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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

OA No. 210196

D.D. Bhattacharyya & Co. Applicant(s)

VS.

Union of India & Co. Respondent(s)

Mr. A. Ahmed Advocates for the applicant(s)

Mr. S. Ali, Sr. C.G.S.C. Advocates for the Respondent(s)

Office Notes	Date	Courts' Orders
This application is in form and within time C. F. of Rs. 50/- deposited vide IPO/BD No 344996 Dated 18.9.96 Dr. Registrar. 24/9. There are plural remedies in this OA. pg. no. 14, 22, 42, 46, 48, 49, 50 are not legible. However, submitted for placing before the Hon'ble Comr. as the OA NO. 210-213 are similar grievances. 24/9/96 for The above noted pages change is- and put up for admission/perm. 24/9/96. List on 3.10.96. Said for below orders it is a covered case. 27/9/96.	3.10.96 trd 3/10 7.10.96 trd 7/10	Mr. S. Ali, Sr. C.G.S.C. for the respondents. None for the applicants. Adjourned for admission to 7.10.1996. None present for the applicant. Mr. S. Ali, Sr. C.G.S.C. for the respondents. List for consideration of admission on 15.10.96.

Member

Member

10.10.96

Learned counsel Mr A. Ahmed for the applicants. Mr S. Ali, learned Sr. C.G.S.C. for the respondents.

This applications relates to SDA, HRA, SCA (RL) and Field Concession. Mr Ahmed submits that he may be allowed to withdraw the application and file fresh separate applications without prejudice to the contentions raised in this application. Prayer is allowed.

The application is disposed of on withdrawal. The applicant is at liberty to file fresh application and to raise all the contentions that have been raised in this application.

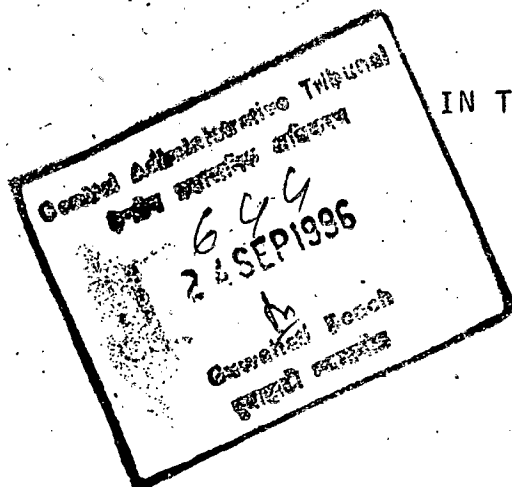

Member

nkm

18.11.96

Copy of order issued
to the L/Advocate of the
party vide D.No. 3877
(A) 3878 D. 24.2.96

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH AT GUWAHATI.

O. A. NO. 210 OF 1996.

Sri D.D. Bhattacharjee & others.

... Applicants.

-Versus-

Union of India & others

... Respondents.

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Date: 19.9.96

Filed by:

Advocate

Adil Ahmed
(Adil Ahmed)

Received copy
C. J. S. C. S. C.
19/9/96

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH AT GUWAHATI.

Filed by
Ail Al
(Ail Ahmed)
Ahmedate

O.A. NO. 210 OF 1996.

1. T/70 Labour D.D. Bhattacharjee
2. T/5 Labour Budhia Patra
3. T/7 Labour Harihar Ram
4. T/10 Labour Sarvadeb
5. T/15 Lab N. Kakati
6. T/16 Lab D. Upadhya
7. T/21 Lab G.K. Misra
8. T/48 Lab Sarada
9. T/51 Lab T. Ali
10. T/54 Lab Sukul Rai
11. T/55 Lab S.C. Ram
12. T/58 Lab Bhagirathi
13. T/60 Lab L.B. Sherpa
14. T/68 Lab Dal Bahadur
15. T/69 Lab K.K. Paul
16. T/71 Lab Ram Prasad
17. T/72 Lab N.D. Sarkar
18. T/74 Lab K.K. Talukdar
19. T/76 Lab Mantu Nag
20. T/14007205 LDC R.R. Borah
21. 1469 LDC Mrs Rina Roy
22. P 3113 Dvr MT P . Rajak
23. NIP-470 Pt Mesg D. Gogoi
24. NIP-35 Pt Mesg R. Bora
25. NIP-69 Pt Mesg Sonpal
26. NIP-37 Pt EBR Tuni Das

(Contd.)

Bhattacharjee

27. NIP-68 Pt W/Man Rajendra Rajak
28. NIP-52 Pt Barbar Nathuni Thakur
29. NIP-45 Pt Barbar Ganga Thakur
30. NIP-36 Pt W/Man Vankataya
31. NIP-42 Pt W/Man Prayag
32. NIP-78 QP Mesg A. C. Nath .

Now all the applicants are serving in the office of the Commanding Officer, 310 Station Workshop EME ,C/o 99 A.P.O.

1. Details of the Applicants

- i. Name of the applicant- T/70 Lab D.D. Bhatta-
charjee .
- ii. Designation & Office - Lab , Serving in the
Office of 310 Station
Workshop EME
C/o 99 APO

2. Particulars of the Respondents:

- i. Name and/or designation of the Respondents
 1. Union of India,
represented by the
Secretary of Defence,
Govt. of India, New
Delhi.
 2. The Commandant
310 Station Workshop
EME C/o 99 APO.

3. Particulars of the order against which the
application is made :

- i. The application is made for non-
implementation of :

(Contd.)

Bhattacharya

- i) Memo No. 20014/3/83-IV Govt. of India, Ministry of Expenditure, New Delhi and O.M. No. 4(19)/83/D Civil -I dated 11-1-84 regarding payment of S.D.A. (Special Duty Allowances) for Civilian employees.
- ii) Non-implementation of scheme of H.R.A. (House Rent Allowances) at the rate of 15% on the monthly salary as per Circular No. 11013/2/86-E-II(B) dated 23-9-1986 issued by the Government of India, Ministry of Finance (Department of Expenditure), New Delhi and Hon'ble Central Administrative Tribunal, Guwahati Bench Case No. 48/91 Judgement & order dated 26-11-93.
- iii) Non- implementation of Scheme of Special Compensatory (Remote Locality) Allowances to Defence Department Civilian employees as per letter No. 16037/R/A2 HQ 3 Corps (A) C/o 99 APD issued by the under Secretary (Defence) to the Govt. of India, Ministry of Defence, New Delhi letter No. R/37269/AG/PS3(a)/165/B (Pay)/ Services) dated 31-1-95.
- iv) Non-implementation of scheme of Field Services Concessions to Civilian employees of Defence Services contained in letter No. 16729/RG4(Civ)(d) dated 25th April, 1994 issued in pursuance to the Govt. letter No. 37269/AG/PS3(a)/D Pay/Service) dated 13-1-94 with effect from 1-4-93.

4. Jurisdiction of the Tribunal :

The applicants further declare that the application is within the jurisdiction of the Hon'ble Tribunal.

5. Limitation

Dr. Sheela Hacheyar

(Contd.)

That the applicants further declare that the application is within the limitation prescribed under Section 21 of the Administrative Tribunals Act, 1985.

6. Facts of the Case:

6.1 The facts of the case in brief are given below:

That your humble applicants are all Indian Citizens as such they are entitled to all the rights and privileges guaranteed under the Constitution of India. The applicants are all Civilian employees along to Group C.D and they are serving in the Defence Department since a long time.

6.2 That the applicants are Grade IV employees serving in different capacities as Central Govt. Defence Civilian employees in Nagaland in the Office of the Commandant 310 Station Workshop EME, C/o 99 APO Nagaland. They are serving as Civilian Lab, LDC, W/Man etc.

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

Dr. H. H. Choudhary

(Contd.)

6.4 That under the Central Government of various Orders, Memos, Circulars, the civilian employee serving in the Defence Department in Nagaland are eligible for certain benefits for involving risk of life alongwith Armed Forces. These Civilian employees are entitled to the following benefits :-

i) S.D.A.(Special Duty allowances) under the Defence Ministry, Office Memorandum CMBI 49(19) / 83/0, New Delhi dated 11-1-84 and Finance Ministry Memo No. 20012/3/83E-IV Govt. of India, Ministry of Expenditure, New Delhi (Annexure-1).

ii. H.R.A.(House Rent Allowances) at the rate of 15% on the Monthly salary as per Circular No. 11013/2/86-EII(B) dated 23-9-86 issued by the Govt. of India, Ministry of Finance (Department of Expenditure) New Delhi, the 23rd September, 1986 (Annexure-2) with effect from 1-10-86, Applicants case is covered by the Judgment and Order dated 26-11-93 passed by the Hon'ble Tribunal, Guwahati Bench in O.A. No. 48/91 and O.A. 124/95 and 125/95 (Annexure-2(1), 2(2) .

iii. Special Compensatory (Remote Locality) Allowance to Defence Department Civilian Employees as per letter No. 16037/E/A 2 HQ 3 Corps (a) C/o 99 APD issued by the Under Secretary (Defence) to the Govt. of India (Annexure-3) and as per Govt. of India, Ministry of Defence, New Delhi letter No. SB/37269/AC/PS 3(a)/165/D/(Pay)/Services) dated 3-1-95, with effect from 1-4-93 (Annexure-3 (1) .

