

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

8
10

1. Original Application No. _____

2. Miscellaneous Petition No. Execution Petition No- 4/2008 (OA. 300/2007)

3. Contempt Petition No. _____

4. Review Application No. _____

Applicant(s) Dilip Kr. Bhuyan & Ors vs Union Of India & Ors

Advocate for the Applicant(s): Mr. H.G. Baruah

Advocate for the Respondant(s): Mr. G. Buishtya, Sr. C.A.S.C.

Notes of the Registry

() Date

Order of the Tribunal

07.08.2008

For the reasons recorded separately, this case stands disposed of.

This Execution petition No- 4/2008 filed by Mr. H.G. Baruah, Advocate, for the applicants, praying for issuance/bb/ of a direction to the respondents to comply with implement the direction contained in the order dated 11-12-2007 passed in OA. 300/2007.

Laid before the Hon'ble Tribunal for favour of order.

(M.R. Mohanty)
Vice-Chairman

Section Officer (J)

5 copies of application & steps have been received.

MS

6.8.08.

7-8-08

Memo of appearance filed by Mr. M. Ahmed, A.C.S.C.

21, 8-08

Copy of the order
of 7.8.08 and copy
of the application in
L.P. No. 4/08 sent
to the Dy. Sec. for
issue the same to
the Respondent and copy
of the order to the
each Petitioner and
A/Asst. for the parties.

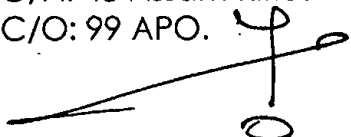
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

Execution Petition No.4 of 2008
In
Original Application No.300 of 2007.

Date of Order: This, the 7th day of August, 2008.

HON'BLE MR. MANORANJAN MOHANTY, VICE-CHAIRMAN

1. Mr.Dilip Kr. Bhuyan
Hindi Teacher
S/o Shri Kamal Ch. Bhuyan
O/A 4 Assam Rifles
C/o 99 APO.
2. Mrs. Reena Bhuyan
Hindi Teacher
W/O Mr. Dilip Kr. Bhuyan
O/A 4 Assam Rifles
C/o 99 APO.
3. Mr. Arjun Chand Thakuri
Hindi Teacher
S/O: Mr. Narayan Chand Thakuri
O/A: 4 Assam Rifles
C/O: 99 APO.
4. Mr. Nirmal Dey
Jr. Teacher
S/O: Sri Niranjana Dey
O/A: 4 Assam Rifles
C/O: 99 APO.
5. Mr. Rajesh Rai
Hindi Teacher
S/O: Mr. Naginder Rai
O/A: 4 Assam Rifles
C/O: 99 APO.
6. Mr. Himanshu Dev
Jr. Teacher
S/O: Mr. Harendra Kr. Dev
O/A: 43 Assam Rifles
C/O: 99 APO.
7. Miss Manoshi Purkait
Hindi Teacher
D/O: Mr. K.R. Purkait
O/A: 43 Assam Rifles
C/O: 99 APO.



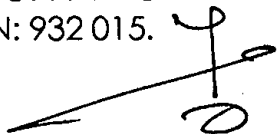
8. Mrs. Vungkhangai
W/O: Mr. Lalvena Chinzah
Auxiliary Nurse Midwife
O/A: 4 Assam Rifles
C/O: 99 APO.
9. Mrs. Dil Kumari Thapa, Aya
W/O: Rajman Thapa
O/A: 4 Assam Rifles
C/O: 99 APO.
10. Mr. Dharam Nath Giri
S/O: Mr. Shiv Ji Giri
O/A: 15 Assam Rifles
C/O: 99 APO.

..... Applicants.

By Advocates Mr.H.G.Boruah & Ms. Usha Das.

- Versus -

1. The Union of India
Represented by the Secretary to the
Government of India
Ministry of Home Affairs
North Block, New Delhi - 110 001.
2. The Secretary to the Govt. of India
Ministry of Finance, Department of Expenditure
New Delhi - 110 001.
3. The Director General of Assam Rifles
Mahanideshalaya, Shillong
Meghalaya - 793 011.
4. The Inspector General of Assam Rifles (North)
Zakhama, Kohima, Nagaland
PIN 932 554.
5. The Commandant
O/A: 4 Assam Rifles
C/O: 99 APO
PIN: 932 004.
6. The Commandant
O/A: 43 Assam Rifles
C/O: 99 APO
PIN: 932 004.
7. The Commandant
O/A: 15 Assam Rifles
C/O: 99 APO
PIN: 932 015.



Respondents.

By Mr. M.U.Ahmed, Addl. C.G.S.C.

Ex. Petn. No.4/2008
(O.A. No.300/2007)
ORDER (ORAL)
07.08.2008

MANORANJAN MOHANTY, (V.C.) :

Heard Mr.H.G.Boruah, learned counsel appearing for the Petitioners of this Execution Petition No.4/2008 and Mr.M.U.Ahmed, learned Addl. Standing counsel for the Union of India (to whom a copy of this Execution Petition has already been supplied) and perused the materials placed on record.

2. By order dated 11.12.2007 rendered in O.A. No. 300 of 2007, the Applicants (of the said O.A.) were given liberty to submit representations by end of December, 2007 and the Respondents were asked to consider the same by end of February 2008. The copies of the representations (as enclosed to this Execution Petition) go to show discrepancies and, for the said reason, the C.P. No.08/2008 has already been dismissed on 23.07.2008 with the following observations:-

"Special Duty Allowances [in short 'SDA'] are being paid to such of the Govt. Servants, who are posted in N.E. Region of India on transfer from outside the N.E. Region. Some 49 persons [who are serving Assam Rifles Organisation of Govt. of India] jointly approached this Tribunal [in O.A. No.300 of 2007] seeking a direction to the Respondent Organisation to grant them SDA. If the Applicants are persons joined in N.E. Region, on transfer from outside N.E. Region of India with all India transfer liability, then only they are entitled to get S.D.A. [Ref: Judgment of the Hon'ble Supreme Court of India rendered in the case Union of India vs. S.Vijay Kumar & others, reported in [1994] 28 ATC 598]. Of course, as reported in May 2008 issue of Swamy's News, the Sixth Pay Commission has recommended to pay SDA to all

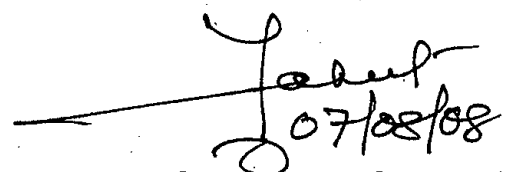
those who are posted in NE and, if that recommendation is accepted by Govt. of India, then all may get that benefit.

6. While parting with this case, we make it clear that this dismissal of the C.P. shall not stand as a bar before the Applicants to exercise their right to represent their cases to the Respondents nor act as a bar before the Respondents to discharge their duty to consider the grievances of the Applicants and intimate them the results."

3. It is seen from the copies of the representations that those were bereft of details. In the said premises, on the prayer of Advocate Mr. Boruah, liberty is, hereby, granted to each of the Petitioners (of this Execution Petition No.4/2008) to submit comprehensive individual representations (giving details of their own position leading to the claim of Special Duty Allowances) to the Respondents (by end of August, 2008) through proper channel; on receipt of which, the Respondents should give due consideration to the same and pass necessary orders and communicate the same (result of the consideration) to the Petitioners by end of November, 2008.

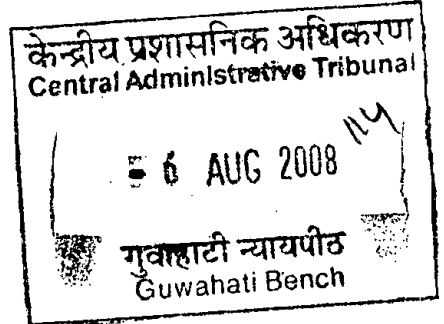
4. With the above observations and directions, this Execution Petition No.4/2008 stands disposed of.

5. Send copies of this order to the Respondents (with copies of this Execution Petition) and to each of the Petitioners in the address given in the Execution Petition and free copies of this order be given to Advocates of both parties.


(MANORANJAN MOHANTY)
VICE CHAIRMAN

/BB/

DISTRICT : SERCHHIP (MIZORAM)



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

(An application under Rule 24 of the Central
Administrative Tribunal Procedure Rules, 1987)

EXECUTION PETITION NO. 4 OF 2008

IN ORIGINAL APPLICATION NO. 300 OF 2007

Mr. Dilip Kr. Bhuyan & Ors

.....APPLICANTS

-VERSUS -

The Union of India and Ors.

