

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

10

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No. 168/95

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SECTION OFFICER (Judl.)

K. B. B.  
6.2.18

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH : GUWAHATI

ORIGINAL APPLN.NO. 168 OF 1995  
 TRANSFER APPLN.NO. OF 1995  
 CONTEMPT APPLN.NO. OF 1995 (IN NO.)  
 REVIEW APPLN.NO. OF 1995 (IN NO.)  
 MISC.PETITION NO. OF 1995 (IN NO.)

.....T. K. Kumbhakar..... APPLICANT(S)  
 T. K. K.

-vs-

.....U. O. J...... RESPONDENT(S)

For the Applicant(s) - ... Mr. B.K.Sharma  
 Mr. K. Bhattacharya  
 Mr. S. Brown  
 Mr.

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

OFFICE NOTE

DATE

ORDER

4.9.95

This application is in  
 form and within time.  
 E. F. of Rs. 50/-  
 deposited vide  
 IPO(BD) No. 3272/95  
 Dated 30-8-95

3/8/95  
 Registrar (A)

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

Leave to file single O.A. granted.

The applicants feel aggrieved by  
 the decision of the respondents to recover  
 the amount paid to them for the period  
 from 1.4.93 to 31.5.95 towards SCA(R.L).  
 That step is taken pending clarification  
 from the Ministry of Defence. The question  
 needs consideration.

O.A. admitted. 8 weeks for written  
 statement. Pending further orders the  
 operation of the orders contained in  
 letters dated 26.7.95 and 31.7.95 is  
 hereby stayed with liberty to the respon-  
 dents to apply for vacating the order or  
 its modification as and when advised.

Adjourned to 13.11.1995 for orders.

Member

Vice-Chairman

(contd.to Page No.2)

Requisits are  
 sent & issued  
 no. 4025-27 of 14.9.95

13/11/95

Orders 10.1.96

QA/TA/CP/RA/MP No. 168 of 1995

OFFICE NOTE

DATE

ORDER

Notice served  
on R. no. 2 & 3.  
by  
10/1/96

w/ statement by nat-  
ional bike  
all

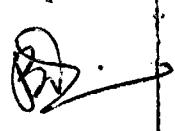
10.1.96

To be listed in  
accompanying 19.2.96

By order  
Bom.


16.2.96

w/s on behalf  
of Rspdt 1, 2, 3 & 4  
has been.



19-2-96

Mr. S. Sharma 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



(4)  
O.A.No. 168/95


25.4.96

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

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.

  
Member

nkm

1) Service Repairs are Ready on Respts no 2 & 3.

2) W/statement - has been filed.

5/6/6.

75

O.A. No. 168/95

7.6.96

Mr. K.Bhattacharjee for the applicants.

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

1) Service Ready on  
Receipt no. 2 & 3  
2) ID/statement - by him  
b.v.  
24/6

Hearing adjourned to 25.6.96.

Member (J)

Member (A)

trd

25-6-96

Learned counsel Mr.B.K.Sharma for the applicant. Learned Addl.C.G.S.C. Mr.A.K.Choudhury for the respondents.

List for hearing on 5-7-96 before Single Bench.

pg

Member

(6)

O.A.No. 168/95

6

5.7.96

Mr K.Bhattacharjee for the applicant.

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

**Submission**  
~~Arguments~~ of both the counsel heard and concluded. Judgment reserved.

  
Member

pg



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').

Member

trd

~~12.7.96~~ 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



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.

60  
Member

nkm

O.A.No. 168/95

(9) a

25.6.97

None present. List for hearing on 6.8.97.

*ba*  
Member

w/s. *ba* <sup>nkm</sup>

6.8.97. Adjourned to 20.8.97.

*ba*

w/s. *ba*

20.8.97

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

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

*ba*  
Member

pg

10-9-97

Judgment and order pronounced. Application is disposed of in terms of the direction contained in the order. No order as to costs.

pg

*ba*  
Member

avg issued *ba*

Per this vide No.

3179 & 3184

dated 3/10/97

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH ::: GUWAHATI-5.

O.A. NO. 168/95, 183/95, 184/95, 185/95, 186/95, 187/95  
~~188/95~~  
188/95, 189/95, 190/95, 191/95, 192/95, 193/95, 194/95  
195/95, 196/95, 197/95.

DATE OF DECISION 10-9-1997.

Sri Tikendrajit Brahma & others.

(PETITIONER(S))

Sri K. Bhattacharjee.

ADVOCATE FOR THE  
PETITIONER (S)

VERSUS

Union of India & Ors.

RESPONDENT (S)

Sri A.K. Choudhury, Addl. C.G.S.C.

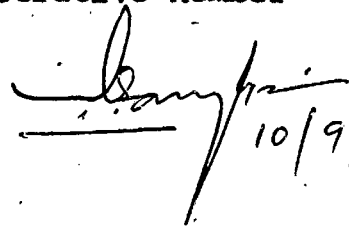
ADVOCATE FOR THE  
RESPONDENT (S)

THE HON'BLE SHRI G.L. SANGLYINE, ADMINISTRATIVE MEMBER.