Sh. H. H. H.

(Contd.)

iv) Field Service Concession to the Civilian employees of Defence Service vide letter No. 16728/004 (Civ)(d) dated 25th April, 1994 issued by the Director (MP) Org.4 (civ) (d) for adjustment General Army Head Quarters, New Delhi (Annexure-4) issued in pursuance to the Govt. letter No. 37269/AG/PS 3(a)/D(Pay) /~~xxx~~ Services dated 13-1-94 with effect from 1-4-93.

6.4. That the applicants being Civilian Defence employees serving in Nagaland which is B Class City are eligible for the above benefits. But they are getting house rent @ 'C' class city. There is no basis on which this House Rent has been fixed. House Rent is entitled to them since 1986. House rent is not paid to them during 1986 to 1990 and also they are getting house rent since April 1991 @ 'C' class city rate although they are entitled to House rent @ rate of 'B' class city.

6.6. That your applicants have All India Transfer Liability which is one of the conditions for granting Special (Duty) Allowance to the Central Government Civilian Employees.

Annexure-5 is the photocopy of the office Memorandum issued by the Joint Secretary to the Govt. of India .

6.7 . That your applicants having failed to obtain the benefits mentioned above inspite of their repeated requests both oral and in writing.

ASha Hecdy or

6.8 That your applicants beg to state that they having fulfilled all the terms and conditions of S.D.A., H.R.A., Special Compensatory (Remote Locality Allowances) Field Allowances and other Allowances as admissible as Central Government employees serving at North Eastern Region particularly in Nagaland, they are entitled to above mentioned benefits.

7. Reliefs sought for

Under the facts and circumstances narrated above it is prayed that the Hon'ble Tribunal may be pleased to direct the Respondents particularly the Commandant , 310 Station Workshop EME C/o 99 APO , Dimapur, Nagaland to pay the following financial benefits to the applicant :-

- i) S.D.A. as per Memo No. 20014/3/83-E-IV, Government of India, Ministry of Finance, Department of expenditure, New Delhi and O.M. No.4(a)/83/D New Delhi dated 14th December, 1983 with effect from November, 1983.
- ii) H.R.A. as per circular No. 11013/2/86-E-11(B) issued by the Government of India, Ministry of Finance (Department of Expenditure) New Delhi, 23rd September, 1986 and Hon'ble Central Administrative Tribunal, Guwahati Bench in O.A. No. 48/91, O.A. No. 125/95 Judgment & Order dated 26-11-93 and 24-8-95 with effect from September, 1986.

(Contd.)

A. K. H. S. S.

- iii) Special Compensatory (Remote Locality) Allowances as per letter No. 16037/R/A2 HQ 3 Corps (A) C/o 99 APU dated 6-3-1995 issued by the HQ 3 Corps A) C/o 99 APU reproducing the letter as per Govt. of India, Ministry of Defence, New Delhi letter No. B/37269/AC/PS 3(a)/165/D(Pay) service dated 31-1-95 with effect from 1-4-93.
- iv. Field Service Concessions vide letter No. 16729/CC4(Cir) dated 25-4-94 issued by the Army Hq. New Delhi on the basis of letter No. 37269/AF/PS3 from 1-4-1993.
- v. To pay the costs of the case to the applicants.
- vi. That any other relief or reliefs that may be entitled to the applicants.

8. GROUND AND LEGAL PROVISIONS

8.1 For that the applicants being Civilian employees serving in Nagaland and being attached to Armed Forces are entitled to all the Financial benefits mentioned above under the various schemes, letters, circulars etc.

8.2 For that there is no justification in denying the said benefits to the applicants and the denial has resulted in violation of Articles 14 and 16 of the Constitution of India as such as other similarly situated employees have been granted the said benefits.

8.3 For that the applicants having fulfilled all the criteria laid down in the aforesaid Memorandum towards granting of S.D.A., H.R.A., Special Compensatory, (Remote Locality) Allowances, Field Service concessions, the respondents cannot deny the same to the applicants without any jurisdiction.

(Contd.)

B. Shetty

8.4. For that it had already been conclusively held by this Hon'ble Tribunal in other cases that the applicants are entitled to the said benefits and thus the Respondents ought to have paid the said benefits to the applicants to approach any Court of law.

8.5 For that it is settled proposition of law that when same principle have been laid down in given cases, all other personnel who are similarly situated should be granted the said benefits without requiring them to approach any court of law.

8.6 For that the applicants having been denied the said benefits without any reasonable excuse and without offending any opportunity of being heard, there is violation of the principle of natural justice and accordingly proper reliefs is required to be granted to the applicants.

9. Details of remedies exhausted

That the applicants declare that they have availed of all the remedies available to them under service rules etc.

10) Matters not pending with any other courts etc.

The applicant further declare that the matter regarding which the application has been filed is not pending before any other Court of Law or any Authority or any other Bench of the Tribunal .

(Contd.)

D. Shakti Chandra

11. Particulars of the Bank ~~Draft~~/I.P.O. in respect
of Application Fee.

1. Number of I.P.O. : 809 346496
2. Name of Issuing Post Office: Guwahati
3. Date of Issue of I.P.O. : 18.9.96
4. P.O. at which payable : Guwahati

12. Details of Index

An index in duplicate containing the details
of the documents to be relief upon is enclosed.

13. List of enclosure: As per Index.

Dzhattadga

List of enclosure - As per Index.

Verification

I, T/70 Shri D.D. Bhattacharjee the applicant No.1 serving as Lab under 310 Station Workshop EME, C/o 99 APD Dimapur, Nagaland do hereby verify that the contents from 1 to 13 of the applicants are true to my knowledge and belief and I have not suppressed any material facts.

And I sign this Verification on this 19 th day of September, 1996 at Guwahti.

DDhattacharjee

Signature.

21-12-
No 2014/3/83-B-IV Govt of India
Min of Expt

New Delhi, the 14th Dec 83

Min of Expt
No 4(19)/83/D
Subject: Allowances and facilities for civilian employees of the Central Govt civil in the states and Union Territories of the North Eastern Region - Improvement

1. 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 Govt for some time. The Govt has appointed a committee under the chairman ship of Secretary, department of personnel and administrative reforms, to review the existing allowances and facilities admissible to the various categories of civilian Central Govt employees serving in this region and to suggest suitable improvement. The recommendations of the committee have been carefully considered by the Govt and the President is now pleased to decide as follows:-

(i) Tenure of posting/deputations

There will be a fixed tenure of posting of 3 yrs at a time for officers with service of 10 yrs or less and of 2 yrs at a time for officers with more than 10 yrs of service. Periods of leave, training, etc. in cases of 15 days per year will be excluded in 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.

The period of deputation of the Central Govt 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 emergencies of public services as well as when the employees concerned are prepared to stay longer. The admissible deputation allowances will also be continued to be paid during the period of deputation if extended.

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

Satisfactory performances of duties for the prescribed tenure in the North Eastern Region shall be given due recognition in the case of eligible officers in the matter of:-

- (a) Promotion in career posts;
- (b) Deputation to Central tenure posts, and
- (c) Courses of training abroad.

Attested
Sd/-
Advocate

- 13 - 2 - - 12 -

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

A specific entry shall be made in CR of all employees who rendered a full tenure of service in the North Eastern Region to that effect.

(iii) Special (Duty) allowances:-

Central Govt 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 those employees who are exempt from payment of income tax will, however, not be eligible for this special (Duty) Allowance. Special (Duty) allowances will be in addition to any special pay and/or deputation (duty) Allowances already being drawn subject to the condition that the total of such special (Duty) allowances like special compensatory (Remote Locality) Allowances, construction allowances and project Allowances will be drawn separately.

(iv) Special compensatory Allowances

Assam and Meghalaya

The rate of the allowances will be 5% of basic pay subject to a minimum of Rs 50/- pm admissible to all employees without any pay limit. The above allowances will be admissible with effect from 1.7.82 in the case of Assam.

2. Manipur

The rates of allowances will be as follows for the whole of Manipur:-

Pay upto Rs 2 1/2/-
pay upto Rs 2 3/4/-

Rs 40/- PM.
Rs 15% of basic pay subject
maximum of Rs 150/- pm.

3. Tripura

The rates of the allowances will be as follows:-

(a) Difficult area

- 25% of pay subject to a minimum of Rs 50/- and a maximum of Rs 150/- pm.

(b) Other areas

Pay upto Rs 2 1/2/-
pay above Rs 2 3/4/-

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

There will be no change in the existing rates of special compensatory Allowances admissible in Arunachal Pradesh, Nagaland and Mizoram and the existing rate of Disturbance allowances admissible in specified areas of Mizoram.

*Attested
[Signature]
[Signature]*

(x) Children Education Allowances/Hostel Subsidy

Where the children do not accompany the Govt servant to the North Eastern Region, children Education Allowances upto class XII will be admissible in respect of children studying at the last station of posting of the employee concerned or any other station where the children reside without any restriction of pay drawn by the Govt servant. If children study in schools are put in hostels at the last station of posting or any other station, the Govt servant concerned will be given hostel subsidy without other restrictions.