....RESPONDENTS

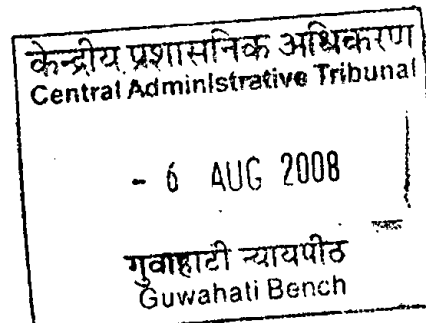
I N D E X

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Received
Hara Gobinda Boruah
29.7.08

Filed by :-

Hara Gobinda Boruah
Advocate



Filed by the
Petitioner / Appellant
Through
the
Hanna Gombinda Baruah
Advocate

DISTRICT : SERCHHIP (MIZORAM)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

(An application under Rule 24 of the Central
Administrative Tribunal Procedure Rules, 1987)

EXECUTION PETITION NO. 4 OF 2008

IN ORIGINAL APPLICATION NO. 300 OF 2007

IN THE MATTER OF:

O.A. NO. 300 OF 2007

Mr. Dilip Kr. Bhuyan & Ors

.....APPLICANTS

-VERSUS-

The Union of India and Ors.

....RESPONDENTS

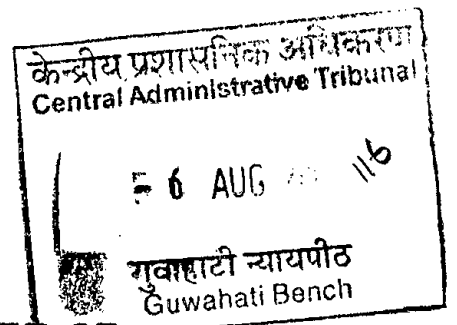
-AND-

IN THE MATTER OF:

An application under Rule 24 of the
Central Administrative Tribunal
Procedure) Rule, 1987 praying for
issuance of a direction upon the
respondents to comply with and/or
implement the direction contained in
the order dated 11th day of December,
2007 passed in O.A. No. 300 of 2007.

Dilip Kr. Bhuyan

(2)



IN THE MATTER OF:

1. Mr. Dilip Kr. Bhuyan,

Hindi Teacher

A/1

S/o. Shri Kamal Ch. Bhuyan

O/A. 4 Assam Rifles

C/o. 99 APO

2. Mrs. Reena Bhuyan,

Hindi Teacher

A/2

W/o. Mr. Dilip Kr. Bhuyan

O/A. 4 Assam Rifles

C/o. 99 APO

3. Mr. Arjun Chand Thakuri,

Hindi Teacher

A/25

S/o. Mr. Narayan Chand Thakuri

O/A. 4 Assam Rifles

C/o. 99 APO

4. Mr. Nirmal Dey,

Jr. Teacher

A/26

S/o. Sri Niranjan Dey

O/A. 4 Assam Rifles

C/o. 99 APO

5. Mr. Rajesh Rai,

Hindi Teacher

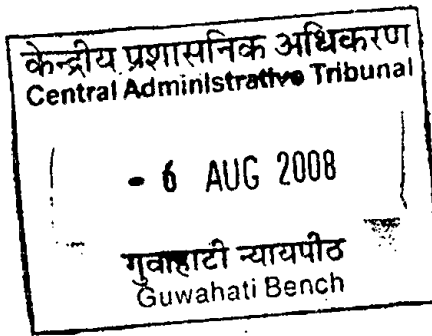
A/29

S/o. Mr. Naginder Rai

O/A. 4 Assam Rifles

C/o. 99 APO

Dilip Kr. Bhuyan



(3)

6. Mr. Himanshu Deb,
Jr. Teacher

A/30

S/o. Mr. Harendra Kr. Deb

O/A. 43 Assam Rifles

C/o. 99 APO

7. Miss. Manoshi Purkait,
Hindi Teacher

A/31

S/o. Mr. K.R. Purkait

O/A. 43 Assam Rifles

C/o. 99 APO

8. Mrs. Vungkhangai,
W/o. Mr. Lalvena Chinzah
Auxiliary Nurse Midwife

A/41

O/A. 4 Assam Rifles

C/o. 99 APO

9. Miss. Dil Kumari Thapa, Aya
D/o. Rajman Thapa

A/42

O/A. 4 Assam Rifles

C/o. 99 APO

10. Mr. Dharma Nath Giri,
S/o. Mr. Shiv Ji Giri

A/49

O/A. 15 Assam Rifles

C/o. 99 APO

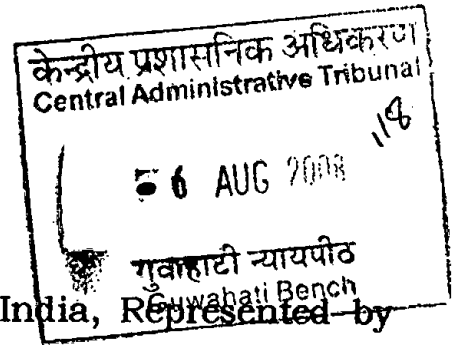
.....PETITIONERS

- V E R S U S -

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117
Dilip K. Bhuyan.

(4)



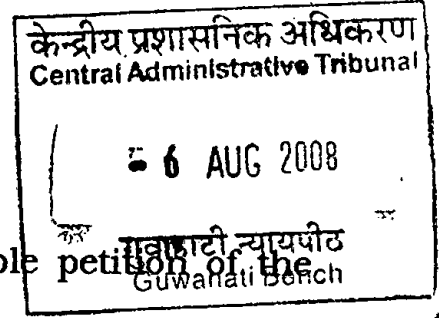
1. The Union of India, Represented by
the Secretary to the Government of
India, Ministry of Home Affairs, North-
Block, New Delhi. 110001
2. The Secretary to the Govt. of India,
Ministry of Finance, Department of
Expenditure, North Block,
New Delhi-110001
3. The Director General of Assam Rifles,
Mahanideshalaya, Shillong,
Meghalaya-793011
4. The Inspector General of Assam Rifles
(North) Zakhama, Kohima, Nagaland
Pin- 932554
5. The Commandant,
O/A : 4 Assam Rifles,
C/o 99 APO
Pin- 932004
6. The Commandant,
O/A : 43 Assam Rifles,
C/o 99 APO
Pin- 932043
7. The Commandant,
O/A : 15 Assam Rifles,
C/o 99 APO
Pin- 932015

Dilip K. Chhaya

.....RESPONDENTS

Contd...../5

(5)



The humble petition of the

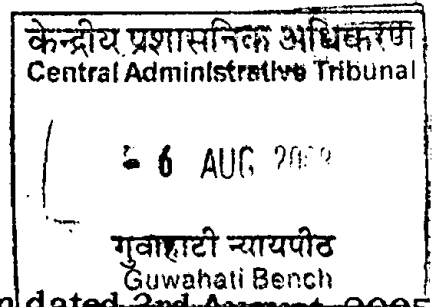
petitioners above named:

MOST RESPECTFULLY SHEWETH:

1. That all the petitioners are citizen of India by birth and such they are entitled to all the rights and privileges guaranteed by the constitution of India and the laws framed thereunder.
2. All the petitioners are working in different companies under the Director General of Assam Rifles as non-combatised employees. The Union Govt. with a view to provide some incentives to the Combatised/Non-Combatised personnel of the Assam Rifles those who posted in the states of the North-Eastern Regions amongst other granted special (duty) allowance w.e.f. 07/11/1988. The original scheme was introduced by office Memorandum No. 11.20044/3/83/E,IV dated 14/12/1983. Considering the demand of the employees and other relevant aspect Govt. of India decided to sanction grant of special (duty) allowances to the non-combatised personnel by an order dated 02/02/1989 vide order No. 11011/1/84/FP.IV along with combatised personnel. This order of the president of India granting special (duty) allowances to non-combatised personnel is very distinct. That was a special order issued after considering all the pros and cons and eligibility criteria. The special duty allowances is admissible to the petitioners at 12.5% against the basic pay. The Govt. of India through the Ministry of Home

Dilip Kr. Bhuyan.

(6)



Affairs by his officer Memorandum dated 3rd August, 2005 clarified it to the Director General of Assam Rifles vide Memo No. A-1-3-/INST-ACCTS-3PP III that all the allowances and facilities for civilian employees of the Central Govt. serving in the NE region is admissable only the personnel who are actually working in the NE Region. The Division Bench of the Hon'ble Gauhati High Court, Shillong, in the writ petition No. 195 (SH) Of 2001 vide his Judgement and Order dated 24/07/2006 dismissing the writ petition filed by the Union of India and held that the order of granting SDA to Assam Rifles employees w.e.f. 07/11/1988 is a distinct and special order for Assam Rifles civilian employees which was issued after a lapse of almost five years and after considering all pros and cons of eligibility criteria. When this benefits was not extended to the petitioners they jointly filed application on 18/01/2008 before the Director General of Assam Rifles praying to release Special (Duty) allowance as per rules of the Director General of Assam Rifles refused to disposed of the said application.

