

30/100

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. 212 196

H. K. Majumdar & Co. Applicant(s)

Union A. India Co. Respondent(s)

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

Mr. S. Ali Sr. Case 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 No 346483  
Dated 2.9.96.

3.10.96

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

None for the applicants.

Adjourned for admission to  
7.10.1996.

D. Registrar,

24/9

Member

There are plural remedies  
in this OA. Page no. 22, 23, 43, 49 & 50 are not  
legible.

3/10

However, submitted  
for placing before the  
Hon'ble Com. as these  
OA no. 210 - 213 are  
similar grievance.

7.10.96

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.

24/9/96

Spec

Member

pg

2/10

change ist the  
above noted pages  
and put up for sign  
24/9/96

List on 3.10.96 as  
advocate's direction is  
a covered case. List for  
admission on 15.10.96.  
27/9/96

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

nkmm

18.11.96

Copy of order issued  
to the L/Advocate of the  
party vide A No. 3881  
N 3882 of 2/12/96

et.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH AT GUWHATI

O.A. No. 212 of 1996.

Sri Hari Krishna Majumdar & Ors.

..... Applicants.

-versus-

Union of India & Others

..... Respondents

I N D E X

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| 9.     | Photocopy of Office Memorandum issued by the Jt. Secy. to the Govt. of India (Annexure-5).                                                                       | 48 to 50 |

Date :

Filed By :  
Advocate (Abiz AHMED)  
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH AT GUWHATI

Filed by  
Hil H  
(ADIL AHMED)  
Azharate

O.A. No. 212 of 1996

1. T/No. 303 Shri Hari Krishan Mazumder, Mazdoor.
2. T/No. 375 Shri Ramdeo Ram, Chowkidar
3. NYA Shri~~X~~ Ashok Kumar Yadav, Mazdoor.
4. Lt. Tura Moni, Safaiwala, w/o Sri Gulab Dom
5. 482424 Shri Shiv Nandan Thakur
6. 478675 Smti Basanti Rani Devi, W/Sahayika
7. 481745 Shri Rongili Saikia, W/Sahayika
8. 481746 Smti Renuka Das, W/Sahayika
9. Smt Arriamma Devh, W/Sahayika
10. 480292 Smt Girja Devi, F Safaiwala
11. 481901 Krishna, F/Safaiwala
12. 483228 Shri MD Musleudding, Mazdoor
13. 6826480 Shri Mewa Ram, Chowkidar
14. 6826478 Shri Mahazan Dhobi, Safaiwala
15. 6826479 Shri Basudev Behera, Chow~~kidar~~
16. 4325236 Shri Durga Bahadur, Mazdoor
17. 481002 Shri Ram Lal, Chowkidar.
18. 4425254 Shri Banbihari Lal, Cook
19. 482524 Jerom Dhan, LDC
20. 478672 Shri Jiban Chandra Bordoloi, Messenger.  
Mahender Nath Dutta,
21. 482931 Shri ~~Gurux ChannanxGupta~~, Mali.
22. 479866 Shri Guru Charan Gupta, Mali.
23. 479867 Shri Shanmugam, Mali

Contd....P/2

KK.

24. 6826000 Shri Gopal Chandra Ghosh, Chowkidar.
25. 6826007 Shri Dhan Bahadur Thapa, Chowkidar.

Now all the applicants are serving in the office of the Commanding Officer, 165 Military Hospital, C/o 99 A.P.O.

1. Details of the Applicants

- i. Name of the applicant - T/No. 303 Hari Krishna Mazumdar, Mazdoor & 24 Ors.
- ii. Designation & Office - Mazdoor  
Serving in the office of the Commandant 165 Military Hospital, C/o 99 A.P.O.

2. Particulars of the Respondents :

- i. Name and/or designation - 1. Union of India, of the Respondents  
represented by the Secretary of Defence, Govt. of India, New Delhi.
2. The Commandant 165 Military Hospital, C/o 99 A.P.O.
3. The Commandant MTIV D.O.U., C/o 56 A.P.O.
4. The Area Accounts Officer, Defence, Shillong.

