

50/600

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

2

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 222/2005

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SECTION OFFICER (Judl.)

Sahito  
06/11/17

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH.

ORDER SHEET

Original Application No. 222/05

Misc. Petition No. \_\_\_\_\_

Contempt Petition No. \_\_\_\_\_

Review Application No. \_\_\_\_\_

Applicant(S): Moni Kanta Das Ivers

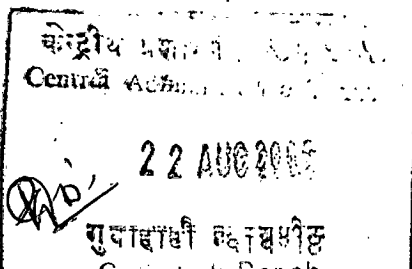
Respondant(S): U. O. P. Jais

Advocate for the Applicant(S): Adil Ahmed

Advocate for the Respondant(S): Mr. M. V. Ahmed  
Adil

Notes of the Registry	Date	Order of the Tribunal
	23.8.05.	post the matter for admission on 1.9.05. <i>[Signature]</i> Vice-Chairman
Application is in form is filed/C.F. P. Rs. 50/- deposited via IP/ED No. <u>206/1368/05</u> Dated <u>20.7.05</u>	2.9.05.	Mr. A. Ahmed learned counsel for the applicant submits that he may be permitted to withdraw the O.A. with liberty to file another application. O.A. is accordingly dismissed with liberty to file fresh application. <i>[Signature]</i> Vice-Chairman
<i>[Signature]</i> Dy. Registrar		
<i>Steps taken</i>		
<i>NE 22/8/05</i>		
<i>[Signature]</i>		
Deputy Registrar.		
Application which is incomplete and illegible would not be accepted without correcting such mistakes in future.		
<i>[Signature]</i> By Order		
<i>Pl. remove the above defects.</i>		
<i>NE 23.8.05</i>		
<i>12/9/05</i> <i>Adil CGSC</i>		
<i>31/8/05</i> <i>The above defects not yet remove by the counsel of the applicant. NE 31/8/05</i>		

lm



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH, GUWAHATI.

(An Application Under Section 19 Of The Central Administrative Tribunal Act 1985)

ORIGINAL APPLICATION NO. 222 OF 2005.

Shri Mani Kanta Das & another

... Applicants

- Versus -

The Union of India & Others

... Respondents

**LIST OF DATES**

Annexure - A is the photocopy of extract of Office Memorandum dated 14-12-1983.

Annexure - B is the photocopy of Office Memorandum No.F.No.11 (2)/97-E-II (B) dated 22-07-1998.

Annexure - C is the photocopy of the Office Memorandum No.10 (7)/GEDII/92/1894 Dated 30-12-1992

Annexure - D is the photocopy of the Office Order No. 10(1)/AESD-V/COB/93/336 Dated 01-05-1993.

Annexure - E is the photocopy of the Office Order No.9(42)/LO/94/SE(C)/CAL/1077 Dated 01-06-1994.

Annexure - F is the photocopy of Letter No.20-12-1999-EA-1-1799 Dated 02-05-2000.

Annexure - G is the photocopy of one of the Representation dated 26.3.04 submitted by the Applicant No.2 before the Chief Engineer (Electrical), East Zone, Kolkata.

Annexure - H is the photocopy of turn down letter issued by the Office of the Respondent No.3.

Annexure - I is the photocopy of the Judgment and Order dated 19-03-2001 in O.A.Nos.56/2000 passed by this Hon'ble Tribunal.

*Handwritten signature*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
GUWAHATI BENCH, GUWAHATI.

(An Application Under Section 19 Of The Central Administrative Tribunal Act 1985)

Filed by  
Shri Ramesh Chandra Bordoloi  
Applicant 2  
HMDK  
CADIC AHM (S)  
Advocate

ORIGINAL APPLICATION NO. 222 OF 2005.

BETWEEN

1. Shri Mani Kanta Das  
Son of Late Teka Ram Das  
Khalachi  
Office of the Executive Engineer  
(Electrical) Guwahati Electrical  
Division - I  
Bamunimaidan, Guwahati - 21.
  2. Shri Ramesh Chandra Bordoloi  
Son of Late Kali Nath Bordoloi  
Lift Operator  
Office of the Executive Engineer  
(Electrical) Guwahati Electrical  
Division - I  
Bamunimaidan, Guwahati - 21.  
... Applicant
- AND -
1. The Union of India represented by the  
Secretary to the Government of India,  
Ministry of Urban Affairs, Nirman  
Bhawan, New Delhi-110011.
  2. The Director General Works,  
Central Public Works Department,  
118-A, Nirman Bhawan,  
New Delhi- 10011.
  3. The Superintending Engineer  
(Electrical), Guwahati Central  
Electrical Circle, Central Public  
Works Department, Bamunimaidan,  
Guwahati - 21.
  4. The Executive Engineer (Electrical),  
Guwahati Electrical Division No.1.  
Central Public Works Department,  
Guwahati - 21.  
... Respondents

R. Bordoloi

**DETAILS OF THE APPLICATION:****1) PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:**

This application is not made against any particular order but praying for a direction from this Hon'ble Tribunal to the Respondents for payment of Special Duty Allowance to the Applicant as per Government of India, Cabinet Secretariat Letter No.20-12-1999-EA-1-1789 dated 02-05-2000.

**2) JURISDICTION OF THE TRIBUNAL:**

The Applicants declare that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.

**3) LIMITATION:**

The Applicants further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

**4) FACTS OF THE CASE:**

Facts of the case in brief are given below:

4.1 That your humble Applicants are Indian Citizen by birth and as such they are entitled to get all the rights and privileges guaranteed under the Constitution of India.