2. The above orders except in para (iv) will also be mutatis mutandis apply to Central Govt employees posted to Andaman and Nicobar Islands.

3. These orders will take effect from 01st Nov 63 and will remain in force for a period of three years upto 31st Oct 1966.

4. All existing special allowance, facilities and concessions extended by any special orders by the Ministries/departments of the central Govt to their own employees in the North Eastern Region will be withdrawn from the date of effect of the orders contained in this office memorandum.

5. Separate orders will be issued in respect of other recommendations of the committee referred to in paragraph 1 and when decisions are taken by them by the Govt.

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

dy- (SC Mahalik)
Jt Secy to the Govt of India

Attested
[Signature]
[Signature]

$$S(NC)(s)$$

H. R. A.

Sub. 4 Recommendations of the Fourt Pay Commission .Decisions
of the Government relating to grant of Compensatory(City)
& House Rent Allowances to Central Government Employees.

COMPENSATORY (CITY) ALLOWANCES

Note :- For 14 special localities, where C.C.A at the rates applicable to B-2 class city are being paid, fresh orders will be issued separately.

Type of accommodation to which entitled.	Pay range in revised scales	Amount of H.R.A. payable in B.p.m
6F pay for entitlement.	A, B-1, B+2	C class cities Unclassified cities places

[illegible]

Attested
for the
Associate

Cont. to P.2

however, be required to furnish a certificate to the effect, then they are incurring some expenditure on rent/contributing towards rent. H.R.A. at above rates shall also be paid to Government employees living in their own houses subject to their furnishing certificate that they are paying/contributing towards house or property tax or maintenance of the house.

3. ✓ Where H.R.A. at 15 percent of pay has been allowed under special orders, the same shall be given as admissible in A.B1-1 and B-2 class cities. In ~~all~~ other cases covered by special order HRA shall be admissible at the rate in C class cities. In both these cases there shall be no upper pay limit for payment of HRA.

4. The other condition at present applicable for grant of HRA in cases of housing of accommodation and other categories shall continue to be applicable.

5. Pay for the purpose of these orders, will be 'pay' as defined in F.R.9(21) (a) (i). In the case of persons who continue to draw pay in the scales of pay which prevailed prior to 1.1.1906 it will include in addition to pay in the pre-revised scales, dearness pay, dearness allowance, Additional Dearness Allowance, Ad-hoc DA and Interim Relief appropriate to that pay, admissible under orders in existence on 31-12-1985.

6. These orders shall be effective from 1-10-1986. For the period from 1-1-1986 to 30-9-1986, the above allowance will be drawn at the existing rates on the national pay in the pre-revised scale.

7. ✓ These orders will apply to civilian employees of the Central Government belonging to Groups 'B' 'C' & 'D' only. The ~~ex~~ orders will also apply to the Group 'B' 'C' & 'D' civil employees paid from the Defence Service's Estimates. In regard to Armed Forces Personnel and Railway employees, separate orders will be issued by the Ministry of Defence and Department of Railways respectively.

8. In so far as the persons serving in the India Audit and Accounts Department are concerned this order issues after consultation with the Comptroller and Auditor General of India.

9. Hindi version of the order is attached.

Sd/-

(B. P. Varna)

Joint Secretary to the Government of India

To

All Ministries and Department of the Government of India etc. as per distribution list.

Copy forwarded to CBAC and UPSC etc. (with usual number of copies) as per standard endorsement list.

Attested
Admn
Admn

Government of India
Geological Survey of India
4, Charing Cross Lane
Calcutta-16.

No. 14017(1)/88-3(ISA)

- 18 -

Dated the 28/9/88

Sub:- House Rent Allowance circular

Sl No (4)

A copy of the Ministry of Finance Deptt. of Expenditure O.M.No. (1) 11015/41/86-E.II(E)/87 dt. 13.11.87, received from the Ministry of Steel and Mines, Department of Mines, New Delhi under their letter No. 21/17/87-1-F dt. 1st January 88 is forwarded for information and necessary action.

Administrative Officer
for Director (Administration)

Dy.No. 51/3/88

The undersigned is directed to refer to para 1 of his Ministry, Office Memorandum of even number dated 19.2.87 regarding central Government employees belonging to Groups 'B' 'C' and 'D' and also para 1 of O.M. of even number dated 22.5.1987 regarding central Government employees belonging to Group 'A' on the subject mentioned above and to say that consequent upon fixation of flat rate of licence fee for residential accommodation for central Government employees all over the country vide Ministry of Urban Development (Directorate of Estate) O.M.No. 12035/(1)/65-Pol, 11(1) dated 7.8.1987, the President is pleased to decide that central Government employees belonging to Groups 'A' 'B' 'C' and 'D' working in various classified cities and unclassified places will be entitled to receive, in lieu of Rent Free Accommodation as under:-

- (i) Amount charged as licence for Government Accommodation as fixed in terms of Ministry of Urban Development (Directorate of Estate)'s above mentioned O.M. dated 7.8.1987 and
 - (ii) House Rent Allowance admissible to corresponding employees in that classified city/unclassified place in terms of para 1 of this Ministry's O.M. No. 11013/2/86-E-II(B) dated 23.9.1986 for central Government employees belonging to Groups 'B' 'C' and 'D' and para 1 of O.M. No. 11013/2/36-E.II(B) dated 19.2.87 for Central Government employees belonging to Group 'A'.
2. Other terms and conditions for admissibility of compensation in lieu of rent free accommodation indicated in this Ministry's office Memorandum dated 19.2.87 and 22.5.87 remain the same.
3. These orders shall take effect from 1.7.87.
4. So far as persons serving in the Indian Audit and Accounts Deptt. are concerned, these orders issue after consultation with controller and Auditor General of India.

tkl/-

Sd/- A.N. Sinha
Director

Attested
Sd/- Advocate

ORIGINAL APPLICANT NATIVE TRIBES : SUBURRI BECH

Original Application No. 48 of 1991

Date of order : This the 26th day of November 1993.

Shri S. Haque, Vice-Chairman

Shri S.L. Sanglyino, Member (Administrative)

Shri H. Lapdon ko and fortysix(46) others,
Group 'C' & 'D' employees posted in the
Office of the Director,
Geological Survey of India,
Operation Manipur-Nagaland, Dimapur,
District Kohima, Nagaland

.... Applicants

By Advocate Shri M.N. Tripathi
- Versus -

1. Union of India, through the Secretary
to the Government of India,
Ministry of Steel and Mines,
Department of Mines, New Delhi
2. The Director General, Geological Survey
of India, 27, Jawaharlal Nehru Road,
Calcutta: 700 013
3. The Deputy Director General, Geological
Survey of India, North East Region,
Asha Kutir, Laitumkhrah, Shillong-793003
4. The Director, Geological Survey of India,
Operation Manipur-Nagaland, Dimapur. Respondents

By Advocate Shri S. Ali, Sr. C.G.S.C. and
Shri A.K. Choudhury, Addl. C.G.S.C.

Attested
Sd/-
Advocate

HAJIE. J.

- 20 -

The applicants numbering 47 (forty seven) are Group 'C' and 'D' employees under the Director, Geological Survey of India, Operation Manipur-Nagaland, at Dimapur, Nagaland. This application by them under Section 19 of the Administrative Tribunal's Act 1985 claiming House Rent Allowance (HRA) at the rate applicable to 'B' class cities, i.e. at the rate of 15% of their pay and also claim compensation at the rate of 10% in lieu of Rent Free Accommodation (RFA). They claim that Nagaland falls within 'B' class cities for the purpose of HRA and compensation in lieu of RFA.

2. It is an admitted fact that the employees of the respondent Directorate are entitled to rent free accommodation in Nagaland, but they were not given free government accommodation.

3. ✓ Learned counsel Mr N.N. Trikha for the applicants submits that it was established vide judgment dated 31.10.1990 in C.A.No.42(G)/89 of this Bench and duly confirmed by the Supreme Court vide order dated 18.2.1993 in Civil Appeal No.2705/91 that Nagaland in general is 'B' class city and the Central Government employees there are entitled for benefits of 'B' class cities

granted by various circulars and office memoranda.

Mr Trikha read out the relevant Office Memoranda. These submissions are not disputed by learned Sr. C.G.S.C.

Mr S. Ali, We have perused the judgments and orders referred to by Mr Trikha. Nagaland had been recognised

Attested
Sd/-
Advocate

- 21 -
- 20 -

as 'D' class cities in general vide our judgment and order dated 31.10.1990 in S.A.No.42(C)/89 along with the Supreme Court order dated 18.2.1993 in Civil Appeal No.2755 of 1991. This being the established position, we hold that the applicants were entitled to HRA at the rate of 15% on their pay from 1974 to September 1986; and thereafter, on flat rate basis group wise with effect from 1.10.1986 pursuant to Office Memorandum No.11013/2/86-E-11(B) dated New Delhi the 23rd September 1986 issued by the Ministry of Finance, Government of India (Annexure A/7).