3. Particulars of the Order against which the application is made :-

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

Contd...P/3

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(i) Memo No. 20014/3/83-IV Govt. of India, Ministry of Expenditure, New Delhi and O.M. No. 4(19)/83/D Civil-1 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 and 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 APO 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 ~~limitation prescribed~~ jurisdiction of the Hon'ble Tribunal.

5. Limitation

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 belong to Group B,C,D and they are serving in the Defence Department since a long time.

6.2 That the applicants are Grade III and IV employees serving in different capacities as Central Govt. Defence Civilian employees in Nagaland in the office of the Commandant 165 Military Hospital, C/o 99 APO in Rangapahar Nagaland. They are serving as civilian Mazdoor, Chowkidar, Babar, Sahayika, Safiwala, Cook, Mali 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.

*[Handwritten mark]*

6.4 That under the Central ~~Govt~~ Government of various Orders, Memos, Circulars, the civilian employees 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 Expenditure) New Delhi, the 23rd September, 1986 (Annexure-2) with effect from 1.10.86, Applicants case is covered by the Judgement 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 APO 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/AG/PS 3(a)/165/D/(Pay)/Services dated 3.1.95, with effect from 1.4.93 (Annexure-3(1)).

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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)/Services dated 13.1.94 with effect from 1.4.93.

6.5 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 ~~Civilian~~ 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.

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 Allowance) 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 ~~Administrative~~ <sup>165 Military Hospital c/o 99 A.P.O</sup> Commandant, ~~Station Head Quarter, Rangapahar, 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 Judgement & Order dated 26.11.93 and 24.8.95 with effect from September, 1986.

MA.

- iii. Special Compensatory (Remote Locality) Allowances as per letter No. 16037/R/A2 HQ 3 Corps (A) C/o 99 APO dated 6.3.1995 issued by the HQ 3 Corps (A) C/o 99 APO reproducing the letter as per Govt. of India, Ministry of Defence, New Delhi letter No. B/37269/AG/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~~ (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'S 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 is 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 Memoranda 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.
- 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.

K.

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.

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

1. Number of I.P.O. : B09346483
2. Name of Issuing Post Office : Guwahati
3. Date of Issue of I.P.O. : 29.8.96
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.

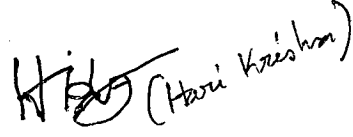
13. List of enclosure : As per Index.
- 

K.

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

I, Shri Hari Krishna Mazumdar, Ticket No. 303  
Mazdoor the applicant No. 1 serving under the Commandant  
165 Military Hospital C/o 99 A.P.O., Rangapahar, Dimapur,  
Nagaland do hereby verify that the statement contents from  
paragraphs 1 to 13 of the application are true to my know-  
lege, belief and I Have not suppressed any material facts  
and I have been authorised to verify this application ~~and~~  
on behalf of the other respondents.

And I sign this verification on this the 6<sup>th</sup>  
day of September, 1996 at Guwahati.

  
Signature

2-12-

7/10/83 to 11/10/83

Annexure-1

Annexure-1

16

No 2214/3/83-D IV Govt of India  
Min of Exir

of Min of Hgt OM No 4(19)/83/D New Delhi, the 14th Dec 83  
OFFICE INCHARGE

Subject: Allowances and facilities for civilian employees  
of the Central Govt serving in the states and Union  
Territories of the North Eastern Region - Improvement  
thereof

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 had appointed a committee under the chairmanship 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 excess 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 is 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 central posts;
- (b) Deputation to Central tenure posts, and
- (c) Courses of training abroad.

p/2

*Handwritten signatures and initials:*  
H. H. H.  
S. H. H.  
A. H. H.

- 2 - 13 -

The general requirement of at least three years services in a cadre post between two Central tenure deputation 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/- per month 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 1/2/-

Rs 40/- PM.

Rs 15% of basic pay subject to 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 1/2/-

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]*

Travel allowance on first appointment

In relaxation of the present rules (SR 103) that travelling allowance is not admissible for journeys undertaken in connection with initial appointment, in case of journeys for taking up initial appointment to a post in the North Eastern Region, travelling allowance limited to ordinary bus fare / second class rail fare for round trip may in excess of limit 400 Rs. for the Govt servant himself and his family will be admissible.