4.2 That your Applicants beg to state that they have got common grievances, common cause of action and the nature of relief prayed for is also same and similar and hence having regard to the facts and the circumstances they intended to prefer this application jointly and accordingly they crave leave of the Hon'ble Tribunal under Rule 4 (5) (a) of the Central Administrative Tribunal (Procedure) Rules, 1987. They also crave leave of the Hon'ble Tribunal and pray that they may be allowed to file this joint application and pursue the instant application redressal to their common grievances.

*Q. B. S. S.*

4.3) That your Applicants begs to state that the Government of India, Ministry of Finance, Department of Expenditure granted certain improvements and facilities to the Central Government Civilian Employees of the Central Government serving in the States and Union Territories of North Eastern Region vide Office Memorandum No.20014/3/83-IV dated 14-12-1983. In clause II of the said Office Memorandum Special (Duty) Allowance was granted to Central Government Civilian Employees, who have All India Transfer liability at the rate of Rs.25% of the basic pay subject to ceiling of Rs.400/- (Rupees Four Hundred) only per month on posting to any station in the North Eastern Region. The relevant portion of the Office Memorandum dated 14.12.1983 is quoted below:

(iii) **Special (Duty) Allowance: -**

“Central Government Civilian employee who have All India Transfer liability will be granted a Special (Duty) Allowance at the rate of Rs.25% of basic pay subject to a ceiling of Rs.400/- (Rupees Four Hundred) only per month on posting to any station in the North East Region. Such of these employees who are exempted from payment of Income Tax, will however not be eligible for the Special (Duty) Allowance, Special (Duty) Allowance will be in addition to any Special Pay and for allowances already being drawn subject to the condition that the total of such Special (Duty) Allowance plus Special Deputation (Duty) Allowance will not exceed Rs.400/- (Rupees Four Hundred) only per month. Special Allowance like Special Compensatory (Remote) Locality Allowance, Construction Allowance and Project Allowance and Project Allowance will be drawn separately.”

The Govt. of India, Ministry of Finance, Department of Expenditure vide its Office Memorandum No.F.No.11 (2)/97-E-II (B) dated 22-07-1998 continued the said facilities as per recommendation of the Fifth Central Pay Commission.

Annexure - A is the photocopy of extract of Office Memorandum dated 14-12-1983.

Annexure - B is the photocopy of <sup>extract</sup> Office Memorandum No.F.No.11 (2)/97-E-II (B) dated 22-07-1998.

*BT → Adh*

*lit*

4.4 That your Applicants beg to state that the Applicant No.1 belongs to North Eastern Region and he was appointed as Khalachi by the Respondent No.4 vide Office Memorandum No.10 (7)/GEDII/92/1894 Dated 30-12-1992 in pursuance of the letter No.10(1)/GCEC/92/2973 Dated 28-12-1992 issued by the Superintending Engineer (Electrical), Guwahati Central Electrical Circle, Central Public Works Department, Guwahati - 21. He was attached to the Assistant Engineer (Electrical) Aviation Electrical Sub-Division No.V Central Public Works Department, Cooch Bihar, West Bengal. In the said Office Memorandum dated 30-12-1992 in paragraph 4 it has been clearly stated the appointment carries with it the liability to serve in any part of the India or outside where the CPWD has an Organisation. The Applicant No.1 was transferred to the Office of the Assistant Engineer (Electrical) Guwahati Central Electrical Sub-Division No.I, Central Public Works Department, Guwahati - 21 vide Office Order No. 10(1)/AESD-V/COB/93/336 Dated 01-05-1993. The Applicant No.2 also belongs from North Eastern Region and he was surplus skill worker, Grade - II of Small Industries Service Institute under the Office of the Development Commissioner, Small Scale Industries, New Delhi and subsequently redeployed and appointed as Lift Operator under the instant Respondents vide Office Order No.9(42)/LO/94/SE(C)/CAL/1077 Dated 01-06-1994. The Applicant No.2 was transferred and posted from Office of the Development Commissioner, Small Scale Industries, New Delhi to Calcutta Central Electrical Division - IV, Central Public Works Department, Calcutta -20. The Applicant No.2 was transferred to the Office of the Respondent No.3, i.e. Superintending Engineer, Guwahati Central Electrical Circle, Guwahati from Calcutta Central Electrical Division IV, Central Public Works Department vide Office Order No.9(42)/LO/SE(C)/EZ/CAL/564 Dated 22-07-1997.

Annexure - C is the photocopy of the Office Memorandum No.10 (7)/GEDII/92/1894 Dated 30-12-1992

Annexure - D is the photocopy of the Office Order No. 10(1)/AESD-V/COB/93/336 Dated 01-05-1993.

Annexure - E is the photocopy of the Office Order No.9(42)/LO/94/SE(C)/CAL/1077 Dated 01-06-1994.

*G. S. Sankar*

4.5 That your Applicants beg to state that they are saddled with All India Transfer liability in terms of their offer of appointment and with the said liabilities they have accepted for All India Transfer liability as per their appointment letter. It is worth to mention here that as per the said All India Transfer Liability the Applicant No.1 was transferred to Office of the Assistant Engineer (Electrical), Guwahati Central Electrical Sub-Division No.I from Assistant Engineer (Electrical) Aviation Electrical Sub-Division V Central Public Works Department, Cooch Bihar. The Applicant No.2 was also transferred from Calcutta Central Electrical Division IV, Central Public Works Department, Calcutta to Office of the Superintending Engineer, Electrical, Guwahati Central Electrical Circle, Guwahati. Therefore, the Applicants are in practice saddled with All India Transfer Liability and in terms of Office Memorandum dated 14-12-1983 and they are legally entitled for grant of Special (Duty) Allowances.

4.6 That your Applicants beg to state that as per Cabinet Secretariat Letter No.20-12-1999-EA-1-1799 dated 02-05-2000 it has been further clarified that an employee hailing from NE Region and subsequently posted to outside of NE Region and reposted from outside of NE Region to NE Region will also be entitled for Special Duty Allowance.

