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CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 192/95.....  
R.A/C.P No.....  
E.P/M.A No.....

1. Orders Sheet O.A-192/95..... Pg..... 1 ..... to..... 10 .....

2. Judgment/Order dtd. 10/9/97..... Pg..... 1 ..... to..... 9 ..... Disposed

3. Judgment & Order dtd..... Received from H.C/Supreme Court

4. O.A..... 192/95..... Pg..... 1 ..... to..... 16 .....

5. E.P/M.P..... Pg..... to.....

6. R.A/C.P..... Pg..... to.....

7. W.S..... Pg..... 1 ..... to..... 28 .....

8. Rejoinder..... Pg..... to.....

9. Reply..... Pg..... to.....

10. Any other Papers..... Pg..... to.....

11. Memo of Appearance.....

12. Additional Affidavit.....

13. Written Arguments.....

14. Amendment Reply by Respondents.....

15. Amendment Reply filed by the Applicant.....

16. Counter Reply.....

SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH : GUWAHATI

ORIGINAL APPLN. NO.	192	OF 1995
TRANSFER APPLN. NO.		OF 1995
CONT EMPT APPLN. NO.		OF 1995 (IN NO. )
REVIEW APPLN. NO.		OF 1995 (IN NO. )
MISC. PETITION NO.		OF 1995 (IN NO. )

..... D.D. & C.M. .... APPLICANT(S)

-vs-

..... K. C. J. .... R. M. RESPONDENT(S)

For the Applicant(s)	... Mr. B. K. Sharma
	Mr. K. Bhattacharya
	Mr.
	Mr.
For the Respondent(s)	Mr. A. K. Choudhury Add. Secy.

OFFICE NOTE	DATE	ORDER
the application is in form and within time F. of Rs. 50/- deposited vide IPO/BD No. 322245 Dated 2-9-95  R. M. 13/9 12		

(contd. to Page No. ....)

QA/TA/CP/RA/MP No. of 19

OFFICE NOTE

DATE

ORDER



CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH, GUWAHATI

ORIGINAL APPLICATION NO. 192 OF 1995.

.....APPLICANT(S)

-VS-

Union of India & Ors.....

RESPONDENT(S)

For the Applicant(s) .... Mr. B.K. Sharma  
Mr. S.C. Biswas  
Mr. K. Bhattacharyya.

For the Respondent(s) Mr. A.K. Choudhury, Addl.C.G.S.C.

OFFICE NOTE

DATE

ORDER

14-9-95

Mr. B.K. Sharma for the applicant.  
Mr. A.K. Choudhury Addl.C.G.S.C. for  
respondents on notice.

Leave to join in single application granted. In view of pending O.A. No. 168 of 1995 application admitted. Respondents to file written statement on or before 13-11-95. Pending further order the operation of the order containing letters dated 26-7-95 and 31-7-95 is hereby stayed. Liberty to respondents to file show cause and seek modification as advised. Returnable on 13-11-95.

Adjourned to 13-11-95.

Requisites are made  
and issued v-i-o. 6392-99  
D. 13-10-95 B. R. 2-4.

*full*  
Vice-Chairman

*60*  
Member

lm.

(2)  
O.A.NO. 192/95.

14.11.95 Mr B.K.Sharma for the applicant.

Mr A.K.Choudhury, Addl.C.G.S.C for the respondents.

At the request of learned Addl. C.G.S.C time granted for written statement.

Adjourned for orders to  
8.1.1996.

6  
Member

*hsc*  
Vice-Chairman

pg

*15/12/95*

(3)  
O.A.NO.192/1995

8-1-96

Mr.B.K.Sharma for the applicant.  
Mr.A.K.Addl.C.G.S.C. for the respondents.  
Adjourned for orders to 19-2-96.  
Liberty to file counter.

  
Member

  
Vice-Chairman

lm

16.2.96  
WS submitted  
to the Respondents.



O.A. No. 192/95.

(4)

19-2-96

Mr. S. Sharmin for the applicant,  
Mr. A. K. Choudhury, Addl. C. G. S. C. for  
the respondents. To be listed for  
hearing on 25-4-96.

  
Member

  
Vice-Chairman

lm

O.A.No. 192/95

25.4.96

Mr A.K. Choudhury, learned Addl.  
C.G.S.C. is present.

1) Service Reports are  
still awaited.  
2) W/Statment has been  
filed.

6/6.

Mr S. Sarma is present for Mr B.K.  
Sharma, learned counsel for the applicant.

Written statement has been filed.  
O.A. ready for hearing.

List for hearing on 7.6.96.

6  
Member

nkm

6  
N  
O.A. No. 192/95

7.6.96 Mr. K.Bhattacharjee for the applicants.

Mr. A.K.Choudhury, Addl. C.G.S.C. for the respondents.

Hearing adjourned to 25.6.96.

  
Member (J)

  
Member (A)

trd

25.6.96

Mr K.Bhattacharjee for the applicant. Mr A.K.Choudhury, Addl.C.G.S.C for the respondents.

List for hearing on 5.7.96 before Single Bench.

  
Member

pg

O.A.No. 192/95

5.7.96 Mr K.Bhattacharjee for the applicant.

Mr A.K.Choudhury,Addl.C.G.S.C for the  
respondents.

<sup>Submission</sup>  
~~Arguments~~ of both the counsel heard  
and concluded. Judgment reserved.

  
Member

pg

O.A. No. 192/95

8 9

OFFICE NOTES

DATE

COURT'S ORDER

12.7.96 Mr.A.K.Choudhury, learned Addl.C.G.S.C. present and informs that Mr. K.Bhattacharjee has some personal difficulties today and requests for listing the matter in next week.

List on 17.7.96 for hearing ('For being spoken to').

6  
Member

trd

17.7.96

Learned counsel Mr K.S. Bhattacharjee for the applicants and learned Addl. C.G.S.C., Mr A.K. Choudhury for the respondents.

In the course of submission during the hearing of this O.A., learned counsel Mr Bhattacharjee appearing for the applicants in the O.A. had placed reliance among others on the following orders of the Guwahati Bench of the Central Administrative Tribunal in support of his contention that Special Compensatory (Remote Locality) Allowance is admissible simultaneously with the Field Service Concession to the civilian employees working under the Military Engineering Service:

- 1) Order dated 29.3.1994 in O.A.No.48(G)/89 - D.B. Sonar and others -vs- Union of India.
- 2) Order dated 30.8.1994 in O.A.No.174/93 - Satish Ch Omar -vs- Union of India.

After the hearing was over it was noticed that the order dated 25.4.1996 passed by the Hon'ble Supreme Court in SLP (CC No.1821) (in Union of India and others -vs- D.B. Sonar and others) arising from order dated 17.11.1995 of Guwahati Bench in R.A.No.3/95 in O.A.No.48(G)/89 had been received. This order could not be discussed during the course of hearing. Hence in order to give opportunity to the both the sides the O.A. has been placed for being spoken to.

After hearing the counsel for the parties it is ordered that the judgment in the O.A. already heard will be delivered after receipt of the final order from the Hon'ble Supreme Court in the above mentioned SLP, namely, Union of India and others -vs- D.B. Sonar and others.

Copy of the order may be furnished to the counsel for the parties.

Member

25.6.97

None present. List for hearing on 6.8.97.

Member

nkm

20.8.97 Adjudged 20.8.97.

370.

20-8-97

Heard Mr.K.Bhattacharjee for the applicant and Mr.A.K.Choudhury, learned Addl.C.G.SC. for the respondents.

Counsel of both sides have completed their submissions. Hearing concluded. Judgment reserved.

Member

pg.

Judgment and order pronounced.

10-9-97 Application is disposed of in terms of the direction contained in the order as to costs.

Member

pg

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Date of Order : This the 10th Day of September, 1997.

Shri G.L.Sanglyine, Administrative Member.

O.A.No. 168 of 1995.

Sri Tikendrajit Brahma & 23 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents

O.A.No. 183 of 1995.

Sri Gangadhar Kalita & 18 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents

O.A.No. 184 of 1995

Sri Baikuntha Das & 14 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents

O.A.No. 185 of 1995.

Sri P.R.Rajak & 11 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents.

O.A.No. 186 of 1995.

Sri K.K.Choudhury & 26 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents.

O.A.No. 187 of 1995.

Sri Tapeswar Singh & 16 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents.

O.A.No. 188 of 1995.

Sri Prem Kumar Baishya & 23 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents

O.A.No. 189 of 1995.

Sri Mahendra Kumar Das & 21 others . . . Applicants  
- Versus -  
Union of India & Ors. . . . Respondents

contd...2

13  
O.A. No. 190 of 1995.

Sri Narendra Pandey & 27 others.

... . . . Applicants

- Vs -

1. Union of India  
represented by the Secretary to  
the Govt. of India, Ministry of  
Defence (Engineer-in-Chief Branch)  
Army Head Quarters, New Delhi.

2. The Chief Engineer  
Eastern Command, Headquarter, Calcutta.

3. Garrison Engineer,  
859 Engineer Works Section  
C/O 99 A.P.O.

4. Controller of Defence Accounts,  
Gauhati.

... . . . Respondents

O.A. No. 191 of 1995.

Sri Rajat Kanti Dey & 24 others

... . . . Applicants

- Versus -

1. Union of India

2. The Chief Engineer,  
Eastern Command,  
H.Q. Calcutta.

3. Garrison Engineer,  
859 Engineer Works Section,  
C/O 99 A.P.O.

4. Controller of Defence Accounts,  
Gauhati.

... . . . Respondents

O.A. No. 192 of 1995.

Sri Jugal Das & 24 others

... . . . Applicants

- Versus -

1. Union of India

2. The Chief Engineer,  
Eastern Command H.Q.  
Calcutta.

3. Garrison Engineer,  
859 Engineer Works Section  
C/O 99 A.P.O.

4. Controller of Defence Accounts,  
Gauhati.

... . . . Respondents

O.A. No. 193 of 1995.

Sri Ananda Ch. Sarma & 22 others

... . . . Applicants

- Versus -

1. Union of India

2. The Chief Engineer,  
Eastern Command, H.Q.  
Calcutta.

3. Garrison Engineer,  
859 Engineer Works Section  
C/O 99 A.P.O.

... . . . Respondents

O.A.No. 194 of 1995

Sri Anil Ch. Sarkar & 23 others

• . . . Applicants.

- Versus -

1. Union of India
2. The Chief Engineer,  
Eastern Command H.Q.  
Calcutta.
3. Garrison Engineer,  
859 Engineer Works Section,  
C/O 99 A.P.O.
4. Controller of Defence Accounts  
Gauhati.

• . . . Respondents.

O.A.No. 195 of 1995.

William Smith & 21 others

• . . . Applicants.

- Versus -

1. Union of India
2. The Chief Engineer,  
Eastern Command H.Q.  
Calcutta.
3. Garrison Engineer,  
859 Engineer Works Section  
C/O 99 A.P.O.
4. Controller of Defence Accounts,  
Gauhati

• . . . Respondents

O.A. No. 196 of 1995.

Sri Someswar Bhuyan & 24 others

• . . . Applicants

- Versus -

1. Union of India
2. The Chief Engineer,  
Eastern Command H.Q.  
Calcutta.
3. Garrison Engineer,  
859 Engineer Works Section C/O 99 A.P.O.
4. Controller of Defence Accounts.  
Gauhati

O.A.No. 197 of 1995.

Sri C.K.Janardhar & 24 others

• . . . Applicant

- Versus -

Union of India & Others

• . . . Respondents

2. The Chief Engineer,  
Eastern Command H.Q., Calcutta.
3. Garrison Engineer,  
859 Engineer Works Section C/O 99 A.P.O.
4. Controller of Defence Accounts  
Gauhati.

• . . . Respondents

Advocates for all the applicants : Sri B.K.Sharma &  
K.Bhattacharjee

Advocate for all the respondents : Sri A.K.Choudhury,  
Addl.C.G.S.C.

G.L.SANGLYINE, ADMINISTRATIVE MEMBER

16  
The applicants in the above mentioned 16 (sixteen) original Applications are employees under the Military Engineering Service and posted in various places in the State of Arunachal Pradesh. Permission to submit combined applications had been granted. Facts and law involved in these applications are same and therefore, for the sake of convenience the Original Applications are disposed of by this common order.