3. That having no alternative petitioners approached this Hon'ble Tribunal by filing an Original Application under Section -19 of the Administrative Tribunal's Act 1985 for release of Special (Duty) Allowances. The said original application was registered as OA No. 300/07 and on 11th day of December, 2007 and Hon'ble Tribunal disposed of the matter with the following direction:

Contd...../7

Delip K. R. Bhuyan.

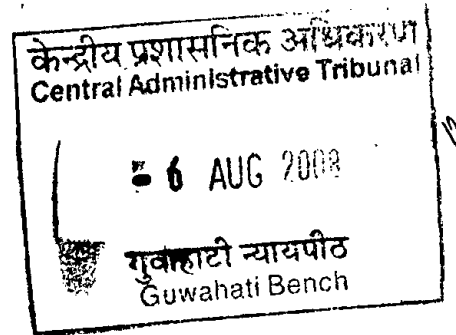
(7)

"It is the case of the applicants that for the reason of certain Govt. of India instruction and Judicial pronouncements, the applicants are entitled to get Special (Duty) Allowances. If that is so, then, the applicants should represent before the authorities/ respondents to consider their grievances in terms of the Judicial pronouncements on which they are relying here. Mr. H.G. Boruah, learned counsel for the applicants, states that each of the applicants shall individually submit representations before the authority/respondents by 31st of December, 2007. If such representation are made by the applicants, by the end of December, 2007, the respondents should consider their cases (in terms of the government instruction and the judicial pronouncements) by the end of February, 2008. The averments made in this original application No. 300 of 2007 should also be taken into consideration by the respondents while considering the representations of the applicants.

The photo copy of the said order is
annexed herewith and marked as
ANNEXURE- A

4. That your petitioners begs to state that after obtaining the certified copy of the order of the Hon'ble Tribunal dated 11th day of December, 2007 passed in O.A. No. 300 of 2007 all the petitioners filed representations individually on 18th day of

(8)



December, 2007 before the Directorate General of Assam Rifles, Shillong -11 i.e. respondent no. 3 directly for implementation of the said order passed by this Hon'ble Tribunal and in the said application they request the respondent no. 3 to release the Special (Duty) Allowances with arrears. However respondents till today not complied with the direction of the Hon'ble Tribunal. Till today the petitioners has not received any reply or communications from the respondents. The respondents willfully and deliberately refused to comply the order of this Hon'ble Tribunal as referred above. The petitioners approached this Tribunal by filing an application under section 17 of the Administrative Tribunal Act 1985 which was registered as C.P. No. 8 of 2008 but at the very first day it was dismissed. As such, finding no alternative the petitioners are compelled to approach this Tribunal again by filing this instant petition under Rule 24 of the Central Administrative Tribunal Procedure Rules, 1987.

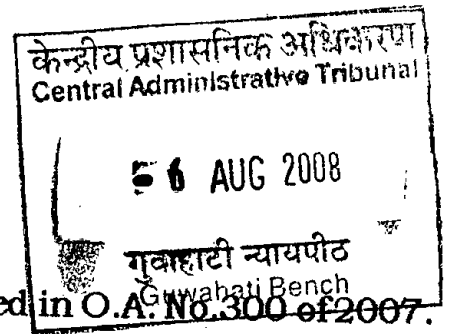
The type copies of the said applications are annexed herewith and marked as annexure B Series.

5. That your petitioners humbly submit that this Hon'ble Tribunal may be pleased to direct the respondents under Rule-24 of the Central Administrative Tribunal Procedure Rules, 1987 to implement the judgement and order dated

Contd...../9

Delip Kr. Bhuyan

(9)



11th day of December, 2007 passed in O.A. No. 300 of 2007.

Hence this petition for passing an appropriate order by this Hon'ble Tribunal.

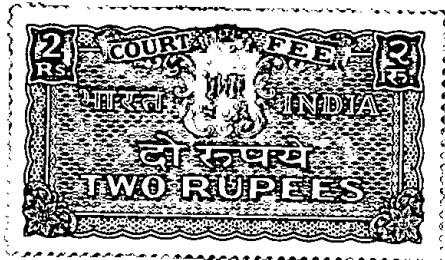
6. That the petitioners filed this petition bonafide and for the end of justice.

In the premises aforesaid it is therefore prayed that Your Lordships would graciously be pleased to admit this petition issued notice on the respondents to show cause as to why necessary order or orders as prayed for should not be passed directing and/or commanding the respondents to give implement the order dated 11th day of December, 2007 passed the O.A. No.300 of 2007 and if any cause or causes being shown and upon hearing the parties be pleased to direct the respondents to comply with and/or to give effect to the order dated 11th day of December, 2007 passed the O.A. No.300 of 2007.

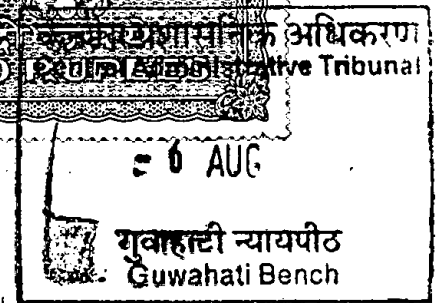
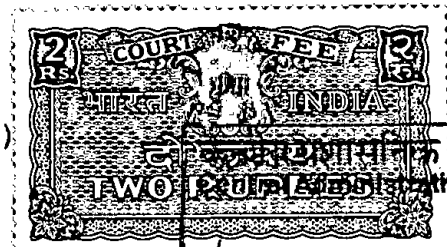
And for this act of kindness the petitioners as in duty bound and shall ever pray.

VERIFICATION.....P/10

Dilip K. Ghosh



(10)



VERIFICATION

I, Mr. Dilip Kr. Bhuyan, S/o Shri Kamal Ch. Bhuyan, aged about 34 years, by profession -Hindi Teacher, 4 Assam Rifles, C/o. 99 APO, in the District of Serchhip (Mizoram) and the petitioner No. 1 of this instant Petition and all other petitioners duly authorised me to verify the statements; do hereby solemnly affirm and declare as follows :

1. I am the Applicant of O.A. No. 300 of 2007 and also the petitioner of this instant petition and fully acquainted with the facts and circumstances of the case.
2. The statements made in paragraph Nos.....1, 2, 5 & 6..... are true to my knowledge and belief and those made in paragraph.....3 & 4..... of the petition being matters of record are true to my information, which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed any material facts.

And I signed this verification on this day of July, 2008.

Dilip Kr. Bhuyan

DECLARANT

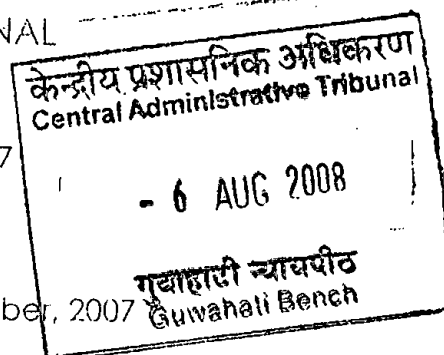
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 300 of 2007

&

Misc. Application No. 133 of 2007

Date of Order: This, the 11th Day of December, 2007



THE HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE SHRI GAUTAM RAY, ADMINISTRATIVE MEMBER

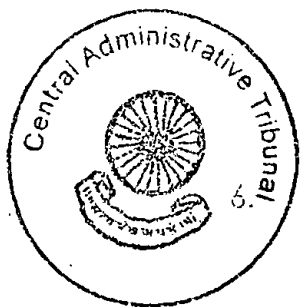
1. Mr. Dilip Kr. Bhuyan ✓
Jr. Teacher
S/o Late Karnal Ch. Bhuyan
O/A 4 Assam Rifles
C/o 99 APO.