(vi) Travelling allowance for journey on transfer

In relaxation of orders below SR 11, 1 on transfer to a station in the North Eastern Region, the family of the Govt servant does not accompany him, the Govt servant will be paid travelling allowance on tour or half only for transit period to join the post and will be permitted to carry personal effects upto 2/3rd of his entitlement ~~with maximum weight of 100 lbs~~ at Govt cost or 1/3rd of his entitlement of carrying 1/3rd of his entitlement of the difference in weight of the personal effects he is actually carrying and 1/3rd of his entitlement on the case may be in lieu of the cost of transportation of baggage. In case the family accompanies the Govt servant on transfer, the Govt servant will be entitled to the existing admissible travelling allowances including the cost of transportation charges of the admissible weight of the baggage actually carried. The above provisions will also apply for the return journey on transfer back from the North Eastern Region.

g vii) Road mileage for transportation of personal effects on transfer :-

In the relaxation of orders below SR 11c for transportation of the personal effects on transfer between two different stations in the North Eastern Region, higher rate of allowances admissible for transportation in 'A' class cities subject to the actual expenditure incurred by the Govt servant will be admissible.

(viii) Joining leave with leave

In case of Govt servants proceeding on leave from a place ~~in~~ coming in North Eastern region, the period of travelling ~~leave~~ two days from the station of posting to outside that region will be treated as joining time. The outside that region will be admissible on return from leave.

(ix) Leave travel concession

A Govt servant who leaves his family behind at the old duty station or another selected place of residence for the family will have to option to avail of the existing leave travel concession of journey to home town once in a block period of 2 years or in lieu thereof, facility of travel for himself once a year from from the station of posting in the North Eastern region to his home town or place where the family is residing and in addition the facility for the family (restricted to his wife, spouse, and two dependent children only) also to travel once a year to visit the employee at the station of posting in the North Eastern Region. In case the option is for the latter alternative, the cost of travel for the initial distance (400/Rs) will not be borne by the official.

Officers drawing pay of Rs 2250/- or above and their families i.e. spouse and two dependent children (upto 18 yrs for boys and 24 yrs for girls) will be allowed air travel between Imphal/Delhi/Ahmedabad and Calcutta and vice versa while performing journeys mentioned in the preceding paragraph.

(x)

*Attestd  
Jed  
P. Khuntia*

contd. on 14

(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 child resides without any restriction of pay drawn by the Govt servant. If children studying 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 sub 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 1986.

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.

6. 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.

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

Attested  
[Signature]  
[Signature]  
[Signature]

NO. 11013/2/HG-E-II(B)  
GOVERNMENT OF INDIA, MINISTRY OF  
FINANCE (Department of Expenditure)

New-Delhi the 23rd September 1966.

OFFICE MEMORANDUM

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

The undersigned is directed to say that, consequent upon the decisions taken by the Government on the recommendations of the Fourth Pay Commission relating to the above mentioned allowances vide this Ministry's Resolution No. 14(1)/10/66 dt. 13th September 1966, the President is pleased to decide that in modification of this Ministry O.M. No. F.2(37)-E-II(B)/64 dated 27-11-1965 as amended from time to time for Compensatory (City) and House Rent Allowances to Central Government employees shall be admissible at the following rates.

COMPENSATORY (CITY) ALLOWANCES

| Pay Range<br>(basic pay).             | Amount of C.C.A. in class of cities<br>(Rs. p.m) |     |     |
|---------------------------------------|--------------------------------------------------|-----|-----|
|                                       | A                                                | B-1 | B-2 |
| Below Rs. 950                         | 30                                               |     |     |
| Rs. 950 and above but below Rs. 1500  | 45                                               | 25  | 20  |
| Rs. 1500 and above but below Rs. 2000 | 75                                               | 35  | 20  |
| Rs. 2000 and above                    | 100                                              | 50  | 20  |
|                                       |                                                  | 75  | 20  |

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.