Annexure - F is the photocopy of Letter No.20-12-1999-EA-1-1799 Dated 02-05-2000.

4.7 That your Applicants beg to state that they have submitted representations before the concerned authority for payment of Special Duty Allowance. But the authority did not take any steps in this matter in spite of clear cut direction issued by the cabinet secretariat letter dated 2.5.2000 (Annexure - F) regarding payment of Special Duty Allowance. The Applicants has fulfilled the eligibility criteria regarding entitlement of Special Duty Allowance as per above said cabinet secretariat letter dated 2.5.2000. The Applicant No.1 lastly submitted his representation on 3.5.2005 before the Respondent No.3 through Respondent No.4. The Office of the Respondent No.3 vide their remark dated 17.5.2005 has stated that "we should not forward this type of case to SE (E) when no. of such rep. has been turned down by Govt. He may file the case in Guw. CAT. in the body of the forwarding letter which was forwarded by the Respondent

*[Handwritten signature]*

No.4. As such your Applicants are compelled to approach this Hon'ble Tribunal for seeking justice in this matter.

Annexure - G is the photocopy of one of the Representation dated 26.3.04 submitted by the Applicant No.2 before the Chief Engineer (Electrical), East Zone, Kolkata.

✓ Annexure - H is the photocopy of turn down letter issued by the Office of the Respondent No.3.

4.8 That your Applicants beg to state that similarly situated persons have earlier approached this Hon'ble Tribunal by filing O.A.No.56/2000 and this Hon'ble Tribunal vide its Judgment dated 19-03-01 in the said case has stated that an employee hailing from NE Region initially but subsequently transferred out of NE Region but reposted to NE Region would also be entitled to S.D.A. and similar other copy of judgment passed by this Hon'ble Tribunal is also annexed herewith for ready reference of this Hon'ble Tribunal.

Annexure - I is the photocopy of the Judgment and Order dated 19-03-2001 in O.A.Nos.56/2000 passed by this Hon'ble Tribunal.

4.9 That your Applicants beg to state that they have fulfilled all the criteria laid down in the aforesaid Memorandum regarding payment of Special Duty Allowance, hence the Respondents cannot deny the same to the Applicants without any justification.

4.10 That your Applicants beg to state that similarly situated persons are enjoying this benefit without any interruption as such the action of the Respondents is arbitrary, malafide, whimsical and also not sustainable in the eye of law as well as on facts.

4.11 That your Applicants submit that there is no other alternative remedy and the remedy sought for if granted would be just, adequate and proper.

4.12 That this application is filed bona fide and for the cause of justice.

*BT Indohi*

**5) GROUNDS FOR RELIEF WITH LEGAL PROVISION:**

5.1) For that, due to the above reasons and facts, which are narrated in details, the action of the Respondents is prima facie illegal, malafide, arbitrary and without justification.

5.2) For that, the Applicants are practically having All India Transfer liability and seniority as such they are legally entitled to draw Special Duty Allowance as per various office memorandums in this regard.

5.3) For that, similarly situated persons who are working under the same Ministry have been granted the Special Duty Allowance but the Respondents are not giving the same relief to the instant Applicants. As such, the actions of the Respondents are bad in the eye of law and also not maintainable.

5.4) For that, similarly situated persons have already granted this relief by this Hon'ble Tribunal.

5.5) For that, being a model employer the Respondents cannot deny the same benefits to the instant Applicants, which have been granted to the other similarly persons. As such the Respondents should extend this benefit to the Instant Applicants without approaching this Hon'ble Tribunal.

5.6) For that, it is unjust to discriminate among the employees who are similarly placed in the same ministry and also it is not proper to insist on every aggrieved employee to approach the court when the cause of action is identical.

5.7) For that, in any view of the matter the action of the Respondents are not sustainable in the eye of law.

The Applicants craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant application.

**6) DETAILS OF REMEDIES EXHAUSTED:**

That there is no other alternative and efficacious and remedy available to the Applicants except the invoking the jurisdiction of this

*Handwritten signature*

Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

**7) MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT:**

That the Applicants further declare that they have not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, writ petition of suit is pending before any of them.

**8) RELIEF PRAYED FOR:**

Under the facts and circumstances stated above, the Applicants most respectfully prayed that Your Lordships may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relieves sought for the Applicants may not be granted and after hearing the parties may be pleased to direct the Respondents to give the following relieves.

8.1 That the Hon'ble Tribunal may be pleased to direct the Respondents to pay the Special Duty Allowance to the Applicants.

8.2 To Pass any other relief or relieves to which the Applicants may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

8.3 To pay the cost of the application.

**9. INTERIM ORDER PRAYED FOR:**

At this stage no interim order is prayed for, if the Hon'ble Tribunal deem fit may pass any order or orders.

**10. APPLICATION IS FILED THROUGH ADVOCATE.**

**11. PARTICULARS OF I.P.O.**

I.P.O. No. :-

Date of Issue :-

*BT*

Issued from :- G.P.O.  
Payable at :- Guwahati.

**12. LIST OF ENCLOSURES:**

As stated in Index.

G. S. Dohi

- 11 -

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**VERIFICATION**

I, Shri Ramesh Chandra Bordoloi, aged about 51 years, son of Late Kali Nath Bordoloi, Lift Operator, Office of the Executive Engineer (Elect) Guwahati Electrical Division No.1, Central Public Works Department, Bamunimaidan, Guwahati - 21 do hereby solemnly verify that I am the applicant No. 2 of the instant application and I am authorized by the another applicant to signed this verification. That the statements made in paragraph nos. 4.1, 4.2, 4.5, 4.9, 4.10. are true to my knowledge, those made in paragraph nos. 4.3, 4.4, 4.6, 4.7, 4.8, are being matters of records are true to my information derived there from which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the <sup>22<sup>th</sup></sup> day of Aug 2005 at Guwahati.