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ? **NO**
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Administrative Member

  
10/9/97

12

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

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 -

1. 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,

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 hithertofore, 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<sup>(RL)</sup> 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<sup>(RL)</sup>. 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, Gwuhati, 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, Gwuhati wrote in his 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<sup>(RL)</sup> 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<sup>st</sup>-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 invariably 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 indirected 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

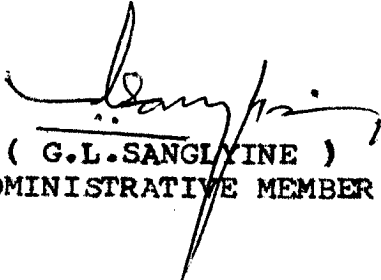
contd/-8.

17.2.1997 in that case that upto 17.4.1995 the employees 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 Arunachal 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 classifications 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 Compensatory (RL) Allowance made from 4/93 to 1/95 through

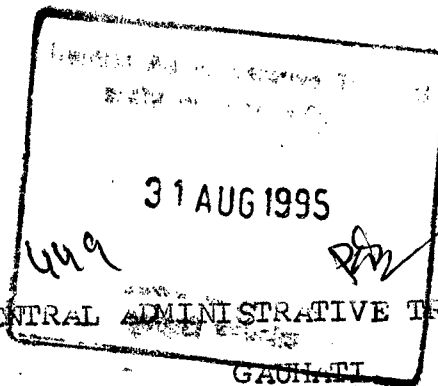
contd...9

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.

  
( G.L.SANGLIYANE ) 10/9/96  
ADMINISTRATIVE MEMBER

D1B



20

Filed by

H. Bhattacharya  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNA : GAUHATI BENCH

Original Application No. 168 /95.

IN THE MATTER OF :

Sri Tikendrajit Brahma and Others.

.... Applicants.

- Vs -

Union of India and Others.

.... 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 benefits as admissible to civilian central government employees in terms of Office memoranda dated 14-12-83 and 1-12-88 of the Ministry of Finance (Deptt. of Expenditure) of Govt. of India.

2) That from facts of the case, it would be clear that all the applicants 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'ble Tribunal may be graciously pleased to permit filing of single application by all the applicants jointly for ends of justice.

Dated the 31st Aug. 95

Tikendrajit Brahma

R  
H. Chandra  
Advocate  
30/8/95

APPENDIX A :

FORMS :

FORM I :

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE  
TRIBUNALS ACT : 1985 :

Title of the Case : Sri Tikendrajit Brahma  
& Others.

.... Applicants.

- Versus -

Union of India & Others.

.... Respondents.

I N D E X

<u>Sl. No.</u>	<u>Description of documents relied upon</u>	<u>Page No</u>
1.	Application	1-10
2.	Annexure A : <del>000000</del> Letter dt. 26.7.95	11-12
3.	Annexure B : Letter dt. 31.7.95	13-14
4.	Annexure A : Copy of Memo dt. 14-12-83	14-15
5.	Annexure B : Copy of Memo dt. 1-12-88	16-17

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

*Tikendrajit Brahma*  
SIGNATURE OF APPLICANT :

FOR USE IN TRIBUNAL'S  
OFFICE :

DATE OF FILING :

SIGNATURE  
FOR REGISTRAR :

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GAUHATI BENCH:

1. Sri Tikendrajit Brahma son of Late Bhabendra N. Brahm
2. Sri G.K. Saikia son of Late Bhagiram Saikia,
3. Sri R.S. Prasad son of V. Raghavan,
4. Sri M.P. Yadav son of Late G.P. Yadav,
5. Sri R.C. Pilley son of Sri Shreedharan Pilley,
6. Sri P. Keot son of Late Santi Keot,
7. Sri K.C. Das son of Sri S.C. Dass,
8. Sri V.K. Verma son of Late Gopaljee Varma,
9. Sri Babi Ram Miry son of Sri Deo Ram Miri,
10. Sri Kashi Nath son of Sri Jagar Deo,
11. Sri Sher Bahadur son of Sri Jeetu Lama,
12. Sri B.B. Gurung son of Sri Ram P. Gurung,
13. Sri H.P. Rabidan son of Sri Paras Rabidan,
14. Sri T.D. Joshi son of Sri B.N. Joshi,
15. Sri R.B. Subba son of Late Dal Bahadur,
16. Sri C.K. Machakury son of Sri Saya Ram Machakury,
17. Sri Gorakh Ram son of Late Munna Ram,
18. Sri Ganesh Mahato son of Sri L.D. Mahato,
19. Sri Ram Nath Thakur son of Late M. Thakur,
20. Sri G.C. Mahato son of Late Dorati Mahato,
21. Sri Parsu Ram son of Late Mukti Nath,
22. Sri B.D. Majhi son of Sri Sakshaman Majhi,
23. Sri H.C. Bania son of Sri Mahiram Bania,
24. Sri N. Boro son of Sri Jati Boro,

..... all employed in Chindit  
Top E/M Maint Cell  
under the -

*The Director, Prisons*

23

- 2 -

under the Garrison Engineer,  
859 Engineer Works Section C/O.  
99 A.P.O. .... Applicants.

- Versus -

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.

..... Respondents.

DETAILS OF APPLICATION :

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

Letter No. PM/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

the order.....3/

*Tilak Chandra Borkar.*



- 3 -

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

3. Limitation :

The applicants 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 applicants 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 postings 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

dated.....4/

Tiku Ernjit Ruker

dated 25-1-64 as amended from time to time. The applicants are in receipt of Modified field service concessions. Similar concessions are also being paid to GREF staff posted to this area.