2. The Special Compensatory (Remote Locality)

Allowance was paid to the Defence Civilian employees posted in the NEWLY DEFINED FIELD AREAS and MODIFIED FIELD AREAS with effect from 1.4.1993 vide Ministry of Defence No.8/37269/AG/PS-3(a)/165/D (Pay/Services) dated 31.1.1995 as follows :

"i) Defence civilian employees serving in the newly defined field areas will continue to be extended the concession enumerated in Annexure 'C' to Govt letter No.A/02586/AG/PS 3(a)/97-5/D (Pay/Services) dt 25 Jan '64. Defence civilians employees serving in Newly Defined Field Areas will continue to be extended the concessions enumerated in Appendix 'B' to Govt letter No. AP 25762/AG/PS 3(a)/146-S/2/D(Pay/Services) dt 2nd March 1968.

ii) In addition to above, the Defence civilians employees serving in the newly defined Field Areas and Modified field areas will be entitled to payment of Special Compensatory (Remote Locality) Allowance and other allowances as admissible to defence civilians as per the existing instructions issued by this Ministry from time to time."

The date of effect of the above order was substituted by corrigendum No.B/37269/AG/PS-3(a)/1862/D(Pay)/Services) dated 12.9.1995 as below :

"These orders will come into force w.e.f the date of issue of this letter

contd... 5

namely w.e.f. 31.1.95. In other words, no recovery will be made on account of concessions like free rations/free single accommodation etc. already availed of by Defence Civilians as part of Field Service Concessions from 1.4.93 to 31.1.95. Similarly, no payment on account of SDA/SCA/SCA(RL) will also be made from 1.4.93 to 30.1.95."

Further amendment had been made to the letter dated 31.1.1995 above vide Ministry of Defence letter No.B/37269/AG/PS-3(a)/7800D(Pay/Services) dated 17.4.1995 insofar as it relates to employees posted in the Newly Defined Field Areas and newly defined Modified Field Areas as below :

"The Defence Civilian employees, serving in the newly defined modified Field areas, will continue to be entitled to the Special Compensatory (Remote Locality) Allowance and other allowance as admissible to defence Civilians, as hitherto, under existing instructions issued by this Ministry from time to time. However, in respect of Defence Civilians employees in the newly defined Field Areas, Special Compensatory (Remote Locality) Allowance and other allowances are not concurrently admissible alongwith Field Service Concessions."

3. Heard Mr K.Bhattacharjee, learned counsel for the applicants in each Original Application and Mr A.K. Choudhury, learned Addl.C.G.S.C for the respondents. The applicants are Defence civilian employees posted in various places in Arunachal Pradesh and according to the respondents, the applicants were enjoying Field Service Concessions facilities (FSC for short), namely, Free Ration, Free Single accommodation etc. provided by the respondents. Therefore, in terms of the aforesaid letter dated 17.4.1995 they are not entitled to the payment of Special Compensatory (Remote Locality) Allowance, SCA, for short, in addition to FSC. Accordingly the amount of SCA<sup>(RL)</sup> paid for the period from 1.4.1993 to 31.1.1995 was not

admissible to them and was ordered to be recovered.

Learned counsel Mr K.Bhattacharjee submitted that the contention of the respondents is not sustainable. In S.C.

Omar vs. Garrison Engineer (1995) 30 ATC 763, the

Tribunal had held that SCA<sup>(RL)</sup> is admissible in addition to FSC. In many other cases such as O.A.No.124 and 125 of 1995 etc. Defence civilian employees posted in Nagaland the Tribunal had allowed payment of SCA. Further, in Union of India & Others vs. B.Prasad, B.S.O and others, 1997 SCC (L&S) 1055, the Hon'ble Supreme Court had held that upto 17.4.1995 Special Duty Allowance and Field Area Special Compensatory (Remote Locality) Allowance are admissible together. Thus the applicants are entitled to payment of SCA<sup>(RL)</sup>.

4. The cause of action arose out of the order No.Pay/01 dated 26.7.1995 issued by CDA, Gwahati, that is Controller of Defence Accounts, Gauhati and the order dated 31.7.95 issued by the Accounts Officer of the Area Accounts Office, Shillong. A tussle was going on between the administrative authorities of the respondents 1 to 3 in one hand and the Audit and Accounts authorities on the other over the question of payment of SCA<sup>(RL)</sup> alongwith FSC. The CDA, Gwahati wrote in this No.Pay/01 dated 26.7.95 :

"In view of pending clarification regarding application of provisions of Min of Defence letter dt.31-1-95 and 17-4-95 payment on account of SCA(RL) for the period 1-4-93 onwards already made is irregular and unauthorised and requiring recovery in lumpsum from the ensuing pay bills without any consideration and intimated to this. AO Shillong has already been instructed to effect recovery in lump-sum.

contd... 7

As per Min of Def letter dated 13-1-95 certain Area of Arunachal Pradesh have been classified both Field and Modified Field Area as well. Please intimate specific authority classifying your office location in Modified field Area. If located in modified field area, facility of FSC may be stopped forthwith and recovery if any from 1-2-95 on account of cost of Free Ration/Single accommodation may be effected before allowing SCA(RL).

In future advice of your AAO CE on financial matter may invariable be accepted to avoid any complication which has arisen now."

The Accounts Officer, Shillong followed it up as below:

"The recoveries may please be effected from the concerned indirecd involved in the following bills to comply will be directive of the CDA Guwahati.

- 1) 01/Cash/30 dt. 29-5-95.
- 2) 01/Cash/31 dt. 29-5-95.
- 3) 02/Cash/73 dt. 27-5-95.
- 4) 03/Cash/51 dt 17-5-95
- 5) 05/Cash/19 dt. 26-5-95
- 6) 01/Cash/71 dt. 30-6-95

The sy pay bill bearing voucher No.01/Cash/69 dt. 29-6-95 on account of payment of SCA(RL) is returned unpassed for the reason stated above."

Operation of the above two orders have been stayed by the Tribunal at admission of the present original applications.

5. The decision of the Tribunal in S.C.Omar(Supra) was based on the its decision in D.B.Sonar and others. SLP No.17254 of 1995 filed by the respondents was dismissed by the Hon'ble Supreme Court on 24-7-1995 with liberty to file Review Application. Review Application No.18 of 1995 filed by the respondents was dismissed by the Tribunal on 20-11-1995. D.B.Sonar and others, RA 3/95(O.A.48/89)and RA 4/95(OA 49/89), and some of the other cases referred to by Mr.K.Bhattacharjee were subject matter in Union of India and others vs. B.Prasad, B.S.O and others(Supra). The aforesaid letter dated 17.4.1995 was under consideration by the Hon'ble Supreme Court in that case. The Hon'ble Supreme Court had held in the Order dated

contd/-8.

17.2.1997 in that case that upto 17.4.1995 the emp  
are entitled to both the Special Duty Allowance and  
the Field Area Special Compensatory (Remote Locality)  
Allowance and thereafter to only one Special allowance  
in terms of the aforesaid order dated 17.4.1995. Further,  
as regards payment of Special Duty Allowance to Defence  
civilian employees posted in Field Areas and in Modified  
Field Areas the Government was directed by the Hon'ble  
Supreme Court to modify the order dated 17.4.1995 and  
issue the necessary corrigendum. It was also directed  
that Union of India is not entitled to recover any  
payments made of the period prior to 17.4.1995. In the  
impugned order No. Pay/01 dated 26.7.1995 the CDA had  
referred to the letter dated 13.1.1995 issued by the  
Ministry of Defence classifying certain areas of Aruna-  
chal Pradesh as Field Areas and Modified Field Areas  
and sought clarification as mentioned therein. Mr A.K.  
Choudhury, learned Addl.C.G.S.C submitted that classi-  
fications of areas were made under letter dated 13.1.1994  
and not dated 13.1.1995. Mr K.Bhattacharjee submitted  
that the applicants were posted in Modified Field Areas.  
Apart from this clarification, the CDA also sought  
clarification regarding the aforesaid order dated  
17.4.1995. The impugned actions of the CDA and the  
Accounts Officer were taken by them pending clarification  
of the order dated 31.1.95 and dated 17.4.1995 by the  
authorities under the respondents No.1 to 3. From the  
impugned order No. PM/1/306-CI dated 31.7.95 issued by  
Area Accounts Office, Shillong the recovery ordered  
to be made relates to the payment of Special Compen-  
satory (RL) Allowance made from 4/93 to 1/95 through

the vouchers mentioned therein. In some of the original applications under consideration however, the CDA, Gauhati was not made a respondent while in all the Original Applications the Accounts Officer, Area Accounts Office, Shillong was not made a respondent. In the facts and circumstances stated above the respondents 1 to 3 are directed to communicate to the CDA, Gauhati the clarifications sought for by him in the impugned order dated 26.7.95 as mentioned above as soon as it may be possible. On receipt of the communication from the respondents the CDA, Gauhati shall take appropriate action immediately. Till such action is taken by him, the operation of the impugned orders in each Original Application shall remain suspended.

With the above directions, the original applications under consideration are disposed of. No order as to costs.

Sd/- MEMBER (A)

487  
11 SEP 1995

22  
K. B.  
1995

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GAUHATI BENCH  
AT GAUHATI

Original Application No. 192 of 1995

IN THE MATTER OF:

Sri Jugal Das and Ors. ... Applicants

- Vs -

Union of India and 'rs.

.... Respondents.

It is respectfully submitted for the  
applicants.

1. That the applicants have submitted a joint petition seeking relief of payment of allowances and service benefit as admissible to civilian central Government employees in terms of office memoranda dt. 14.12.83 and 1.12.88 of the ministry of Finance ( D<sub>e</sub>ptt. of Expenditure) of Govt. of India.

2. That from facts of the case, it would be clear that all the application have a common cause and interest in it and as such the joint application deserves to be entertained as provided by rule 4(5) of the procedure rules.

In these premises it is prayed that the Hon<sup>ble</sup> Tribunal may be graciously pleased to permit filling of single application by all the applicants jointly for ends of justice.

Jugal Das

23

VERIFICATION

I, sri ...Tugal... das.....  
son of ...Late/... D.R... D.O... employee  
under the Garrison Engineer, 859 Engineers Works  
Section C/O 99 A.P.O., do hereby verify that the  
contents as para ...1&2..... as the  
application are true to my knowledge and belief.

Tugal das

Date :- 7/9/95

SIGNATURE

24  
R. J. S. Choudhury  
Advocate

APPENDIX A:

FORM :

FORM I:

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNAL

ACT : # 1985

Title of the case: Sri Jugal Das, & Ors.

..... Applicants.

- Vs -

Union of India & Ors.

.... Respondents

I N D E X

<u>Sl.No.</u>	<u>Description of documents relied upon</u>	<u>page No.</u>
1.	Application	1 to 10
2.	Annexure A : copy of letter dt. 26.12.95	10 to 11
3.	Annexure B : Letter dt. 31.7.95	12
4.	Annexure C : Copy of memo dt. 14.12.83	13 to 14
5.	Annexure D : Copy of memo dt. 1.12.88	15 to 16

Note: Other documents referred to in the application are seized and possessed by and happen to be in the control, custody and power of respondents being correspondence exchanged in official channel and may be required to be produced by respondents.

