1)-V(Pt) dated, 26.8.92 and No. 9/SSB/A2/86(1)-IV(Pt) dated, 30.9.92, the sanction of the Director, SSB is hereby accorded to the classification of the following stations of Manipur & Nagaland Division as Category 'B' station for the purpose of various concessions from the date and period shown against each in terms of Para-3 of the Cabinet Secretariat letter No. A-27011/4/86-EA-II dated, 18.12.87.

SNo.	Name of the Station.	Category.	Date & period.
1.	Imphal, M&N Division.	'B'	9.8.95 to 8.8.98.
2.	Kohima, M&N Division.	'B'	26.8.94 to 25.8.98.

(KARAN SINGH)
ASSISTANT DIRECTOR (EA)

Copy to:-

1. The Director of Accounts, Cabinet Secretariat, R.K. Puram, New Delhi.
2. DO, M&N Division, IMPHAL.
3. DIG, Kohima.
4. DOS: HP/UP/J&K/R&G/SB/NB/NA/AP/Shillong.
5. DIGs: TC Haflong/Sarahan/Salonibari/Jammu/Kumarsain.
6. Order file.

Orth Commissioner,
Manipur

42-

ANNEXURE R/VII

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

DATED, THE 22nd JULY,1998.

O R D E R

In exercise of the powers vested in him as Head of Department, in term of para - 3 of the Cabinet Secretariat, letter No. A-27011/1/86-EA-11 dated, 18-12-87 the sanction of the Director,SSB is hereby conveyed to the ~~cat~~ classification of the undermentioned stations of Manipur and Nagaland Division as Catagory 'B' stations for the purpose of various concessions as shown against each station as mentioned in Annexure-1 of the above quoted Cab.Secretariat, letter dated,18-12-87 for a further period of three years with effect from 27-5-98 to 26-5-2001:-

TRUE COPY
H. Prem
10/7
Adress

1. CONCESSIONS WITHOUT CLOTHING GRANT CAT.'B' STATIONS

1. Kharasom, Manipur & Nagaland Divn.
2. Pushing -do-
3. Parbung -do- (Previously Kasom Khullen)
4. Sipuikhawn K/Khullen -do-
5. Utangpekhi -do-
6. Beniang -do-
7. Thanjong -do-
8. Karong -do-
9. Tamei -do-
10. Jiribam -do-
11. Khoupum -do-

2. CONCESSIONS WITH CLOTHING GRANT CAT.'B' STATIONS.

1. Shangshak, M&N Divn.
2. Poi -do-
3. Phungyar -do-
4. New Samtal -do-
5. Thungam Khullen -do-
6. Maram -do-
7. Sirarakhong -do-

3. CONCESSION WITHOUT CLOTHING GRANT FOR KOHIMA ONLY

<u>Station</u>	<u>Period.</u>
Kohima, M&N Division	26-8-98 to 25-8-2001(for Kohima)

[Signature]

Sd/-
(SS Horn)

JOINT DEPUTY DIRECTOR(EA)

P-168

ANNEXURE - VIII

29 3-68

43-

ANNEXURE R/viii

Accepted
6/5/92

No. 9/SSB/A-2/86(1)-V(Pt)
Directorate General of Security,
Office of the Director, SSB,
East Block-V, R.K. Puram,
New Delhi-110066.

Dated, the 27th May 1992

ORDER

Subject: Grant of concession to the staff of SSB.

In exercise of the powers vested in him as Head of Department, in terms of para 3 of the Cabinet Secretariat letter No. A-27011/4/86-EA-II dated 18.12.87, the sanction of the Director, SSB is hereby conveyed to the classification of the undermentioned stations as category 'B' station for the purpose of various concession as shown against each stations as mentioned in Annexure-I of the above quoted Cabinet Secretariat letter dated 18.12.87, for a period of 3 years with effect from the date of issue of this order:-

Concessions without clothing grant.

- (i) Kharagam, Manipur and Nagaland Division.
- (ii) Pushing -do-
- (iii) Kasim Khullon -do-
- (iv) Sipuikawn -do-
- (v) Utangpokpi -do-
- (vi) Behiang. -do-
- (vii) Thankend -do-
- (viii) Karong -do-
- (ix) Tamei. -do-
- (x) Jiribam -do-
- (xi) Khcupum -do-

Various concessions with Clothing grant.

- (i) Shangshak, Manipur and Nagaland Division
- (ii) Poi -do-
- (iii) Phungyar -do-
- (iv) New Smtal -do-
- (v) Tungam Khullem -do-
- (vi) Maram -do-
- (vii) Siramkhong. -do-

(D.O. MOHAKARI)
ASSISTANT DIRECTOR (CA)

Contd....2/-...

Oath Commissioner,
Manipur

Beyond that period

every 29-1-01

TRUE COPY
H. Prem 8/4
10/7
Shocsa
20 May 1992

Acct
pu
27/5/92

to all
copy
connection of
To be reported

P/1082
6/6

27-5-92 to 26.5.95

-44 - 50

:: 2 ::

Copy to:

1. The Director of Accounts, Cabinet Secretariat, R.K. Puram, New Delhi.
2. The Divisional Organiser, Manipur & Nagaland/J&K/HP/UP/SB/NB/NA/AP/Raj & Gujarat/Shillong.
3. Deputy Inspector General, IA Gualdam/TC Sarapan/Haflong/Salinibari.
4. Commandant TC Faridabad/CSD&W Bhopal.
5. 'F'/E-I Branch/E-II Branch.
6. Order file.