3) That the need for attracting and retaining the services 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~~ 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 allowances and benefits being continued as modified by Government of India Office Memorandum No. 20014/2/83-E.IV of Ministry of Finance (Department of Expenditure) issued on 14-12-83. Subsequent thereafter another office Memorandum being No. 20014/16/86/E.IV/E. II (B) dated 1-12-88 was issued making some improvements in allowances and facilities to employees posted in this region.

Whether applicable  
to CGE and  
Ann. Disburse  
Estimates - ?

4) That such.....5/

Tilak Singh Bora,

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. 1350/A/2623/EIC(3) dated 20-2-87 of the C.W.E, Tezpur whereby Ministry of Finance, Department of Expenditure Office Memorandum No. 200414/3/83-EIV dated 29-10-86 sent under CE, SZ, was forwarded to the respondent No.3. Reference in this connection may also be made to the Ministry of Finance, Department of Expenditure office Memorandum No. 20014/4/86-E-IV dated 23-9-86 making special mention of the employees posted in Arunachal Pradesh and to letter No. Pay/24/IV/PC dated 20-2-87 of the C.D.A., Gauhati.

*Not annexed*

*In Response  
4/3-87*

5) That, however, in so far as special compensating allowance is concerned, the C.D.A. Gauhati as per letter M/D dt. 31.1.95 and 17.4.95 allowed the applicants to withdraw the benefits with effect from 1.4.93 instead of 1-12-83. 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 regard to special duly allowance as per memo dt. 14-12-83, and 1-12-88, the applicants has filed a petition No. O.A. No. 61/95 and after hearing the matter your ~~10~~ lordship was pleased to dismissed the petition on 3-7-95.

contd.....6/

*TKundoo Rajit + Pukra*

- ✓ 7) That on the ~~last~~ part of july the petitioner was informed by the office that CDA Gauhati vide its letter No. Pay/01/y dated 26-7-95 has directed the ✓ C.W.E. Tezpur to recovery the said amount of S.C.A. which was paid to the applicants w.e.f. 1.4.93 to 1/95 pending clarification from Ministry of Defence.
- ✓ The ~~anear~~ <sup>near</sup> ~~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 as Annexure - A and B. ) .

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

(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 memaranda have been made applicabl & all civilian ~~central~~ Govt. employees and cannot be discriminated against.

contd.....7/

Tika Singh Bhalerao

- ii) For that, the departmental authorities have been seized of the matter since after 1-12-83, initially by making payments in accordance with office memorandum dt. 14-12-83, thereafter by making Orders stoped ing such payments and directing for recovery of amounts already paid that to without seeking any clarefication is gross violation of the applicants right which is guaranteed under the constituion of India.
- iii) For that notwithstanding payment of SCA to the GREF personal they being entitled to allowances and benefits under O.M. dt. 14-12-83 and 1-12-88 also, the applicant are also entitled to such allowances and benefits, effective from 1-12-83 but the same was given effect from ~~deprived~~ 1.4.93 which deprived the applicants from their legitimati right.
- iv) For that the respondent fail to understand the Order dt. 3-7-95 passed by this Hon'ble Tribunal in letter and sprit as such the Respondent issued a direction to recovery the SCA from the applicant, which is miscarriage of justice toward the applicants
- v) For that the applicants being posted to high altitude of Arunachal Pradesh, the

necessities and .....8/

*Take right to work*

necessities and essential services of life are care at such places and are available only or payment of abnormally high prices which is far, what unless the applicants are compensated by making payment of allowances and service benefits as per office memoranda dt. 14-12-83 and 1-12-88, they shall have to face grave . Injustice and serious injury that ~~deserve~~ <sup>deserve</sup> ~~deserve~~ to be remedied by protecting them from the vice of discrimination that is guaranteed to them as citizen/public employees under Articles 14 and 16 of the constitution.

6. Details of Remedies exhausted :

The applicants declare that they have awaited as all remedies awaitable to them under the relevant service rules etc, as would be revealed from paragraph 4 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 to respect of which this application has been made, before

any court.....9/

Taken Srigit Pradeep

- 9 -

any court or any other authority ~~or~~ or any other Bench of the Tribunal nor any such application, Writ petition or suit is pending before any as then.

8. Relief Sought :

The respondents may be ordered/directed to pay to applicants ~~the~~ the special compensating allowances in accordance with O.M. dt. 14-12-83 and 1-12-88 of the Central Government as referred above and ~~further be pleased to set aside 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.

11. Particulars of Postal Order

of P.O. NO. 09327215

filed in respect of application

fee & date 30.8.95 issued by Gauhati Head Post

Office fee Rs. 50/- payable

at Gauhati is annexed hereto.

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

contd.....10/

Tilak Singh Bora

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

I, Sri Tikendrajit Brahma , son of Late Bhabendra N. Brahma, employed under the Garrison Engineer, 859 Engineer Works Section C/O 99 A.P.O. do hereby verify that the contents as para 6, 4, 6, 7 8, 11, and 12 of the application are true to my personal knowledge and paras 2, 3, 5 are believed to be true on legal advice and that I have not supported any material fact.

Tikendrajit Brahma  
S I G N A T U R E

dt- 31.8.95



Copy of GDA Gauhati letter No. Pay/01XX dated 26-7-95. xxxxxxxx

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 audit.