Jugal Das

Signature of Applicant:

For use in Tribunal's

Office:

Date of filing :

Signature

for Registrar.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWALI BENCH:

1. Sri Jugal Das, s/o late D.R. Das.
2. Sri L.C. Das, s/o late Maniram Das.
3. Sri N.C. Nath, s/o Sri Dambaru Dhar Nath.
4. Sri C.D. Nath, s/o late Subha Ram Nath.
5. Sri D.N. Giri, s/o late Sarju Giri.
6. Sri Bechan Pandit, s/o late China Pandit.
7. Sri Hemlal Sonar, s/o late Sobha Ram Sonar.
8. Sri Goli Singh, s/o Ram Ch. Singh.
9. Sri K.A. Subramaniyan, s/o K.C. Ayyappan
10. Sri Salak Singh, Rawat, s/o Bechan Singh.
11. Sri Sobinda Ch. Das, s/o Girish Ch. Das.
12. Sri Manohar Deka, s/o late Dakhi Ram Deka.
13. Sri Kameswar Jha, s/o late Charuranayan Jha.
14. Sri Chandi Charan Das, s/o late Bipin Ch. Das.
15. Sri Ditya Thakur, s/o Sri A.N. Thakur.
16. Sri Shyam Sundar Bhagat, s/o late Budhan Bhagat.
17. Sri C.R. Sharma, s/o late S.K. Sarma.
18. Sri S.S. Bhattacharjee, s/o late Sasanka Shekhar Bhatt.
19. Sri M.C. Patra, s/o late Sudhan Ch. Patra.
20. Sri Norbu Sikha, s/o late Langa Sikha.
21. Sri Ram Dayal Yadav, s/o late Nathuni Yadav.
22. Sri Teg Bahadur Tamang, s/o late Bhakta Bahadur.
23. Sri Jayamal Chakraborty, s/o late Harish Chakraborty.
24. Sri Kamal Ch. Das, son of late Lamodhar Das.
25. Sri Dalip, son of late sundar.

All employed in Dahung P.H. under the

contd...

Jugal Das

under the Garrison Engineer, 859

Engineer Works section c/o 99 A.P.O

..... Applicants.

- Vs -

1. Union of India

represented by the secretary to  
the Government of India, Ministry of  
Defence ( Engineer-in-chief's Branch,  
army head Quarters) , New Delhi.

2. The Chief Engineer,

Eastern Command H.Q , Calcutta.

3. Garrison Engineer,

859 Engineer works section C/O 99 A.P.O.

4. Controller of Defence.

Accounts, Gauhati.

..... Respondents.

Details of Application:

1. Particulars of order against which the application  
is made -

Letter No. PH/1/306-CI-dt. 31.7.95 issued by Accounts  
Officer directed to recovery special compensatory (CRL)  
allowance from 4/93 to 1/95.

2. Jurisdiction of the Tribunal:

The applicants declare that the subject matter of

contd...3/-

Jugal Das

the order against which they want redressal is within the jurisdiction of the Tribunal.

**3. Limitation:**

The application further declare that the application is within the limitation period prescribed in section 21 of the Administrative Tribunal Act, 1985.

**4. Facts of the case:**

1) That the application are civilian defence employees of Military Engineer Services Department employed under the respondents and as such the applicants are posted to work at high altitudes of Arunachal Pradesh, a hard, remote and costly area where necessities and essential services of life are very scarce and are available only on paying abnormally high prices.

2) That the central Government ordered for payment of special duty and special compensatory (Remote locality) allowances to its employees posted in the North-eastern Region of the country to attract posting to this remote and costly locality. The field service concessions were extended to the civilians by the Government of India, Ministry of Defence vide their letter dt. 25.1.64 as amended from time to time. The applicant are in receipt of Modified field service concessions are also being paid to GREF staff posted to this area.

contd...4./

Jugal Das

3) That the need for attracting and retaining the service of competent staff for service in the North Eastern Region comprising the seven states including Arunachal Pradesh was engaging attention of the Government and with a view to review the existing allowances and service benefits to employees posted in this region a committee under the chairmanship of Secretary, Department of personnel & Administrative Reforms was appointed and after considering carefully the recommendations of the committee, the president of India was pleased to decide in favour of allowance and benefits being continued as modified by Government of India Office Memoranda No.20014/2/83-E IV of Ministry of Finance (Department of Expenditure) issued on 14.12.83, subsequent there after another office Memoranda being No. 20014/16/86/E.IV/E II. (B) dt. 1.12.88 was issued making some improvements in allowances and facilities to employees posted in this region.

4) That such allowances and facilities were admitted by the audit authorities in the past, reference in this connection may be made to letter No.1360/A/2623/EIC(3) dt. 20.2.87 of the C.W.E. Tezpur where by Ministry of Finance, Department of expenditure Office Memoranda No. 20014/4/86-E-IV dt. 23.9.86 making special mention of the employees posted in Arunachal Pradesh and to letter No. pay/24/IV/PC dt. 20.2.87 of the C.D.A , Gauhati .

contd...5/-

Jugal Das

5) That, however in so far as special compensating allowance is concerned, the C.D.A, Gauhati as per latter M/D dt. 31.1.95 and 17.4.95 allowed the applicants to withdraw the benefits e- with effect from 1.4.95 instead of 1.12.93. The applicants begs to state that they have withdraw the said benefits as per the order of the authority, from 1.4.93 under protest,.

6) Be it stated here that with regarded to special duly allowances as per memo dt. 14.12.83, and 1.12.88 , the application has filed a petition No. O.A No. <sup>48</sup> and after hearing the matter your lordship was pleased to dismissed the petition on 3.7.95.

7) That on the long part of July the petitioner was informed by the office that C.D.A. Gauhati vise its letter No. pay/o1/I dt. 26.7.95 has directed the C.W.E. Tezpur & recovery the amount of S.C.A. which was paid to the applicants W.E.F 1.4.93 to 1/95 pending clerification from Ministry of Defence . The arear price to 31.1.95 will be paid after receipt of clarification from the Ministry.

( Copies of letter dt. 26.7.95 and 31.7.95 are enclosed hereto and marked at. Annexure- A and B.)

8) That the applicants begs to state that the authority has already gabe to its local Audit department ef to recovery the said amount as SCA which was paid earlier to the applicants from the salarise inspite of the O.M. dated 14-12-83, 1.12.88

contd...6/-

Jugal Das

( copies of O.M. dt. 14.12.83 and 1.12.88  
are enclosed hereto and marked as  
Annexure C & D ).

**5. Grounds for relief with legal provisions:**

- i) For that the applicants are entitled to special compensatory allowances as per Office memoranda dt. 14.12.83, 1.12.88 in as much as the said memoranda have been made applicable & all civilian central Govt. Employees and cannot be discriminated against.
- ii) For that the departmental authority have been seized of the matters since after 1.12.83, initially by making payments in accordance with office memoranda dt. 14.12.83 thereafter by making orders stopping such payments and directing for recovery of amounts already paid that to without seeking any clarification is gross violations of the applicants right which is guaranteed under the constitution of India.
- iii) For that notwithstanding payment of SCA to the GREF personal they being entitled to allowance and benefits under O.M. dt. 14.12.83 and 1.12.88 also, the applicants are also entitled to such allowance and benefits, effective from 1.12.83 but the same was given effect from 1.4.83 which deprived the applicants from their legitimate right.

contd... 7/-

Jugal Das

iv) For that the respondent fail to understand the order dt. 3.7.95 passed by this Hon'ble Tribunal in letter and spirit as such the Respondents issued a direction to recovery the SCA from the applicants, which is miscarriage of justice toward the applicants.

v) For that the applicants being posted to high altitude of Arunachal Pradesh, the necessities and essential services of life are scarce at such places and are available only or payment of abnormally high prices which is for what unless the applicants are compensated by making payment of allowance and service benefits as per office memoranda dt. 14.12.83 and 1.12.88, they shall have to face grave. Injunction and serious injury that decided to be remedies by protecting that from the wide as discrimination that is guaranteed to them as citizen / public employees under Articles 14 and 16 of the constitutes.

**6. Details of Remedies exhausted:- exhausted:**

The applicants declare that they have availed of all the remedies available to them under the relevant service rules, etc. as would be revealed from para 4 and 5. above.

**7. Matters not previously filed or pending with any other court.-**

The applicants further declare that they have not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made before any court any or any other authority or any other

contd...8/-

Jugal Das

authority or any other Bench of the Tribunal nor any such application , writ petition or suit is pending before any the as them.

8. Relief Sought:

The respondents may be order/directed to any pay to applicant the special compensating allowance in accordance with P.M. dt. 14.12.83 and 1.12.88 of the Central Government as referred above and be further pleased to set aside and wash the order dt. 26.7.95 ( Annexure- A ) and 31.7.95 ( Annexure- B ).

9. Interim order if any prayed for :

The respondent may be directed not to give effect of letter dt. 26.7.95 issued the Sr. A.O.(D) and letter dt. 31.7.95 issued by A.O. and also be directed not to recover the arrear amount paid to the applicant pending the clarification from the Ministry of Defence.

10. In the event of application being sent by registered post etc. :- Not applicable.

contd...9/-

Jugal Das,

11. Particulars of postal order  
or P.O. No. 99 327243 .....  
filed in respect of application fee  
& date 7/9/1955 ..... issued by Gauhati Head post  
Office fee Rs. 50/- payable  
at Gauhati is annexed hereto.

12. List of enclosers: Annexure: A B C D

VERIFICATION

I, Sri Jugal Das, son of late D.R. Das, employed under  
the Garrison Engineer, 859 Engineer Works Section C/0  
99 A.P.O. do hereby verify that contents above are true  
to my knowledge and belief.

Dated: 7/9/1955

place: Gauhati

Jugal Das

Signature



10  
11

Annexure - A

Copies of AOA Gauhati letter No. Pay/01/X dated 26-7-95. addressed

Sub :- PAYMENT OF SCA (RL) IN RESPECT OF INDUSTRIAL STAFF.

It has been intimated by your AAO GE that payment on account of SCA (RL) (alongwith FSC) has been made to Industrial personnel for the period from 1-4-93 to 31-5-95 in spite of disagreement with sumit.

As per A/O letter dt 31-1-95 and 17-4-95 Defence Civilians serving newly defined Modified Field Areas are entitled to SCA (RL) and other allowances w.e.f 1-4-93 and no field service concession is admissible though the Govt. letter was issued on 31-1-95.

The case regarding payment of arrears on account of SCA (RL) for the period 1-4-93 to 31-1-95 and recovery of cost of Free Ration/ Single accommodation already availed is under reference with higher audit authority for clarification in consultation of Min. of Defence. The case is still under consideration with Min. of Defence and in meantime it has been decided that recovery of cost of Free Ration/Single accommodation already availed prior to 31-1-95 may not be made. Similarly any payment on account of SCA/RCA/JDA may not be made for the period 1-4-93 to 31-1-95 payment w.e.f 1-2-95 may be admitted in case no FSC (Free Ration/ accommodation) is being availed.

In view of pending clarification regarding application of provisions of Min of Defence letter dt 31-1-95 and 17-4-95 payment on account of SCA (RL) for the period 1-4-93 onwards already made is irregular and unauthorised and requiring recovery in lumpsum from the w.e.f ensuing pay bills without any consideration and intimated to this office. All Shillong has already been instructed to effect recovery in lumpsum.

As per Min of Def letter dt 13-1-95 certain Area of Arunachal Pradesh have been classified both Field and Modified Field Area as well. Please intamate specific authority classifying your office location in Modified Field Area. If located in modified field area, facility of FSC may be stopped forthwith and recovery if any from 1-2-95 on account of cost of Free Ration/Single accommodation may be effected before longwing SCA (RL).

In future advice of your AAO GE on financial matter may invariable be accepted to avoid any complication which has arisen now.

Copy to :-

Sd/-x-x-x-  
Cr. A.O. (P)

Contd. P/2

Copy to :-

1. AAO GE  
859 EWS

8. Wordl Rte No. A/113/XVIII dt 7-7-95.  
He is directed to place the amount to  
SCA(ML) payment under 510 and effect recovery  
very in Lump-sum. SCA(RL) may not be  
admitted unless FSC is stepped.

This office circular No Pay/01/105 dt  
30-6-95 may be referred to.

2. 859 Shillong Zone  
Shillong  
3. RME Tezpur  
4. ALA(A) Tezpur

WITH A REQUEST TO ISSUE suitable Inst. to  
GE 859 EWS to effect recovery in Lump-sum  
of irregular and unauthorised payment  
of SCA(RL) to Defence Civilians, including  
Officers and also to step F.S.C. 1.0.  
Free Ration/Singis accommodation.

Also confirm that 859 EWS is located in  
Modified Field Area as per M/O letter  
dt 12-1-94.

for information.

afft the  
Signature

Agm Accounts Office, Zaxum Villa  
Sifiling letter no. PM/1/306-CI dt 31-7-95.