No v/ACU/Ration/91-92/7082-85

TRUE COPY

Memorandum

At 7/6/72

Copy furnished for information to

AM Hqs

AM Sdms

AM Cms

AM Hqs

Joint Commissioner,
Manipur

F40

No. 9/SSB/A-2/86(1)-Manipur 2740
 Directorate General of Security,
 Office of the Director, SSB,
 East Block-V, R.K. Puram, (B32)
 New Delhi-110066.

Dated, the 18/5/95

O R D E R

ANNEXURE IX

In exercise of the powers vested in him as Head of Department, in terms of para 3 of the Cabinet Secretariat letter No. A-27011/4/86-EA-II dated 18.12.87, the sanction of the Director, SSB is hereby conveyed to the classification of the undermentioned stations of Manipur and Nagaland Division as category 'B' station for the purpose of various concessions as shown against each station as mentioned in Annexure I of the above quoted Cabinet Secretariat letter dated 18.12.87 for a further period of 3 years with effect from 27th May, 95 to 26th May, 98.

1. Concessions without clothing grant

(i) Kharasom → SAO	Manipur & Nagaland Division.
(ii) Pushing	-do- ✓
(iii) Kasom Khullon	-do- ✓
(iv) Sipuikawn	-do- ✓
(v) Utangpokpi	-do- ✓ in place of Singu
(vi) Beniang	-do- ✓
(vii) Thanlon	-do- ✓
(viii) Karong	-do- ✓
(ix) Tamei	-do- ✓
(x) Jiribam	-do- ✓
(xi) Khoupum	-do- ✓

2. Various concession with clothing grant

SAO (i) Shangshak	Manipur & Nagaland Division
(ii) Poi	-do- ✓
(iii) Phungyue	-do- ✓
(iv) New Sontal	-do- ✓
(v) Tungam Khullem	-do- ✓
(vi) Maram	-do- ✓
(vii) Siranakhong	-do- ✓

(B.D. ADHIKARI)
 ASSISTANT DIRECTOR(EA)

Copy to:

- The Director of Accts. Cab. Sectt., R.K. Puram, New Delhi (4 copies).
- Divisional Organiser, Manipur. A proposal for continuance of various concession in respect of 'Kohima' may please be sent to this Directorate for further necessary action.
- Divisional Organisers: J&K/HP/UP/R&G/SB/NB/AP/NA/Shillong
- DlsG: TC Sarahan/Haflong/Salonibari/FA Gwaldam.
- Commandant: CSD&W Bhopal/TC Faridabad.
- Accounts Officer, SSB Directorate.
- Order file.

Area Organiser (Admn),
 SSB Divn. Hqr. Imphal.

Path Commissioner,
 Manipur

-46- ANNEXURE R/x

15.9/SSP/A2/86(1)-Manipur.
 DIRECTORATE GENERAL OF SECURITY,
 OFFICE OF THE DIRECTOR : SSB,
 EAST BLOCK, V, R.K. PURAM,
 NEW DELHI-110066.

DATED, THE 22 JULY, 1998.

ORDER

In exercise of the powers vested in him as Head of Department, in terms of para-3 of the Cabinet Secretariat, letter No. A-27011/4/86-EA-11 dated, 18.12.87, the sanction of the Director, SSB is hereby conveyed to the classification of the undermentioned stations of Manipur and Nagaland Division as Category 'B' stations for the purpose of various concessions as shown against each station as mentioned in Annexure-I of the above quoted Cab. Secretariat, letter dated, 18.12.87 for a further period of three years with effect from 27.5.98 to 26.5. 2001.:-

1. CONCESSIONS WITHOUT CLOTHING GRANT CAT. 'B' STATIONS.

- | | |
|--|----------------------------------|
| 1. Kharasom , Manipur & Nagaland Divn. | |
| 2. Pusing | -do- |
| 3. Parbung | -do- (Previously Khasom Khullen) |
| 4. Sipiukawn K/Khullen | -do- |
| 5. Utangpekpi | -do- |
| 6. Beniang | -do- |
| 7. Thanlon | -do- |
| 8. Karong | -do- |
| 9. Tamei | -do- |
| 10. Jiribam | -do- |
| 11. Khoupum | -do- |

2. CONCESSIONS WITH CLOTHING GRANT CAT. 'B' STATIONS.

- | | |
|--------------------------|------|
| 1. Shangshak , M&N Divn. | |
| 2. Poi | -do- |
| 3. Phungyar | -do- |
| 4. New Santal | -do- |
| 5. Thungam Khullen | -do- |
| 6. Maram | -do- |
| 7. Sirarakhong | -do- |

3. CONCESSIONS WITHOUT CLOTHING GRANT FOR KOHIMA ONLY.

Station	Period.
Kohima, M&N Divn.	26.5.98 to 25.5. 2001 (for Kohima only).

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

Copy to:-

- The Director of Accounts, Cab. Secretariat, R.K. Puram, New Delhi.
- Divisional Organiser, M&N Division, Imphal.
- DOs: HP/UP/R&G/SP/NE/NK/AP/SHG/IRK Divisions.
- DisG: IC Saraban/Haklong/Salemtilari/FA. Oqaldam.
- CommDt. CSIRW Rhepal/IC Faridabad.
- Accounts Officer, SSB Dto.
- Order file.

[Signature]
 Oath Commissioner,
 Manipur

Annexure-2. XII

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No. 245 of 1995.

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

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

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

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

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

... Applicants.

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

-versus-

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

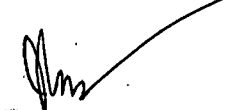
... Respondents.

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

ORDERG.L. SANGLYINE, MEMBER (A)

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

contd...


Oath Commissioner
Manipur

- 31-54-48 -
(73)

2.

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

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

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

contd...

True Copy
H. Prasad
10/7
Advocate

[Signature]
Joint Commissioner

3.