...DECLARANT

(Typed Copy)  
Relevant portion

ANNEXURE - 'A'

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

New Delhi, the 14<sup>th</sup> Dec'83

OFFICE MEMORANDUM

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

The need for attracting and retaining the services of competent officers for service in the North Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland and Mizoram has been engaging the attention of the government for some time. The Government had appointed a Committee under the Chairmanship of Secretary, Department of Personnel and Administrative Reforms, to review the existing allowances & Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of Civilian Central Government employees serving in this Region and to suggest suitable improvements. The recommendations of the Committee have been carefully considered by the Government and the President is not pleased to decide as follows:-

i) Tenure of posting/deputation

There will be a fixed tenure posting of 3 years at a time for Officers with service of 10 years or less and of 2 years at a time for Officers with more than 10 years of service, periods of leave, Training etc. in the excess of 15 days per year will be excluded in counting the tenure period of 2 / 3 years. Officer on completion of the fixed tenure of service mentioned above may be considered for posting to a station of their choice as far as possible.

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

*Admitted*  
*Admitted*

ii) Weightage for Central deputation / training abroad and special mention in confidential records.

XX

iii) Central Government Civilian employees who have all India transfer liability will be granted a special (Duty) Allowance at the rate of 25 percent of basic pay subject to any ceiling of Rs. 400/- per month on postings to any station in the North Eastern Region. Such of those employees who are exempted from payment of income tax will, however, not be eligible for this Special (Duty) Allowance. .... Special (Duty) Allowance will be in addition to any special pay and pre deputation (Duty) Allowance already being drawn subject to the condition that the total of such Special (Duty) Allowance plus special pay/deputation (Duty) Allowance will not exceed Rs. 400/- p.m. Special Allowance like Special Compensatory (Remote Locality) Allowance, Construction Allowance and Project Allowance will be drawn separately.

Sd/- eligible

JOINT SECRETARY TO THE GOVERNMENT OF INDIA

*Attested*  
*SA* / *Advocate*

(Typed Copy)

ANNEXURE - B

Government of India  
Ministry of Finance  
Department of Expenditure

New Delhi dated July, 22, 1998

OFFICE MEMORANDUM

Subject : Allowances and Special Facilities for Civilian Employees of the Central Government serving in the States and Union Territories of the North Eastern Region and in the Andaman and Nicobar and Lakshadweep Groups of Island - Recommendation of the Fifth Central Pay Commission.

With a view to attracting and retaining competent officers for serving in the North Eastern Region, comprising of the territories of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura orders were issued in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983 extending certain allowances and other facilities to the Civilian Central Government employees serving in this region. In terms of paragraph 2 thereof, these orders other than those contained in paragraph 1(iv) *ibid* were also to apply *mulalis mulandis* to the Civilian Central Government employees posted to the Andaman & Nicobar Islands. These were further extended to the Central Government employees posted to the Lakshadweep Islands in this Ministry's O.M. of even number dated March 30, 1984. The allowances and facilities were further liberalized in this Ministry's O.M. No. 20014/16/86/E.IV/E.II(B) dated December 1, 1988 and were also extended to the Central Government employees posted to the North Eastern Council when stationed in the North Eastern Region.

2. The Fifth Central pay Commission have made certain recommendations suggesting further improvements in the allowances and facilities admissible to the Central Government employees, including Officers of the All India Services posted in the North Eastern Region. They have further recommended that these may also be extended to the Central Government employees, including Officers of the All India Services, posted in Sikkim. The recommendations of the Commission have been considered by the Government and the President is now pleased to decide as follows: -

(i) Tenure of Posting/Deputation]

The provisions in regard to tenure posting/deputation contained in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983, read

Attchd  
JP  
A. S. S. S.

with O.M. No. 20014/16/86-E.II(8) dated December 1, 1988, shall continue to be applicable.

(ii) Weightage for Central Deputation/Training Abroad and Special Mention in Confidential Records. The provisions contained in this Ministry's O.M. No. 200014/3/83.E.IV date December 14, 1983, read with O.M. No. 20013/16/86-E.II(B) dated December 1, 1988 shall continue to be applicable.

(iii) Special (Duty) Allowance

Central Government Civilian Employees having an "All India Transfer Liability" and posted to the specified Territories in the North Eastern Region shall be granted the Special (Duty) Allowance at the rate of 12.5 percent of their Basic pay as prescribed in this Ministry's O.M. No. 20014/16/86-E.IV/E.II(B) dated December 1, 1988 but without any ceiling on its quantum. In other words, the ceiling of Rs. 1,000 per month currently in force shall no longer be applicable and the condition that the aggregate of the Special (Duty) Allowance plus Special Pay/Deputation (Duty) Allowance, if any, will not exceed Rs. 1,000 per month shall also be dispensed with. Other terms and conditions governing the grant of this Allowance shall, however, continue to be applicable.

In terms of the orders in this Ministry's O.M. No. 20022/2/88.E.II(B) dated May 24, 1989, Central Government Civilian employees having an "All India Transfer Liability" and posted to serve in the Andaman & Nicobar and Lakshadweep Groups of Islands are presently entitled to an Island Special Allowance at varying rates in lieu of the Special (Duty) Allowance admissible in the North-Eastern Region. This Allowance shall continue to be admissible to the specified category of Central Government employees at the same rates as prescribed for the different specified areas in the O.M. dated May 24, 1989, but without any ceiling on its quantum. This Allowances shall also henceforth be termed as Island Special (Duty) Allowance. Separate orders in regard to this Allowance have been issued in this Ministry's O.M. No. 12(1)/98-E.II(8) dated July 17, 1998.

*A. H. S. S.*  
*A. H. S. S.*

Attention is also invited in this connection to the clarificatory orders contained in this Ministry's O.M. No. 11(3)/95-E.II(B) dated January 12, 1996, which shall continue to be applicable not only in respect of the Central Government employees posted to serve in the North Eastern Region but also to those posted to serve in the Andaman & Nicobar and Lakshadweep Groups of Islands.