SuH :SPECIAL COMPENSATORY( RL ) ALLOWANCE FROM  
4/93 TO 1/95 & RECOVERY OF

It has been directed by the COA Guwahati to recover the amount on account of SCA( RL ) paid from 4/93 to 1/95 pending clarification from Ministry of Defense. The arrear prior to 31.1.95 will be paid after receipt of clarification from the Ministry.

As such the payment made from 4/93 to 1/95 on the above account through the following vouchers have been noted for recovery from the pay bills :-

The recoveries may please be effected from the concerned \* indicate in the following bills to comply will be directive of the COA Guwahati.

- 1) 01/Cash/30 dt 29.5.95.
- 2) 01/Cash/31 dt 29.5.95
- 3) 02/Cash/73 dt 27.5.95
- 4) 03/Cash/51 dt 17.5.95
- 5) 05/Cash/19 dt 26.5.95
- 6) 01/Cash/71 dt 30.5.95.

The pay bill bearing voucher No. 01/Cash/69 dt 29.6.95 on account of Payment of SCA( RL ) is returned unpassed for the reason stated above.

Sd/-x-x-x-x  
( RNP Singh )  
Account Officer

*dk*

Anupam C  
by

MEMORANDUM  
No. 20014/2/83-E.IV  
GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
DEPARTMENT OF EXPENDITURE

All India  
Tibam Circular No. 12953  
Adviser

NEW DELHI, the 14th  
DECEMBER 1983

MEMORANDUM

Object - ALLOWANCES AND FACILITIES FOR CIVILIAN EMPLOYEES OF THE  
CENTRAL GOVERNMENT SERVING IN THE STATES AND UNION  
TERRITORIES OF NORTH EASTERN REGION IMPROVEMENT

The need for attracting and retaining the services of competent officers for service in the North East Region comprising the States of Assam, Meghalaya, Manipur, Nagaland and Tripura and the Union Territories of Arunachal Pradesh 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 Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of Civilian Central Government employees serving the this region & to suggest suitable improvements. The recommendation of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows:-

(i) Tenure of posting/deputation:

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc. in excess of 15 day per year will be excluded counting the tenure period of 2/3 years. Officers, on completion of the fixed tenure of service mentioned above, may be considered for posting to a station of their choice as near as possible. Satisfactory performance of units for the prescribed tenure in the North East shall be given due recognition in the case of eligible officers in the matter of:-

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

(ii) Waiver for Central Deputation/Training abroad  
AND SPECIAL FUNCTION IN CONFIDENTIAL RECORDS.

- (a) Promotion in cadre posts;
- (b) deputation to central tenure posts; and
- (c) course of training abroad.

The general requirement of at least three years service in a cadre post between to central tenure deputations may also be relaxed to two years in deserving cases of meritorious service in the North East.

Contd.....2

Anupam C  
by

A specific entry shall be made in the C.R. of all employees who served in full tenure of service in the North Eastern Region to that effect.

(iii) Special (Duty) Allowance :

Central Government civilian employees who have all India transfer liability will be granted a special (Duty) Allowance at the rate of 25 per cent of basic pay subject to a ceiling of Rs. 400/- p.m. month on posting to any station in the North Eastern Region. Such of these employees who are except 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/or 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 Allowance will be drawn separately.

(iv) Special Compensatory Allowance :-

1. Assam and Nagaland

The rate of the allowance will be 5% of basic pay subject to maximum of Rs. 50/- p.m. admissible to all employees without any pay limit. The above allowance will be admissible with effect from 1-7-1982 in the case of Assam.

2. Manipur

The rate of Allowance will be as follows for the whole of Manipur :-

Pay up to Rs. 260/-	Rs. 40/- p.m.
Pay above Rs. 260/-	15% of basic pay subject to maximum of Rs. 150/- p.m.

3. Arunachal

The rates of the allowance will be as follows :-

(a) Difficult Areas - 25% of pay subject to minimum of Rs. 50/- and maximum of Rs. 150/- p.m.

(b) Other areas

Pay up to Rs. 260/-	Rs. 40/- p.m.
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Pay above Rs. 260/-	15% of basic pay subject to a maximum of Rs. 150/- p.m.
---------------------	---

There will be no change in the existing rate of Special Compensatory Allowance admissible in Arunachal Pradesh, Nagaland and Mizoram and the existing rate of Disturbance Allowance admissible in specified areas of Mizoram.

Sd/- xx xx xx xx  
Under Secretary to the Govt of India

*Subba Rayudu*

DVS, G.S.I.  
(D. V. S. Rayudu)  
AE B/R  
AGB (1)  
For Garrison Engineer

15  
16

Annexure D

G.O.M.R.

F.No. 20014/16/86/E.IV/E.II(B)  
Govt of India, Ministry of Finance  
Department of Expenditure

New Delhi, the 1 Dec 1986

ONLINE ALLOWANCES

Subject : IMPROVEMENT IN ALLOWANCES FOR CIVILIAN EMPLOYEES OF THE  
CENTRAL GOVERNMENT IN THE STATES OF NORTH EASTERN  
REGIONS AND ASSAM, ARUNACHAL, MIZORAM AND LAKSHADWEEP

The undersigned is directed to refer to this Ministry's O.M. No. 20014/3/83-L, IV dated 14th December, 1983 and 30th March, 1984 on the subject mentioned above and to say that the question of making suitable improvements in the allowances and facilities to Central Govt. employees posted in North Eastern region comprising the States of Assam, Meghalaya, Manipur, Nagaland, Tripura, Arunachal Pradesh and Mizoram is been engaging the attention of the Govt. Accordingly the President is now pleased to decide as follows:-

EXPLANATION

i) Tenure of posting/deputation

The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue.

ii) Weightage for Central deputation and training abroad:-

Special mention in confidential records

The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue. Cadre authorities are advised to give due weightage for satisfactory performance of duties for the prescribed tenure in the North-East in the matter of promotion in the cadre posts, deputation to Central tenure post and courses of training abroad.

iii) Special (Duty) Allowance:-

Central Govt. Civilian employees who have All India transfer liability will be granted special (Duty) Allowance at the rate of 12% of basic pay subject to ceiling of Rs. 1000/- per month on posting to any station in the North-Eastern Region. Special (Duty) Allowance will be in addition to any special pay and/or deputation (duty) allowance already being drawn subject to the condition that the total of such allowance will not exceed Rs. 1000/- p.m. Special allowances like special Compensatory (Remote Locality) Allowance, Construction Allowance and Project Allowance will be drawn separately.

The Central Govt. civilian employees who are members of Scheduled Tribes and are otherwise eligible for the grant special (Duty) Allowance under this para and are exempted from payment of Income-Tax under the Income-Tax Act will also draw special (Duty) Allowance.

iv) Special Compensatory Allowance:-

The recommendations of the 4th pay Commission have been accepted by the Govt. and Special Compensatory Allowance at the revised rates have been made effective from 1-10-86 (1-10-86).

Contd. .... Pg No -

Affed  
VJ

10/16

Particulars 2

(v) to (xii) - Not applicable.

2. The above orders will also apply ~~in transit mutandis~~ to the Central Govt. employees posted in Andaman & Nicobar Islands and Lakshadweep Islands. These orders will also apply ~~in transit mutandis~~ to officers posted to N.E. Council, when they are statived in the N.E. Region.

3. These orders will take effect from the dat of issue.

4. In so far as the persons serving the Indian Audit & Accounts Dep'tt. are concerned these orders issue after consultation with the Comptroller & Auditor General of India.

5. Hindi version of this Memorandum is attached.

Sd/- XXX XXX XXX  
(A. J. AYALAMAL)  
Joint Secretary to the Govt of India.

S. T. S.

Dr. S. V. Rayudu  
(D. V. S. Rayudu)  
AE B/R  
AGE (T)  
For Garrison Engineers

W. H. S.  
S. T. S.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

GUWAHATI

In the matter of :-

16 FEB 1996 O.A. NO. 192 OF 1995  
SHRI JUGAL DAS AND OTHERS

Guwahati Bench  
ज्योति अधिकारी

-Vs-

.... Applicant

Union of India & Others

.... Respondents

Written statement for and on behalf of Respondents

Nos 1, 2, 3, & 4

I, Major M.K. Arora, Garrison Engineer, 859 Engineer Works Section, C/O 99 A.P.O., do hereby solemnly affirm and say as follows :-

- 1) That I am the Garrison Engineer, 859 Engineer Works Section C/O 99 APO and Respondents No 3 in the case, and acquainted with the facts and circumstances of the case. I have understood the contents thereof. Save and except whatever is specifically admitted in the written statement the other contentions and statement made in the application may be deemed to have been denied. I am competent and authorised to file this written statement on behalf of all the respondents.
- 2) That the respondent beg to state that the special Compensatory Allowance (Remote Locality) was ordered vide Govt of India, Min of Def letter No B/37269/AG/PS-3(a)/165/D (Pay/ Services) dated 31st Jan 95. The order came into effect wef 01st Apr 1993. As per Govt of India, Min of Def letter, it has been ordered that field service concession viz-a-viz, the special compensatory allowance (RL) will be admissible to the Defence Civilian employees on representation from all Defence employees of this works Section during the month of July 1995 the payment of arrears of SCA (RL) for the period from 01st April 1993 to 31st Jan 95 was made after obtaining the UNDERTAKING from the employees that "Any over payment of arrears of SCA (RL) that may be found at a later date is refundable to this office".
- 3) That the respondents beg to state that the amendment to the above order was issued vide Govt of India, Min of Def letter

NO. B/37269/AG/PS-3(a)/730/D(Pay/Services) dated 17th April 1995 regarding Field Service Concessions to Defence Civilian Employees serving in the newly defiaed area under which it has been clarified that Special Compensatory Allowance (RL) and other Field Service Concessions are not admissible concurrently, but these orders on the subject were received late in this office.

4) That the respondent beg to state that the on payment of arrears of SCA (RL) for the above period CDA Guwahati issued instruction to this office and Asstt. Accounts Officer vide his letter No. PAY/01/IX, dated 31st July 1995 that payment of arrears of SCA made to the Defence Civilian Employees is irregular and be recovered in lump sum as the employees are availing field service concessions. Both the concessions i.e. SCA (RL) and Field Service Concessions could not be granted at a time. The matter is under examination in consultation with Min of Def in connection of Govt of India, Min of Def letter dated 31st January, 1995 as modified vide letter dated 17th April 95.

5) That the respondents beg to state that the on receipt of Min of Def Corrugendum No. B/37269/AG/PS-3(a)/1862/D(Pay/Service) dated 12th Sept 95 under which para 2 of Govt of India, Ministry of Def letter dated 31st Jan 95 has been deleted and substituted as under :-

"These orders will come into force wef the date of issued of this letter namely wef 31st January 1995. In other words, no recovery will be made on account of concessions like free rations/free single accommodation etc. already availed by Defence Civilians as part of Field Service concessions from 01st April 93 to 30 Jan 95 Similarly no payment on account of SDA/SCA/SCA(RL) will also be made from 01st April 1993 to 30th January 1995".

6) That the respondents beg to state that in view of the above, it is clarified vide Govt of India, Min of Def letter No B/37269/AG/PS-3(a)/1862/D(Pay/Services) dt 12th Sept 95 that both of the concessions are not admissible at the same time.

7) That the respondents beg to state that this unit is located in the remote and hard area at the distance of 140 Kms away from Tezpur at the height of 4749 ft from sea level where even communication to and from is very must infrequeant due to the rough terrain of the area. Based on this fact, the Govt of India, Min of Def has declared this area as Field Service Concession area wherein the facilities for field concessions are being enjoyed

by Defence Civilians Employees as per Govt of India, Min of Def letter No. 4/92584/AG/PS-3(a)/191/S(Pay/Services) dated 25th Jan' 1964 as modified vide Govt of India, Min of Def letter No. A/2576/AG/PS-3(b)/146-S/2/D(Pay/Services) dated 02nd March'1968.