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

TRUE COPY
H. Prem Singh
10/7/03
Advocate

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

contd...


Oath Commissioner,
Manipur

4.

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

TRUE COPY

H. P. Mehta
Advocate

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

(A) Ration Allowance

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

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

(B) House Rent Allowance.

House Rent Allowance facilities admissible to the Executive cadre will be admissible to the personnel of other cadres also of corresponding levels .

Separate orders will be issued about corresponding levels".

G. H. Commission
Secretary

contd..

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64
(46)

5.

The respondents cannot bring in what is not there or what is not intended to be there by the letter No.A 27011/4/86-EA-II (A) dated 6.12.1987 as indicated above. This

letter simply clearly states that the allowance is admissible to the various categories of the staff of APC by placing a limit upto the rank of FO and below. IN O.A. 163/91 and O.A. 179/9 of this Bench on the strength of the recommendations of the same one man Committee referred to in this O.A. Ration Allowance was paid to the non-executive staff of the Intelligence Bureau but the payment was stopped in 1991. This Tribunal in the order dated 17.12.1993 (to which one of us was party) after discussion and relying on the order dated 27. .93 of the central Administrative Tribunal, Chandigarh Bench, Circuit at Jammu in O.A. No. 381/JK/92 had held that Ration Allowance was admissible to the applicants in those two O.As. the facts in those two O.As and of the present O.A. insofar as they relate to Ration Allowance and House Rent Allowance are almost identical. The conditions in those two O.As is in respect of Ration Allowance that the personnel posted in category B locations will be entitled to Ration Allowance at nonqualifying area rate for BSF. For house rent allowance it is stipulated that House Rent Allowance would be applicable to all other cadres of the IB under the same terms applicable to the executive cadres of corresponding levels. In view of the facts mentioned above we hold that Ration Allowance is admissible to the applicants in this O.A. The respondents are directed to pay Ration Allowance to the applicants at the rate applicable to them with effect from the due date 22.2.94. The arrear amount shall be paid within 31.10.1996.

The application is allowed, No order as to costs.

sd/- Member (A)

sd/- Member (J)


Oath Commissioner,
Manipur

-51-
6
ANNEXURE R/xii
Annexure-"G". ~~XII~~

IN THE SUPREME COURT OF INDIA

CRIMINAL/CIVIL APPELLATE JURISDICTION

248256

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

(Petition under Article 136 of the Constitution of India
for special leave to appeal from the judgement and order

dated 14th June, 1996 of the central Administrative

Tribunal, Gauhati Bench of Gauhati in original Application

✓ No. 245 of 1995).

TRUE COPY

Hipm
10/7
Advocate

WITH

INTERLOCUTORY APPLICATION NO.2.

(Application for stay after notice).

Union of India & ors.

...petitioners.

-versus-

Sri Bishnu Prasad Saikia and ors.

...respondents.

(FOR FULL CAUSE TITLE PLEASE SEE SCHEDULE 'A'

ATTACHED HEREWITH).

16th MARCH, 1998.

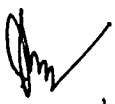
CORAM:

HON'BLE MR. JUSTICE S.C. AGARWAL

HON'BLE MR. JUSTICE S. SAGHIR ARWAD

HON'BLE MR. JUSTICE M. SRINIVASAN

Contd....P/2


[Illegible text]
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-52-
66
2. (48)

For the petitioners : Mr. V.V. Vaje, senior Advocate

(M/s. Ranji Thomas and P. Parmeswaran,
Advocates with him).

For the Respondent Nos. 1 to 87.

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

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

TRUE COPY
H. Prasad
10/7/98
D. Prasad

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

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

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

sd/-

(R.N. LAKHANPAL)

DEPUTY REGISTRAR.



The Commission
for the

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68

R/XIII

R/xiii

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to the employee. In the said Order, Itanagar was categorised as 'B' station and the categorisation was renewed for a further period of 3 years with effect from 8.11.1998. They claim that consequent to the categorisation of Itanagar station as a 'B' station the employees of the SSB serving in Itanagar, become eligible for getting the ration allowance from 8.11.1994. However, according to them, for some inexplicable reasons the respondents denied the allowance to the applicants in a most illegal and arbitrary manner. Consequently they submitted representations praying for payment of the allowance to them. But there was no response from the respondents. They submitted that in the order dated 14.6.1996 in G.A. No. 245 of 1995, Order dated 17.7.1998 in O.A. No. 89 of 1996 and order dated 21.4.1999 in O.A. No. 228 of 1998. The executive cadre of the SSB Itanagar were also granted ration allowance. They submitted that they are similarly situated with the employees of the Aviation Research Centre and the executive cadre of SSB. Itanagar and have prayed that the respondents may be directed to allow them ration allowance with effect from 8.11.1994.

2. The respondents have contested the application and submitted written statement. According to them the applicants are holding non-executive cadre in the SSB Arunachal Division and the ration allowance is not admissible to them. The ration allowance is admissible only to the executive staff of the rank of Field Officer and below posted in category 'B' or 'C' station. They also submitted that the orders of the Tribunal in the case of Aviation Research Centre cannot be extended to

contd..3/-

[Signature]
Oath Commissioner,
Manipur

TRUE COPY
H. Prem Singh
10/7
Advocate

the applicants in this O.A. who were not applicants in those Original Applications decided by the Tribunal. This is also the view taken by the respondents in their office Memorandum dated 19.2.1999. Annexure-R to the written statement.