As per M/D 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 wef 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 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 and payment on account of SCA/RCA/SBA may not be made for the period 1-4-93 to 31-1-95 payment wef 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 ~~unad~~ ensuing pay bills without any consideration and intimated to this office. AAO Shillong has already been instructed to effect recovery in lump-sum.

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 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 longuing SCA (RL).

In future advice of your AAO GE on financial matter may invariably be accepted to avoid any comp-~~li~~ cation which has arisen now.

Sd/-x-x-x-  
Sr AO (P)

Copy to :-

Confined to my  
true copy  
H. S. Datta  
Delvoo

Contd. . P/2

33 12

Copy to :-

1. AAO GE  
859 EWS

: W.r.to his No. A/113/XVIII dt 7-7-95.  
He is directed to place the amount to  
SCA(RL) payment under 510 and effect recovery  
in Lump-sum. SCA(RL) may not be  
admitted unless FSC is stopped.

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

2. ~~REXX~~  
GE Shillong Zone  
Shillong

3. CWE Tezpur

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

Also confirm that 859 EWS is located in  
Modified Field Area as per M/O letter  
dt 13-1-94.

4. ALA(A) Tezpur

for information.

*Confirmed to be  
true copy  
K. K. K.*

34

Area Accounts Office, Zerum Villa

Shillong letter no. PM/1/306-CI dt 31-7-95.

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

It has been directed by the CDA Guwahati to recover the amount on account of SCA (RL) paid from 4/93 to 1/95 pending clarification from Ministry of Defence. The arrears 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 \* indicated 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 30.5.95

The pay bill bearing voucher No. 01/Cash/69 dt 29.5.95 on account of Payment of SCA (RL) is returned unpassed for the reason stated above.

Sd/-x-x-x-x

( RNP Singh )  
Account Officer

Certified to be  
true copy  
H. H. H.

4.93-1.95

Q Q Q X  
No. 20014/1/83-L.IV  
GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
DEPARTMENT OF EXPENDITURE

NEW DELHI, the 14th  
DECEMBER 1983

OFFICIAL MEMORANDUM

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

The need for attracting and retaining the services of competent Officers for service in the North Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland and 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 in this region & to suggest suitable improvements. The recommendations of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows:-

(i) Tenure of posting/deputation:

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years 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. Satisfactory 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 prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended.

(ii) Weightage for Central Deputation/Training abroad AND SPECIAL MENTION in Confidential Records.

- (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

*certified to be  
True copy  
written*

A specific entry shall be made in the C.R. of all employees who rendered 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/- per month on posting to any station in the North Eastern Region. Such of these employees who are exempt 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 Meghalaya

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. Tripura

The rates of the allowance will be as follows :-

(a) <u>Difficult areas</u>	- 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.
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/- xxx xx xx xx

Under Secretary to the Govt of India

G.T.C.

DV S. Rayudu  
(D. V. S. Rayudu)  
AE B/R  
AGE (I)  
For Garrison Engineer

Certified to be  
True Copy  
H. S. S. S.

Q U E R Y

Ameyan (1)

Advocate

16

F.No. 20014/16/86/E.IV/E.II(B) 37  
Govt of India, Ministry of Finance  
Department of Expenditure

New Delhi, the 1 Dec 1986

OFFICE MEMORANDUM

Subject : IMPROVEMENT IN FACILITIES FOR CIVILIAN EMPLOYEES OF THE CENTRAL GOVT SERVING IN THE STATES OF NORTH EASTERN REGION ANDAMAN NICHOBAR ISLANDS AND LAKSHADWEEP

The undersigned is directed to refer to this Ministry's O.M. No. 20014/3/83-E.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 has been engaging the attention of the Govt. Accordingly the President is now pleased to decide as follows:-

~~\*\*\*\*\*~~

(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 transferability 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 have been made effective from 1-10-86 (1-10-86).

Contd.....Page-2

Certified to be  
True copy  
[Signature]

(v) to (xii) - Not applicable.

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

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

4. In so far as the persons serving the Indian Audit & Accounts Deptt. 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 JAYARAMAL.)  
Joint Secretary to the Govt of India.

G. T. 22

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

*Certified to be  
True copy  
H. T. 22*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

Administrative Tribunal  
গণস্বত্বিক আধিকার

GUWAHATI BENCH

GUWAHATI

16 FEB 1996

Guwahati Bench  
গুৱাহাটী বেঞ্চ

In the matter of :-

O.A. NO. 168 OF 1995  
SHRI TIKENDRAJIT BRAHMA  
AND OTHERS

.... Applicant

-VS-

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

Contd....P/2

18

Filed by:-  
H. K. Choudhary

39  
Addl. Central Govt.  
Standing Counsel.  
16.2.96.

16.2.96.



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 cacilities for field concessions are being enjoyed

Cont....

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41  
by Defence Civilian 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.

34 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. 29014/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' 1995, the payment of arrears of SCA(RL) for the period from 1st Apr'1993 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'1995 that payment of arrears of SCA from 01 April'1993 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'1995 (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 marchants 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)/D(Pay/Services) dated 25th Jan'1964 (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'1968 (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. orders 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 (RA) 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 (Deptt. of Expendr) 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 along with 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 memoranda dated 14th Dec 83 (Annexure-VII) 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.

B/37269/AG/PS-3(a)/1862/D(Pay/Service) dated 12th Sept '95

(Annexure-VIII) under which para 2 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) 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 Civilian 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.