In view of the clarification received on Govt of India, Min of Def letter dated 31st January'95 and 17th April'95 vide Govt of India, Min of Def letter No. B/37269/AG/PS-3(a)/1862/D(Pay/Services) dated 12 Sep'95 the recovery of arrears of SCA(RL) for the period from 01st April'1993 to 31st Jan'95 is required to be made as SCA(RL) and other allowances are not concurrently admissible alongwith Field Service Concessions.

86 That the Respondents beg to state that on perusal of our old records, it is revealed that the Civilian employees of this office were granted SCA wef 1st Oct'1986 vide Govt of India, Min of Def letter No. 20014/S/86/E-IV dated 23 Sep'1986. The SCA(RL) was claimed in respect of this office for Defence Civilian Employees through the regular pay bill for the month of 12/86 but the same was disallowed by AAO Shillong stating that since field service concessions are being enjoyed by the employees of this office and therefore no SCA(RL) is admissible. In this connection para-4 of letter dated 23 Sep'1986 is relevant. It states that where the hill compensatory allowance or any other compensatory allowance is more beneficial the same may be allowed in lieu of special compensatory allowance. In other words only one concession is admissible at one time. The payment against the intention of Govt order cannot be authorised.

In view of the present orders received on the subject, it is very clear that the SCA(RL) and availing of field service concession at the same time are not admissible. Hence recovery of arrears of SCA(RL) for the period from 1st April'1993 to 31st Jan'1995 is required to be made as per Govt of India, Min of Def letter dated 12 Sep'1995.

The irregular payment amounting to Rs. 22.00 lakhs made in account of arrears of SCA(RL) for the period from 1st Apr'1993 to 31st Jan'95 is required to be deposited with Govt as the Defence Civilian Employees of this office are enjoyed field concession.

Since the employees of this works section have been paid the SCA(RL) for the period from 1 Apr'93 to 31 Jan'95 which is irregular in terms of the existing Govt orders and the latest clarification received from Govt of India, Min of Def letter dated 12 Sep'95 on the subject, no SCA(RL) will be admissible concurrently with field service concession. Hence amount already paid termed as irregular is required to be recovered from the employees.

9) That with reference to paragraph 1 of the application the respondents beg to state that on representation from all the Defence Civilian Employees of this office during the month of Jul '95, the payment of arrears of SCA(RL) for the period from 1st Apr '93 to 31st Jan '95 were made after obtaining the undertaking from the employees that "any over payment of arrears of SCA that may be found later date, is refundable to this office."

On payment of arrears of SCA(RL) for the above period, CDA Guwahati issued instructions to this office and Asstt. Account Officer vide his letter No. PAY/01/IX dated 31st Jul '95 that payment of arrears of SCA from 01 April '93 to 31st Jan '95 made to the Defence Civilian Employees is irregular and be recovered in lump sum as the employees are enjoying field service concession. Both the concession i.e. grant of SCA(RL) and availing of field service concessions could not be granted at the same time. The matter is under examination in consultation with Ministry of Def in connection of Ministry of Defence letter No. B/37269/AG/165/PS-3(a)/D(Pay/Services) dated 31st Jan '95 (Annexure-I) as modified vide Min of Def letter No. B/37269/AG/PS-3(a)/730/D(Pay/Services) dated 17 Apr '95 (Annexure-II).

10) The both reference to paragraph 2 and 3 of the application on the respondents have no comments.

11) That with reference to paragraph 4(1) of the application the respondents beg to state that this being the remote area located at a distance of 140 Kms away from Tezpur, at the height of 4749 ft above sea level, the essential commodities are being obtained from Tezpur by local merchants and thereby the cost commodities are very high. Based on this fact, the Govt of India, Min of Def has declared this area as Field Service concessional area wherein the facilities for field concession are being enjoyed by Defence Civilian Employees as per Govt of India, Min of Def letter No. 4/02584/AG/PS-3(a)/B(Pay/Services) dated 25th Jan '96 (Annexure-III) modified vide Govt of India, Min of Def letter No. A/25761/AG/PS-3(b)/146-S/2/D(Pay/Services) dated 02nd March '96 (Annexure-IV).

However as per the present Govt. order this area has been declared as modified field concessional area vide Min of Def letter No. 37269/AG/PS-3(a)/90/D(Pay/Service) dated 13th Jan 1994 (Annexure V) and the payment of arrears of SCA (RL) was made accordingly on receipt of Govt. of India, Min of Def letter No. B/37269/AG/PS-3(a)/165/D(Pay/Service) dated 31st Jan '95 (Annexure-I) which was later amended vide Govt of India, Min of Def letter No. B/37269/AG/PS/3(a)/730/D(Pay/Service) dated 17th April 95 (Annexure-II) that Defence Civilian employees in the newly defined field areas, special Compensatory (Remote Locality) Allowance and other allowance are not concurrently admissible alongwith Field Service Concessions".

In view of the above, both the concessions could not be granted at the same time as clarified vide Govt of India, Min of Def letter dated 17 April 95 quoted above, as such the payment made on account of arrears of SCA (RL) from 1st April 93 to 31st Jan 95 is irregular. The intention of the Govt. of India order is very clear i.e. only one concession either Special Compensatory Allowance in terms of Govt of India, Min of Def letter dated 17th April 95 or any other compensatory allowance/concession available in terms of any other Govt. order whichever is more beneficial is admissible.

It is further clarified that the concession of special Compensatory allowance and field service concessions are given under different orders, the same are not admissible simultaneously.

- 12) That with reference to paragraph 4(2) of the application the respondent beg to state that so far the payment of Special Compensatory (RL) Allowance to GREF Personnel is concerned, this office has no comments to offer since the Govt. order regarding non admissibility of both concessions concurrently are very clear.
- 13) That with reference to paragraph 4(3) of the application the respondents have no comments.

- 14) That with reference to the paragraph 4(4) of the application the respondents beg to state as per Govt. of India, Min of Def

Letter No. 4(7)/77/D(Civ-I) dated 14th July 80 under which special compensatory allowance (RL) has been granted initially the allowance in question is not admissible to civilians who are in receipt of field service concessions. It has been clarified by the Ministry of Finance (Dept. of Exptr) that the basic conditions for admissibility of the allowance remain the same. In connection, para-4 of OM No. dated 23 Sept 86 (Annexure-VII) is relevant. It states that where the hill compensatory allowance or any other compensatory allowance is more beneficial the same may be allowed in lieu of special Compensatory Allowance. In other words only one concession is admissible at one time. The payment against the intention of Govt. orders cannot be authorised.

15) That with reference to the paragraph 4(5) of the application the respondents beg to state that as per Govt. of India, Min of Def letter No B/37269/AG/PS-3(a)/165/D(Pay/Services) dated 31st Jan '95 (Annexure-I) as modified vide letter No. 37269/AG/PS-3(a)/D(Pay/Services) dated 17th April 95 (Annexure-II the Defence Civilian employees serving in the newly defined modified field area, the special compensatory (Remote Locality) allowance and other allowances are not concurrently admissible alongwith field service concession. The employees of this office are in receipt of Field Service Concession till date.

16) That with reference to the paragraph 4(6) of the application the respondents beg to state that it has been laid that the memora nda dated 14th Dec 83 (Annexure-VIII) and 1st Dec 88 are meant for attracting and retaining the service of competent officers posted in the North Eastern Region from other parts of the Country and are not applicable to the personnel belonging to the region where they are appointed and posted. Since the applicants have been appointed and posted in the North Eastern Region, the claim does not survive and OA No. 61/95 was rejected.

17) That with reference to the paragraph 4(7) of the application the respondents beg to state that the present order on the subject has been issued vide Govt of India, Min of Def letter No.

18  
 Annexure-VIII) under which para 2<sup>o</sup> of Govt of India, Min of Def letter No. B/37260/AG/PS-3(a)/165/D(Pay/Service) dated 31st Jan '95 (Annexure-I) has been deleted/substituted as under :~

" These orders will come into force wef the date of issue of this letter namely wef 31st Jan 95. In other words, no recovery will be made on account of concession like free ration/free single accommodation etc. already availed by Defence Civilian as part of Field service Concessions from 1st April 93 to 30th Jan '95, Similarly no payment on account of SDA/SCA/SCA(RL) will also be made from 01st April 93 to 30th Jan 95 ".

The above clarification is self explanatory and there is no further comments to offer.

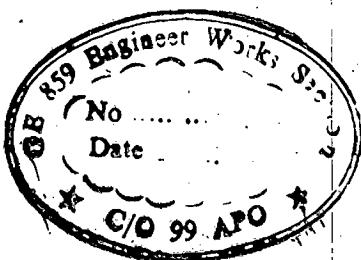
- 18) That with reference to paragraph 4(8) of the application the respondents beg to state that CDA's letter for recovery of arrears of SCA (RL) paid to the Defence Civilians employees for the period from 1st April 93 to 31st Jan '95 is in order as per Govt. of India letter quoted in para-7 above. Since the Defence Civilian employees of this organisation are in receipt of Field Service Concessions, the request for grant of SCA (RL) in addition to field service concession is not admissible as per existing orders.
- 19) That with reference to paragraph 5 of the application the respondents have no comments.
- 20) That with reference to paragraph 8 of the application the respondents have no comments.
- 21) That with reference to paragraph 9 of the application the respondents beg to state that the clarification received from Govt. of India, Ministry of Defence letter No. B/37269/AG/PS-3(a)/1862/D(Pay/Service) dated 12th Sept '95 (Annexure-VIII) has categorically stated that both the concession are not admissible concurrently and the stay order passed by the Hon'ble Tribunal may be vacated.
- 22) That with reference to paragraph 10,11 and 12 of the application the respondents have no comments.

23) That with the respondents craves leave of the Hon'ble Tribunal to file additional written statement of occasion arises.

VERIFICATION

I, Major M K Arora, Garrison Engineer, 859 Engineer Works Section, C/O 99 APO do hereby declare that the statements made in this written statement are true to my knowledge derived from the records of the case.

I sign this verification on this the 10th of February 1996  
at



DEPONONT

(MK ARORA)

MAJOR  
Garrison Engineer  
859 ENGR WKS SEC

Copy of a of I, ii of J letter No. B/37269/1G/PS-3(a)/165/D  
(Pay/Services) dated 31 Jan '95.

FIELD SERVICE CONCESSIONS TO DEFENCE CIVILIANS  
SERVING IN THE NEWLY DEFINED FIELD AREAS

Sir,

1. I am directed to refer to Para 13 of Govt letter No. B/37269/1G/PS 3(a)/D Pay/Services dt 13.1.94 and to convey the sanction of the president to the following field service concession to Defence civilians in the Newly defined Field Areas & Modified Field Areas as defined in the above mentioned letter :-

i) Defence civilian employees serving in the newly defined field areas will continue to be extended the concession enumerated in Annexure 'C' to Govt letter No. A/02536/1G/PS 3(a)/97-5/D(Pay/Services) dt 25 Jan '64. Defence civilians employees serving in Newly Defined Field Areas will continue to be extended the concessions enumerated in Appendix 'B' to Govt letter No. AP 25762/1G/PS 3(a)/146-S/2/D(Pay/Services) dt 2nd March 1968.

ii) In addition to above, the Defence civilians employees serving in the newly defined Field Areas and Modified Field areas will be entitled to payment of Special Compensatory (Remote Locality) Allowance and other allowances as admissible to Defence civilians as per the existing instructions issued by this Ministry from time to time.

2. These orders will come into force w.e.f. 1st April 1995.

3. This issues with the concurrence of Finance Division of this Min vide their OO No. 5(a)/85-AG (14-9A) dt 09.01.1995.

Yours faithfully,

Sd/-x x x x  
( K I Tluanga )

Under Secretary to the Govt of India.

COPY

No. B/37269/AG/PS-3(a)/1862/D(Pay/Services)  
Government of India  
Ministry of Defence  
New Delhi, the 12th September 95.

C O R R I G E N D U M

The following amendment is made to this Ministry's letter No..B/37269/AG/PS-3(a)/165/D(Pay/Services) dated 31.1.95, regarding Field Service Concessions to Defence Civilians serving in the newly defined Field Areas :-

Para 2 may be deleted and substituted as under :-

"These orders will come into force w.e.f. the date of issue of this letter namely w.e.f. 31.1.95. In other words, no recovery will be made on account of concessions like free rations/free single accommodation etc. already availed of by Defence Civilians as part of Field Service Concessions from 1.4.93 to 31.1.95. Similarly, no payment on account of SDA/SCA/SCA(RL) will also be made from 1.4.93 to 30.1.95".