3. I have heard learned counsel of both sides. Mr. G.N. Das, learned counsel for the applicants submitted that according to the equation of posts and the orders of the Tribunal in respect of the Aviation Research Centre relied on by the applicants, the applicants are entitled to the ration allowance. Mr. R. B. Basumatary, learned Addl. C. J. S.C. for the respondents did not dispute the contention of Mr. Das. I have perused the application as well as the judgements in the 3 Original Applications relied on by the learned counsel for the applicants, particularly, judgement and at para 4 of the order dated 14.5.1996 and Judgement at para 3 of the order dated 21.4.1999 in which detail discussions and reasons for allowing payment of ration allowance in those cases had been recorded. I am of the view that the the applicants in the O.A. presently under consideration are similarly situated with the applicants in those cases and the judgements in those O.As covered the case of the applicants in the present O.A. I therefore, direct the respondents to pay ration allowance to the applicants with effect from the date of allowance became admissible to Itanagar on the strength of order dated 8.11.994 and subsequent orders extending payment of the allowance ~~be~~ or from the date of their actual posting in Itanagar, whichever is later. The payment of the arrear amount as admissible to each applicant shall be made by the respondents within 90 days from the date of receipt of this order.

Application is disposed of. No order as to costs.

Sd/- Member (Adm).

TRUE COPY

H. Prasad & Co.
10/7
Advocates


Oath Commissioner,
Manipur

56

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ANNEXURE R/XIV

Original Application No.367 of 1999

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

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

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

...Applicants

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

- versus -

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

...Respondents

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

TRUE COPY

H. Prem Singh
10/7
Advocate

.....

O R D E R

G.L. SANGLYINE (ADMINISTRATIVE MEMBER)

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

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


Oath Commissioner,
Manipur


20-57564-

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

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

TRUE COPY

H. P. S. 10/7
Advocate

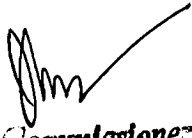

Joint Commissioner,
Munipar

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

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

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

Sd/MEMBER (ADM)


Commissioner
NKM

TRUE COPY

H. P. M. 24
10/7
Advocate

-59-

ANNEXURE R/XV

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

49

Original Application No.133 of 2000

Date of decision: This the 30th October 2000

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

Shri Kandarpa Narayan Choudhury and
103 others

.....Applicants

All the applicants are non-executive personnel serving in the Special Service Bureau, Imphal, Manipur, under the administrative control of the Divisional Organiser, Manipur and Nagaland Division, Imphal.

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

- versus -

1. The Union of India, represented by the Cabinet Secretary, Department of Cabinet Affairs, New Delhi.
2. The Director General of Security, Block V(East), New Delhi.
3. The Director, S.S.B., Block-V (East), New Delhi.
4. The Divisional Organiser, S.S.B., Manipur and Nagaland Division, Lamphel, Imphal, Manipur.
The Area Organiser, S.S.B., Imphal, Manipur.

.....Respondents

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

.....

O R D E R (ORAL)

CHOWDHURY.J. (V.C.)

The applicants, 104 in number, are non-executive personnel serving in the Special Service Bureau (SSB for short) under the administrative control of the Divisional Organiser, SSB, Manipur and Nagaland Division, Imphal. The cause of action as well as the relief sought for are same and accordingly their grievance is considered in this single

[Handwritten signature]

ication under the provisions of Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

2. The grievance relates to payment of ration allowance on and from 9.8.1989. According to the applicants the allowance was denied to them for no justifiable reason. Mr G.N. Das, learned counsel for the applicants to various sanction orders of the Central Government and also mentioned a number of cases decided by this Tribunal.

3. Mr A. Deb Roy, learned S. C.G.S.C. referred to the written statement and submitted that the ration allowance with effect from 9.8.1989 are being paid to the executive staff of the rank of Field Officer and below, but the said allowance is not extended to the non-executive staff. The learned counsel submitted that the equation is made only in relation to House Rent Allowance and not to ration allowance. He submitted that the equation of posts in various cadre of corresponding level of non-executive cadre were fixed vide Cabinet Secretariat Order No.A-11016/6/86-DOI dated 28.10.1986. The equation is for the purpose of House Rent Allowance and not for Ration Allowance.

After hearing the learned counsel for parties and considering all aspects of the matter, I do not find that this case can be distinguished from the earlier decisions, nor there is any scope for denying the ration allowance to the applicants on that ground. The ration allowance also has now become admissible to the employees serving in the SSB at Imphal and Imphal has been declared as category 'B' station with effect from 9.8.1989. The applicant shall accordingly be eligible for the ration allowance for 'B' Station with effect from 9.8.1989 or from the date of joining, whichever is later.

TRUE COPY
H. P. Das 8/1
10/7
Advocate



[Signature]
Joint Commissioner

- ~~188~~ - 61 -

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Accordingly the respondents are directed to pay the
cants ration allowance from the aforesaid date onwards
within three months from the date of receipt of this order
including arrears.

6. The application is allowed. No order as to costs.

30/ VICE CHAIRMAN



nkm

Certified to be true Copy

प्रमाणित प्रतिलिपि

[Signature]
10/11/2000
Section Officer (3)

सामान्य अधिकारी (न्यायिक शाखा)
General Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
Guwahati Bench, C. Guwahati-8
बुधवार न्यायालय, गुवाहाटी-8

TRUE COPY
H. P. Newish
10/11
Advocate

[Signature]
Oath Commissioner,
Manipur

(Advocate).

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

Original Application No. 174 of 2001

Applicant(s) - L.M. Singh & Ors.
Respondent(s) - U.O.I. & Ors.
Advocate for applicant(s) Mr. G.K. Bhattacharyya,
S.N. Das, B. Chaudhury.
Advocate for respondent(s) Mr. Deb Roy Sr. C.G.S.C.
24-08-01 Present : Mr. Justice B.N. Choudhury,
Vice - Chairman.