2. Mrs. Reena Bhuyan ✓
Jr. Teacher
W/O Mr. Dilip Kr. Bhuyan
O/A 4 Assam Rifles
C/o 99 APO.

3. Mr. Amar Deo
Hindi Typist
S/O: Late Sri Ram Yadav
HQ. IGAR, (N) Assam Rifles

4. Mr. Gijesh Kr. Pandey
Hindi Teacher
S/O Mr. Sudama Pandey
O/A 40 Assam Rifles
C/O 99 APO.

5. Mr. Brijesh Kr. Verma
Jr. Teacher
S/O: Mr. Ram Kr. Prasad
O/A: 40 Assam Rifles
C/O: 99 APO.



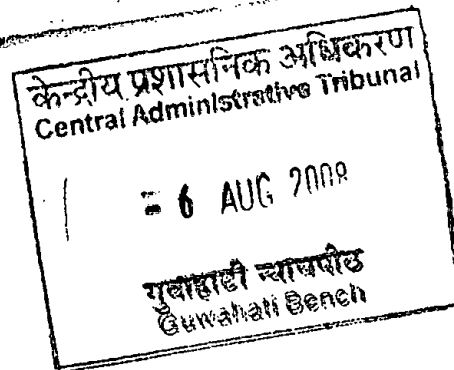
6. Miss Jaya Deori
Jr. Teacher
D/O: Late L.D. Deori
O/A: 40 Assam Rifles
C/O: 99 APO.

7. Mr. Rajesh Kr. Yadav
Hindi Typist
S/O: Mr. Ramayan Yadav
O/A: 40 Assam Rifles
C/O: 99 APO.

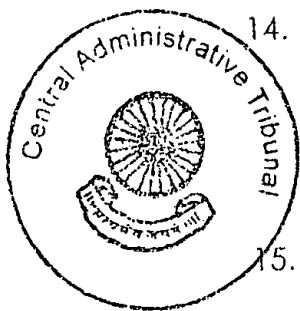
Certified to be true copy

He

Advocate



8. Miss Chinu Nath
Staff Nurse
D/O: Mr. Boari Ram Nath
O/A: 40 Assam Rifles
C/O: 99 APO.
9. Mrs Dipanjali Upadhyaya
Female Attendant
W/O: Late C.K. Upadhyaya
O/A: 40 Assam Rifles
C/O: 99 APO.
10. Mrs. Aparna Baidya
Aya
W/O: Mr. Madhusudan Suklabaidya
O/A: 40 Assam Rifles
C/O: 99 APO.
11. Mrs. Minti Bansfore
Aya
W/O: Mr. Gauri Shankar Bansfore
O/A: 40 Assam Rifles
C/O: 99 APO.
12. Mrs. Ramawati Devi
Female Safai
W/O: Mr. Kailash Ram
O/A: 40 Assam Rifles
C/O: 99 APO.
13. Mrs. Rita Bansfore
Female Safai
W/O: Mr. Kailash Bansfore
O/A: 40 Assam Rifles
C/O: 99 APO.
14. Mr. Dhiren Singh
VFA
S/O: Mr. Kamini Kro Singh
O/A: 40 Assam Rifles
C/O: 99 APO.
15. Mr. Brijesh Kr. Pandey
S/O: Mr. Sudama Pandey
Hindi Translator
(AFMSD, Kandebali East)
HQ: DGAR, AR, Shillong.
16. Mr. Narendra Kr. Prusty
Hindi Translator
S/O: Mr. Alekh Ch. Prusty
O/A: 11 Assam Rifles
C/O: 99 APO.

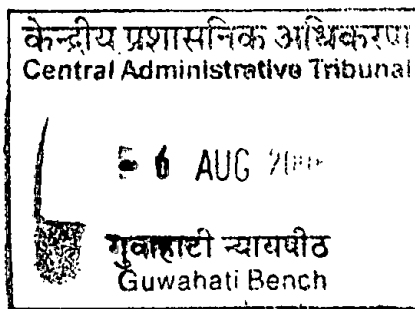


Certified to be true copy

[Signature]

Advocate

17. Mr. Kanu Acharjee
Jr. Teacher (JT-0073)
S/O Late Kripesh Acharjee
O/A: 11 Assam Rifles
C/O: 99 APO.



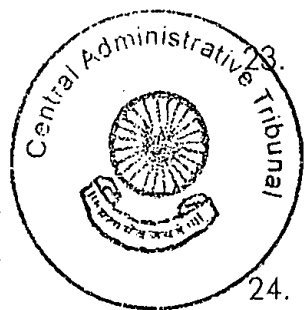
18. Md. Ismail Ahmed
Jr. Teacher
S/O: Late Rajab Ali
O/A: 11 Assam Rifles
C/O 99 APO.

19. Mr. Vinay Kr. Pandit
Hindi Teacher
S/O: Mr. Ram Ayodhya Pandit
O/A: 11 Assam Rifles
C/O 99 APO.

20. Mr. K. Ibotombi Singh
VFA
S/O: Mr. K. Pungou Singh
O/A: 18 Assam Rifles
C/O 99 APO.

21. Mr. Rakesh Kr. Ranjan
Hindi Typist
S/O: Mr. Upendra Singh
O/A: 18 Assam Rifles
C/O 99 APO.

22. Mr. Srikant Ram
Hindi Teacher
S/O: Mr. Dalpati Ram
O/A: 29 Assam Rifles
C/O 99 APO.



23. Mr. Vikram Singh
Hindi Translator
S/O: Mr. B.S. Rajput
O/A: 29 Assam Rifles
C/O 99 APO.

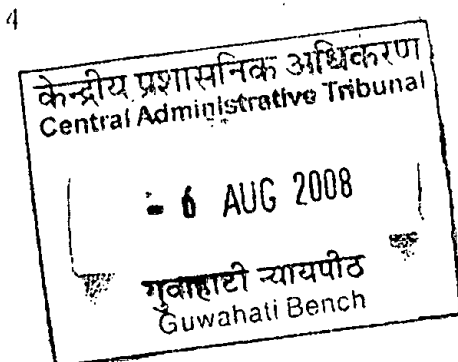
24. Mr. Mahendra Prasad Shaw
Hindi Translator
S/O: Late Hari Lal Shaw
O/A: 26 Assam Rifles
C/O 99 APO.

25. Mr. Arjun Chand Thakuri
Hindi Teacher
S/O: Mr. Narayan Chand Thakuri
O/A: 4 Assam Rifles
C/O: 99 APO.

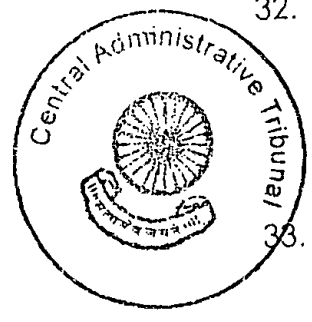
Certified to be true copy

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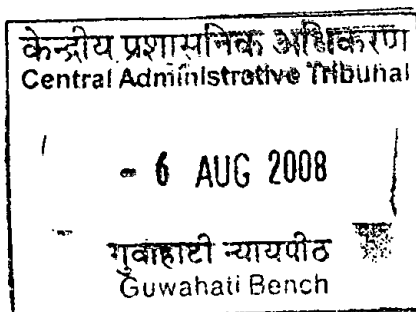
Advocate



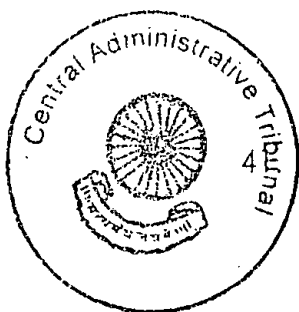
26. Mr. Nirmal Dey ✓
Jr. Teacher
S/O: Late Niranjan Dey
O/A: 4 Assam Rifles
C/O: 99 APO.
27. Mr. Rajesh Sao
Hindi Typist
S/O: Mr. Meghu Sao
O/A: 15 Assam Rifles
C/O: 99 APO.
28. Mr. Satyendra Mohan Mishra
Hindi Teacher
S/O: Late Girish Prasad Mishra
O/A: 15 Assam Rifles
C/O: 99 APO.
29. Mr. Rajesh Rai ✓
Hindi Teacher
S/O: Mr. Naginder Rai
O/A: 4 Assam Rifles
C/O: 99 APO.
30. Mr. Himanshu Dev ✓
Jr. Teacher
S/O: Mr. Harendra Kr. Dev
O/A: 4 Assam Rifles
C/O: 99 APO.
31. Miss Manoshi Purkait ✓
Jr. Teacher
D/O: Mr. K.R. Purkait
O/A: 43 Assam Rifles
C/O: 99 APO.
32. Mrs. Meera Rai
W/O: Mr. Sanjay Kr. Rai
Hindi Teacher
O/A: 21 Assam Rifles
C/O: 99 APO.
33. Mr. Madhab Kr. Deori
S/O: Mr. Bishnu Ram Deori
Hindi Teacher
O/A: 8 Assam Rifles
C/O: 99 APO.
34. Mrs. Beena Bhatt
W/O: Late Tara Dutt Bhatt
Hindi Teacher
O/A: 8 Assam Rifles
C/O: 99 APO.