2. This corrigendum issued with the concurrence of the Finance Division/AG of this Ministry vide their I.D. No. 1033-PA dated 11.9.95.

Sd/-x x x x x  
( L T Thuanga )

Under Secretary to the Govt. of India

To

The Chief of the Army Staff  
New Delhi

Annexure II

Annexure 'B'

Copy of Govt of India, IOD letter No. L/37269/AG/PS3(a)/730/  
D(Pay/Services) dated 17 April'95.

FIELD SERVICE CONCESSIONS TO DEFENCE CIVILIANS  
SERVING IN THE NEWLY DEFINED FIELD AREAS

1. The following amendments is made to this Ministry's letter No. B/37269/AG/PS3(a)/D(Pay/Services) dated 31 Jan'95, regarding Field Service Concessions to Defence Civilians Serving in the newly defined Field Areas :-

"The Defence Civilian employees, serving in the newly defined modified Field areas, will continue to be entitled to the special Compensatory(Remote Locality)Allowances and other allowance as admissible to defence Civilians, as hitherto, under - existing instructions issued by this Ministry from time to time. However, in respect of Defence Civilians employees in the newly defined Field Areas, Special Compensatory(Remote Locality) Allowance and other allowances are not concurrently admissible alongwith Field Service Concessions."

2. This addendum issues with the concurrence of the Finance Division/AG of this Ministry vide their I.D. No. 388/PA dated 05 April'95.

Sd/- x x x x x x x x x x x x x x  
( L T Tluanga)

Under Secretary to the Govt of India  
( Tele : 3012739)

FIELD SERVICE CONCESSIONS TO ARMY PERSONNEL AND PERSONNEL OF CIVILIANS IN  
DEFENCE AREAS

1. I am directed to convey the sanction of the president to the grant  
of 07 Feb 84 of the field service concessions as given in the following  
paragraphs to Army personnel (including Army postal service personnel) and  
Defence Civilians in the defined areas.

2. The concessions detailed in Appendix Annexure 'A' to this letter  
will be admissible to Army personnel of detachments, units and formations  
located in the areas defined in Annexure 'B' to this letter. These areas  
will not be admissible to state formation/units as all firms, R&B, Machine  
Officers, Trig centre and establishment, R&L Directors and units, R&L  
units unless embodied, Recruiting Officers and Record Officers and with units  
whose personnel are eligible for the grant the these concessions will also be admissible  
of these concessions.

3. Personnel of formations/units which will not be given field service  
concessions being, state or outside the concessional areas, will be governed by  
normal conditions of service applicable in peace stations for all purposes as  
provision of family even medical facilities for families of officers of rank  
of Lt. Col.

4. Officers, SOs and ORs who have been allowed to retain family home in the  
home station and who are issued of these orders will have entitlement  
to such accommodation, may continue to retain the accommodation until  
such time as married soon in the officers duty station is made available  
or the family may be allowed to go on selected place residence of Govt of  
expenses, 2 and 7 of Annexure 'A' as applicable.

5. Defence civilian including, civilian employees in lieu of transports and  
R&B (both posted and locally recruited) serving in the areas defined in Annexure  
'B' with units and formations whose constituents personnel have been allowed field  
service concession under para 2 above will be entitled to the concessions  
detailed in Annexure 'B' to this letter.

6. Individuals/detachments from static/field units not governed by the above  
which are attached for OP purposes to units or formations drawing the concessions  
will be entitled to the concessions enumerated at Srl Nos 1, 3, 6, 11, 12 for  
Annexure 'B' if the attachment is less than two weeks, if the attachment is  
for two weeks or more the concession enumerated will Srl Nos. 4, 5, 6, 7 & 10 of  
Annexure will also be admissible in addition. No Cash Trig will be admissible  
in either case.

7. These order supersede the provisions contained in Ministry's  
order 1, referred to below:-

(a) No. 67/1/51/260-5/0(Pay/Services) dated the 6th Jan 1980 as modified  
by No. 92602/46/PS3(a)/260-5/0(Pay/Services) dated 07 Jun 82.

(b) No. 92267/A/6/PS3(a)-5/0 (Pay/Services) dated 10/11/82 as  
extended/referred by No. 9257/A/6/PS3(a)/363/5/0(Pay/Services) dated  
15 Apr 83 and Corr No. 92597/A/6/PS3(a)/1286-5/0(Pay/Services) dated 23  
Aug 83.

(c) No. 96459/A/6/PS3(a)/53-5/0(Pay/Services) of 30 Jun 1982 as modified  
by No. 93459/A/6/PS3(a)/325-5/0(Pay/Services) dated 25 Sept 83 except the  
provision relating to OP allowances.

(d) No. 92719/Org 4(CIV/4)/14-5/0(CIV-11) dated 11 Jan 1980 extended  
from time to time.

8. These orders will be in force for a period of two years after which they  
will be continued.

9. These issues with the concurrence of the Min of Fin (Def) vide their  
No. 93459/00.

Under the Secretary to the Govt  
of India.

Copy

Annexure

49

Copy of Govt of India Min of Def letter No. 4/02584/AOP/53  
 (a) 191/8 (Pay/Services) dated 25 Jan 64.

CONCESSION AND SERVICE TO CIVILIAN RAID FROM  
 DEFENCE ESTABLISHMENTS INCLUDING CIVILIAN AND EMPLOYEE  
 VOLUNTEER OF COMBATANTS AND THOSE BOTH POSTED OR  
 LOCALLY RECRUITED

- (a) Free ration on scales applicable to combatants of the Army or Air Forces as the case may be and fuel.
- (b) Free jettisoned/based aeron and converted service to extent feasible.
- (c) Free clothing of minimum essential scale of Army personnel if the Corps Commander AO in Air Force Command considers the issue of such clothing for essential for OP reasons.
- (d) Free remittance of family allotments.
- (e) Free medical treatment and hospital treatment.
- (f) Wound/injury or family pension or gratuity under Chapter XXXVIII CCR or Army Instruction 157/57 AFI 20/58, as the case may be for compensation under the Workmen compensation act where applicable.
- (g) 2 Postage free aeron letters per individual per week.
- (h) Remittance within Indian limits of Money Orders and Indian postal orders free of commissions upto the minimum value of Rs. 50/- PM per individual.
- (i) Retention family aeron allotted by Govt, at the old duty station on payment of nominal rent. If the aeron retain is required to be service, the families may be shifted to alternative aero, whether service, the families may be shifted to alternative whether appropriate or inferior to the status of the individual concerned.

Note 1. Dearness allowances will continue to be admissible in full.

2. The concession in (j) above is applicable only in respect of aeron held by the Min of Def separate orders will follow in r/o of belonging to Min of WOR.

222

Sd/- x x x x  
 (M Arumugam )  
 Major  
 Garrison Engineer

Annex - IV

Copy of Secret letter No A/25761/AG/PS3(b)/146-S/2/D(Pay/Services) dated 2.3.68 from Govt of India Min of Def, New Delhi.

Sub : Field Service Concessions to Army Personnel And Defence Civilians in Operational Areas

I am directed to refer to this Min letter No A/02584/AG/PS3(a)/97-S/D(Pay/Services) dt the 25th January, 1964 as extended and Army Instruction 7/S/48 as amended from time to time and to say that the President is pleased to sanction the following modification with effect from the dates shown :-

(a) The rates of special compensatory allowances will be revised as under with effect from the 1st Mar, 1968 :-

<u>Rank</u>	<u>Rate</u>
Hony Commissioned officers	30.00
JCos	25.00
Hav	18.00
Nk	15.00
OR	13.00
NCS (E)	10.00

(b) Field Service Concessions will cease to be admissible to officers & personnel (including civilians paid ~~as~~ from Defence Services Estimates) serving in Municipal & Cantonment areas of :-

(i) SRINAGAR, JAMMU, UDHAMPUR and Darjeeling with effect from the 1st March 1968.

(ii) Siliguri & Bagdogra with effect from 1st March 1968.

(c) Consequent upon the withdrawal of field service concessions, the following concessions would become admissible at the stations mentioned in (b) above with effect from the dates shown therein to Army officers and personnel to whom the orders referred to in para 1 above originally applied.

(i) Concessions listed in Appx 'A' to this letter to service officers and personnel and those in Appendix 'B' to civilians paid from Defence Services Estimates.

(ii) Special ad-hoc allowance of Rs. 70/-pm to married service officers forced to live singly due to non-availability of married accommodation for 2 years, the position to be reviewed before the expiry of that period.

(iii) The concessions listed in Appx 'A' and the special ad-hoc allowance referred to at (ii) above will be withdrawn when married accommodation is available to the extent of 50%.

2. Field Service Concessions for all the other areas would be reviewed every two years.

3. This letter issues with concurrence of the Min of Fin (Defence) vide their U.O. No 279-S/PA of 1968.

/ COPY /

~~SECRET~~

Appendix 'B' to Ministry of  
Defence letter No A/25761/AG/  
PS3(b)/146-S/2/D(Pay/Services)

Dated the 2nd March 1968

Concessions Admissible to Civilians Paid From Defence Services Estimates Including civilians Employed in lieu of Combatants And NCS(E) (BOTH POSTED) AND LOCALLY RECRUITED.

- (a) Free remittance of family allotments.
- (b) 2 postage free forces letters per individual per week
- (c) Remittance within INDIAN limits of money orders and Indian postal orders free of commission upto the maximum value of Rs. 30/- per month per individual.
- (d) Retention of family accommodation allotted by Govt at the old duty station on payment of normal rent. If the accommodation retained is required to be allotted to another entitled personnel for exigencies of service, the families may be shifted to alternative accommodation whether appropriate or inferiors to the status of the individual concerned.

Note :- 1. Dearness allowanges will continue to be admissible in full.

Note:- 2. The concession in (d) above is applicable only in respect of accomodation held by the Ministry of Defence. Separate orders will follow in respect of accommodation belong to the Ministry of works housing and supply.

Annex - 1

Garrison Engineer  
859 Engr Wks Sec  
C/O 99 ADP  
1000 1540 1400  
21 AUGUST 1943

$$\log \frac{R}{R_0} = 2$$

IMPLEMENTATION OF THE RECOMMENDATION OF THE ASA  
FOR THE REORGANIZATION OF SECURITY PERSONNEL

be mentioned by the Society to the Board of Directors.

1. A copy of Govt of India, Min of Defence letter I.P. 37260/AG/P33(a)/90/P(1947/servicess) dt 73 Jan 1947 received vide I.P. 5.5.47 and enclosed copy of I.P. 1329/13/P dt 19.1.47 ad 96.1976 fwd herewith for info.

2. Please acknowledge - *Yours very truly* - *Concessional - Agent*

BSO	Major C. Arumugam
B/S	Major C. Arumugam
SDC	Major C. Arumugam
Date	07/07/1983
<p style="text-align: center;">FIRING OF 100 PCE'S</p> <p style="text-align: center;">BY 100 VES ALIANCE</p> <p style="text-align: center;">Major C. Arumugam</p> <p style="text-align: center;">Garrison Engineer</p>	

Copy of Govt of India, Min of Defence letter No 37269/AG/PG.13(a)s  
/90/Upay/services) dt 13 Jan 94. 284 1015M 3 (T) 09103 3 103 33

I am directed to say that the 4th Central Pay Commission in para 28.98 of their report, had recommended that the existing classification of areas for the grant of Field service concessions and the concessions admissible in respect of areas to Armed Forces, just mentioned should be reviewed by the Government. The effect of the said service concessions has since been reviewed, and I am directed to convey the sanction of the President to implementation of the following decisions, taken in this regard, in accordance with the officers of the rank of Major or Officer rank of Army and Navy (including Army Hospital Service) whose concerned areas fall in

2.1 Classification of Areas ~~at~~ <sup>in</sup> the present. Field Areas are classified into three types, namely full field, modified field and Improved Modified Field Areas; the areas in which Field Department Concessions are admissible have been pre-defined. Thereafter, Field Area will be classified as Field Areas and Modified Field Areas only. To whom VIOA and FIAA Aeronavals will be given (1)

2.2 Pre-requisites for Classifying an area as Field Area and Modified Field Area will be as follows only the operational Field Area or Field Area in an area where troops are not deployed near the borders for operational requirements and where imminent hostilities and associated risk to life exists. Troops in such areas are located for reasons

off operation considerations alone and are not living in compartments.