All the 18 applicants are non-executive personnel serving in the SSB, under the administrative control of the Divisional Organiser SSB, Manipur and Nagaland Division, Imphal. The cause of action as well as the relief sought for are same and similar nature and accordingly, their grievance is considered in this single application.

The grievance relates to payment of ration allowance on and from their station or stations were declared as a 'B' and 'C' category stations or from the joining by the applicants in these station, whichever is latter. The issue raised in this application is already adjudicated upon in O.A. 367/99 disposed on 12.1.2000 and O.A. No. 133/2000 disposed on 30-10-2000. This case is also squarely covered by the above decisions.

The respondents are accordingly directed to pay the ration allowance to the applicants on and from the posting of the applicants in the stations or from the date of declaration of these stations as 'B' and 'C' category stations.

The application is allowed to the extent indicated above. There shall, however, be no order as to costs.

Sd/- Vice-Chairman.

TRUE COPY
H. Prem Singh
Advocate
Joint Commissioner,
Manipur

Through Special Post

63 - ANNEXURE R/XVII.
COURT CASE/ MOST IMMEDIATE

No.35/SSB/A2/2001(12) 194-95
Ministry of Home Affairs,
Govt. of India,
Directorate General, SSB
East Block, V.R.K. Puram,
New Delhi-66,-.

Dated 14 Jan..03

MEMORANDUM

Subject:- **Implementation of Judgment delivered by the CAT Guwahati Bench on OA No. 174/2001- Titled L.M. Singh and others V/s UOI for the grant of Ration Allowance**

Please find enclosed a copy of MHA's order No. 35/SSB/A2/2001(14)PF-III dated 19.12.2002 on the above mentioned subject.

2. It is requested to submit the bill to the Pay and Accounts office SSB, New Delhi through spl. messenger and arrange payment of arrears as Admissible to each applicant immediately as per the Judgement of the CAT Guwahati.

3. The compliance report may please be submitted through fax for perusal of MHA.

Encl: AA

(KAMAL RAM)
ASSISTANT DIRECTOR (EA)

To
The DIVISIONAL ORGANISER
MANIPUR DIVISION IMPHAL.

Copy to - Miss. S Mensana Devi Advocate, Uripok Naoremthong Khullem leikai Imphal for information with reference to her legal notice dated 25.11.2002 on the above mentioned subject.


ASSISTANT DIRECTOR(EA)


Oath Commissioner,
Manipur

Government of India
Ministry of Home Affairs

North Block, New Delhi
Dated the, 19th December, 2002

To

The Director General,

Special Service Bureau,

Block V(East), R.K. Puram,

New Delhi-110066.

Subject :- Court Cases for grant of ration allowance to the non-executive ministerial staff in SSB - implementation of judgments thereof.

Sir,

The undersigned is directed to refer to DG, SSB UO No. 35/SSB/A2/2001(14) dated 30.5.2002 and 11.12.2002, on the subject mentioned above and to convey the sanction of the competent authority for implementation of following CAT/Court orders relating to payment of Ration Money Allowance to the applicants only from the date of their posting or from the date the stations of their postings have been categorised as Category B&C for grant of Ration Money Allowance :-

- TRUE COPY*
H. Prem Singh
10/7
Advocate
- i) J&K High Court order dated 6.11.2001 in CWP No. 881/99 titled Brij Mohan & Ors. Vs. UOI & Ors.
 - ii) CAT Guwahati Bench Order dated 16.5.2001 in OA No. 57/2001 titled S. De & Ors. Vs. UOI & Ors.
 - iii) CAT Guwahati Bench Order dated 14.8.2001 in OA No. 174/2001 titled L.M. Singh & Ors. Vs. UOI & Ors.
 - iv) CAT Guwahati Bench Order dated 19.9.2001 in OA No. 224/2001 titled K.S.L. Naidu & Ors. Vs. UOI & Ors.
 - v) CAT Guwahati Bench Order dated 29.8.2001 in OA No. 141/2002 titled G.C. Dadhra & Ors. Vs. UOI & Ors.
 - vi) CAT Guwahati Bench Order dated 16.5.2001 in OA No. 56/2001 titled Chandan Chaudhary & Ors. Vs. UOI & Ors.

2. The payments of Ration Money Allowance for implementation of Court/CAT orders mentioned above will be subject to outcome of appeal pending in the High Court of Guwahati.

3. This issues with the approval of the Ministry of Finance, Department of Expenditure vide their UO No. 16(2)/E.II.B/2001 dated 19.12.2002 and concurrence of the Integrated Finance Division of this Ministry vide their Diary No. 2006/AFA(H)/2002 dated 19.12.2002

Yours faithfully,

(M.S. Kalaria)

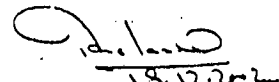
Under Secretary to the Govt. of India

[Signature]
Oath Commissioner,
Manipur

P.T.O.

Copy to :-

1. The Pay & Accounts Office, SSB, Block-IX(East), R.K. Puram, New Delhi.
2. The Ministry of Finance, Department of Expenditure w.r.t. their UO No. 16(2)/E.II.B/2001 dated 19.12.2002
3. The Sr. PPS to HS for information of HS
4. The PPS to JS(P) for information of JS(P)
5. AFA (Home), MHA.
6. Guard File.

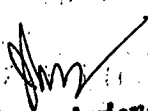


(M.S. Kalania)

Under Secretary to the Govt. of India

2 COPY

Advocate


Data Commissioner,
Ar. pur

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No.OA.133/RA/CAT/00/13
Government of India
Ministry of Home Affairs
Office of the Divisional Organiser
SSB, Manipur & Ngaland Division
Imphal-795001.