Certified to be true copy
He
Advocate



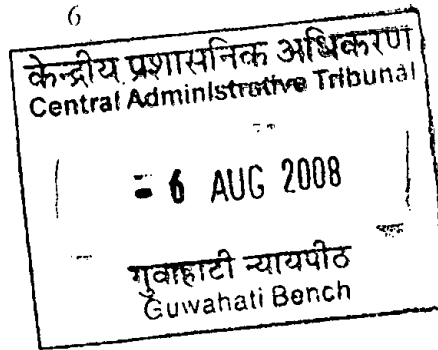
35. Mr. Ajit Singh
S/O: Mr. Ranbir Singh
Hindi Typist
O/A: 8 Assam Rifles
C/O: 99 APO.
36. Miss Anju Thappa
D/O: Late Bishnu B. Thapa
Aya
O/A: 8 Assam Rifles
C/O: 99 APO.
37. Miss Maya Rai
D/O: Late Lok B. Rai
Female Attendant
O/A: 8 Assam Rifles
C/O: 99 APO.
38. Miss Nima Devi Rishal
D/O: Sri Lal B. Rishal
Female Safai
O/A: 8 Assam Rifles
C/O: 99 APO.
39. Miss Prem Kaur
D/O: Mr. Jilly Singh
Female Safai
O/A: 8 Assam Rifles
C/O: 99 APO.
40. Mr. Rajesh Kumar
S/O: Mr. Bashistha N. Thakur
Hindi Teacher
O/A: 8 Assam Rifles
C/O: 99 APO.
42. Mrs. Vungkhangai ✓
W/O: Mr. Lalvena Chinzah
Auxiliary Nurse Midwife
O/A: 4 Assam Rifles
C/O: 99 APO.
42. Mrs. Dil Kumari Thapa ✓
W/O: Rajman Thapa
Aya
O/A: 4 Assam Rifles
C/O: 99 APO.
43. Miss Chandrabati
D/O: Sister H. Hengoi Singha
O/A: 298 Assam Rifles
C/O: 99 APO. ✓



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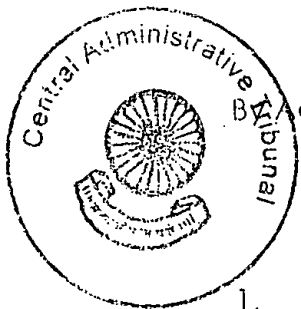
He

Advocate



44. Mrs. Seni Tamang
Aya
W/O: Late Suraj Tamang
O/A: 29 Assam Rifles
C/O: 99 APO.
45. Mrs. Premalata Mech
W/O: Late P.K. Mech
Female Attendant
O/A: 29 Assam Rifles
C/O: 99 APO.
46. Mrs. Lalhliri Luchai
W/O: Indra Kumar
Female Attendant
O/A: Assam Rifles
C/O: 99 APO.
47. Mrs. Eliza R. Changma
W/O: Late Chandra Sekhar
Female Safai
O/A: 29 Assam Rifles
C/O: 99 APO.
48. Mrs. Usha Giri
W/O: Mr. Dharam Nath Giri
Jr. Teacher
O/A: 15 Assam Rifles
C/O: 99 APO.
49. Mr. Dharam Nath Giri
S/O: Mr. Shiv Ji Giri ✓
O/A: 15 Assam Rifles
C/O: 99 APO.

..... Applicants.



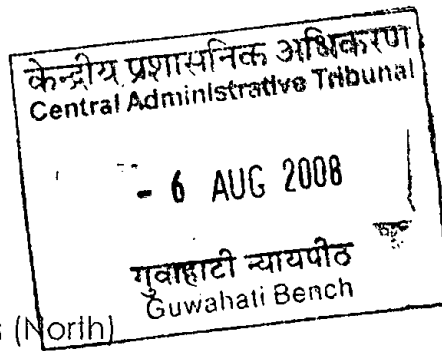
Advocate Mr.H.G.Baruah.

- Versus -

1. The Union of India
Represented by the Secretary to the
Government of India
Ministry of Home Affairs
North Block, New Delhi.
2. The Secretary to the Govt. of India
Ministry of Finance
New Delhi.
3. The Director General of Assam Rifles
Meghalaya

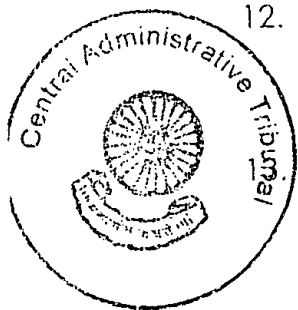
Certified to be true copy

He
Advocate



Shillong.

4. The Inspector General of Assam Rifles (North)
Zakhama, Kohima
Nagaland.
5. The Commandant
O/A: Assam Rifles
C/O: 99 APO.
6. The Commandant
O/A: 4 Assam Rifles
C/O: 99 APO.
7. The Commandant
O/A: 11 Assam Rifles
C/O: 99 APO.
8. The Commandant
O/A: 18 Assam Rifles
C/O: 99 APO.
9. The Commandant
O/A: 29 Assam Rifles
C/O: 99 APO.
10. The Commandant
O/A: 26 Assam Rifles
C/O: 99 APO.
11. The Commandant
O/A: 15 Assam Rifles
C/O: 99 APO.
12. The Commandant
O/A: 43 Assam Rifles
C/O: 99 APO.
- The Commandant
O/A: 21 Assam Rifles
C/O: 99 APO.
14. The Commandant
O/A: 8 Assam Rifles
C/O: 99 APO.



..... Respondents.

By Mr.G.Baishya, Sr. C.G.S.C.

[Signature]

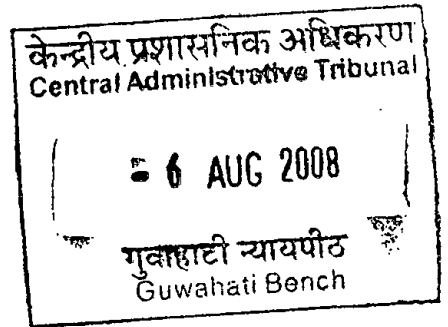
*****P.T.O.*****

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[Signature]
Advocate

O.A. No.300 of 2007
M.A. No.133 of 2007

ORDER (ORAL)
11.12.2007

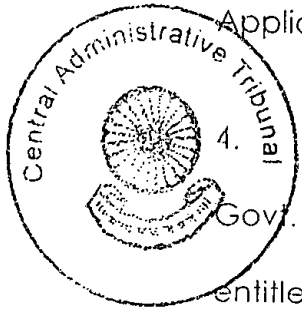
MANORANJAN MOHANTY, (V.C.)



Heard Mr.H.G.Baruah, learned counsel for the Applicants and Mr.G.Baishya, learned Sr. Standing counsel for the Union of India; to whom a copy of this Original Application has already been served and perused the materials placed on record.

2. Applicants (49 members of the staff of Assam Rifles) have filed this Original Application under Section 19 of the Administrative Tribunals Act, 1985; because Special Duty Allowances are not being paid to them.

3. The aforesaid 49 Applicants have filed Misc. Application No.133 of 2007 seeking permission to prosecute this Original Application No.300 of 2007 jointly. Having heard learned counsel appearing for both the parties, permission to prosecute the case jointly is allowed and Misc. Application No.133 of 2007 stands disposed of.

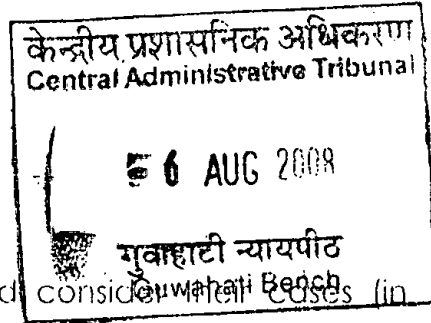


4. It is the case of the Applicants that for the reason of certain Govt. of India instructions and judicial pronouncements, the Applicants are entitled to get Special Duty Allowances. If that is so, then, the Applicants should represent before the Authorities/Respondents to consider their grievances in terms of the judicial pronouncements on which they are relying here. Mr. H.G. Baruah, learned counsel for the Applicants, states that each of the Applicants shall individually submit representations before the Authorities/Respondents by 31st of December, 2007. If such representations are made by the present Applicants, by the end of

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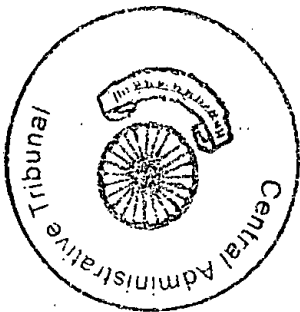
He

Advocate



December, 2007, then the Respondents should consider the cases (in terms of the Government instructions and the judicial pronouncements) by end of February, 2008. The averments made in this Original Application No.300 of 2007 should also be taken into consideration by the Respondents while considering the representations of the Applicants.