Modified Field Area : Modified field area is an area where troops are deployed in support of combat echelons/troops in an operational support role. Degree of operation readiness is slightly lower than that in field Area though sustained surveillance continues.

2.3 The details of newly defined field areas and modified field areas are contained in Appendices A and B respectively.

2.4 Alteration if any, in the field/modified field area will be notified by the Government of India from time to time.

2.5 Areas classified as field areas and modified field areas will be reviewed every three years. The review process will commence one year in advance of the completion of three years.

3.8 Concessions - Monetary Allowance: Personnel serving in Field Areas and Modified Field Areas will be eligible to the grant of Compensatory Field Area Allowance and Compensatory Modified Field Area Allowance respectively.

3.2 The rates of the allowances are given below :-

Ser No	Rank/Post	Rate of Compensatory Field Area Allowance	Rate of Compensatory Qualified Field Area Allowance	
			in Rs. pm	in Rs. pm
1.	Lt Col & above	975	1000	1000
2.(a)	Lt Col (TS) & Major	895	950	350
3.	Capatin	820	850	325
4.	2 Lt/Lt	780	800	300
5.	JCOs including Non- commissioned officers.	650	700	225
6.	Sgt/MK including Non- commissioned officers.	375	400	150

(a) for which placed on the sick list provided that immediately on the expiry of the period on the sick list, he returns to an area at which the allowance beyond is admissible;

(b) on account of casual leave, due or unpaid, while still

三

(c) While on transit from one field area/modified area of a field area to another a field household (from one field area to another) may be accommodated in a temporary transit site for a maximum period of 3 months, (i) while on temporary duty, subject to the fulfillment of the following conditions:-

(a) The officer continues to be born on the strength of the Unit/Formation in the field area/Modified fd area.

(b) The officer in the ordinary course returns to anti-ordnance, to field-area/modified field area (not necessarily the one from which he went) on termination of the temporary duty.

NOTE . Compensatory field area allowance/compensatory modified field area allowance will not be admissible to officers holding posts elsewhere who proceed on temporary duty to other field areas/modified field areas briefer . (b)

pathology: no compensatory field area allowance/compensatory medical field area allowance will not be admissible in addition to expatriation allowance, foreign allowance, compensatory/daily allowance of foreign serving abroad.

4.1 Admissibility for the drawal of compensatory field allowance and modified field area allowance in the case of DFCO/CR including NC(E) will be the same as given in para 5 of Annexure A to this Min. letter No. A/22504/AG/PS3(a)/97-S/D (Pay/Service) dated 25-1-64, as amended.

4.1 The conditions These rates of allowances will be <sup>15% of</sup> <sub>admissible to :-</sub>

1024 (a) Personnel serving in Detachments, Wing and Staff in areas mentioned in appendix A&B.

(b) Personnel of Defence security corps employed with  
units whose personnel are eligible for the grant of these  
concessions.

4.2. Lists of formations/unitd which are in field area or  
about to be in field area and are eligible to field service concession  
will be identified by the corps commander to FAB concerned  
quarterly i.e. for the quarters ending 31st August, November and  
February every year by the 10th of the month subsequent to the

453. Other Concessions - Other concessions in kind of payment admissible in full paid areas as per Utility given in Annexure A to this Ministry's letter No A/02484/2G/PS. 3(a)/97-0/0 (pay services) dated 25.1.1997, ended, will continue to be admissible.

4

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briefly in the block and then shown in the newly defined field areas given in Appendix A to this letter. Similarly, the concessions admissible in Modified Field Areas (not of detail) will be included in the following table until the 25/7/64/AC/PS 3(B)/146-6/2/1/TPS/Services dated 11/1/64. It is to be noted that the modified field

02.3.68, as amended, will be admissible in the modified field

disparea est pos Appendix E to this decree, and the same is to be done with respect to the other parts of the decree.

5. These allowances will, however, not be admitted.

(b) NCC Directorates and Units.

(B) NCC DIRECTORIES AND OTHER INFORMATION

units unless it embodies all of the following: (a) a body of knowledge, (b) a body of skills, (c) a body of units, and (d) a body of objectives.

(d) Record Officers and similar established posts.

block 5a: High Altitude/Uncongenial Climate Allowance & Provisions  
serving in Field Areas which are situated at a height of 9000 ft.  
and above including uncongenial climate areas below the height of  
9000 ft, will be entitled to High Altitude/Uncongenial Climate  
Allowance. The rate would be applicable for areas with an  
altitude of 9000 ft to 15000 ft and a higher rate for areas above  
15000 ft (excluding Siachen). The unclassified details of  
these areas are given in Appendix C. The rates of High Altitude  
uncongenial Climate Allowance for given areas under :- (j).  
allowance will be given in accordance with the following

15000ft including unconsolidated 15000ft

in  $\text{P}_2\text{O}_5$

600

1. Lt Col & above 151000 525  
 2. Major & Lt Col (TS) 350 525

7. In Gopay/PK including 100 responses (n) 150  
Bretwille Rd(E) 100 responses (n) 150

1522. **High Allowance** / The original claim for Allowance will be admissible in addition to the compensatory field area allowance and other concessions in kind.

The other conditions governing the grant of the altitude/brakeage Climate Allowance as given in this Ministry's letter  
No. 102/1/75 (D/Pay/Service) dated 28.2.76 are amended with  
the following to be applicable. As far as these instructions  
will continue to be applicable.

6.1 Siachen Allowance -> Personnel serving in Siachen Glacier  
are eligible for the grant of Siachen Allowance at the  
A rate following enhanced rates as given below for all  
the areas on both the sides of  
Siachen Glaci

6. **6.2.2(b) Concessions on non-availability of accommodation** . If  
there are no suitable units in the Commandant's area, the  
allowance will be paid in addition to the  
Family Compensation Field Areas Allowances but not with high altitude/  
unconventional climate allowances. Other conditions governing grant  
of station allowances as contained in the Ministry's letter No  
03/11/91/D(May/Services) dated 01 May 91 will continue to be  
applicable. The non availability of accommodation will be determined on a case to  
case basis. Officers/OCOs/OCs who have been allowed to retain family accommodation at the last duty station on the  
date of issue orders and who on issue of these orders will cease  
to be entitled to retain such accommodation may continue to  
retain the accommodation till such time as marries accommodation  
at the present duty station is made available. Alternatively the  
officers may be allowed to move to a selected place of residence/  
home at Government expense, if they so choose, in accordance with  
existing instructions.  
6.2.3. **Personnel of formations/Units**, who will not be eligible to  
the grant of Field Service Concessions, consequent upon the Forma-  
tion/unit being outside the newly defined concession areas will  
be governed by normal conditions applicable in peace areas for  
all purposes.

8. Concessions on Attachment:

(a) Individuals/Attachments from Formations/Units not covered by these orders but ~~are~~ who are attached for operational purposes to Formations or Units drawing the Field Service Concessions will, if the attachment is for less than two weeks, be entitled to the concessions at present admissible under Para 6 of Annexure A to this Ministry's letter No 1/02584/AG/PS 3(a)/97-S/D(Pay/Services), dated 25.1.97, as amended, ~~25.1.97~~ 05.05.1998, subject to such changes as may be necessary.

(b) If the attachment is for two weeks or more, the allowance i.e. Compensatory Field Area Allowance/Compensatory Modified Field Area Allowance under these orders as ~~is~~ also the concessions/allowances applicable as per orders referred to in Para 8(a) above be admissible.

Section 19(4)(c) radio cash TA/DA will be admissible in either case.

266 (a) (2) (A) (i) (B) (i) (C) (ii) (D) (i) (E) (ii) (F) (i) (G) (ii) (H) (i) (J) (ii) (K) (i) (L) (ii) (M) (i) (N) (ii) (O) (i) (P) (ii) (Q) (i) (R) (ii) (S) (i) (T) (ii) (U) (i) (V) (ii) (W) (i) (X) (ii) (Y) (i) (Z) (ii)

9.1. Date of Effect. Those orders will come into force with effect from 1st April, 1993.

9.2. Consequent upon the coming into force of the three revised orders, the following monetary allowance will stand withdrawn from 1.4.1993 except in cases referred to in Para 11.2 below:-

1. **Is each point (a) a special 'allowance' within the meaning of section 18 of the Income Tax Act? (b) Is each point (b) a 'permissible' deduction under section 18 of the Income Tax Act?**

(c) Special Compensatory (Field) allowance ranging from Rs 53/- to Rs 23/- per admissible for Jobs/Car including NC(E).

10. Official Companionship (Remote Area Allowance). This allowance which is at present admissible in Modified Field Areas Peace Areas on the civilian pattern will also stand withdrawn by War of F. 1st Feb 94.

11.1. Adjustments. The allowances mentioned in Para 9.2 above drawn by the individuals concerned after the 1st April, 1993 will be adjusted against the compensatory field allowances and compensatory qualified field areas consequent upon changes under subheads orderly and concessions in the right section below under area and orderly headings. The allowances will be calculated in the following manner:

On 1st April 1993, a monetary allowance has been guaranteed to the monetary allowance consequent upon change in the classification of area, no recovery will be made of the monetary allowance already availed of by an individual under the existing orders upto the date of withdrawal issued to him/her. In this manner upto the date no increase will be made in the allowances which after the date will be the existing orders on the 1st April 1993 will be abolished. Concessions will stand modified in the manner indicated above. Allowances will be calculated in the following manner:

12.1. Suitable administrative instructions for implementation of these orders will be issued by the Army HQs in consultation with the concerned ministry concerned with the implementation of these orders. The concerned ministry will be consulted in the preparation of these orders and the concerned ministry will be consulted in the preparation of these orders.

## Consequences of Vertebrate

Under Secy to the Govt of India

Appendix 'P' to Govt of India,  
Ministry of Finance Letter (R) 37269/AG/PS  
3(a)/90/D (Pay/Services) dated  
23 Jan 90, p. 32 to 35. f.e  
G.O. and its Para 24(b) to 31(b).

1941983 except in cases where the party concerned has been given the opportunity to be heard.

(a) Rajasthan and Punjab. After the end of the spinning Jessai  
103 side of the Jalsal River, Tokhkhana, Udasar, Mahajan, Pappes, Suratgarh  
Lalgash Jattan, Abohar, Govindgarh, Fazilka, Jandiala, Guru,  
Moga, Bhawal, Basay, Bir Sarangwal, Hussainiwala, Dera Baba  
104 Nanak, Mislain, Buleh into the International border all  
inclusive.

(c) Specific Countercultural (Hippy) subcultures (a) and (b).

1521.01 2020A10

הנתקן בראבּוּס

(a) Assam and North-Eastern Provinces including  
(i) Cachar and North Cachar Districts of Assam  
including Silchar.

(ii) All areas of Arunachal, Meghalaya, and Nagaland North of River Brahmaputra less Tengur, Misamir and Field

(c) Sikkim and West Bengal. Area/altitudes of line joining evike LV 9112 - Erriong LV 9250 - Shetwani LV 9453, entirely on altitudes LV 90112 and above LV 91199 - entirely Hasimara - LV 98400 above Wang Yew area entirely above LV 98400 high altitude line/field area line/international border, all inclusive.

10.04.2014 Date: 2014-04-10 Date: 2014-04-10  
occupant: 18 YR. Sanjeev-2014 T-030500-0942 SH AL-B221  
Sh. at Jhansi North railway junction, Uttarakhand, Pincode: 247001  
-E26-C T-Ganchari, Jodhpurthi, Ghatali, Almora, Prayag, Prayag,  
Dhanchula, Muzaffarnagar, Nainital, Nainital, Nainital, Nainital, Nainital  
Boulder all inclusive.

will be the same as the 2005000 F1000000 = 1000000. (3)

• 20 • THE 1948 COMMISSION WAS MADE POSSIBLE BY THE 1947 UNITED

The (viii) Malloypathor. A road lies along the joining pattern, Carmilla, Rupwara, Drugmula, Ranje, Gobindpur, Buniyar, Patna Chowk, Khanabal, Nantraj, Khundry and Khru upto the existing high altitude line all inclusive.