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3. The President is also pleased to decide that these orders, in so far as they relate to the Central Government employees posted in the North - Eastern Region, shall also be applicable mulalis mulandis to the Civilian Central Government Employees, including Officers of the All India Services, posted to Sikkim.

4. These orders will take effect from August 1, 1997.

5. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders issued after consultation with the Comptroller and Auditor General of India.

6. Hindi version will follow.

Sd/-

(N. SUNDER RAJAN)

*Joint Secretary to the Government of India*

To

All Ministries / Department of the Government of India (As per standard Distribution List)

Copy [(with usual number of spare copies) (forwarded to C&AG, UPSC, etc.(As per standard Endorsement List)]

Copy also forwarded to Chief Secretary, Andaman & Nicobar Islands and Administrator, Lakshadweep.

Att. 27  
Sd/-  
Am 6

17  
Annexure - C

A

Govt. of India  
Central Public Works Department.

No. 10(7)/GEDII/92/1894

Date 30/12/92.

MEMORANDUM.

In pursuance of the Superintending Engineer (E), Gauhati Central Elect. Circle, C.P.W.D., Gauhati-21 letter No. 10(1)/GCEC/92/2973 dt. 28.12.92, Sri Mani Kanta Das son of Late Tika Ram Das is hereby offered a purely temporary appointment as Khalasi until further orders conferring on him no right of confirmation on the following terms and conditions.

1. An initial pay of Rs. 750/- p.m. in the scale of pay 750-12-870-EB-14-940/- plus usual allowances as admissible.
2. The appointment will take effect from the date he actually joins duty.
3. No travelling allowances will be paid for joining this appointment.
4. The appointment carries with it the liability to serve in any part of the India or outside where the CPWD has an organisation.
5. His services are liable to be terminated by the Govt. at any time without assigning any reasons, but ordinarily one month notice will be given. If, however, he wishes to resign, he has to submit his resignation and wait for its acceptance by the Govt. In case he goes away without its acceptance he will be treated as having been dismissed from service with a disqualification for future employment under the Central Govt.
6. He is required to produce a certificate of Character from a stipendiary Ist Class Executive Magistrate (including a district Magistrate or a Sub-Divisional Magistrate) or from two Gazetted Officers who are known to him for the last three years but not related to him before he is allowed to join the appointment. Medical fitness certificate from District Medical Officer must be submitted before the joining.
7. Original certificate and testimonials in support of his qualification, experience and age should be produced before joining duty.
8. If he has been employed anywhere previously he will have to submit a discharge certificate from her last employer.
9. In case it is proved after the acceptance of offer and appointment that he is dismissed employee of the Union or State Govt. disqualifying him for future employment under Govt. or that he has obtained employment deceit he will be dismissed from service without any remuneration.
10. He is an Indian national.

Contd....2...

A  
A  
A

11. He will not keep two wives at any time through out his service.
12. His service will be terminated if he is found to an alcoholic.
13. He has to take oath of allegiance to the constitution of India at the time of taking up of the appointment.
14. His appointment will be provisional subject to him being declared medically fit.
15. He will be on probation for a period of 2 years and liable to be extended by the appointing authority.
16. He will has to fill in a declaration of temporary service on joining the department.
17. He will be governed by the subordinate services disciplinary control and Appeal Rules etc. as framed by the Govt. of India from time to time.
18. He will has to give details of his movable and immoveable property within 4 weeks from the date of his appointment. Similar information will have to be furnished in respect of his family members.
19. He will not leave the department on an offer being received from any other department where he might have applied before nominated here. Also he will not apply direct for any post outside the CPWD.
20. He will have to give his Home Town declaration within 7 days.
21. Scheduled Tribe/Scheduled Caste candidate will have to furnish a Certificate in the prescribed form in support of candidate's claim to ~~belong~~ belong to a Scheduled Caste/Tribes.
22. His appointment will be governed by the relevant rules and orders of Govt. issued from time to time.
23. If any declaration given or information furnished by the candidate proves to be false or if the candidate is found to have wilfully suppressed any materials information, he will be liable to be removed from service and such other action taken as governed may deem necessary.
24. If he is accept the offer on the terms given above he ~~should~~ should report for duty to the Assistant Engineer(E), Avn. Elect. Sub-Division No. V, CPWD., Coochbehar on or before 18.1.93. If the candidate fails to report for duty by the prescribed date, the offer will be treated as cancelled.
25. The formal appointment order will be issued on his joining after completing required formalities by the Executive Engineer(E) of the concerned Division.

Executive Engineer (E),  
Gauhati Elect. Division No- II,  
CPWD., Gauhati Airport, Ghy-15.


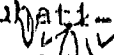
Contd...3....

Attest  
SD +  
Date

To  
Sri Mani Kanta Das,  
Mirzapur, P.O. Azara,  
Gauhati- 15.

Copy for information to :-

1. The Superintending Engineer, Gauhati Central Elect. Circle, CPWD., Gauhati-21 with reference to his letter no. mentioned above.
2. The Zonal Officer (EZ), CPWD., Calcutta- 20.
3. The Assistant Engineer (E), Avn. Elect. Sub-Divn. No- V, C.P.W.D., Coochbehar.

  
 Executive Engineer (E),  
 Gauhati Elect. Divn. No- II,  
 CPWD., Gauhati- 15.  


  
 Amt

NO. 10 (1) / ASDULV / COL / 93 / 337

Dt. 1/5/93.

OFFICE ORDER

In pursuance of the Superintending Engineer (E), Guwahati Central Electrical Circle, C.P.W.D., Guwahati-21 office order No. 10 (1) / GCEC / 93 / 433. Dt. 31/3/93. Sri Mani-Kanta Das, Khalasi has been relieved from this Sub-Division on 1/5/93. A.N., to report duty under Assistant Engineer (E), Guwahati cent. Elect. Sub-Divn. No. I, C.P.W.D. Guwahati-21.