11) HOUSE RENT ALLOWANCE:

| Type of accommodation<br>to which entitled | Pay range in<br>revised scales<br>or pay for ent-<br>itlement. | Amount of H.R.A. payable in<br>Rs. p.m |                     |                   |     |
|--------------------------------------------|----------------------------------------------------------------|----------------------------------------|---------------------|-------------------|-----|
|                                            |                                                                | A, B-1, B-2 class cities               | Unclassified cities | Classified places |     |
|                                            | 1                                                              | 2                                      | 3                   | 4                 | 5   |
|                                            | 750-949                                                        | 150                                    |                     | 70                | 30  |
|                                            | 950-1499                                                       | 250                                    |                     | 120               | 50  |
|                                            | 1500-2799                                                      | 450                                    |                     | 220               | 100 |
|                                            | 2800-3599                                                      | 600                                    |                     | 300               | 150 |

H.R.A. at above rates shall be paid to all employees (other than those provided with Government owned/hired accommodation) without requiring them to produce rent receipts. These employees shall,

Cont. to P.2

*Handwritten signatures and initials:*  
H. S. J. / J. S. / J. S. / J. S.

However, be required to furnish a certificate to the effect that 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) (1). In the case of persons who continue to draw pay in the scales of pay which prevailed prior to 1.1.1986 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 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 issued 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 CGAC and UPSC etc. (with usual number of copies) as per standard endorsement list.

*Attest*  
*[Signature]*  
*[Signature]*

- 204 - 18 -

ANNEXURE A 8

236

22

Government of India  
Public Works Department  
4, Charing Cross Road,  
Calcutta-16.

No. 14017(1)/HR-3(15A)

26/9  
Dated the 26/9

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(L)/E7 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. 11.10.87 is forwarded for information and necessary action.

11/10/88  
(M. 10/88)

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 in urban areas of Government all over the country vide Ministry of Urban Development (Directorate of Estate) O.M.No. 12035/(1)/CS-Pol, 11(1) dated 7.8.1987, the President is pleased to direct that central Government employees belonging to Groups 'A', 'B', 'C' and 'D' working in various classified cities and unclassified places will be entitled to get accommodation 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(E) 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  
Jkl  
Advocate

- 48 -

Annexure 2 (1)

- 20 - 8

- 19 -

.. 22

CENTRAL ADHOC BATIVE TRIBUNAL : GUWAHATI Bench

Original Application No. 48 of 1991

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

Shri S. Haque, Vice-Chairman

Shri C.L. Sanglyino, Member (Administrative)

Shri H. Laldan ko and forty six (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.H. Tithia

- 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-793 003
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  
Advocate

HAJUK.J.

24

The applicants numbering 47 (forty seven) are Group 'A' and 'B' employees under the Director, Geological Survey of India, Operation Manipal-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(C)/09 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  
Advocate

- 20 - 21 -

(113) 25

no 'B' class cities in general vide our judgment and order dated 31.10.1990 in J.A.No.42(C)/89 along with the Supreme Court order dated 10.2.1993 in Civil Appeal No.2795 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 30.4.1986; and thereafter, on flat rate basis group wise with effect from 1.10.1986 pursuant to Office Memorandum No.11013/2/86-E-11(1) 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 J.M. No.11015/4/86-E.11(1)/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 22.5.1987, 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)/95-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

Attest  
Sd/-  
Asst. Secy



monthly emoluments calculated with reference to the pay of respective applicants with effect from 1.7.1987 besides M.A. The respondents shall realize 10% 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. N. Singh  
VICE CHAIRMAN  
Sd/- S. L. Dhanraj  
MEMBER (ADMIN)

TRUE COPY

6710/2/11-1983

Section Officer (Judicial)  
Central Administrative Tribunal  
Gurgaon Bench, Gurgaon

Attest  
Advocate

Annexure 2(2). 2

24-

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 Hon'ble Justice Shri M.G. Chaudhary, Vice-Chairman

The Hon'ble Shri G.L. Saxena, Member (Administrative)

O.A.No.124/95

Shri Valsan Singh and 116 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.

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  
Shri S. Ali  
Advocate

Shri A. Ahmed

-25-  
ORDER

CHAUDHARI J. V.C.