4. After the fixation of the HRA on flat rate basis groupwise the Government of India further granted compensation to Group A, B, C and D employees in lieu of rent free accommodation with effect from 1.7.1987 vide Government of India, Ministry of Finance, Department of Expenditure O.M. No.11015/4/86-E.11(B)/87 dated 13.11.1987 which reads as follows:-

"The undersigned is directed to refer to para 1 of this Ministry's Office Memorandum of even number, dated 19.2.1987, regarding Central Government employees belonging to Groups 'B', 'C' and 'D' and also para 1 of O.M. of even number, dated 27.5.1987, regarding Central Government employees belonging to Group 'A' on the subject noted above and to say that consequent upon fixation of flat rate of licence fee for residential accommodation under Central Government all over the country vide Ministry of Urban Development (Directorate of Estates)'s O.M.No.12035/(1)/85-Pol.II (Vol.III) (i), dated 7.8.1987, the President is pleased to decide that Central Government employees belonging to Groups 'A', 'B', 'C' and 'D' working in various classified cities and unclassified places will be entitled to compensation in lieu of Rent-free Accommodation as under -

- (i) Amount charged as licence fee for Government Accommodation as fixed in terms of Ministry of Urban Development (Directorate of Estates)'s above mentioned O.M. dated 7.8.1987; and

Attested
Adv. H.
Acharya

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monthly emoluments calculated with reference to the pay of respective applicants with effect from 1.7.1987 besides MRA. The respondents shall realize 1/3 of pay of the applicants paid in excess with salary for the month of November 1979.

7. The respondents shall implement the above directions and pay all arrears within three months (90 days) from the date of receipt of copy of the order.

8. Intimate all concerned immediately.

Sd/- S. Rajan
VICE CHAIRMAN
Sd/- S. L. Sanyal
MEMBER (JUDGE)

Attested
Sd/- Advocate

TRUE COPY
(57/02/1983)
Section Officer (Judicial)
Central Administrative Tribunal
Gurukul Road, Gurukul
27/11/83

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- 24 -

Annexure 2(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.124 of 1995

With

Original Application No.125 of 1995

Date of Decision: This the 24th day of August 1995

(AT ROHTAK)

The Honble Justice Shri M.G. Chaudhuri, Vice-Chief Justice

The Honble Shri G.L. Saxtyne, Member (Administrative)

O.A.No.124/95

Shri Kishore Shukla and 116 others

All are serving in the Office of the Garrison Engineer,
866 EWS C/o 99 APO.

.....Applicants

- versus -

1. Union of India represented by
The Secretary, Defence,
Government of India, New Delhi.

2. The Garrison Engineer,
865 EWS C/o 99 APO.

3. The Garrison Engineer,
869 EWS, C/o 99 APO.

.....Respondents

O.A.No.125/95

Shri N. Limbu and 14 others

All are serving in the Office of the Garrison Engineer,
868 EWS C/o 99 APO.

.....Applicants

- versus -

1. Union of India represented by
The Secretary, Defence,
Government of India, New Delhi.

2. The Garrison Engineer,
868 EWS, C/o 99 APO.

.....Respondents

For the applicants in both the cases : By Advocate Shri A. Ahmed

For the respondents in both the cases : By Advocate Shri S. Ali, Sr. C.G.S.C.



Attested
Advocate

CHAUDHARI, J. V.C.

Mr A. Ahmed for the applicants,

Mr S. Ali, Sr. C.G.S.C. for the respondents.

Both these cases involve same question and therefore are being disposed of by this common order.

Facts of O.A.No.124 of 1995:

The applicants belong to Group "C" serving in the Defence Department as civilian employees. The application is restricted to applicants at serial No. 1 to 117. These applicants are from inside North Eastern Region and are serving in different capacities as Central Government employees in Nagaland under GE 868 EWS 99 APO. Their grievance is that they are being denied the payment of:

- i) Special (Duty) Allowance (SDA) payable under Memo No.20014/3/83-E-IV of the Government of India, Ministry of Defence dated 14.12.1983 read with O.M.No.4(19)/83/D, Civil-I dated 11.1.1984
- ii) House Rent Allowance (HRA) as per the circular No.11013/2/86-E-II(B) dated 23.9.1986 issued by the Government of India, Ministry of Finance
- iii) Special Compensatory (Remote Locality) Allowance SCA(RL) under the Ministry of Defence letters No.16037/E/A2 HQ 3 Corps (A) C/o-99 APO and No.B/37269/AG/PS3(a)/165/D/(Pay)/Service dated 31.1.1995
- iv) Field Service Concession (FSC) vide letter No.16729/GG4 (clv)(d) dated 25.4.1994 of Army Headquarter, New Delhi, although they are entitled to get these concessions.

2. Although no written statement has been filed, Mr S. Ali, Sr. C.G.S.C., fairly states that we may decide the matter.



[Handwritten signature]

In the light of earlier decisions on the point although he has instructions to say on behalf of the respondents that they oppose the claim.

Facts of O.A.No.125 of 1995:

3. The applicant Nos.1 to 15 (other applicants already deleted) who belong to Group "A", "B", "C" and "D" employed in the Defence Department as civilian employees and posted in Nagaland make a grievance that the respondents are denying them the benefit of SDA, HRA, SCA(RL) and FSC although they are entitled to get these concessions.

4. The respondents have not filed any written statement. However, Mr S. Ali, learned Sr. C.G.S.C., fairly states that we may decide the matter in the light of earlier decisions on the point although he has instructions to say on behalf of the respondents that they oppose the claim.

REASONS (common to both the cases):

5. The applicants place reliance upon the O.M. dated 14.12.1983 which provides that Central Government civilian employees who have All India Transfer Liability will be granted SDA at the rate prescribed thereunder per month on posting to any station in the North Eastern Region. Likewise, the letter of Ministry of Defence dated 31.1.1995 provides that the Defence Civilian Employees serving in the newly defined Field Areas and Modified Field Areas will be entitled to payment of SCA(RL) together with other allowances as may be admissible. The O.M. dated 23.9.1986 issued by the Ministry of Finance, (Department of Expenditure) provides that on the recommendation of the 4th Pay Commission it has been decided that the Central Government employees shall be entitled to HRA, on a slab basis related to their pay and separately prescribed for "A", "B-1" and "B-2", "C" class and "Unclassified" grades with effect

from.....



Attested
Sd/-
Acharya

- 27 -

from 1.10.1986. It is further provided that HRA at the rates prescribed shall be paid to all employees (other than those provided with Government home/hired accommodation) without requiring them to produce rent receipts, but on compliance with the prescribed procedure thereunder. It also provides that where HRA at 15% has been allowed under special orders the same shall be given as admissible in "A", "B-1" and "B-2" class cities and it shall be admissible at the rates in "C" class cities in other areas. The memorandum issued by the Army Headquarter - Org 4(civil)(d) dated 25.4.1994 bearing No.16729/ GG4(Civ)(d) on the subject of FSC to civilians paid from Defence Service Estimates including civilians employed in lieu of combatants and NCsE (both posted and locally recruited) provides that it is proposed to extend the same concessions to Defence civilians employed in the field areas as they serve side by side with services personnel under similar conditions in the given areas and the same shall be paid at the rates prescribed under the said memorandum. It has, however, been provided that SCA such as Uad climate allowance etc. shall not be in addition to these allowances.

6. The applicants have based their respective claims on these memorandums.

7. It appears that the applicants in both the cases had filed a Civil Suit in the court of DC(Judicial), Dimapur, Nagaland, being Civil Suit No.255/89 making the same claims. The civil court by judgment and decree dated 10.12.1994 has allowed the claims and directed the respondents to make the payment accordingly.

The civil court relied upon the decision of this Tribunal in O.A.Nos.48, 49 and 50 of 1989 of the Central Administrative Tribunal, Guwahati Bench. The decree has not been complied with, but the applicants have now stated in the applications that they would not proceed with the execution of the decree as they have now realised that they had obtained the decree from the court which lacked inherent

jurisdiction.....



Full

jurisdiction to entertain and try the suit in view of the bar of jurisdiction arising under the provisions of the Administrative Tribunals Act and, therefore, they have approached this Tribunal for relief by these applications. Since the applicants were agitating the claim in respect of SDA and HRA in a wrong forum it is just and proper to give them the benefit of exclusion of the period of pendency of the civil suit for the purpose of holding the said claims within limitation in these applications. The relief sought in respect of the other two claims is within jurisdiction.

8. The question of entitlement for all these claims in respect of Defence civilian employees have exhaustively examined by us in the decision in the case of S.C. Omar, Assistant Executive Engineer, -vs- Garrison Engineer and another (O.A.No.174 of 1993) reported in SLJ 1995(1) CAT (Guwahati Bench) ^{p.74}. We have held in that case that SDA and SCA(RL) are payable to civilians with All India transfer liability posted in Nagaland even if they get Field Service Concessions. We have not accepted the plea that admissibility of Field Service Concession deprives them of these benefits. In view of this conclusion since facts are identical and as we had also referred to the earlier decisions in O.A.No.48/89 and O.A.No.49/89 dated 29.3.1994 in support, we are satisfied that the relief claimed by the applicants in the instant applications relating to SDA and SCA(RL) must be allowed. We, therefore, declare that the applicants in the respective applications are entitled to be paid SDA with effect from 1.12.1968 or from the actual date of posting

as.....