Dated the 31/12/02

MEMORANDUM

Sub :- Ration Allowance.

Shri C.Zirliana S.O.may please refer to his letter No.CZ/pf-2002 Dt.5/12/02 on the subject cited above it is to state that your self-explanatory representation has been examined and found the following observations.

1. Prior to 30/1/2001 non-applicants to CAT were not entitled to get Ration Allowance vide SSB Dte Memo.No.9/SSB/A2/86(1)-Manipur/534 dated 10/2/2000. Your period of posting at Imphal was not eligible for payment of Ration Allowance on this basis.
2. Ration Allowance has been paid to all non-executive staff since 30/1/2001 prospectively vide SSB Dte Memo.No.30/SSB/A-2/97(17)-485-508 Dt.8/2/2001.

Besides, you were not one of the 104 applicants of this Division who have approached in the Central Administrative Tribunal, Guwahati Bench under O.A.No.133/2000 the payment of Ration Allowance in your case is not feasible at this stage.

Area Organiser(Admn)

To,

Shri C.Zirliana,
Section Officer
o/o the Directorate General
SSB, (MHA), East Block-V, R.K.Puram
New Delhi-66.

-(0)-

Orth Commissioner,
Manipur

-67-

ANNEXURE R/xix

cl

No.9/SSB/A2/86(1)-Manipur
DIRECTORATE GENERAL OF SECURITY?

OFFICE OF THE DIRECTOR : SSB,
EAST BLOCK, V, RK PURAM,
NEW DELHI - 110066.

Dated, 10th Feb., 2000.

MEMORANDUM

Subject: GRANT OF RATION ALLOWANCE TO THE NON-EXECUTIVE
PERSONNEL POSTED AT M&N DIVISION.

Please refer to your letter No.V/Accts/
Ration Allowance/2000-11028 dated, 28-1-2000 on
the above subject cited.

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

Sd/-

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

To
The Divisional Organiser,
Manipur & Nagaland, Imphal.

Copy
Commissioner,
Manipur

(68)

4th

Filed by: *Dejima*
(B. C. Pathak) 20/1/84
Addl. Central Govt. Standing Counsel.
Central Administrative Tribunal
Guwahati Bench : Guwahati

82

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: AT GUWAHATI

O.A. NO. 160/2003

Shri C. Ziriliana & others Applicants

-Vs-

Union of India & others Respondents

(WRITTEN STATEMENTS FILED BY THE

RESPONDENT No. 1,2,3, and 4)

The Written statements of the above-mentioned respondents are as follows :

1. That a copy of the O.A. No. 160/03 (referred to as the 'Application') has been served on the respondents. The respondents have gone through the same and understood the

(69)
83

contents thereof. Cabinet Secretariat vide their order 49011/2000-DO-1 (VOL-II)-99 dated 30.1.01 have authorized grant of Ration Allowance to Non Executive Personnel including the Ministerial personnel posted at Category B and C Stations. As this allowance has been made admissible prospectively, past benefits can not be granted to the applicants as the order is prospective and not retrospective. Hence the grant of Ration Allowance w.e.f. 30.1.2001 is in order.

2. That the statements made in the application in Para 2 & 3 calls for no reply being a matter of record.
3. That with regard to the statements made in Para 4 (1 & 2) the respondents state that those being matter of records they offer no comments, excepting denial of claim of ration allowance prior to 31.1.2001 on the grounds that the order No A-49011/2000-DO-I(Vol.II)-99 dated 30.1.2001 of the Cabinet Secretariat Government of India Bikaner House envisages grant

of Ration Allowance to non-executive personnel including the ministerial personnel i.e. category to which present applicant belongs posted at 'B' & 'C' stations. It was made clear in this order that the ration allowance will be admissible only prospectively. Hence, question of payment of ration allowance prior to 30.1.2001 i.e. date of issue of aforesaid order does not arise.

That with regards to para-4(3) the respondents humbly submit that certain concession were granted to the staff of SSB etc w.e.f. 1.8.1987 vide Cabinet Secretariat Order No. A.27011/4/86 EA-II dated 18.12.1987. The concession so granted were authorized only to Executive Personnel of SSB etc. posted at Category 'B' & 'C' locations. But subsequently concession of ration allowance was also extended to non executive staff but w.e.f. 31.1.2001.

That with regard to para-4 (4&5) it is submitted that ration allowance was authorized to the EXECUTIVE STAFF of SSB vide Cabinet Secretariat Order dated 18.12.1987 and order dated 28.10.1986 quoted by the applicant has bearing of HRA only to the certain staff that too of Aviation Research Centre at par with executive cadres and has no connection with ration allowance which is issue under challenge in the present O.A.

That in reply to Para 4(6 & 9) the respondents state that under the authority of Cabinet Secretariat order No. A.27011/4/86-EA-II dated 18.12.1987 Heads of Department of respective departments were empowered to declare different stations as category 'B' & 'C' location keeping in view the hardship at those stations for the purpose of grant of various concessions to the personnel of the Department posted at these stations and accordingly Director SSB being Head of the Department declared stations mentioned in these para under

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these categories for purpose of grant of these concessions. Rest is matter of record.

That with regard to para 4(10) it is submitted that the statement of period of posting at category 'B' & 'C' stations mentioned in this para by the applicant do not make him eligible for the purpose of grant of ration allowance in terms of Cabinet Secretariat order dated 30.1.2001 vide this order the "NON EXECUTIVE" staff Category to which applicant belongs was authorized for grant of ration allowance w.e.f. 30.1.2001 onwards and not from the retrospective period. Hence, prayer of the applicant for retrospective period is not admissible.