Mr A. Ahmed for the applicants.

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

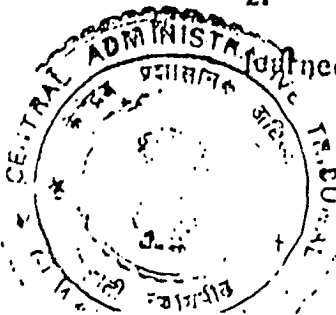
Both these cases involve same question and therefore are being disposed of by this common order.

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(u)/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.



[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.

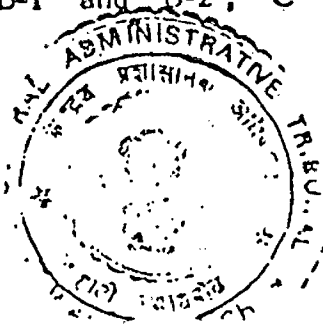
Facts of O.A.No. 25 of 1995:

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" cities with effect



Attested  
Sd/-  
Associate  
from.....

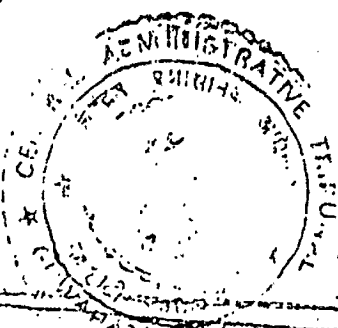
27

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 combat 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 bad 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 19.12.1994 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.....



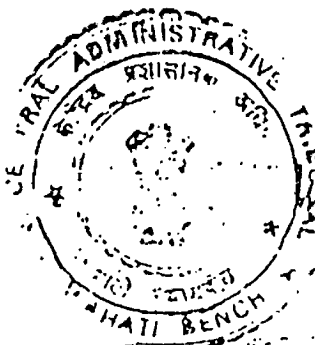
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jurisdiction to entertain and try the suit in view of the bar of jurisdiction arising under the provisions of the Administrative Tribunals Act and, therefore, they have approached this Tribunal for relief by these applications. Since the applicants 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<sup>been</sup> 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) <sup>p.74</sup>. 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.....



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 [Signature] [Initials]

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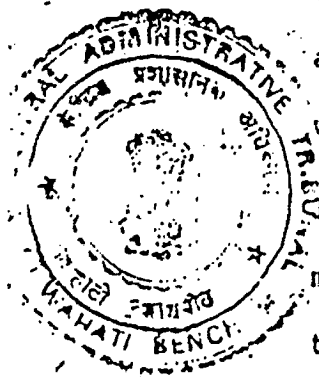
3 as the case may be. We further declare that the applicants in the respective applications are entitled to be paid SCA(RL) also, with effect from 1.10.1986. For specifying these dates in respect of these two reliefs we rely upon O.M.No.20014/16/86/E-IV/E-II(B) dated 1.12.1988. This is consistent with 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

luc



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 LDA 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.



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*Attested  
Sd/-  
Advocate*

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- 31 - 31

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.



*Attested*  
*[Signature]*  
*[Signature]*

(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.....



*[Handwritten signature]*

*[Handwritten signature]*  
Advocate

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 rates 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.

Sd/- CHAIRMAN  
Sd/- MEMBER (A)

C.T.C.

Certified to be true Copy  
স্বাক্ষরিত প্রতিলিপি

23/9/95  
COURT OFFICER  
Central Administrative Tribunal  
Guwahati Bench, Guwahati-2

23/9/95  
AC B/JL  
for the Member (A)

- 33 -  
- 34 -

Annexure-3  
Annexure 3  
38

16037/R/A2

HQ 3 Corps (A)  
C/O 99 AFC

06 Mar 95

List A, B, C, E & F

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

11/12  
119  
121

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

Deepak Khanna  
(D Obhral)  
Major  
DAAG  
for COS

Majr/

Copy of above quoted letter.

AS ABOVE

Sir,

1. I am directed to refer to para 13 of Govt letter No 37269/AG/PS3(a)/D(Pay/Services) dated 13.1.1995 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/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 Appx B to Govt letter No A/25761/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 (note Locality) Allowance and other allowances as admissible by this Ministry from time to time.