(b) Jarmu region. Area west of line joining - BP-19, Brahms-di-Sari, Jindra, Dhanjal, Ketsra, Sanjhi Chett, Bhatote, Sialni, Tora, Kamban and Banikhali upto the existing Sialkh mithanda line all inclusive.

RESTRICTED

ADMISSIONS AND DISCHARGES - CHILDS HOME - 2011

## Appendix A to CCvt of India.

Ministry of Def letter No 37269/

A3/PM/13(s)/AP/06/06/2008/Services)

dated 15 July 1948, to you.

(Refers to Para 2.3).

Digitized by srujanika@gmail.com

(c) Sikkim. All areas North and NE of line joining Phalut (1960 30° 00' 45" E) and Sikkimong (1960 90° 00' 45" E) 6000' - 6500' in L1 1448-  
Y5) In areas in L1 2653 Sikkimong-Bhutong-Bogachali inclusive.

### Western Command

### CHURCHES & PARISHES

Punjab - all areas East of line joining Umasila  
NV 3951 Udaipur NV 2663 - Mani-Karen-66-2300-Yit-Parkhi  
pass TN 2459-Tarind 122-2335-Kartsusa-Paik) TA 6801 all  
inclusive. *in Goli, Guiblou,*

1940s USSR Centralia Command Service. 30 June 1948 (11)

Uttar Pradesh - All area North and NE of line joining Barasun Pass Gangani TG 1362-Covind Chat TC 9937-Tapovan TH 1022-Nunsiwari TH 8982-Relagadhi TO 2466 all inclusive.

(b) Valley Sector. All areas West of line joining Point 1556 in NR 5470-Culmarg MT 3105-Naushard NY 3105-Ringapet (DEVST) MT 22133-L-Hanward KN 12043-Ladrigyal MT 2339-Point in NG (DEVST) 4564-North of line joining point 2423-Bimalcuti MT 5453-  
Lambani-Razan NY 2239-L-Sojila all inclusive, also 1333-  
exterior line 1100.

(c) Jammu - Rajouri Sector. All areas West of line joining tip of Chicken Neck RD 7070-~~Chalk Junction~~ RD 6364-~~Chalk Junction~~ RD 6183-Chauki RD 8890- Road Junction RD 6499 & Bringala RD 8854- Point 355 & in NR 5470 all areas inclusive.

CONTINUOUS

LIST OF HIGH ALTITUDE 'UNCONGENIAL CLIMATE' AREA

କାନ୍ତିର ବୋଲିପାଇଁ ବିଜେତା ହେଲାମୁଣ୍ଡର

(untyped) ~~JOINTLY WITH PAKISTAN~~ area along the following line and beyond

2. HIMACHAL PRadesh - Start along the following line and beyond it parallel shift to the north east to 11. 51' E. (9) - 8.41' N. of 'Ghodiyal' 'foot' path and then 'nullah' to point 12380 (NZ 0891) 'over' along 'Ghodiyal' 'nullah' to its junction with 'KUHAB' at (NZ 8663) 'SOUTH EASE' along R 'KUHAB' to KHOKEAR (NZ 43)

TO RUMA (ID 42) and straight line to MUL KURAU (SK 6486) along RUMA R. to PIR SAWI Pase (TH 1560) then in straight line to MOKU R. (SK 2586) - SOUTH EAST to CHASU (919900) along river to CHIK L (9408859) in straight line to MARS L pass (SK 944875).

3. TYPE 2A - Area along the following line and beyond :-

BALIAT Pase (944875), point 20370 (949859) HARRISIL (973852) KEDRIKIN (SK 5555) KALOCHI R. (SK 9053) PANDUKSHI R. (TH 0739) (excluding town limits) to JAMGAR (TH 3539) KELIN R. (SK 5824) KILIN (TH 7423) SIAA (IO 2593) CHIY. LAY (SK 4094) and areas above 9000 ft in the designated field / area in Appendix 'A'.

4. TYPE 3A - Area along the following line and beyond :- Point 14500 (SK 4881) to SENGU BUNG (SK 2883) - NATAU (SK 6777) LAKIY (KT 1379) - LAPUNG (KT 2289) KHAENWA (NO 2803) NYAPIN (NO 2525) to 8th mile - stone (One ZIRO - NYAPIN road) 9th mile stone (On DAPOKIJO-LIMERING Road) HOYOM (KT 9379) 2nd mile stone north of YARE (MP 9575) BOSING (MP 3592) DUMICH (MP 6208) AMINKOL IN (NK 8811) KROHLI (NK 2407) GUORGON (NK 4592) LABON (NK 7579) HAYULLING (NK 0199) CHOAH (NM 9943) - KUDHU (NM 0125) Point 6490 (KT 1403) - VIJAYNAGA R (NK 4866).

5. TYPE 3B - North and North East of the line running from point 11789 (KT 96) - point 10140 (LT 17) point 10405 (LT 38) point 9510 (LT 48) - Nala Junction - (LT 5373), PANDAMON (LT 6751) point (LT 64).

RESTRICTED

NO. 20014/4/86-E.IV  
 Govt of India,  
 Ministry of Finance  
 Deptt of Expenditure

6  
 ✓  
 New Delhi the 23rd Sept'86

OFFICER MEMORANDUM

Subject : Grant of Special Comp (Remote Locality) Allowance of Central Govt employees posted in Arunachal Pradesh.

The undersigned is directed to say that consequent upon decisions taken by the Government of the recommendations of the Fourth Pay Commission in regard to grant of Special Comp (Remote Locality) Allowance to Central Govt Employees posted in Arunachal Pradesh vide Resolution No. 14(I)/IC/86-dated the 13 Sep 86. Sanction of the president is hereby conveyed, in supersession of all the existing orders on the Subject to the grant of special Comp. (Remote Locality) allowance to Central Govt Employees posted in Arunachal Pradesh at the following revised rates :-

Srl No	Area	Rates of Special Comp Allowance per month (Rs)				
		Basic Pay below Rs. 950/-	Basic pay of Rs. 950/- above but below 1500/-	Basic pay of Rs. 1500/- above 1500/-	Basic pay of Rs. 3000/-	Basic pay of Rs. 3000/- and above

1.	Difficult area of Arunachal Pradesh	150/-	250/-	350/-	500/-	660/-
2.	Through out Arunachal Pradesh except difficult areas.	125/-	200/-	275/-	400/-	525/-

2. These areas take effect from 1.10.86 for the period from 1.1.86 to 20.9.86, the above allowances will be drawn at the existing rates on the normal pay in the pre-revised scale.

3. Pay means pay in the revised scales of pay introduced under the CCS (RP) Rules 1986. In the case of those who retained the existing scale of pay. It will include besides pay in the pre-revised scale of pay appropriate dearness allowance, additional dearness allowance, dearness pay ad-hoc DA and interim relief thereon at the rate in force on 31.12.85. Where the application of revised rates is a loss to an employee, who has been continuously drawing the allowance from a date prior to 1.10.86. The amount drawn by him immediately prior to that date will be protected by treating the difference between the allowance so drawn and that admissible at the revision rates as personal to him. The protection will ~~continue~~ continue till the employee remains posted in the said region and becomes eligible to higher amount either on promotion or otherwise.

✓ Note : Pay means pay as pay as defined under FR. 9(21)(a)(i).

4. The Central Govt employees in respect of Special Compensatory allowance & under there order will not be entitled to composite Hill compensatory allowance in addition, However where the Hill Compensatory Allowance of any other compensatory allowance admissible is more beneficial the same may be allowed in lieu of the Speical Compensatory allowance.

5. The Special Compensatoru allowance will be ~~as~~ regulated during leave joining & time and suspension in the same manner as City Compensatory allowance under this Ministry's Office Memorandum No. 2.((87)-E-II (B)/64 dated the 27 th November 1965 as amended from time to time.

6. These arears will apply to civilians employees of the Central Govt belonging to Group B, C and D only. These orders will also apply to the B,C and D civilians employees paid from the Defence Service Estimates. In regard to Armed Forces personnel and Railway Employees the sparate orders will be issued by the Ministry of Defence and Deptt of Railways respectively.

7. In their application to the staff of India Audit and Account Deptt, these ordeess issue in consultation with Controller & Auditor General of India.

8. Hindi version of the order is attached.

Sd/-x-x-x-x-x-x  
( R Verma )

Joint Secy to the Govt of India

E T C

Sd/-x-x-x-x  
( PT Peethamner )  
Lt  
For Garrison Engineer

M.G.R.K

MO. 20314/2/2021. IV  
 GOVERNMENT OF INDIA  
 MINISTRY OF HOME AFFAIRS  
 DIRECTOR OF GOVERNMENT

NEW DELHI, the 14th  
 DECEMBER 1983

ORIGIN UNKNOWN

Subject :- ~~REVIEW OF ALLOWANCES TO CIVILIAN EMPLOYEES OF THE~~  
~~GOVERNMENT OF INDIA IN THE NORTH EASTERN REGION~~  
~~AND THE PROVISION OF DEPUTATION ALLOWANCE~~

The need for attracting and retaining the services of competent officers for service in the North Eastern region comprising the States of Assam, Arunachal Pradesh, Nagaland and Tripura and the Union Territories of Arunachal Pradesh 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 & Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of Civilian Central Government employees serving the this region & to suggest suitable improvements. The recommendation of the Committee have been carefully considered by the Government and the President is now pleased to accede as follows:-

**(i) Tenure of posting/deputation:**

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc. in excess of 15 day per year will be excluding counting the tenure period of 2/3 years. Officers, 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. Unsatisfactory performance of duties for the prescribed tenure in the North East shall be given due recognition in the case of eligible officers in the matter of:-

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

**(ii) Waiver for central deputation/Training abroad**  
~~and deputation in confidential records.~~

- (a) Promotion in cadre posts;
- (b) deputation to central tenure posts; and
- (c) course of training abroad.

The general requirement of at least three years service in a cadre post between 2 central tenure deputations may also be relaxed to two years in deserving cases of meritorious service in the North East.

44

Special duty shall be admissible in the case of all employees who are posted in full tenure of service in the North Eastern Region to the extent of 25 per cent of basic pay subject to a ceiling of Rs. 400/- per month on posting the duty station in the North Eastern Region. Such of those employees who are except 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/or 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 allowance will be drawn separately.

(iii) Special (duty) Allowance :

Central Government civilian employees who have all India service liability will be granted a special (duty) Allowance at the rate of 25 per cent of basic pay subject to a ceiling of Rs. 400/- per month on posting the duty station in the North Eastern Region. Such of those employees who are except 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/or 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 allowance will be drawn separately.

(iv) Special compensatory Allowance:-

1. Resident employees

The rate of the allowance will be 5% of basic pay subject to a maximum of Rs. 50/- p.m. admissible to all employees without any pay limit. The above allowance will be admissible with effect from 1-7-1982 in the case of Assam.

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2. Locality

The rate of allowance will be as follows for the whole of Manipur :-

Pay upto Rs. 260/-  
Pay above Rs. 260/-

Rs. 40/- p.m.  
15% of basic pay subject to a maximum of Rs. 150/- p.m.

3. Shipping

The rates of the allowance will be as follows:-

(a) Difficult areas - 25% of pay subject to minimum of Rs. 50/- and maximum of Rs. 150/- p.m.

(b) Disturbance

Pay upto Rs. 260/-

Rs. 40/- p.m.

Pay above Rs. 260/-

15% of basic pay subject to a maximum of Rs. 150/- p.m.

There will be no change in the existing rate of special compensatory allowance admissible in Arunachal Pradesh, Nagaland and Mizoram and the existing rate of disturbance allowance admissible in specific areas of Mizoram.

Sd/- XXX XX XX XX  
Under Secretary to the Govt. of India

Re: Date

D. V. S. Rayudu

(D. V. S. Rayudu)

AE B/R

AGE (T)

For Garrison Engineer