Attested
 Adil Ali
 Advocate

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as the case may be. We further declare that the applicants in the respective applications are entitled to be paid SCA(RL) also, with effect from 1.10.1986. For specifying these dates in respect of these two reliefs we rely upon O.M.No.20014/16/86/E-IV/E-II(B) dated 1.12.1988. This is consistent with the decision in S.C. Omar's case (Supra). It is, however, made clear that this applies only to such of the applicants who are appointed outside N.E. Region, but are posted in N.E. Region on tenure basis.

9. Consistently with the view we have taken in Omar's case on the nature of FSC and with the view taken that SDA and SCA(RL) are payable independently of FSC we hold that on the subject the applicants in the respective applications are entitled to draw the same as provided in the letter of the Government of India No.37269/AG/PS 3(a)/D(Pay & Services) dated 13.1.1994 with effect from 1.4.1993 subject to fulfilment of other conditions prescribed therein.

10. Lastly, in so far as the claim for HRA is concerned we follow our decision in O.A.No.48/91 dated 22.8.1995 and hold that under the O.M. dated 23.9.1986 the applicants are entitled to draw the HRA prescribed for B class cities with effect from 1.10.1986 at the rates prescribed from time to time since 1.10.1986 whether on percentage basis or flat rate or slab basis till 28.2.1993 and thereafter to be regulated in accordance with the O.M.No.2(2)93-E-2(B) dated 14.5.1993 with effect from 1.3.1991 and continued to be paid.

11. For the purpose of the aforesaid order it is made clear that as now held by the Hon'ble Supreme Court the benefit of SDA is admissible only to those employees who are appointed outside the North Eastern Region and are posted in the North Eastern Region. It will be open

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Attested
by
Advocate



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to the respondents to ascertain the case of each applicant for that purpose if necessary. Further it is made clear that this order has been passed on the footing that all the applicants in the two cases are posted in Nagaland.

12. For the aforesaid reasons following order is passed:

(A) O.A.No.124/95:

i) It is declared that LSA is payable from 1.12.1988.

ii) (a) The respondents are directed to pay to the applicants Special (Duty) Allowance (SDA) with effect from the date of actual posting in Nagaland on or after 1.12.1988 as the case may be in respect of each applicant and continue to pay the same so long as the concession is admissible.

(b) Arrears from the date of actual posting in Nagaland on or after 1.12.1988 upto date to be paid within three months from the date of receipt of copy of this order.

iii) (a) It is declared that SCA(RL) is payable from 1.10.1986,

(b) The respondents are directed to pay to the applicants SCA(RL) with effect from the date of actual posting in Nagaland on or after 1.10.1986 as the case may be in respect of each applicant and to continue to pay the same so long as the concession is admissible.

(c) Arrears from the date of actual posting in Nagaland on or after 1.10.1986 upto date to be paid within a period of three months from the date of communication of this order.



Attested
Adm. Secy

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iv) (a) It is declared that FSC is admissible from 1.4.1993.

(b) The respondents are directed to extend the FSC to the applicants in the prescribed manner with effect from 1.4.1993 or from the date of actual appointment as the case may be in respect of each applicant upto date and to continue to give the same so long as admissible.

v) (a) It is declared that HRA is admissible as indicated below.

(b) The respondents are directed to pay HRA to the applicants at the rate as was applicable to the Central Government employees in B, B-1, B-2 class cities/towns for the period from 1.10.1986 or from the actual date of appointment as the case may be in respect of each applicant upto 28.2.1991 and at the rate as may be applicable from time to time as from 1.3.1991 upto date and to continue to pay the same at the rate prescribed hereafter.

(c) Arrears to be paid accordingly subject to the adjustment of the amount as may have already been paid to the respective applicants during the aforesaid period towards HRA.

(d) Future payment to be regulated in accordance with clause (a) above.

(e) Arrears to be paid as early as practicable, but not later than a period of three months from the date of communication of this order to the respondents.

The original application is allowed in terms of the aforesaid order. No order as to costs.



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(B) O.A.No.125/95:

i) It is declared that SDA is payable from 1.12.1988.

ii) (a) The respondents are directed to pay to the applicants Special (Duty) Allowance (SDA) with effect from the date of actual posting in Nagaland on or after 1.12.1988 as the case may be in respect of each applicant and continue to pay the same so long as the concession is admissible.

(b) Arrears from the date of actual posting in Nagaland on or after 1.12.1988 upto date to be paid within three months from the date of receipt of copy of this order.

iii) (a) It is declared that SCA(RL) is payable from 1.10.1986.

(b) The respondents are directed to pay to the applicants SCA(RL) with effect from the date of actual posting in Nagaland on or after 1.10.1986 as the case may be in respect of each applicant and to continue to pay the same so long as the concession is admissible.

(c) Arrears from the date of actual posting in Nagaland on or after 1.10.1986 upto date to be paid within a period of three months from the date of communication of this order.

iv) (a) It is declared that FSC is admissible from 1.4.1993.

(b) The respondents are directed to extend the FSC to the applicants in the prescribed manner with effect from 1.4.1993 or from the date of actual appointment as the case may be in respect of each applicant upto date

and.....



Attested
Shri H. L. Acharya

and to continue to give the same so long as admissible.

v) (a) It is declared that HRA is admissible as

indicated below:

(b) The respondents are directed to pay HRA to the applicants at the rate as was applicable to the Central Government employees in B, B-1, B-2 class cities/towns for the period from 1.10.1986 or from the actual date of appointment as the case may be in respect of each applicant upto 28.2.1991 and at the rate as may be applicable from time to time as from 1.3.1991 upto date and to continue to pay the same at the rate prescribed hereafter.

(c) Arrears to be paid accordingly subject to the adjustment of the amount as may have already been paid to the respective applicants during the aforesaid period towards HRA.

(d) Future payment to be regulated in accordance with clause (a) above.

(e) Arrears to paid as early as practicable, but not later than a period of three months from the date of communication of this order to the respondents.

The original application is allowed in terms of the aforesaid order. No order as to costs.

Attested
[Signature]



Sd/- CHAIRMAN
Sd/- MEMBER (A)

C.T.C.

Certified to be true Copy
प्रमाणित प्रतिलिपि

COURT OFFICER

Central Administrative Tribunal
Guwahati Bench

[Signature]
23/9/95
AC B/D

Annexure - 3

- 34 -

HQ 3 Corps (A)
C/O AG APC

(1) 11/11/95

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1037/10/12

Dist A, B, C, E & F

Field Service concern
to Defence civilians
serving in the newly defined
field areas

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

A copy of Govt of India, Min of Def letter No B/37269/AG/PS 3 (a)/165/S (Pay/Services) dated 31 Jan 95 is fwd herewith for your info and necessary action please..

Joseph M. M. (D Obhral)
Major
DAAG
for COS

Mair/*

Copy of above quoted letter.

AS ABOVE

Accepted
Sd/-
Ahmed

Sir,

1. I am directed to refer to para 13 of Govt letter No 37269/AG/PS3(a)/D(Pay/Services) dated 13.1.1994 and to convey the sanction of the President to the following Field Services Concessions to Defence Civilians in the newly defined Field Areas and Modified Field Areas as defined in the above mentioned letter :-

(i) Defence Civilian employees serving in the newly defined Field Areas will continue to be extended the concessions enumerated in Annexure 'C' to Govt letter No A/2534/AG/PS 3 (a)/97-S/P (Pay/Services) dated 25.1.1964. Defence Civilian employees serving in newly defined Modified Field Areas will continue to be extended the concessions enumerated in Aopx B to Govt letter No A/25761/AG/PS3(b)/146-S/2/D (Pay/Services) dated 2nd March 1964.

(ii) In addition to above, the Defence Civilian 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 wef 1st April 95.

3. This issues with the concurrence of Finance Division of this Min vide their UO No 5(1)/85-AG(14-PA) dated 9.1.1995.

Yours faithfully,
Sd/- x x x x x
(L.T. Thunga)

Under Secretary, to the Govt. of India

Annexure 3(1)39

(Annexure 3(1))

[Signature]

OFFICE OF THE C.D.O. UDAYAN VIHAR, DELHI-171
Part.I.OO. No. 21 Dated 9.5.95.

Sub:- Field Service Concessions to Defence Civilians
serving in the newly defined Field Areas.

Govt. of India, Ministry of Defence New Delhi letter
Nos. B/37269/AG/PS3(a)/165/D(Pay/Services) dated 31.1.95 and
B/37269/AG/PS3(a)/730/D(Pay/Services) dated 17.4.95 are
reproduced below for information and necessary action.

Please acknowledge receipt.