5. With the aforesaid observations and directions, this Original Application No. 300 of 2007 stands disposed of. Send copies of this order to each of the Applicants and to all the Respondents (with copies of the present Original Application) in the addresses given in the Original Application.



SD/- M.R. Mohanty,
Vice-Chairman

SD/- G. Ray,
Member (Adm)

Date of Application : 12.12.07
Date on which copy is ready : 12.12.07
Date on which copy is delivered : 12.12.07
Certified to be true copy

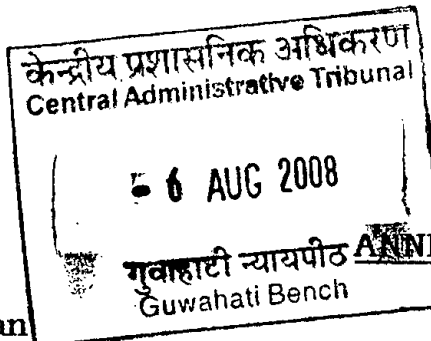
Section Officer (Judl)
C. A. T. Guwahati Bench
Guwahati-5.

12/12/07

Certified to be true copy

He

Attocate



184

From,
Shri Dilip Kr. Bhuyan
Hindi Teacher
4 Assam Rifles, C/O 99 APO

ANNEXURE-B SERIES

To : The Directorate General Assam Rifles
Shillong-11

CONTINUATION OF THE IMPUGNED SDA TO DEPRIVED NON-COMBATISED ASSAM RIFLES PERSONNEL IN PURSUANCE OF THE ORDER OF THE HON'BLE C.A.T. GUWAHATI BENCH

Respected Sir,

Most respectfully and humbly, I beg to produce the certified copy of the order of the Hon'ble CAT, Guwahati Bench alongwith OA No.300/07 and its Misc. application alongwith Annexures for your kind perusal and order.

That Sir, I was appointed as Hindi Teacher on 16 Feb 2000 and was posted to 30 Assam Rifles when it was located in North Sikkim, Sikkim. Since beginning I have been deprived of enjoying the said allowance envisaged in the O.M. dated 14 Nov 1983. Later, the said incentives was sanctioned to all the Assam Rifles personnel who served in Sikkim w.e.f. the date of withholding.

That Sir, executing the Judicial pronouncements of the Hon'ble CAT, Guwahati bench, the MHA has sanctioned the said incentives to the non-combatished civilian petitioners only who craved leaves in the premises of Hon'ble CAT vide MHA ltr. No.27013/04/2007-PF/IV dtd 3rd July 2007 and the same has been extended to the concerned units vide your Ltr. No. I.11018/89/2001-Law 1191 dtd. 20 July, 2007.

Finding no other alternative efficacious remedy, I have also craved before Hon'ble CAT, Guwahati seeking justice which may deem fit and proper in the facts and circumstances of the case.

To plead further, due to oversight, there is a typographical omission in the body of the petition and verification too, which if, overlooked by me and by my counsel and therefore in the certified copy of the order, my designation is shown as "Junior Teacher" and the word 'Late' is erroneously put before the name of my father. Therefore, my fervent prayer, your honour would graciously be pleased to read said mistake 'Junior Teacher' as 'Hindi Teacher' and the word "Late" be read as 'Shri'.

I would appeal your lordship to sanction SDA w.e.f. 16 Feb 2000 and release the legitimate arrear due to me, after considering all pros and cons of the eligibility criteria.

And for this act of your kindness, I as in duty bound shall ever pray.

Thanking you in anticipation.

Yours faithfully,
Sd/- Illegible
(Dilip Kumar Bhuyan)

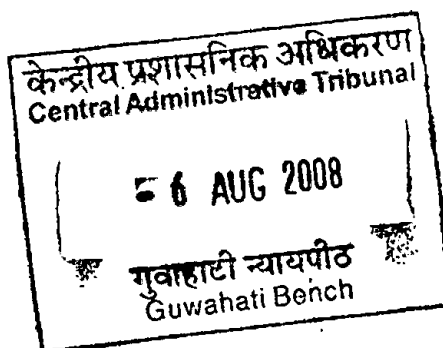
Dated 18 Dec 2007

Certified to be true copy

[Signature]

Advocate

- 24 -



From,

Mrs. Reena Bhuyan
Hindi Teacher

4 Assam Rifles, C/O 99 APO

To : The Directorate General Assam Rifles
Shillong-11

CONTINUATION OF THE IMPUGNED SDA TO DEPRIVED NON-COMBATISED ASSAM RIFLES PERSONNEL IN PURSUANCE OF THE ORDER OF THE HONBLE C.A.T. GUWAHATI BENCH

Respected Sir,

Most respectfully and humbly, I beg to produce the certified copy of the order of the Hon'ble CAT, Guwahati Bench alongwith OA No.300/07 and its Misc. application alongwith Annexures for your kind perusal and order.

That Sir, I was appointed as Hindi Teacher on 22 Feb 2000 and was posted to 30 Assam Rifles when it was located in North Sikkim, Sikkim. Since beginning I have been deprived of enjoying the said allowance envisaged in the O.M. dated 14 Nov 1983. Later, the said incentives was sanctioned to all the Assam Rifles personnel who served in Sikkim w.e.f. the date of withholding.

That Sir, executing the Judicial pronouncements of the Hon'ble CAT, Guwahati bench, the MHA has sanctioned the said incentives to the non-combatised civilian petitioners only who craved leaves in the premises of Hon'ble CAT vide MHA ltr. No.27013/04/2007-PF/IV dtd 3rd July 2007 and the same has been extended to the concerned units vide your Ltr. No. I.11018/89/2001-Law 1191 dtd. 20 July, 2007.

Finding no other alternative efficacious remedy, I have also craved before Hon'ble CAT, Guwahati seeking justice which may deem fit and proper in the facts and circumstances of the case.

To plead further, due to oversight, there is a typographical omission in the body of the petition and verification too, which if, overlooked by me and by my counsel and therefore in the certified copy of the order, my designation is shown as "Junior Teacher" Therefore, my fervent prayer, your honour would graciously be pleased to read said mistake 'Junior Teacher' as 'Hindi Teacher'.

I would appeal your lordship to sanction SDA w.e.f. 22 Feb 2000 and release the legitimate arrear due to me, after considering all pros and cons of the eligibility criteria.

And for this act of your kindness, I as in duty bound shall ever pray.

Thanking you in anticipation.

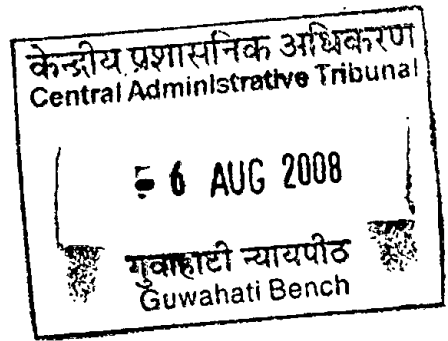
Yours faithfully,
Sd/- Illegible
(Mrs. Reena Bhuyan)

Dated 18 Dec 2007

Certified to be true copy

He

Advocate



From,
Shri Arjun Chand Thakuri,
Hindi Teacher
4. Assam Rifles, C/O 99 APO

To : The Directorate General Assam Rifles
Shillong-11

PRODUCTION OF THE CERTIFIED COPY OF THE ORDER OF THE
HONBLE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH
11/12/07 PASSED IN THE BELOW REFERRED CASE ALONGWITH O.A.
AND ANNEXURES

Ref. : Original Application No.300 of 2007
Misc. Application No.133 of 2007

Sir,

With due respect and humble submission, I have the honour to state the following few lines for your kind consideration and favourable order please.

That Sir, I got enrolled into Hindi Teacher and subsequently posted to the different units wherever I was given. Unfortunately this said incentives had been stopped since 1996.

Meanwhile, referring MHA's Ltr. No.27013/04/2007-PF-IV dt.03 July, 2007, directed to implement the CAT orders dt.19 Dec 2000 to the petitioners only and the same has also been informed by your Ltr No.I.11018/89/2001-law/1191 dated 20 Jul 2007.

Being a non-petitioner, the said incentive is denied to me which is not justified. As since I am also a non-recipient of the said incentive and hence, finding no other option left with, I was constrained to knock at the doors of the law for legal advice from the Hon'ble Central Administrative Tribunal (CAT) Guwahati in this month deeming that the Judgement would be impartial to me.

I, therefore request your kind honour to kindly accept my plead on utmost sympathetic and humanitarian ground and enable me to draw my SDA (Special Duty Allowance) from the date of putting myself on your gracious hand.