That with regard to the averments in Para 4(11) by the applicant, the respondents state that the applicant has not rightly been paid ration allowance from the period he remained posted in category 'B' & 'C' stations as he belongs to NON EXECUTIVE Cadre to whom this concession was extended only

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w.e.f. 30.1.2001 onwards but this grant was admissible to only EXECUTIVE CADRE before the above said date vide Cabinet Secretariat order dated 8.12.1987,

That with regard to para 4(12 to 19) the respondent state that the applicant has not been paid Ration allowance as result of Judgements of this Hon'ble Tribunal mentioned by him in these paras because he was not party to the original applications out of which above Judgement were pronounced and moreover all quoted judgements are in personam and not in rem. It is also established Government policy not to extend benefits resultant to court decision to not petitioners/non applicants. Hence action of the respondents for non-grant of the ration allowance in above circumstances to the applicant is justified under Government Policy in Public Interest.

4. That with regard to that statement made in Para 5(I) to 5(VI) the respondent states that the factual position regarding the

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grounds has already been stated in the reply furnished to Para-4 and the same is reiterated here for the sake of brevity.

5. That the respondents have no comments and calls for no reply being a matter of record in Para 6 & 7 of the O.A.

6. That with to that statements made in Para 8 the respondents states that in light of the above submissions made in forgoing paras, the instant O.A. may kindly be dismissed.

7. That with regards to the statements made in Para 9 to 12 the respondents calls for no reply being a matter of record.

In the premises aforesaid, it is therefore prayed that Your Lordships would be pleased to hear the parties, peruse the records and after hearing the parties and perusing the record shall be pleased to dismiss the application with cost.


20/1/04
(RESPONDENT)

*See*VERIFICATION

I, Shri R.D. Thongchi , at present working as Inspector General , in the office of the Inspector General , SSB , Tezpur, being competent and duly authorized to sign this verification do hereby solemnly affirm and state that the statements made in para 1, 2, 4, 5, 6 and 7 are true to my knowledge and belief, those made in para 3 being matter of records are true to my 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 20 th day of January , 2004.

Ranjeet

DEPONENT

(2) 23-9 (38)

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ANNEXURE

ANNEXURE - I

No. A.27011/4/B6-CA-11

Government of India,
Cabinet Secretariat,
Bikaner House (Annexe),
Chandrabani Road,
New Delhi.

New Delhi, the 18.12.87.

18-12-87

The Director (Planning),
Director General of Security,
East Block, P.O. Kuram,
New Delhi-66.

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

Sir,

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

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

For some of the concessions the various hardship
locations have been categorised as 'B' & 'C' stations as
indicated in Annexure-II to this letter. However, if the
heads of the Department feel at certain times that certain
locations or assignments have become specially hazardous
and there is a specific increase in the threat to the

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

for the purpose of House Rent Allowance concessions to the various categories of staff, the equation of grades as listed in Annexure-'A' to the Cabinet Secretariat's order GO.A-11016/86-DO-I, dated 28.10.86, will also be applicable in respect of the staff of SSB, SFF, CIOA and Directorate of Accounts.

This issue with the concurrence of the Ministry of Defence vide their G.O. No.S-1428/SF/87 dated 10.8.87.

1151/DIN, Pt (3)/31, dated 2nd Dec. 1987.

Yours faithfully
 SD/..
 (R.K.GANGAR)
 Deputy Secretary (SF)

Encl: Annexure-I & II.

Copy to:-

- 1. Shri H.B. Joshi, Director, SSB.
- 2. Maj. Genl. S.K. Sharma, PVSM, IG SFF.
- 3. C.B. Mathur, Dy. Director of Accounts.
- 4. Maj. Col. K.K. Bhandari, CIOA.
- 5. Shri S. Subramanian, Director (F).
- 6. Shri K.K. Mittal, Dy. Director of Accounts (SW).
- 7. Order file.

contd...

3.

LETTER OF THE DIVISIONAL ORGANISER, SSB: A.P. DIVL. ITANAGAR.

Dated. 20.11.97

Ref. No. 12.9/97-98/27

Copy to:

1. CC, SSB, Dirang/Passer/Tazu - for information and
necessary action. W.v.t. your signal No. 4724 dated
25.10.97.

Sd/- Illegible

AREA ORGANISER (S)

DIVL. HEBS: SSB: ITANAGAR.

27-51-12

Annexure-I.

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

Sl. No.	Nature of the concession.	Extent of the concession granted	Remarks.
1	2	3	
1)	Hardship allowance	A hardship allowance @ L.35% of basic pay subject to maximum of L.400/- p.m. in respect of category 'C' and 12.5% of basic subject to maximum of L.100/- p.m. to category 'B' stations <u>other than those situated in the North-Eastern region, Andaman & Nicobar Island and Lakshadweep</u> , where special allowance is already sanctioned.	For the stations which are/ as belonging to category 'B' and 'C' by the Head of the Department under the powers now delegated to him, the same rates will apply.

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✓
2) Ration allowance

Ration allowance to the rank of field officers and below at the following rates excepting SSB. En. personnel and Dy. Comdts/ Day. Comdrs/Asstt. Day. Comdrs of SFF and also those on deputation in the SFF from the Army :-

contd...

8. cash compensation for work on holidays

cash compensation for work on holiday as admissible to the staff of the executive cadre upto the rank of field officers, in the I.R.C. No. will be admissible to personal assistants, stenographers and other staff of telecom, cipher and R.T. cadres, who are drawing basic pay of Rs. 900/- (pre-revised) and below are not entitled to overtime allowance.