These orders will come into force wef 1st April 95.

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

Yours faithfully,

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

Under Secretary, to the Govt of India

Attended  
Sd/- Advocate

OFFICE OF THE C.D.A. UDAYAN VIHAR, HARANGI, GUWAHATI-781  
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..O. (Pay)

Distribution:-

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

Sr..AO.(Pay)

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 Service  
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/02584/AG/PS3(a)/97-S/D(Pay)Services) dated 25.1.1964  
Defence Civilian employees serving in newly defined  
Modified Field ~~xxxxxxx~~ Areas will continue to be extended  
the concessions enumerated in Appendix 'B' to Govt.letter  
No.A/25761/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 this Ministry from time  
to time.

2. These orders will come into force w.e.f. 1st April, 93.

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

Sd/-

(L.T. Tluanga)

Under Secretary to the Government  
of India.

Attest  
Advocate

- 26 -  
- 36 -

RESTRICTED

No. B/37269/G/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/G/PS3(a)/165/D(Pay/Services) dated 31.1.1995, regarding Field Service Concessions to Defence Civilians serving in the newly defined Field Areas:-

Para 1(1) may be deleted and substituted 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/As of this Ministry vide their L.D. No. 388/1 dated 5.4.1995.

Yours faithfully

(L.T. Tluanga)

Under Secretary to the Govt. of India  
(Tele. No. 3012739)

To  
The Chief of the Army Staff  
New Delhi

Copy to:-  
As per list attached.

Attended  
File  
Associate

- 26 - 37 -

No 37209/As/103 3(a)/00/D(Pay/Services)  
Government of India  
Ministry of Defence  
New Delhi - 110 011

Dated: 14th January 1994

To

The Chief of the Army Staff *Field Area*

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 ~~xxxxxxx~~ 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 Modified 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 classification of 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 Alteration, if any, the Field/Modified Areas will be the Government of India from time to time.

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*Attested*  
*Signature*  
*Private*

2.8 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 alicce |
|-------|----------------------------------------|-------------------------------------------|-------------------------------------------------|
|       |                                        | 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/Wk including erstwhile NCs (E)     | 375                                       | 150                                             |

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

Admissibility of compensatory field area alicce and compensatory modified field area alicce 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.

Contd....3/-

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(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(E) will be the same as given in Para 1 of annexure A to this Ministry's letter No A/02504/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 Secretariat, Corps employed with Unit whose personnel are eligible for the grant of these 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 in for the QE May, Aug Nov and Feb every year by the 1st of the month subsequent to the close of the quarter.

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Attested  
by  
Advocate

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-S/2/D(Pay/Services) dated 2.3.63 as amended will be admissible in the modified field areas as per appendix A to this letter.

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

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

(b) NCC Directorates and Units.

(c) IA 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 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                             | 220 200                                                                                         | xx 300                                              |
| 5.    | JCOs incl Hon'y commissioned offrs | 180                                                                                             | 270                                                 |
| 6.    | Havildar                           | 140                                                                                             | 210                                                 |
| 7.    | Sep/Nk including erstwhile KC(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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*Adil*  
*Advocate*

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The other conditions governing the grant of high altitude/uncongenial climate allowance as given in this Ministry's letter No. 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 - B. 1,200/- PM

(b) JCOs/OR - B. 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 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 area for all purposes.

### 3. Concessions on Attachment

(a) Individuals/Attachments from Inn/Units not served by these orders but who are attached for operational purposes to formations or zone 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. 402594/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 allocation; compensatory field area allocation/compensatory modified field area allocation under these orders, as also the concessions as applicable as per orders referred to in para 3 (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 April 1993.

Contd.....o/-

*Attended  
JL SL  
Advocate*

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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/- PA admissible for officers.

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

(c) Special compensatory (field) allowance ranging from Rs. 55 to Rs. 23 PA admissible for JCOs/OR Incl HC(E).

10. Special compensatory (H-hot 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.f 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 by the Army HQs, in consultation with CGDA.