For this act of your kindness, I shall remain ever grateful to you.

Thanking you in anticipation.

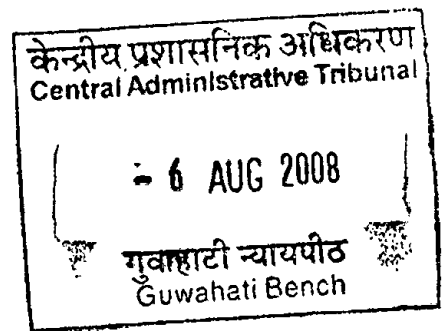
Yours faithfully,
Sd/- Illegible
(Arjun Chand Thakuri)

Dated 18 Dec 2007

Certified to be true copy

He

Advocate



From,
Shri Nirmal Dey,
Hindi Teacher
4 Assam Rifles, C/O 99 APO

To : The Directorate General Assam Rifles
Shillong-11

PRODUCTION OF THE CERTIFIED COPY OF THE ORDER OF THE
HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH
11/12/07 PASSED IN THE BELOW REFERRED CASE ALONGWITH O.A.
AND ANNEXURES

Ref. : Original Application No.300 of 2007
Misc. Application No.133 of 2007

Sir,

With due respect and humble submission, I have the honour to state the following few lines for your kind consideration and favourable order please.

That Sir, I got enrolled into this force on 26 Mar 2003 and subsequently posted to the different units wherever I was given,. Eversince the day I become a part of this organisation I have been deprived of getting SDA (Special Duty Allowance)

Meanwhile, referring MHA's Ltr. No.27013/04/2007-PF-IV dt.03 July, 2007, directed to implement the CAT orders dt.19 Dec 2000 to the petitioners only and the same has also been informed by your Ltr No.I.11018/89/2001-law/1191 dated 20 Jul 2007.

Being a non-petitioner, the said incentive is denied to me which is not justified. As since I am also a non-recipient of the said incentive and hence, finding no other option left with, I was constrained to knock at the doors of the law for legal advice from the Hon'ble Central Administrative Tribunal (CAT) Guwahati in this month deeming that the Judgement would be impartial to me.

That Sir, due to oversight, there is typographic omission in the body of the petition and verification too, which if, overlooked by me and by my counsel and therefore in the certified copy of the order the word, 'late' is erroneously used before my father's name. Therefore my fervent prayer, your honour would graciously be pleased to read the said mistake as 'Shri' instead of 'Late'.

I, therefore request your kind honour to kindly accept my plead on utmost sympathetic and humanitarian ground and enable me to draw my SDA (Special Duty Allowance) from the date of putting myself on your gracious hand.

For this act of your kindness, I shall remain ever grateful to you.

Thanking you in anticipation.

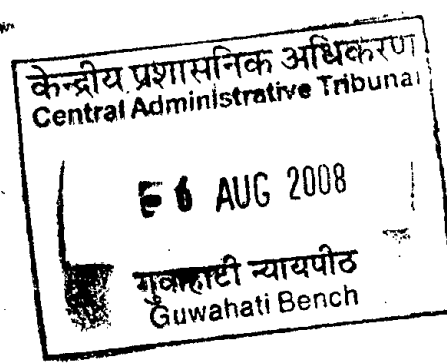
Yours faithfully,
Sd/- Illegible
(Nirmal Dey)

Dated 18th December 2007

Certified to be true copy.

He

Advocate



From,
Shri Rajesh Rai
Hindi Teacher
4 Assam Rifles
C/O 99 APO

To : The Directorate General Assam Rifles
Shillong-11

PRODUCTION OF THE CERTIFIED COPY OF THE ORDER OF THE
HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH
11/12/07 PASSED IN THE BELOW REFERRED CASE ALONGWITH O.A.
AND ANNEXURES

Ref. : Original Application No.300 of 2007
Misc. Application No.133 of 2007

Sir,

With due respect and humble submission, I have the honour to state the following few lines for your kind consideration and favourable order please.

That Sir, I got enrolled into this force on 1999 and subsequently posted to the different units wherever I was given. Eversince the day I become a part of this organisation I have been deprived of enjoying this aforesaid incentive.

Meanwhile, referring MHA's Ltr. No.27013/04/2007-PF-IV dt.03 July, 2007, directed to implement the CAT orders dt.19 Dec 2000 to the petitioners only and the same has also been informed by your Ltr No.I.11018/89/2001-law/1191 dated 20 Jul 2007.

Being a non-petitioner, the said incentive is denied to me which is not justified. As since I am also a non-recipient of the said incentive and hence, finding no other option left with, I was constrained to knock at the doors of the law for legal advice from the Hon'ble Central Administrative Tribunal (CAT) Guwahati in this month deeming that the Judgement would be impartial to me.

I, therefore request your kind honour to kindly accept my plead on utmost sympathetic and humanitarian ground and enable me to draw my SDA (Special Duty Allowance) from the date of putting myself on your gracious hand.

For this act of your kindness, I shall remain ever grateful to you.

Thanking you in anticipation.

Yours faithfully,
Sd/- Illegible
(Rajesh Rai)

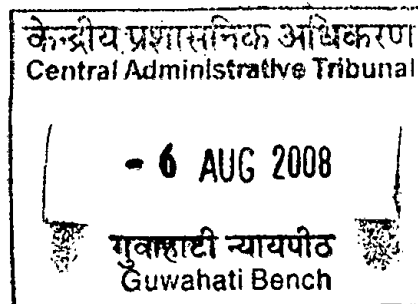
Dated 18th December 2007

Certified to be true copy

He

Advocate

- 25 -



From,
Shri Himangshu Deb,
Jr. Teacher
43 Assam Rifles, C/O 99 APO

To : The Directorate General Assam Rifles
Shillong-11

PRODUCTION OF THE CERTIFIED COPY OF THE ORDER OF THE
HONBLE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH
11/12/07 PASSED IN THE BELOW REFERRED CASE ALONGWITH O.A.
AND ANNEXURES

Ref. : Original Application No.300 of 2007
Misc. Application No.133 of 2007

Sir,

With due respect and humble submission, I have the honour to state the following few lines for your kind consideration and favourable order please.

That Sir, I got enrolled into this force on 18th February, 2002 and subsequently posted to 34 AR in Nagaland and since beginning I have been deprived of getting SDA (Special Duty Allowance)

Meanwhile, referring MHA's Ltr. No.27013/04/2007-PF-IV dt.03 July, 2007, directed to implement the CAT orders dt.19 Dec 2000 to the petitioners only and the same has also been informed by your Ltr No.I.11018/89/2001-law/1191 dated 20 Jul 2007.

Being a non-petitioner, the said incentive is denied to me which is not justified. As since I am also a non-recipient of the said incentive and hence, finding no other option left with, I was constrained to knock at the doors of the law for legal advice from the Hon'ble Central Administrative Tribunal (CAT) Guwahati in this month deeming that the Judgement would be impartial to me.

That Sir, due to oversight, there is typographic omission in the body of the petition and verification too, which if overlooked by me and by my counsel and therefore in the certified copy of the order the word, 'g' is omitted in my first name and 'v' is shown in my surname and also in my father's surname instead of 'b'. Therefore my fervent prayer, your honour would graciously be pleased to read the said mistake as 'Mr. Himangshu Deb' and Mr Harendra Kr. Deb.

I, therefore request your kind honour to kindly accept my plead on utmost sympathetic and humanitarian ground and enable me to draw my SDA (Special Duty Allowance) from the date of putting myself on your gracious hand.

For this act of your kindness, I shall remain ever grateful to you.

Thanking you in anticipation.

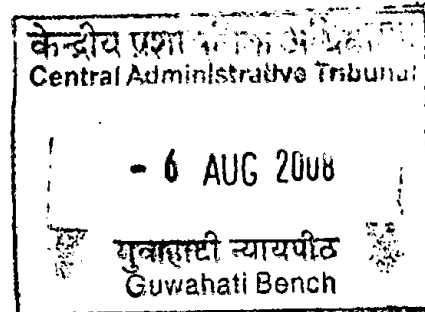
Yours faithfully,
Sd/- Illegible
(Himangshu Deb)

Dated 18 Dec 2007

Certified to be true copy

He

Advocate



From,
Miss Manoshi Purkait,
Hindi Teacher
43 Assam Rifles, C/O 99 APO

To : The Directorate General Assam Rifles
Shillong-11

PRODUCTION OF THE CERTIFIED COPY OF THE ORDER OF THE
HONBLE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH
11/12/07 PASSED IN THE BELOW REFERRED CASE ALONGWITH O.A.
AND ANNEXURES

Ref. : Original Application No.300 of 2007
Misc. Application No.133 of 2007

Sir,

With due respect and humble submission, I have the honour to state the following few lines for your kind consideration and favourable order please.