-sd-  
( A. SINHA ROY )  
Assistant Engineer (E)  
Avn. Elect. Sub-Divn- V,  
C.P.W.D., Khudiram Sarani,  
Cooch Behar.

Copy to:-

1. The Executive Engineer (E), GED-II, C.P.W.D., Guwahati-15 for his information please.
2. The Superintending Engineer (E), CCEC, C.P.W.D. Guwahati-21 for information W.R.T. office order quoted above. Sri Mani Kanta Das, Khalasi has been paid by this office up to 30/4/93. His pay details are furnished below for 4/93.

1) Pay .....	Rs. 750/-	Deduction:-	
II) D.A. ....	Rs. 623/-	1) Insurance - 15 .....	Rs. 15/- (B)
III) H.R.A. ....	Rs. 70/-		
IV) W.A. ....	Rs. 15/-		

Gross Amount Rs. 1458/- (A)

Net amount paid during the month 4/93.... ~~XXXX~~ (A - B) Rs. 1443/-

Liveries:-

1. Soap : Due from 01/93
2. Duster : Due from 03/93
3. Summer Liveries:-
  - a) Terricotton Trousers: Due from (not yet issued since joined on 1/5/93)
  - b) Terricotton bush shirt : Due from — do —
  - c) Welled Chappel : Due from — do —
  - d) Cap : Due from — do —
4. Winter liveries :-
  - a) Short Coat : Due from — do —
  - b) Long Pant : Due from — do —
  - c) Welled Shoe : Due from — do —
  - d) Woollen Journey : Due from — do —
  - e) Woollen Socks : Due from — do —

3. Assistant Engineer (E), Guwahati Cent. Elect. Sub-Divn-I, C.P.W.D. Guwahati-21  
Sri Mani Kanta Das, Khalasi, Avn. Elect. Sub-Divn-V, C.P.W.D., Cooch Behar.

Assistant  
ASSISTANT ENGINEER (E)

Attested  
[Signature]  
Assistant

-21-

ANNEXURE - E

GOVERNMENT OF INDIA  
CENTRAL PUBLIC WORKS DEPARTMENT  
\*\*\*\*\*

No.9(42)/LO/94/SE(o)/Cal/1077

Dated: 1/16/94.

OFFICE ORDER

As per direction of Department of Personnel and Training Ministry of Personnel, Public Grievances and Pensions, New Delhi issued vide his letter No.4/27/93-CS.III dated 25.4.94 following Central Government officials are hereby Redeployed in the CPWD, Region 'B' as Lift Operator on the terms and condition given below.

Terms and Conditions

i. The surplus staff of Development Commr., Small Scale Industries, Ministry of Industries, New Delhi are Redeployed in CPWD in the post of Lift Operator as a fresh entrant and they will not claim any seniority in the Grade of Lift Operator in CPWD for the past services rendered by them in Development Commr. Small Scale Industries, New Delhi. Their seniority in the post of Lift Operator will be reckoned from the date they actually join in CPWD.

ii. Scale of Pay Rs.950-20-1150-EB-25-1500/- plus usual allowances as admissible to the Central Government servant.

iii. The benefit of the past service rendered in Development Commr., Small Scale Industries will have however, be admissible for protection of Last Pay drawn carry forward of Leave & Pensionary benefits.

As per provision of the scheme of redeployment of surplus staff, these officials are permitted to carry their own pay scale as personal to them in the scale of pay of Rs.950-1500/-.

Consequent on above, following transfer and posting are hereby ordered with immediate effect.

Sl.No.	Name	From	To	Remarks
1.	S/Sri Pratap Ch. Das SW. Gr-II	Development Commr. Small Scale Industries, New Delhi.	Calcutta Cent.Elect. Division-III, CPWD,-Cal-20.	Vice Sri Abdul Razzak retired on 31.8. 93 vide letter No.1990 dt:6.9.93
2.	" Premod Ch. Das (SO) H.W.Gr.III	- do -	- do -	Vice Sri Fulchand Mishra ret'd. red on 31- 8-93 vide EO's letter No.1989 dt. 6.9.93.

Contd.....P/2.

*Handwritten:* 7/6/94

*Handwritten:* 2155/94/Secy/816

*Handwritten:* [Signature]

Sl.No.	Name	From	To	Remarks
3.	M.U. Laskar S.W. Gr.II	- do -	- do -	Vice Sri Ram Nehara Singh expired on 8.6.91
4.	Ramesh Ch. Borodolo S.W. Gr. II	- do -	Calcutta Cent. Elect. Division-IV, CPWD, Cal-20.	Existing vacancy

Superintending Engineer  
Coordination Circle (EZ)  
C.P.W.D., Calcutta-20

Copy forwarded to :-

1. The Under Secretary, Deptt. of Personnel & Training, M/O Personnel, Public Grievances and Pension, 3rd floor, (Hall), Lok Nayak Bhawan, New Delhi-1100023. This has a reference to his letter No. 4/27/93-CS.III dated 23.4.94.
2. The Development Commissioner, Small Scale Industries, M/O Industries, 'A' Wing, 7th floor, Nirman Bhawan, New Delhi for information and necessary action please.
3. The Superintending Engineer, Cal. Cent. Elect. Circle-II, CPWD, Calcutta-20.
4. The Executive Engineer, Cal. Cent. Elect. Division-III & IV, C.P.W.D., Calcutta-20.
5. Person concerned.