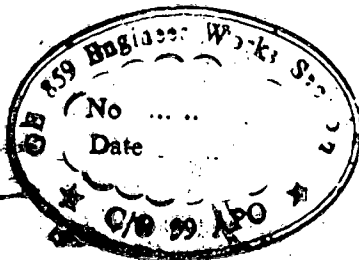
22) That with reference to paragraph 10, 11 and 12 of the application the respondents have no comments.

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

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

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 12<sup>th</sup> of February 1996  
at



A handwritten signature in dark ink, appearing to be "MK ARORA", written over the printed name.

DEPONENT

(MK ARORA)

MAJOR  
Garrison Engineer  
859 ENGR WKS SEC

Copy of S of I, n of D letter No. 8/37269/AG/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. 37269/AG/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 :-

1) 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. //

2. These orders will come into force w.e.f. 1st April 1993.

3. This issues with the concurrence of Finance Division of this Min vide their DO No. 5(a)/85-AG (14-94) dt 09.01.1995.

Yours faithfully,

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

Under Secretary to the Govt of India.

Added  
Addl. Central Govt.  
Standing Counsel.



COPY

10  
Annexure I A  
27  
No. B/37269/AG/PS-3(a)/1862/D(Pay/Services)  
Government of India  
Ministry of Defence  
New Delhi, the 12th September 95. 48

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

We are in modified field  
Area - not in newly defined  
Field Areas  
P4309-124/95

Attended  
Addl. Central Govt.  
Standing Counsel.

11 28

Annexure II  
Annexure 'B'

49

Copy of Govt of India, L.O. 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 amendment 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 :-

1. newly  
modified  
FA

2. newly  
defined

" 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 Corrigendum issues with the concurrence of the  
Finance Division/AG of this Ministry vide their L.O. No.  
388/PA dated 05 April '95.

Sd/- x x x x x x x x x x x x  
( L T Tluanga )  
Under Secretary to the Govt of India  
( Tele : 3012739 )

Attested  
[Signature]  
Standing

129 *Annexure III*  
90

OFFICE OF THE SECRETARY, MINISTRY OF DEFENCE  
G.O. No. 92584/A/G/PS3(a)/67.5/D(pay/services)  
Dated 25 Jan 64.

FIELD SERVICE CONCESSIONS TO ARMY PERSONNEL AND PERSONNEL OF CIVILIANS IN  
OPERATIONAL AREA

1. I am directed to convey the sanction of the President to the Government of India 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 *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 will not be admissible to state formations/units of Mil Police, ICB, Militia, Officers, Ttg centre and establishment, all Directors and all units, 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 to 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 applicable in peace stations for all purposes eg. provision of family and medical facilities for families of officers of rank of P. B.
4. Officers, JCOs and ORs who have been allowed to retain family in the local station and who are issue of these orders will not be entitled to retain such accommodation, may continue to retain the accommodation until such time as marked seen 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 combatants and NRE (both posted and locally recruited) serving in the area defined in *Annexure 'B'* with units and formations where combatants personnel have been allowed field service concession under para 2 above will be entitled to the concessions detailed in *Annexure 'C'* to this letter.
6. Individuals/Departments from static/field units not governed by the above which are attached for OP purposes to units or formations drawing the concession will be entitled to the concessions enumerated at SRI Nos 1, 3, 7, 11, 12 for *Annexure 'A'* if the attachment is less than two weeks, if the attachment is for two weeks or more the concession enumerated will SRI Nos. 4, 5, 6, 7 & 10 of *Annexure 'A'* will also be admissible in addition. In each type will be admissible in either case.
7. These orders supersede the provisions contained in Ministry's orders referred to below:
  - (a) No. 67/1/50/260.5/D(pay/services) dated the 6th Jan 1950 as modified by No. 92682/A/G/PS3(a)/260.5/D(pay/services) dated 07 Jan 62.
  - (b) No. 92267/A/G/PS3(a)/9/D (pay/services) dated 10/11/62 as extended/amended by No. 9257/A/G/PS3(a)/36.5/D(pay/services) dated 05 Apr 63 and Corr No. 92597/A/G/PS3(a)/128.5/D(pay/services) dated 23 Oct 63.
  - (c) No. 95459/A/G/PS3(a)/53.5/D(pay/services) dt 30 Jan 1962 as amended by No. 95459/A/G/PS3(a)/53.5/D(pay/services) dated 23.3.63 except the provisions relating to OP allowances.
  - (d) No. 92719/Ordg 4(Civ-1)/14.5/D(Civ-11) dated 11 Jan 63 as amended from time to time.
8. These orders will be in force for a period of two years after which they to continued.
9. This issued with the concurrence of the Min of Fin (Def) vide their No. 98-5/10.

Under the Secretary to the Govt  
of India.

Copy

Annexure 'A'

Copy of Govt of India Min of Def letter No. 4/02584/AG/PS3  
(a)191/3/(Pay/Services) dated 25 Jan 64.

CONCESSIONS ADMISSIBLE TO CIVILIAN RAID FROM  
REVENUE ESTIMATES INCLUDING CIVILIAN AND EMPLOYEES  
IN LINE OF COMBATANTS AND HOME BOTH POSTED ON  
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 tented/based accommodation and connected service to extent feasible.
- (c) Free clothing of minimum essential scale of Army personnel if the Corps Commander AG 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 GST 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 force 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. 30/- PM per individual.
- (j) Detention family accommodation allotted by Govt, at the old duty station on payment of normal rent. If the accommodation retain is required to be service, the families may be shifted to alternative accommodation 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 accommodation held by the Min of Def separate orders will follow in r/o of belonging to Min of WHOR.