No. Pay/01/IX
Dated: 26/5/95

Sr. A.O. (Pay)

Distribution:-

- a) All sub-offices as per standard List.
- B) All section in M.O.
- c) Spare

Sr. A.O. (Pay)

I am directed to refer to para 13 of Govt. letter No. 37269/AG/-
PS3(a)/D(Pay/Services) dated 15.1.1994 and to convey the
sanction of the President to the following Field Service
concessions to Defence Civilians in the newly defined Field
Areas and Modified Field Area as defined in the above mentioned
letter:-

(i) Defence Civilian employees serving in the newly
defined Field Areas will continue to be extended the
concessions enumerated in Annexure 'C' to Govt. letter
No. A/02584/AG/PS3(a)/97-S/D(Pay/Services) dated 25.1.1964
Defence Civilian employees serving in newly defined
Modified Field Areas will continue to be extended
the concessions enumerated in Appendix 'B' to Govt. letter
No. A/25731/AG/PS3(b)/146-S/2/D(Pay/Services) dated 2nd
March, 1968.

(ii) In addition to above, the Defence Civilian 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 the Ministry from time
to time.

2. These orders will come into force w.e.f. 1st April, 95.

3. This issues with the concurrence of Finance Division of
this Ministry vide their DO No. 5(1)/BS-AG(14-PA) dated
9.1.1995.

Sd/-

(L.T. Tluanga)

Under Secretary to the Government
of India.

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- 36 -
- 36 -
- 36 -
RESTRICTED

No.B/37269/VI/PS3(a)/730/D(Pay/Service)
Government of India
Ministry of Defence

New Delhi, the 17th April, 1995.

CORRIGENDUM

The following amendment is made to this Ministry's letter No.B/37269/VI/PS3(-)/165/D(Pay/Service) dated 31.1.1995, regarding Field Service Concessions to Defence Civilians serving in the newly defined Field Areas:-

Para 1(ii) may be deleted and para 1(i) amended as under :-

"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 allowances as admissible to Defence Civilians, as hitherto, under existing instructions issued by this Ministry from time to time. However, in respect of Defence Civilians employed in the newly defined Field Areas, special compensatory (Remote Locality) Allowance and other allowances are not concurrently admissible along with Field Service."

2. This corrigendum issues with the concurrence of the Finance Division/VI of this Ministry vide their L.D.No.388/P dated 5.4.1995.

Yours faithfully

(L.T.Tluanga)

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

To

The Chief of the Army Staff
New Delhi

Copy to:-

As per list attached.

Attested
[Signature]
Advocate

No 37269/AG/PS 3(a)/90/D(Pay/Services)
Government of India
Ministry of Defence
New Delhi - 110 011

Dated the 13th January 1994

To

The Chief of the Army Staff

Sub : Field Service concessions to Army Personnel
Implementation of the recommendation of the
4th Central Pay Commission.

Sir,

I am directed to say that the 4th Central Pay Commission in Para 28, 98 of their Report, has recommended that the existing classification of areas for the grant of field service concessions and the concessions admissible in field areas to Armed Forces personnel should be reviewed by the Govt. The structure of field service concessions has since been reviewed. I am directed to convey ~~the~~ the sanction of the President to implementation of the following decisions taken in this regard in so far as the offrs and personnel below officer rank of army (including army postal service) are concerned.

2.1 Classification of Areas. At 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 admissible have been re-defined. Hereafter, field areas will be classified as Field areas and Modified Field areas only.

2.2 Pre-requisites for classifying an area as Field Area and Modified Field area will be as follows :-

Field Area. Field Area is an area where troops are deployed near the borders for operational requirements and where imminence of hostilities and associated risk of life exists. Troops in such areas are located for reasons of operational considerations alone and are not living in Cantonments.

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 operational 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 & B respectively.

2.4 Alternation, if any, the Field/Modified Areas will be notified by the Government of India from time to time.

Contd.....2/-

RESTRICTED

Attested
Signature
Authorate

3.0 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 areas allowance and compensatory modified area allowance, respectively.

3.2 The rates of the allowances are given below :-

Sl No	Rank.	Rate of compensatory field area allowance	Rate of compensatory modified filed area allce
		In Rs PM	In Rs PM
1.	Lt Col & above	975	375
2.	Lt Col(TS) & Maj	895	350
3.	Captain	820	325
4.	2 Lt/Lt	780	300
5.	JCOs including Hony Commissioned Offrs	650	225
6.	Havildar	450	175
7.	Sep/Mk including erstwhile NCs (E)	375	150

3.3 The conditions. Governing the grant of compensatory filed Area allce and modified field area allce in the case of Offrs will be as follows :-

Admissibility of compensatory field area allce and compensatory modified field area allce will commence from the date on which an Offr arrives in field area/modified field area on being posted to a unit/Formation field area subject to the following exceptions :-

Exceptions. An Offr 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.

(1) 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 allowances is admissible.

(b) When on Casual leave

(c) While on transit from one field area/modified field area to another.

(ii) For a maximum period of 3 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/modified field area.

(b) The officer in the ordinary course returns to duty to a post field/modified field area (not necessary the one from which he went) on termination of the temporary duty.

(c) The period of absence is spent wholly on 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 from field/modified field area.

3.3.2. Compensatory field area allowances/compensatory modified field area allowances 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 any other leave Except casual leave.

(b) When an officer from a peace area is especially appointed to officiate in a 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.

NOTE : Compensatory field area allowance/compensatory modified field area allowance will not be admissible in addition to allowance, foreign allowance, compensatory daily allowance for serving ex-India.

3.4 The conditions for the drawal of compensatory field area allowance and modified field area allowance in the case of JCOs/OR including NCOs(S) will be the same as given in Para 1 of annexure A to this Ministry's letter No A/02384/AG/PS3(a)/97-S/D(Pay/services) dated 25-1-64 as amended.

4.1 Admissibility. These rates of allowances will be admissible to :-

(a) Personnel serving in detachments, Units and Fms in areas mentioned in Appendices A & B.

(b) Personnel of Defence Security Corps employed with Units whose personnel are eligible for the grant of those concessions.

4.2 Lists of Fms/Units which are in field area of modified field area and are eligible to field service concessions will be notified by the Corps Commander to PACs concerned quarterly i.e. for the QE May, Aug Nov and Feb every year by the 15th of the month subsequent to the close of the quarter.

Contd....4/-

RESTRICTED

Attested
Adil R. Khan
Ashwari

4.3 Other concessions : Other concessions in kind at present admissible in full field areas as per details given in Annexure A to the Ministry's letter No A/02584/AG/PS3(a)/97/S/D(Pay/Services) dated 25-1-64, as amended will continue to be admissible in the newly defined field areas as given in Appx A to this letter. Similarly, the concessions admissible in Modified field areas as per details given in Appendix A to this Ministry's letter No A/25761/AG/PS3(b)/146-3/2/D(Pay/Services) dated 2.3.66 as amended will be admissible in the modified field areas as per appendix B to this letter.

5. Three allowances will, however, not be admissible to :-

(a) Static formations/Units eg. Military Farms, MES, Recruiting Office, Training Centres & Establishments.

(b) NCC Directorates and Units.

(c) TA Units unless embodied.

(d) Record Offices and similar Establishments.

5.1 High altitude/Uncongenial Climate Allowance. Personnel serving in Field areas which are situated at a height of 9000ft and above including uncongenial climate areas below height of 9000 ft will be entitled to High Altitude/Uncongenial climate allowance. A lower rate would be applicable for areas at with an altitude of 9000 ft to 15,000 ft and higher rate for areas above 15,000 ft (excluding Siachen). The details of these areas are given in Appx C. The rates of High Altitude/Uncongenial climate allowance are given as under :-

Sl No	Rank	Cat-I (Height from 9000 ft to 15000 ft incl uncongenial climate areas below heights of 9000 ft)	Cat II (Heights above 15000 ft (excluding Siachen))
1.	Lt Col & above	400	600
2.	Lt Col (TS) & Maj	350	525
3.	Captain	250	375
4.	2Lt/Lt	200	300
5.	JCOs incl Hon'y commissioned offrs	180	270
6.	Havildar	140	210
7.	Sep/Nk Including erstwhile NC(E)	100	150

5.2 High Altitude/Uncongenial climate allowance will be admissible in addition to the compensatory field area allowance and other concessions in kind

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The other conditions governing the grant of high altitude/uncongenial climate allowance as given in this Ministry's letter F.69/3/75/D(Pay/Services) dated 28.2.75, 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:-

- (a) Officers - Rs. 1,200/- PM
- (b) JCOs/OR - Rs. 800/- PM

6.2. Siachen allowances will be admissible in addition to compensatory field area allowances but not with high altitude Uncongenial climate allowance. Other conditions governing grant of Siachen allowance as contained in this Ministry's letter No 1(2)/91/D (Pay/Services) dated 01 May 91 will continue to be applicable.

7.1. Consequential Effects: Officers/JCOs/OR who have been allowed to retain family accommodation at the last duty station as on the date of issue of these 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, their families may be allowed to move to a selected place or 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 area for all purposes.

8. Concessions on Attachment

(a) Individuals/Attachments from Fmn/Units not served by these orders but who are attached for operational purposes to formations or ~~xxx~~ units deriving 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 A/02594/AG/PS3(a)/97-S, S/D (Pay/Services) dt 25.1.64 as amended.