*[Handwritten Signature]*

SUPERINTENDING ENGINEER (COORD) / 1/6/94

Sh. Ramesh Ch. Borodolo

*[Handwritten notes]*  
A.C.I.  
1  
Ravindra

- 23 -

Annexure - F

COURT CASE  
MOST IMMEDIATE

Cabinet Secretariat  
(L.A. Section)

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

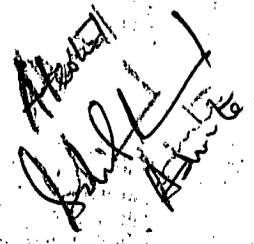
1. BSB Directorate may kindly refer to their UO No. 42/BSB/AT/99(18)- 2369 dated 31.03.2000 on the subject mentioned above.
2. The points of doubt raised by BSB in their UN No. 42/BSB/AT/99(18) - 5282 dated 2.9.1999 have been examined in consultation with our Integrated Finance and Ministry of Finance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

i)	The Hon'ble Supreme Court in their Judgment delivered on 26.11.96 in Writ Petition No. 794 of 1996 held that civilian employees who have All India transfer liability are entitled to the grant of SDA on being posted to any station in the N.E. Region from outside the region and in the following situation whether in a Central Government employee would be eligible for the grant of SDA keeping in view the clarifications issued by the Ministry of Finance vide their order No. 11(3)/95.L.I.(1) dated 7.3.97	No
a)	A person belongs to outside N.E. Region but he is appointed and on first appointment posted in the N.E. Region after selection through direct recruitment based on the recruitment made on all India basis and having a common/centralised seniority list and All India Transfer Liability.	No
b)	An employee hailing from the N.E. Region selection on the basis of an All India recruitment test and borne on the Centralised cadre/service common seniority on first appointment and posted in the N.E. Region. He has also All India Transfer Liability.	No
ii)	An employee belongs to N.E. Region was appointed as Group "C" or "D" employee based	No

*Disputed  
Advisable*

*Amal  
S. S. S.*

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


  
 A. K. ...

-25-

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

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

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

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

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

*Handwritten signature and initials*

Date: 22/03/04

To  
The Chief Engineer(EL)(EZ)  
CPWD, Nizam Palace,  
234/4 A.J.C. Bose Road,  
Kolkata 20.

*(through proper channel)*

Sub.: -Payment of S.D.A to Group 'C', 'D' & W.C. official of CPWD in NER-Regarding.

Sir,

With due respect to your honour I beg to draw your kind attention on the following facts for perusal and favourable consideration please.

That I have been posted to Guwahati under Executive Engineer(EL), Guwahati Electrical Division No.1 on transfer from Kolkata vide your No.17/1/94-Admn. Dated 11/07/97 and presently working under said Division at Guwahati & I was drawing SDA accordingly. But the said payment thus since been discontinued to me from 3/2002 on the ground specified in SE(EI)/GCEC,CPWD, Guwahati No.9(36)/GCEC/01-02 dt. Nil/2002 that "you belong to one of Gr.'C' staff & posted to N.E.R. but not posted from outside of NER".

That, I had represented to SE(EI), GCEC,CPWD, Guwahati 21 ( Copy enclosed) to re-consider my case in the light of O.M. No.11(5)/97-E-II(B) dated 29/05/02 of M/o Finance, Deptt. Of Expdr. , G.O.I. communicated vide Dy. No. 1069/DOI/W&E/02 dt.06/06/02, O.M. No.26/6/2001-ADG(ER) dated 10/06/02 and 71/2/2002-Admn. Dated 11/06/02 of M/o Urban Development & Poverty alleviation ( Finance Division), A.D.G(ER),CPWED, Kolkata 20 & Chief Engineer(NEZ),CPWD, Shillong respectively (Copy enclosed for ready reference ).

But to my utter surprise, I have again been disallowed payment of S.D.A. vide No. 19(2)/MIASC/GCEC/03/1512 dt.10/10/03 of SE(EI),GCEC, CPWD, Guwahati with reference to the terms of DG(W),CPWD, New Delhi Office Order No. 14/21/91-EC.IV dt. 07/01/02, and O.M. No. 71/2/2002-Admn dt.17/07/2002 of Chief Engineer(NEZ),CPWD, Shillong ( Copies enclosed for ready reference ). At the same time the facility has been extended to other Gr. 'C' staff i.e. JEs.

In this connection it is stated that in terms of above mentioned O.M. of M/o Finance, Deptt. Of Expdr.,G.O.I. that all cases for grant of special duty allowance including those of All India Service officer , are regulated strictly in accordance with the criteria " The Special Duty Allowance shall be admissible to Central Government Employees having All India Transfer liability on posting to North Eastern Region ( including Sikkim) from outside the region.

In view of above mentioned decision of M/o Finance , Govt. of India there is no scope of making further differentiation among officers with their grades/cadre etc. as emphasized vide letter No. 10(2)/MISC/GCEC/2003/1512 dt. 10.10.03 of SE(EI),GCEC,CPWD, Guwahati 21 ( Copy enclosed) since invited reference of DG(W) & Chief Engineer(NEZ) on the said letter by passed all circulars /clarifications of any authority with the issue of O/M dated 29/05/02 of M/o Finance , Govt. of India ( Copy attached).

therefore, I am humbly requested to reconsider my case sympathetically in the light of above made O/M of M/O Finance, Govt. of India so that I may not be deprived again from my legitimate claim of getting SDA as per admissible rates.

Submitted for favour of your kind consideration & favourable action.

Encl.: As above.

Yours faithfully,  
*(Signature)*  
(R.C. Bordoloi)  
Lift Operator

GEDI,CPWD,Guwahati 21.

*(Signature)*  
Amit

*(Handwritten notes)*  
22/03/04  
Assistant Engineer (ESA)  
Electrical Control Elect. Sub-Division  
C.P.W.D., Guwahati-21.