34/- x x x x  
(M. Arumugam)  
Major  
Garrison Engineer

Added  
Mpe  
Addl. Central Govt.  
Standing Counsel.

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 ~~dx~~ 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.

~~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 allowances will continue to be  
admissible in full.

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

*Attested*  
*APC*  
Addl. Central Govt.  
Standing Council.

54

Model 6 Field Area : Modified Field Area (MFA) is a group of troops deployed in support of combat operations in an operational support role. Degree of operational readiness is slightly lower than that in Field Area though the unit's surveillance continues.

4TH DEPT OF THE ARMY  
 11th & 12th Sts. N.W. Washington, D.C.

1. A copy of Govt of India, Dir. of Defence, letter AG/PS3(a)/90/PWAF/services) dt 13 Jan 1994, received vide No. 1329/W3/Sect 1511, dated 19 Feb 94, is fwd herewith for info.

2. Please check: Opferhoff / Vintchen - anstehend 3.6

SSO	00/00/00	00/00/00
B/S		
SDC		-S WO
Date	7/2	
PHOTOGRAPH	00/00/00	00/00/00

Major  
Garrison Engineer

Annexure V

Copy of Govt of India, Min of Defence letter No 37269/AG/PS 3(a)S  
/90/AgPay/services) dt 13 Jan 94.

[illegible]

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 consequent

by the President. The structure of the military concessions has since been reviewed, and an effort to convey the sanction of the President to implementation of the following decisions taken in this regard. In accordance with the officers and personnel of the military (including the Army and Navy) and the Air Force.

2.1 Classification of Areas: Present, Field Areas are classified into three types, namely full field, modified field and Improved Modified Field Areas. The areas in which field service concessions are advisable have been designated as such. Thereafter, Field Area will be classified as Field Area and Modified Field Areas only. Let him visit the area and

2.2 Pre-requisites for Classifying an area as Field (Area and Modified Field Area) will be as follows: (a) Field (Area) that is located in an area where troops are employed near the borders for operational requirements and where imminent hostilities and associated risks exist. Troops in such areas are located for reasons

of operation considerations alone and are not living in  
captivity.

**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 areas 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.

3.1 **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	Rate of Compensatory Field Area Allowance	Rate of Compensatory Modified Field Area Allowance
1.	Lt Col & above	975	350
2(a)	Lt Col (TS) & Major	895	325
3.	Captain	820	300
4.	2 Lt/Lt	780	225
5.	JCOs including Hony. commissioned officers.	650	150

1. Lt Col & above 975
- 2(a) Lt Col (TS) & Major 895
3. Captain 820
4. 2 Lt/Lt 780
5. JCOs including Hony. commissioned officers. 650
6. Sep/JK including 375

3.3 The conditions governing the grant of compensatory field area allowance and modified field area allowance in the case of officers will be as follows:

Admissibility of compensatory field area allowance and compensatory modified field area allowance will commence from the date on which an officer arrives in field area/modified field area on being posted to a unit/formation in field area subject to the following exceptions:

**Exceptions:** An officer who is absent from a field area/modified field area in any one or more of the following circumstances shall be eligible for compensatory field area allowance/compensatory modified field area allowance:

- (i) for a maximum period of 15 days
  - (a) when 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 is admissible;
  - (b) when on casual leave due to urgent work.



(c) While on transit from one field Area/modified field area to another field Area/modified field area, an officer shall be eligible for a maximum period of 13 months while on temporary duty subject to the fulfilment of the following conditions:-

- (a) The officer continues to be borne on the strength of the Unit/Formation in the field area/Modified field area.
- (b) The officer in the ordinary course returns to duty in 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 field area/modified field area.

Compensatory field area allowance/compensatory modified field area allowance will not be admissible in the following circumstances:-  
 (a) When an officer is absent from the field area/modified field area on annual leave or sick leave or on any other leave except casual leave.  
 (b) When an officer from a peace area is especially appointed to officiate in vacancy of less than 3 months duration, if the permanent incumbent continues to draw the compensatory field area allowance/compensatory modified field area allowance under the exceptions mentioned above.

**4.1** Compensatory field area allowance/compensatory modified field area allowance will not be admissible in addition to expatriation allowance, foreign allowance, compensatory/daily allowance or for serving on India.

**4.1** Admissibility for the drawal of compensatory field area allowance and modified field area allowance in the case of JCO/OR including NC(E) will be the same as given in para 5 of Annexure A to this Min. letter No. A/22564/AG/PS3(a)/97-S/D (Pay/Service) dated 25-1-64, as amended.

**4.1** The conditions These rates of allowances will be admissible to :-

(a) Personnel serving in Detachments, Units and formations mentioned in appendices 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/units which are in field area or modified field area and are eligible to field service concession will be notified by the corps commander to the concerned quarterly i.e. for the quarters ending May, August, November and February every year by the 10th of the month subsequent to the close of the quarter.

**4.3** Other concessions Other concessions of kind of present admissible in full field areas as per list given in Annexure A to this Ministry's letter No. A/2484/AG/PS 3(a)/97-S/D (Pay/Service) dated 25-1-64, as amended, will continue to be admissible.