9. government transport

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

10. security allowance to Ministerial, secretarial and accounts cadres.

security allowance at the following rates is sanctioned to the following category of the staff working in top secret branches subject to a maximum of 1% in each grade:-

Designation	Amount
1) L.D.C.	20/ P.M.
II) Steno. Gr. III/UDC	40/ P.M.
III) Steno. Gr. II/Assistant	50/ P.M.
IV) Section officer/pri- vate secretary/gr. P.A.P.	100/ P.M.
V) Assistant director/ Area organiser/PY.	150/ P.M.
Director of Accounts	200/ P.M.

Original Application No. 103 of 1999

9

Shri N. Venugopal and 69 others.
All the applicants are serving in
the S.C.B., Itanagar in Arunachal
Pradesh. ... Applicants.

- VERSUS -

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

By Advocate Shri B. S. Bhowmurry, Addl. C.C.S.C.

ORDER

C. L. FANOLYINE, ADMN. MEMBER.

All those 70 applicants in this Original Application are employees in the Special Service Bureau (SSB for short), Itanagar, Arunachal Pradesh. They were permitted to pursue this Original Application jointly under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987. Pension allowance was granted to the personnel of the rank of Field Officers and below serving in the locations categorised as 'B' and 'C', the applicants stated that they are in the rank of Field Officers and below. By order dated 8.11.1994 certain stations in Arunachal Pradesh were classified as category 'B' and 'C'. The applicants stated that they are working at various stations in Arunachal Pradesh which are classified as category 'B' and 'C'. They requested for the purpose of various concessions granted

contd.. 2/-

to the employee. In the said order, Itanagar was categorised as 'B' station and the categorisation was renewed for a further period of 3 years with effect from 5.11.1998. They claim that consequent to the categorisation of Itanagar station as a 'B' station the employees of the SSB serving in Itanagar, become eligible for getting the ration allowance from 5.11.1994. However, according to them, for some inexplicable reasons the respondents denied the allowance to the applicants in a most illegal and arbitrary manner. Consequently they submitted representations praying for payment of the allowance to them. But there was no response from the respondents. They submitted that in the order dated 14.6.1996 in O.A. No. 245 of 1995, Order dated 17.7.1998 in O.A. No. 89 of 1996 and order dated 21.4.1999 in O.A. No. 228 of 1998. The executive cadre of the SSB Itanagar were also granted ration allowance. They submitted that they are similarly situated with the employees of the Aviation Research Centre and the executive cadre of SSB. Itanagar and have prayed that the respondents may be directed to allow them ration allowance with effect from 5.11.1994.

2. The respondents have contested the application and submitted written statement. According to them the applicants are holding non-executive cadre in the SSB, Arunachal Division and the ration allowance is not admissible to them. The ration allowance is admissible only to the executive staff of the rank of Field Officer and below posted in category 'B' or 'C' station. They also submitted that the orders of the Tribunal in the case of Aviation Research Centre cannot be extended to

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the applicants in this O.A. who were not applicants
in those Original Applications decided by the Tribunal.
This is also the view taken by the respondents in their
office Memorandum dated 19.2.1999. Annexure-R to the
written statement.

3. I have heard learned counsel of both sides. Mr.
G.N. Das, learned counsel for the applicants submitted
that according to the equation of posts and the orders
of the Tribunal in respect of the Aviation Research Centre
relied on by the applicants, the applicants are entitled to
the ration allowance. Mr. P. S. Basumatary, learned Addl.
C.J.S.C. for the respondents did not dispute the contention
of Mr. Das. I have perused the application as well as the
judgements in the 3 Original Applications relied on by the
learned counsel for the applicants, particularly, judgement
and at para 4 of the order dated 14.5.1996 and Judgement
at para 3 of the order dated 21.4.1999 in which detail
discussions and reasons for allowing payment of ration
allowance in those cases had been recorded. I am of the
view that the the applicants in the O.A. presently under
consideration are similarly situated with the applicants in
those cases and the judgements in those O.As covered the
case of the applicants in the present O.A. I therefore,
direct the respondents to pay ration allowance to the
applicants with effect from the date of allowance became
admissible to Itanagar on the strength of order dated
8.11.994 and subsequent orders extending payment of the
allowance or from the date of their actual posting in
Itanagar, whichever is later. The payment of the arrear
amount as admissible to each applicant shall be made by
the respondents within 9 days from the date of receipt
of this order.

Application is disposed of. No order as to costs.

Sd/- Member (Adm).

18
IMMEDIATE

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

DATED THE, 08/02/2001

MEMORANDUM

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

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

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

Encls: As above.

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

To

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

(Contd)

3:11 PM

Dated the, 9/8/39.

INTERFERENCE

Subject : Grant of concessions to the staff of S.B.

In exercise of the powers vested in him as Head of Department, in terms of Para 3 of Cabinet Secretariat Letter No. A-27011/4/05-EA.II dated 18.12.47, the sanction of the Director, SSN is hereby conveyed to the classification of the undermentioned stations as Category 'B' stations for the purpose of grant of various concessions mentioned in Annexure I (other than clothing grant) of the above quoted Cabinet Secretariat order dated 18.12.47, for a period of three years w.e.f. the date of issue of this order.

61.16. News of the station.

1. Geography (SILKIN)
2. Algebra (HIZOREN)
3. English (HARLEY).

(E.O. 12958)
by _____ General (E).

9. 4

1. The D.Os UP/HB/HA/AP/Manipal/Chittalong/Raj & Gujarat/HW Divisions.
2. All Btgs TCS.
3. Director of Accounts, New Delhi (5 copies)
4. Commandant, CCB & M Bhopal.
5. Commandant, TC Faridabad.
6. All Branches, CCB Dte.
7. Order file.

1991

Accounts Office,
P.O. Box 1000