GOVERNMENT OF INDIA  
Central Public Works Department  
GUWAHATI ELECTRICAL DIVISION NO. I

Nirman Bhawan, P.O. Bamunimaidan Guwahati - 781 021

Phone : 0361-2550315

May 2005

The Superintending Engineer (Elec)  
No. 977/GED-1/EJ/WC/05-06/101 (1) Dated Guwahati, the 11/5/2005  
C.P.W.D. Guwahati

(Through Proper channel)

To,  
Subj: - Sr. The Superintending Engineer (Elec)  
Guwahati Central Electrical Circle  
C.P.W.D., Bamunimaidan  
Guwahati - 21.

Most respectfully, I have the honour to state that I have been appointed and posted as Khalasi in the office of Assistant Engineer (E) Aviation Electrical Sub-division No. V, CPWD, Cochin Bharu (A.B). Subsequently, I have been transferred and posted at Guwahati. Representation in respect of Shri Mani Kantil Das (Khalasi) for grant of SDA (Special Duty Allowance) who have been transferred and posted from outside North Region are being allowed to draw Special Duty Allowance (SDA). It is regretted to inform you that in my case the same rules are not being maintained.

The self explanatory representation dated 03.05.2005 addressed at your office submitted by Shri Mani Kanta Das, Khalasi attached under GCESD is forwarded herewith for necessary action please. With kind regards,

Encl: - As stated

Yours faithfully,

Executive Engineer (Elect.)  
Guwahati Electrical Division No. I  
C.P.W.D. Bamunimaidan  
Guwahati - 21

*we should not forward this type of case to SEU when no rep. has been done by Govt. We may file a case in court. The case is turned down by Govt. file a case in court.*

*Atkha  
Sf. +  
Kant*

30  
Annex - I  
~~...~~

28

Original Application No. 56 of 2000  
Date of decision: This the 19th day of March, 2001.

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

Hon'ble Mr. K.K. Sharma, Member (A).

Shri Mahoj Kumar,  
Lower Division Clerk,  
Office of the Deputy Director,  
Subsidiary Intelligence Bureau,  
Baslotha Road, Guwahati-28 & 267 Oru.

Applicants

By Advocate Mr. A. Ahmed.

1. Union of India,  
represented by the Secretary to the  
Government of India, Ministry of  
Home Affairs, North Block,  
New Delhi.

2. The Director,  
Intelligence Bureau,  
North Block, New Delhi.

3. The Deputy Director,  
Subsidiary Intelligence Bureau,  
Baslotha Road,  
Guwahati-28.

Respondents

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

ORDER (ORAL)

CHOWDHURY J. (V.C.)

The applicants are one hundred and sixty eight in number serving under the Deputy Director, Subsidiary Intelligence Bureau, in different capacities, like Lower Division Clerk, Assistant, Stenographer, Security Assistant, ACIO-1/G, P.S., JIO-11/G, Section Officer, Upper Division Clerk etc. Their grievance is common in nature claiming Special Duty Allowance (hereinafter referred to as SDA) payable to the Central Government employees serving in the North Eastern Region. By now the issue is involved is settled on the basis of numerous decision of the Supreme Court.

*Handwritten signatures and initials*

29

Court subsequently clarified by the department. Cabinet Secretariat (P.A. Section) clarified the matter by Notification dated 2.5.2000. The civilian employees who have all India transferability are entitled for grant of SDA on being posted to any station in the NE Region from outside the Region. An employee hailing from the North Eastern Region selected on the basis of all India recruitment test and borne on the centralised cadre/service, common seniority on first appointment and posted in the N.E. region per se is not entitled for the SDA. He or she would be entitled to SDA only if posted outside NE Region on transfer. An employee hailing from NE Region initially but subsequently transferred out of the NE Region but reported to NE Region would also be entitled to SDA.

From the materials made available in this application, it is difficult for the Tribunal to determine/evaluate as to benefit of posting of each individual applicant.

In the circumstances upon hearing the learned counsel Mr. A. Ahmed for the applicant and Mr. A. Deb Roy, learned Sr. C.G.S.C. we are of the view that ends of justice will be met if a direction is issued to the applicants to submit individual representation before the concerned authority narrating the factual position. Accordingly, we direct the applicants to make individual representations within a period of one month from the date of receipt of certified copy of this order. The respondents on receipt of such application consider the same in the light of the clarification issued by the Director(SR), Cabinet Secretariat dated 2.5.2000 with the concurrence of the Finance Division as early as possible or any rate within the

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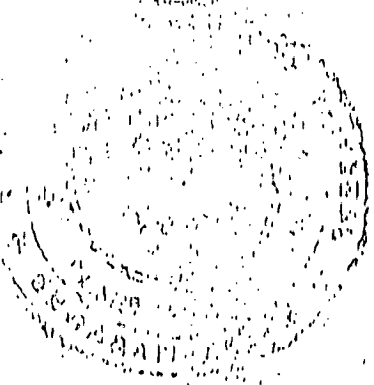
*Atkoti*  
*[Signature]*  
*Amth*

30  
~~31~~ ~~32~~ ~~33~~  
~~34~~ ~~35~~ ~~36~~  
~~37~~ ~~38~~ ~~39~~

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period of two months from the date of receipt of individual representation from the applicants.

The application is disposed of accordingly. There shall however, no order as to costs.



SD/ VICE CHAIRMAN  
SD/ MEMBER (ADM)

Certified to be a true Copy  
ಖರೀದಿ ಸಾಧಿಸಿ

LRD

*[Handwritten signature]*  
3/9/2017

Deputy Officer (J)  
ಕರ್ನಾಟಕ ಸರ್ಕಾರ (ಪ್ರಾಥಮಿಕ ಹಂತ)  
Central Administration, Bangalore  
ಕರ್ನಾಟಕ ಸರ್ಕಾರ, ಬೆಂಗಳೂರು  
Gowanus Branch, Central-3  
ಕರ್ನಾಟಕ ಸರ್ಕಾರ, ಬೆಂಗಳೂರು-3

*[Handwritten signature]*  
3/9/2017

*[Handwritten signature]*  
3/9/2017