5. These allowances will, however, not be admissible to :  
of children cannot qualify for it and not to ENT (d)  
financial (a) statistics formations/units of military units, ICS,  
and Recruiting Office, Training Centers and Establishments.

(b) NCC Directorates and Units.

61011 5000 High Altitude/Uncongenial Climate Allowance - Personnel serving in field areas which are situated at a height of 5000 ft. and above including uncongenial climate areas below height of 9000 ft. will be entitled to High Altitude/Uncongenial Climate Allowance. Allowance 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 are given as under :- (1)

including areas below 1000 feet, excluding  
heights of 999 ft. Slachen

Category	Count	Percentage
1. Lt Col & above	400	600
2. Major & Lt Col (TS)	350	525
3. Captain	260	375
4. Lt/Lt Colonel	1120	1680
5. JCOs including WCMX	108	162
6. Commissioned officers	140	210
7. SPOC/XX including	100	150

522 High Altitude/Compensatory Climate Allowance will be admissible in addition to the compensatory field area allowance and other concessions in kind.

5.3 The other conditions governing the grant of high altitude/uncongential climate allowance as given in this Ministry's letter No. E-50/3/75 (Pay/Service) dated 28.2.76 as amended will continue to be applicable.

6.1 Siachen Allowance - Personnel serving in Siachen Glacier area will be eligible to the grant of Siachen Allowance at the following enhanced rates to ensure full cost of elimination of the risk of loss of life and limb in the area of operations of the personnel serving in Siachen Glacier area.

6.2.1. "Slacken Allowance" will be admissible in addition to Compensatory Field Area Allowances but not with High Altitude/Uncongenial Climate Allowances. Other conditions governing grant of Slacken Allowance as contained in this Ministry's Letter No. 11(2)/91/P(Pay/Services) dated 01 May 91 will continue to be applicable.

7.1. Consequential Effects. Officers/JCOs/POs 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 married accommodation at the present duty station is made available. Alternatively the families may be allowed to move to a selected place of residence/home at Government expense, if they so choose, in accordance with existing instructions.

7.2. Personnel of Formations/Units, who will not be eligible to the grant of Field Service Concessions, consequent upon the Formation/Unit being outside the newly defined concessional areas will be governed by normal conditions applicable in peace areas for all purposes.

8. Concessions on Attachment:-

(a) Individuals/Detachments from Formations/Units not covered by these orders but 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 25.1.64 as amended.

(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 well also the concessions applicable as per orders referred to in Para 8(a) above be admissible.

(c) Cash TA/DA will be admissible in either case.

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

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

- (a) Special Adhoc Allowance of Rs. 70/- per month admissible for Officers.
- (b) Separation Allowance of Rs. 140/- per month admissible for Officers.

(c) Special Compensatory (Field) Allowance ranging from Rs 53/- to 23/- per month admissible for JCOs/CAs including NC(E).

10. Special Compensatory (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 w.e.f. 1st Feb 94.

Concessions on Attachment -

[illegible]

(11) All areas of Arunachal Pradesh and Nagaland North of River Brahmaputra less Tezpur, Nisumari and Field

UNITED STATES DEPARTMENT OF JUSTICE

(c) Sikkim and West Bengal. ~~Area~~Northwards of line joining every LV 9112 - Brdiong LV 9250 - Sherani LV 9453 enroute enroute Br0112 - Dandin LV 9109 - Dewal Hassimara - CB from 7894 Wangsa State to distance of 77 up to the high altitude line/field area line/International Border, all inclusive.

[illegible]

will be the same as roughly approx - 10000 ft. (c)  
- In a roughly approx - 10000 ft. of the roughly approx - 10000 ft.  
- In a roughly approx - 10000 ft. of the roughly approx - 10000 ft.  
In (a) Valley floor, Arrest line joining patten,  
Chumaili, Rupura, Drumula, Panjes, Shankar, Buniyar,  
Patna Chowk, Phanabal, Anantnag, Khundry and Phru upto  
the existing high altitude line all inclusive.

(b) Jammu Region. Areas West of line joining - BP-19, Brahmo-di-Bari, Gindra, Dhansil, Ketra, Sanjhi Chhatt, Ahnri Bhatara, Osalni, Topa, Ramban and Banihal upto the existing S/O/1957/58 line all inclusive.

APR. 1945 WILLIAM JAMES GIBSON RECEIVED NOV 21 1945

Appendix A to Cvt of India.

Ministry of Def Letter No 37269/

the self provided and profits are: A3/P443(a)/90/2 (pay/Services)

dated 15 Jan 74, moved.  
(Refers to Para 2.3)

CONFIDENTIAL

LIST OF PASTOR MEMBERS: APRIL 2001 TO APRIL 2002

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

1. Williamson Island 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 2691 2692 2693 2694 2695 2696 2697 2698 2699 2700 2701 2702 2703 2704 2705 2706 2707 2708 2709 2710 2711 2712 2713 2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725 2726 2727 2728 2729 2730 27

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Case in re of Tyrolina and Changling Districts, 825

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(c) Sinkin. All areas North and NE of line }

(1000) (M) 68-472-Sub E-1A, p. 7952 - Franklyn J. GADD-God.