(b) If the attachment is for two weeks or more, the allowance; compensatory field area allowance/compensatory modified field area allowance under these orders as also the concessions as applicable as per orders referred to in para 8 (a) above be admissible.

(c) No 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.

Attested
[Signature]
[Signature]

Contd.....6/-

9.2. Consequent upon the coming into force of the revised orders, the following monetary allowances will stand withdrawn from 1.4.93 except in cases referred to in para 11.2. below :-

(a) Special adhoc allowance of Rs. 70/- PM admissible for officers.

(b) Separation allowance of Rs. 140/- PM admissible for Offrs.

(c) Special compensatory (field) allowance ranging from Rs. 53 to Rs. 23 PM admissible for JCOs/OR incl NC(E).

10. Special compensatory (Remote Locality) allowance. This allowance which is at present admissible in modified field areas/peace areas on the civilian pattern will also stand withdrawn but w/e 1st Feb 1994.

11.1. Adjustments : The allowances mentioned in para 9.2 above drawn by the individuals concerned after 1st April, 1993 will be adjusted against the compensatory field area allowance and compensatory modified field area allowance, if admissible, under these orders.

11.2. Where, however, an individual has become disentitled to any monetary allowance consequent upon change in the classification of area, no recovery will be made of the monetary allowance already availed of by an individual under the existing orders upto the date of issue of this letter.

12. The existing orders on the subject of Field service concessions will stand modified to the extent indicated above.

13. The concessions to be admissible to defence civilians serving in the newly defined field areas will be notified separately.

14. Suitable administrative instructions for implementation of these orders will be issued in the early days, in consultation with CGDA.

15. This issues with the concurrence of Finance Division of this Ministry's vide letter JC No 5(1)/PM-AG(8-PA) dated 12.1.94.

Yours faithfully,

SG/- x x x x x x x
(IA Khan)

(Under Secy to the Govt of India)

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Appendix 'A' to Govt of India
Ministry of Defence letter No
37269/AG/PS 3(a)/90/D(Pay/Services)
dated 13 Jan 94
(Refers to Para 2.3)

LIST OF FIELD AREAS

1. EASTERN COMMAND

(a) Arunachal Pradesh

(1) Tirap and Changlang Districts.

(11) All areas North of line joining point 4448 in
LZ 4179-Nukme Dong MS 3272-Sepia MT 2969-Palin MO
9213 Daparijo NR 5841 Along NL-1273-Hunli NM 0170
Tawaken MT 8136-Champai Bun NM 8814 all inclusive.

✓ (b) Manipur and Nagaland States.

(c) Sikkim : All areas North and NE of line joining Phalut
LV 4750-Gezing LV 7059-Manikha LV 6160-Penlang La LW 0666
Rungli LW 1448-BP 1 in LW 453 on Indo-Bhutan Border - all
inclusive.

2. WESTERN COMMAND

Himachal Pradesh : All areas East of line joining Umasila
NV 3951 Udaipur NY 8663 Mani Karan SB 2300 - Pir Parbati
Pass TA 1459 - Taranda TA 2335 - Barasua Pass TA 8801 all
inclusive.

3. ~~XXXXXX~~ CENTRAL COMMAND

Uttar Pradesh : All area North and NE of line joining
Barasua Pass Gangnani TG 1362- Govind Chat TG 0937-Tapevan
TH-1822-Munsiari TH 8980 Relaged TO 2466 all inclusive.

4. NORTHERN COMMAND

(a) Ladakh Sector : Areas North and East of line joining
Zojila MU 3036 Baralachala NE 6672 along the great Himala-
yan Range all inclusive.

(b) Valley Sector : All areas west of line joining point
1556 in LR 5470 Culmarg MT 3105 Naushara MY 3105 Rn Ringapat
MT 2133 Handwara MT 2043 Laingyal MT 2339 Point 8405 in NG
4365 North of line joining point 3403 Bunakut MT 5453 Razan
NN 2239 Zojila all inclusive.

(c) Jammu-Rajouri Sector : All areas west of line joining
Tip of Chicken Neck RD 7073 Canal Junction RD 6364 Mawa
Baramulla MY 3354 Point 1556 in LR 5470 all inclusive.

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Attested
[Signature]
Advocate

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Appendix E

LIST OF UNFIELD FIELD AREAS

SOUTHERN AND WESTERN COMMAND

- (a) Rajasthan and Punjab : Areas West of line joining Jassai, Barmer, Jaisalmer, Pokharan, Udasar, Mahajan, Banges, Suratgarh, Lilgarh, Jattan, Alohar, Govindgarh, Fazilka, Jandiala Guru, Moga, Dholewal, Beas, Bir Sarangwal, Hussainiwala, Dera Baba Nanak, Laisain Bulge upto the International Border all inclusive.
- (b) Haryana : Satrod (Hissar)
- (c) Himachal Pradesh : Areas North of line joining Narkhanda, Koylong upto field area line/high altitude line.

EASTERN COMMAND

- (a) Assam and Arunachal Pradesh :
- (i) Cachar and North Cachar Dists of Assam including Silchar.
- (ii) All areas of Arunachal Pradesh and Assam North of River Bramaputra less Tojpur, Misamari and field areas.
- (b) State of Mizoram and Tripura.
- (c) Sikkim and West Bengal : Areas Northwards of line joining Sevoke LV 9112 Burdong LV 9850 Sherwani LV 9453 Bagrakot LW 0113 Dandim LW 1109 New Mal Hasimara QB 7894 Ganga Ram Tea Estate QA 1377 upto the High altitude line/field area line/International border all inclusive.

CENTRAL COMMAND

Areas North of line joining Uttarkashi, Karen Prayag, Gauchar, Joshimath, Chamoli, Rudra Prayag, Askoto, Charamagad, Dharchula, Kasauli and Narendra Nagar upto International Border all inclusive.

NORTHERN COMMAND

- (a) Valley Sector : Areas West of line joining Pattan, Baramulla, Kupwara, Drugmala, Panges, Mankes, Bunyar, Pantha Chowk, Khanabal, Anantnag, Khundru and Khru upto the existing High Altitude line all inclusive.
- (b) Jammu Region : Areas West of line joining BP 19 Brahmana-di-Bari, Jindra, Dhansal, Katra, Sanghi Chatt, Batote, Patni Top, Ramban and Banihal upto the existing High altitude line all inclusive.

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*Attended
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Schwartz*

Min of Defence
(a)/90/D (Pay/Services) dt 13 Jan 94

(Refers to para 5.1)

LIST OF HIGH ALTITUDE (HIMALAYAN CLIMATE) AREA

1. JAMMU AND KASHMIR - Area along the following line beyond:-

Coast. Fire Line Nullah crossing LN 2180 SOUTH along Nullah to NALA junc NN 1969 SOUTH along Nullah to NICHINAI BAR NN 2048 SOUTH EAST along KASHMIR/LADAKH boundary passing through heights 17573 (NN 73) 19590 (NN 72) 19830 (NN 91) 17672 (NN 80) FARIAD (No 10) SOUTH EAST along boundary to GR NT 2490 SOUTH along boundary to point 21570 (NT 2450) again along boundary to GR NT 2758 EAST AND NORTH EAST along boundary to GR NT 4269 SOUTH EAST along boundary to HAGSHULA (NT 5662) SOUTH EAST along boundary to UMASILA (NT 6850) SOUTH and SOUTH EAST along boundary to KANGLA JOT (NT 9420) KAZALWAN JUREZ REGION, RING PAIN AND RING BALA REGION; TITHVAL AND TAMBHAR REGION AND DODA.

2. HIMACHAL PRADESH : Area along the following line and beyond :-

Along foot path and then nullah to point 12380 (NZ 0891) along MIYAR nullah to its junction with CHENAB at NY 8663) SOUTH EAST along R CHENAB to KHOKEAR (NZ 43) to RAHLA (NZ 47) and straight line to MANI KARAN (SE 6486) along PARBATI R TO PIR PARBATI.

3. UTTAR PRADESH : Area along the following line and beyond, BARSAD pass (944875) point 20370 (949859) HARSIL (973832) KEDARNATH (TG 5555) LADRINATH (TG 9653) PANT KESHLAR (TH 0739) (excluding town limits) to JUMALLA (TH 1139) KALANKA (TH 5028) MILAM (TH 7423) SELA (TG 2592) CHETIALEKH (TG 4994) and area above 9000 ft in the designated field areas in Annex 'A'.

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

Point 14600 (MS 2881) to SENGE DZONG (MS 2038) MATAU (MS 6777) SALPMG (MT 1379) LARIM (MT 9289) KHAYENA (AT 2803) NYARIN (MO 7525) to 8th mile stone (One ZIRO NYAPIN Road) 8 th mile stone (on DAPORIJO - LIMKING ROAD) poyom (MT 9379) 2nd mile stone north of YARE (MP 9575) DOSTING (NL 3592) DALHOH (NE 16208) AHINKOLIN (NE 8841) KHONLI (NG 2401) GURUKON (NN 4592) LAFON (NM 7579) HAYLIANG (NN 6199) CHONAH (NT 9943) KAMPHU (NM 0125) point 6490 (NT 1403) VIJAYNAGAR (NT 1366).