That Sir, I got enrolled into this force on 07 April, 2003 and subsequently posted to the different units wherever I was given,. Eversince the day I become a part of this organisation I have been deprived of getting SDA (Special Duty Allowance)

Meanwhile, referring MHA's Ltr. No.27013/04/2007-PF-IV dt.03 July, 2007, directed to implement the CAT orders dt.19 Dec 2000 to the petitioners only and the same has also been informed by your Ltr No.I.11018/89/2001-law/1191 dated 20 Jul 2007.

Being a non-petitioner, the said incentive is denied to me which is not justified. As since I am also a non-recipient of the said incentive and hence, finding no other option left with, I was constrained to knock at the doors of the law for legal advice from the Hon'ble Central Administrative Tribunal (CAT) Guwahati in this month deeming that the Judgement would be impartial to me.

That Sir, due to oversight, there is typographic omission in the body of the petition and verification too, which if overlooked by me and by my counsel and therefore in the certified copy of the order the word, 'Junior Teacher' is erroneously used as my appointment. Therefore my fervent prayer, your honour would graciously be pleased to read the said mistake as 'Hindi Teacher' instead of Junior Teacher.

I, therefore request your kind honour to kindly accept my plead on utmost sympathetic and humanitarian ground and enable me to draw my SDA (Special Duty Allowance) from the date of putting myself on your gracious hand.

For this act of your kindness, I shall remain ever grateful to you.

Thanking you in anticipation.

Yours faithfully,
Sd/- Illegible
(Manoshi Purkait)

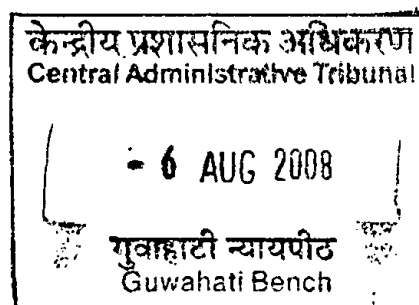
Dated 18 Dec 2007

Certified to be true copy

HC

Advocate

From : Mrs. Vunkhangai, ANM
4 Assam Rifles,
C/o 99 APO



To : The Directorate General Assam Rifles
Shillong - 11

CONTINUATION OF THE IMPUGNED SDA TO DEPRIVED NON-COMBATISED ASSAM RIFLES PERSONNEL IN PERSUANCE OF THE ORDER OF THE HON'BLE C.A.T. GUWAHATI BENCH

Respected Sir,

Most respectfully and humbly, I beg to produce the certified copy of the Hon'ble C.A.T. Guwahati Bench alongwith OA No 300/07 and its Misc application alongwith Annexures for your kind perusal and order.

That Sir, I have been as ANM in 4 Assam Rifles. Since long I have been deprived of enjoying the said allowances envisaged in the O.M. dated 14 Nov 1983 .

That Sir, executing the judicial pronouncements of the Hon'ble CAT, Guwahati bench, the MHA has sanctioned the said incentives to the noncombatised Civilian petitioners only who craved leaves in the premises of Hon'ble CAT vide MHA ltr No 27013/04/2007 - PF -IV dt 3rd July 2007 and the same has been extended to the concerned units vide your Hr No I.I1018/89/2001-Law/1191 dt 20 July 2007,

Finding no other alternative efficacious remedy, I have. also craved before Hon'ble CAT, Guwahati Bench which may deem fit and proper in the facts and circumstances of the case.

I would appeal your Lordship to sanction SDA and release the legitimate arrear due to me, after considering all pros and cons of the eligibility criteria .

And for this act of your kindness, I, as in duty bound shall ever pray. Thanking you in anticipation,

Yours faithfully,

Date: 18 Dec 07

Certified to be true copy

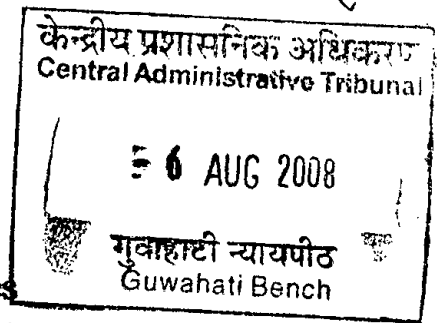
Vunkhangai

He

Advocate

From : Miss Dil Kumari Thapa, Aya
4 Assam Rifles
C/o 99 APO

To : The Directorate General Assam Rifles
Shillong - 11



CONTINUATION OF THE IMPUGNED SDA TO DEPRIVED NON-COMBATISED ASSAM RIFLES PERSONNEL IN PERSUANCE OF THE ORDER OF THE HON'BLE C.A.T. GUWAHATI BENCH

Respected Sir,

Most respectfully and humbly, I beg to produce the certified copy of the Hon'ble C.A.T. Guwahati Bench alongwith OA No 300/07 and its Misc. application alongwith Annexures for your kind perusal and order.

That Sir, I have been as Aya in 4 Assam Rifles. Since beginning I have been deprived of enjoying the said allowances envisaged in the O.M. dated 14 Nov 1983 ..

That Sir, executing the judicial pronouncements of the Hon'ble CAT, Guwahati bench, the MHA has sanctioned the said incentives to the noncombatised civilian petitioners only who craved leaves in the premises of Hon 'ble CAT vide MHA ltr No 27013/04/2007 -PF - IV dtd 3rd July 2007 and the same has been extended to the concerned units vide your Hr No LI1018/89/2001-Law/1191 dt 20 July 2007 .

Finding no other alternative efficacious remedy, I have. also craved before Hon'ble CAT, Guwahati Bench which may deem fit and proper in the facts and circumstances of the case.

To plead further, due to oversight, there is a typographical omission in the body of petition and verification too, which if, overlooked by me and by my counsel and therefore in the certified copy of the order, the word 'Mrs' is shown before me and 'W/O' is shown before my fathers name. Therefore, my fervent prayer your honour would graciously be pleased to read said mistake 'miss' in place 'Mrs' and 'D/o' in place of 'W/O'.

I would appeal your Lordship to sanction SDA and release the legitimate arrear due to me, after considering all pros and cons of the eligibility criteria.

And for this act of your kindness, I, as in duty bound shall ever pray. Thanking you in anticipation,

Yours faithfully,

Date: 18 Dec 07

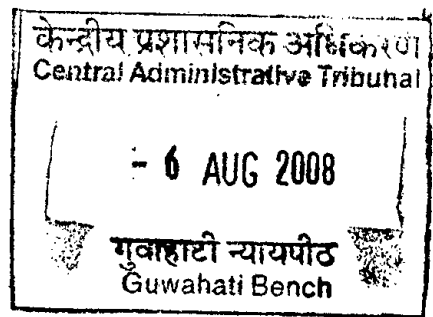
Dil Kumari Thapa

Certified to be true copy

He

Advocate

- 29 -



From : Mr. Dharam Nath Giri
15 Assam Rifles
C/o 99 APO

To : The Directorate General Assam Rifles
Shillong - 11

CONTINUATION OF THE IMPUGNED SDA TO DEPRIVED NON-COMBATISED ASSAM RIFLES PERSONNEL IN PERSUANCE OF THE ORDER OF THE HON'BLE C.A.T. GUWAHATI BENCH

Respected Sir,

Most respectfully and humbly, I beg to produce the certified copy of the Hon'ble C.A.T. Guwahati Bench alongwith OA No 300/07 and its Misc application alongwith Annexures for your kind perusal and order.

That Sir, I have been as Hindi Teacher in 15 Assam Rifles. Since beginning I have been deprived of enjoying the said allowances envisaged in the O.M. dated - 14 Nov 1983 ..

That Sir, executing the judicial pronouncements of the Hon'ble CAT, Guwahati bench, the MHA has sanctioned the said incentives to the noncombatised civilian petitioners only who craved leaves in the premises of Hon'ble CAT vide MHA ltr No 27013/04/2007 - PF -IV dt 3rd July 2007 and the same has been extended to the concerned units vide your ltr No I.I1018/89/2001-Law/1191 dt 20 July 2007

Finding no other alternative efficacious remedy, I have. also craved before Hon'ble CAT, Guwahati Bench which may deem fit and proper in the facts and circumstances of the case.

I would appeal your Lordship to sanction SDA and release the legitimate arrear due to .me, 'after considering all pros and cons of the eligibility criteria.

And for this act of your kindness, I, as in duty bound shall ever pray.

Thanking you in anticipation,

Yours faithfully,

Date: 18 Dec 07

Dharam Nath Giri

Certified to be true copy

He

Advocate