U.S. DEPT. OF JUSTICE

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INVESTIGATION - CASE NO. 100-111111 - FILE NO. 100-111111

• 5. Union History Charge (All inclusive) 501. 11015\ent.1

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to 10/12/97 and other related data as per Appendix 1C5 to Govt no

LIST OF HIGH ALTITUDE 'UNCONGENIAL CLIMATE' AREA

Verdict of medical board to vacate:

(2.8 mm. of tissue)

SOUTH EAST along boundary to HAGSHULA (NT 5662) SOUTH.

REGION, RING PAIN AND RING-BLASTING, INTERNAL AND

beyond -

along foot path and then nullah to point B2380 (112 0891)

.....3.....



TO RARON (12 42) and straight line to HANI RARON (SE 6486) along HANI RARON to PIR RARON pass (TA 1560) then in straight line to HANI RARON (SE 6486) - SOUTH EAST TO CHIEU (919900) along river to CHIEU (9408859) in straight line to HANI RARON Pass (SE 944375).

3. LTAR PRO DESH - Area along the following line and beyond :-

BARSAY Pass (944875) point 20370 (949859) HANSEIL (973852) KED RARON (TG 5555) HADRON (TG 9053) PANDUKSHAR (TH 0739) (excluding town limits) to JAMGAR (TH 3539) KALAN (TH 5028) MILAN (TH 7423) SEIA (TO 2593) CHHIALIN (TO-4994) and areas above 9000 ft in the designated field area in Appendix 'A'.

4. NEPA - Area along the following line and beyond :-

Point 14500 (MS 4881) to SAKH DONG (MS 2883) - NATAU (MS 6777) LARONG (MT 1379) - LAPONG (MT 2289) KHANHA (MO 2803) NYAPIN (MO 3525) to 8th mile - stone (One ZERO - NYAPIN Road) 9th mile stone (On DAPORJO-LIMKING Road) HOYCH (MT 9379) 2nd mile stone north of YARE (MP 9575) BOSING (ML 3592) DNERCH (MP 6208) AHINKOL IN (MK 8811) KROHLI (MS 2407) GURONSON (NM 4592) LABON (NM 7579) HAYOLIANG (NM 0199) CHOWAN (NM 9943) - KUDHU (NM 0125) Point 6490 (NM 1403) - VIJAYNAGAR (NS 4866).

5. LYKIL - South and North East of the line running from point 11789 (TH 96) - point 10140 (LT 17) point 10405 (LT 38) point 9010 (LT 18) - Nala Junction - (LT 5373), PADAKOTEN (LT 6751) point (LT 61).

RESTRICTED

*Attended  
HKE*

Adj. Genl. Govt.  
Standing Counsel.

(COPY)

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

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 Rs. 1500/- above but below Rs. 2000/-	Basic pay of Rs. 2000/- and above	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 matopnal pay in the pre-revise scale.

3. Pay means pay in the revised ~~xx~~scales of pay introduced under the CCS (RP) Rules 1986. In the case of those who retained the exist 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 in a loss to an employee, who has been continuously drawing the allowance from a date prior to 1.10.86. The amount drwan by him imediately 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 ~~xxxx~~ continues till the employees remains posted in the said region and becomes eligible to higher amount either on promotion or otherwise.

Contd.. ..2/-



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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 Special Compensatory allowance.
5. The Special Compensatory allowance will be 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 orders 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 separate 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 orders 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

C   T   C

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

*Attended*  
*After*  
Adm. Control Comd.  
Standing Counsel.

SECRET

No. 20074/2/83-2.IV  
GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
DEPARTMENT OF REVENUE

Annexure (VII)  
2244  
NEW DELHI, the 14th  
DECEMBER 1983

CIVILIAN EMPLOYEES

Subject :- Policy regarding posting of CIVILIAN EMPLOYEES OF THE  
GOVERNMENT OF INDIA TO STATES AND UNION  
TERITORIES OF NORTH EASTERN REGION

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

(1) Terms 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. Meritorious 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 prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended.

(ii) Weightage for Central Deputation/Training abroad  
in promotion 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 two central tenure deputations may also be relaxed to two years in deserving cases of meritorious service in the North East.

Conta.....2

2845

... in the C.A. of all employees who  
... of service in the North Eastern Region to

(iii) Special (Duty) Allowance :

When a civilian employee who have all rights of a civil servant will be granted a special (Duty) Allowance of 25% of basic pay subject to a ceiling of Rs. 400/- p.m. when on posting to any station in the North Eastern Region. All of these employees who are except from payment of Special (Duty) Allowance will be in addition to any other pay and/or remuneration (Duty) Allowance already being payable subject to the condition that the total of such special (Duty) Allowance plus special pay/remuneration (Duty) Allowance will not exceed Rs. 400/- p.m. Special Allowance line special compensatory Allowance will be treated separately.

(iv) Special Compensatory Allowance:-

1. Local employment

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 1-7-1962 in the case of Assam.

-----

2. Working

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

Pay upto Rs. 250/-  
Pay above Rs. 250/-

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

3. Working

The rates of the allowance will be as follows:-

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

(b) Special Allowance

Pay upto Rs. 250/-

Rs. 40/- p.m.

Pay above Rs. 250/-

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

There will be no change in the existing rate of Special Allowance admissible in Arunachal Pradesh, Nagaland and Mizoram. The existing rate of Disturbance Allowance admissible in Special Districts of Assam.

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

Ref: 2845

Deputy Secretary  
(D. V. S. Rayudu)  
AE B/R  
AGE (T)  
For Garrison Engineer

Attended  
File