5. SIKKIM

North and North East of the line running from point 12785 (IN 96) point 10140 (LT 17) point 10405 (LT 38) point 9010 (LT 24 46) Nala Junction (LT 5373) PAS LTHEM (LT 6701) point 0030 (LT 64)

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Attested
Sd/-
Advocate

Tele : 2018433

Apt. 1st Gen. Secy. (Civ) (d)
 Org. 4 (Civ) (d)
 Adjutant General Secy.
 Secy. (Civ) (d)
 Adm. Secy. Gen. Secy. (Civ) (d)
 (d)
 Adjutant General Secy.
 Army Headquarters
 Lt. Col. 111 011

16729/Org 4(Civ)(d)

25 Apr 94

Headquarters

Southern Command
 Eastern Command
 Western Command
 Central Command
 Northern Command

Field Service

FIELD SERVICE CONCESSIONS TO CIVILIANS AND FROM XX DEFENCE SERVICE ESTIMATES INCLUDING CIVILIANS EMPLOYED IN LIEU OF COMBATANTS AND NCSE (BOTH POSTED AND LOCALLY RECRUITED)

*Attested
 Adm. Secy.
 Advocate*

1. On the basis of the fourth central pay commission recommendation, the existing classification of areas for grant of field service concessions has been revised recently, vide Min of Def letter No 37169/AF/PS 3(a)90/D(Pay/Services) dt 13 Jan 94. Some of the concessions/compensatory allowances have also been revised in respect of services personnel. As per the ibid Govt order field areas will be classified as field areas and modified field areas only. The details of newly defined field areas and modified field areas contained in Appx 'A' and 'B' respectively to this letter.

2. It is proposed to extend the same concessions to Defence civilians employed in the field areas as they serve side by side with services personnel under similar conditions in the given areas. They are also required to move in to the border areas and also serve in dense jungles risking their lives for performing duties assigned to them.

3. The following proposals for concessions/allowances to defence civilians posted in these areas have been proposed to Min of Def for consideration :-

(a) Defence civilians serving in field areas and modified field areas to be eligible to the grant of field area allowances and compensatory modified field area allowances respectively at the following rates :-

	Date of camp in field area allowances	Rate of comp. modified field area allowance
For pay upto 900/- per month	Rs. 375/-PM	Rs. 100/-PM
For pay exceeding Rs. 900/- but not exceeding Rs. 1500/-PM	Rs. 450/-PM	Rs. 175/-PM
For pay exceeding Rs. 1500/-PM but not exceeding Rs. 2300/-PM	Rs. 650/-PM	Rs. 200/-PM
For pay exceeding Rs. 2300/-PM	Rs. 750/-PM	Rs. 300/-PM
		2/-

It not exceeding Rs. 3000/-PM
or pay exceeding Rs. 3000/-PM

Rs. 975/-PM

Rs. 325/-PM

(b) The special compensatory allowce such as Hill Compensatory and winter allces, Bad climate allces etc not to be addition to this allowances.

(c) The other concessions in kind at present admissibl in full field areas as per details given in Annexure 'C' to Min of Def OM No A 02584/AG/PS-3(a)/97-SD (Pay/Services) dt 25 Jan 64 as amended from time to time to continue to be admissible in the newly defined field area listed at appx 'B' to this letter.

(d) The above mentioned allowances will not be admissible to :-

(i) Static formation/units eg, military forms, MES, Recruiting office, Training centres and establishments.

(ii) NCC Directorates and Units.

(iii) TA units unless embodied.

(iv) Record office and similar establishments.

4. High altitude/Uncongenial climate allowce Civilians serving in field areas which area situated as a height of 9000 ft and above including uncongenial climate areas below the height of 9000 ft to be entitled. The details of these areas are given in Appx 'C' to this letter. The rates of High Altitude/Uncongenial climate allowances are given as under :-

Pay	Cat -I (Height from 9000 ft to 15000 ft incl uncongenial climate areas of 9000 ft	Cat-II (Height 15000 ft excl Siachen)
For pay not exceeding Rs. 950/-	Rs. 100/-PM	Rs. 150/-PM
For pay excoodin, Rs. 950/-PM but not exceeding Rs. 2300/-PM	Rs. 140/-PM	Rs. 210/-PM
For pay excoodin Rs. 1500/-PM but not exceeding Rs. 3000/-PM	Rs. 180/-PM	Rs. 270/-PM
For pay excoodin, Rs. 3000/-PM	Rs. 300/-PM	Rs. 325/-PM

The High Altitude/Uncongenial climate allowance to be admissible in addition to the field compensatory allowances and other concession in kind.

5. Command Headquarters are requested to examine the above proposal submitted to Ministry of Defence and given their comments /views. Annual financial implication on the above proposal may please be worked out separately in respect of field allowce modified field area allowce and High altitude/Uncongenial climate allowce and be furnished to this Headquarters latest by 20 May 64.

(sd/- x x x x x)
(Promod Ji Saxena)
SCSO
Director (M.F.)
Org 4 (Civ)(d)
for Adjutant General

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Annexure - 5

~~Annexure - 5~~

P.O. No. 20014/10/30/11/11/11
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, India

OFFICE MEMORANDUM

Subject :- Improvement in facilities for Civilian employees of the Central Govt, serving in the state of North Eastern Region, A & N Islands and Lakshadweep.

The undersigned is directed to refer to this Ministry's O.M. No. 20014/3/83-E.IV dt 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 Allowance in Confidential Records :-

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

(iii) Special (Duty) Allowance :-

Central Govt. Civilian employees who have full India transferability will be granted Special (Duty) Allowance at the rate of 1% of basic pay subject to a 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 Special (Duty) Allowance plus Special pay/deputation (Duty) Allowance will not exceed Rs 2000/- p.m. Special Allowances like Special Compensatory (House Raising) Allowance, Construction Allowance and Project Allowance will be drawn separately.

Attested
Full Advocate

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

(iv) Special Compensatory Allowance :-

The recommendations of the 4th Pay Commission have been accepted by the Govt. and Special Compensatory Allowance at the revised rates have been made effective from 1.10.83.

(v) Traveling Allowance on First Appointment :-

The present concessions are contained in this Ministry's O.M. dated 12.12.83 will continue with the liberalisation that on first appointment T.A. should be admissible for the total distance instead of for the distance in excess of first 100 Kms. only.

(vi) Traveling Allowance for Journey on Transfer :-

The existing provisions as contained in this Ministry's O.M. dated 12.12.83 will continue.

(vii) Hard allowance for transportation of personal effect on transfer :-

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

(viii) Joining time with leave :-

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

(ix) Leave Travel Concession :-

The existing concession as contained in this Ministry's O.M. dated 12.12.83 will continue.

Officers drawing pay of Rs 6100/- or above, and their families i.e. spouse and two dependent children (upto 18 years for boys and 21 years for girls) will be allowed air travel between: Imphal/Dispur/Agartala/Aizawl/Mizoram and Calcutta and vice-versa; between Port Blair and Calcutta/Madras and vice-versa in case of postings in A & N Islands; and between Kavaratti and Cochin and vice-versa in case of postings in Lakshadweep.

(x) Children Education Allowance/Hospitalisation :-

Where the children do not accompany the Government servant to the North-Eastern Region, Children Education Allowance upto Class XII will be admissible in respect of children residing in

Attested
Sd/-
Advocate

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2. Station of posting of the employee concerned at the place where the children reside. If children studying in schools and hostels at the last station of posting or any other station of government servant concerned will be given hostel subsidy without restrictions. The rates of Children Education Allowance/Hostel Allowance will be as in the G.P.S.T. O.M. 13011/1/1-Estt. (Allowances) dt 27.05.1964.

3. Concession regarding grant of House Rent Allowance to officers posted in the States of North Eastern Region, Andaman & Nicobar Island and Lakshadweep Islands.

The present concession as contained in this Ministry's O.M. No. 1101/1/FII(B)/94 dt 29.8.64 as amended from time to time will continue to be applicable.

4. Telephone facilities :-

The officers who are eligible to have confidential telephone may be allowed to retain their telephone at their residence in their last place of the posting, subject to the condition that the rental and all other charges are paid by such officers.

5. The above orders will also apply mutatis mutandis to the Central Govt. employees posted in A & N Islands and Lakshadweep Islands. These officers will also apply mutatis mutandis to officers posted to N.E. Council, when they are stationed in the N.E. Region.

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

7. In so far as the persons serving the Indian Audit & Accounts Deptt. are concerned these orders will be issued after consultation with the Comptroller & Auditor General of India.

8. Hindi Version of this Memorandum is attached.

SA/- x x x x

(A. JAYARAMAN)
JOINT SECRETARY TO THE GOVT OF INDIA

To

All Ministries/Departments of Govt. of India, S.D.

Copy (with usual number of spare copies) forwarded to S. & A.G., U.P.E.C, etc etc. as per standard endorsement list.

CC: REPLYED COPY

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CC: S.D.
CC: S.D.
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CC: S.D.

Attest
Sd/-
Sd/-