15. This issues with the concurrence of Finance Division of this Ministry's vide letter HC No 5(1)/84-42(b-PA) dated 12.1.94.

Yours faithfully,

50/- x x x x x  
(IA Khan)

(Under Secy to the Govt of India)

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Attended  
Shil  
Advocate

Appendix 'A' to Govt. of India  
Ministry of Defence letter No  
37269/AG/PS 3(n)/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 DO 9213 Daparajo NR 5841 Along NL-1273-Hunli NM 0170 Tawaken MF 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 Rangli LW 1448-BP 1 in LW 453 on Indo-Bhutan border - all Enclusive.

2. WESTERN COMMAND

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

3. ~~Quintus~~ CENTRAL COMMAND

Uttar Pradesh : All area North and NE of line joining Barasua Pass Gangnani TG 1362- Govind Chat TG 0937-Tapevan TH-1322-Munsiari TH 3982-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 Himalayan Range all inclusive.

(b) Valley Sector : All areas west of line joining point 1956 in BR 5470 Bulmang MT 3105 Maushara MY 3105 Km 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) Wannu-Rfour Sector : All areas west of line joining  
Tip of Chicken Neck RD 7073 Canal Junction RD 6364 Mawa  
Brahmanu MY 3354 point 1950 in 143-470 and inclusive.

## RESTRICTIONS

Att: Neil  
John  
Advocate

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Appendix B

LIST OF CALLED FIELD AREAS

SOUTHERN AND WESTERN COMMAND

(a) Rajasthan and Punjab : Areas West of line joining Jaisal, Barmar, Jaisalmer, Pokhazan, Udaipur, Mahajan, Rampur, Suratgarh, Lalgarh, Jattan, Alohah, Govindgarh, Fazilka, Jandiala Guru, Moga, Dholewal, Beas, Sir Sarangwal, Hussainiwala, Dera Baba Nanak, Laisan 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 Tejpur, 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 Sherwan LV 9453 Bagrakot LW 0113 Damdim LW 1109 New Mal Hasimara QB 7294 Ganga Ram Tea Estate CA 1377 upto the High altitude line/field area line/International border all inclusive.

CENTRAL COMMAND

Areas North of line joining Uttarkashi, Karan Prayag, Gauchar, Joshimath, Chameli, Rudra Prayag, Askoto, Charomagad, Dharchula, Kasauli and Narendra Nagar upto International Border all inclusive.

NORTHERN COMMAND

(a) Valley Sector : Areas West of line joining Dattan, Baramulla, Kupwara, Drugmala, Panges, Mankes, Bunyar, Pantha Chowk, Khanabal, Anantnag, Khundru and Kheru upto the existing High Altitude line all inclusive.

(b) Jammu Region : Areas West of line joining DP 19 Brahmana-di-Bari, Jindra, Dhansal, Katra, Sanjhi Chatt, Satoto, Patni Top, Ramban and Dandihal upto the existing High altitude line all inclusive.

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*Handwritten signatures and initials:*  
A. K. S. / A. K. S. / A. K. S.

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A. J. 101 to Govt of India  
Min. of Defence letter No. 47209/K/PS3  
(a)/90/0 (Army/Services) dt 13 Jan 94

(Refers to para 5.1)

LIST OF HIGH ALTITUDE (HIGHER MOUNTAIN CLIMATE) AREA

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

Coast Fire Line Mullah crossing IN 2180 SOUTH along  
Nallah to NALA Junc NN 1969 SOUTH along Nallah to MICHINAI BAR  
NN 2043 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 2490) 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 6050) SOUTH and SOUTH EAST along  
boundary to KANGLA JOT (NT 9420) KAZALVAN TUREZ REGION, RING  
PAIN AND RING BALA REGION, TITHAL AND TATHAR REGION AND  
DODA.

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

Along foot path and then nallah to point 12380 (NZ 0891)  
along MIYAR nallah 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 6436) along  
R PARBATI R TO PIR PARBATI.

3. UTTAR PRADESH : Area along the following line and  
beyond, BARSAN pass (944875) point 20370 (949859) HANGIL  
(973832) KEDARNATH (TG 5555) LADAINATHI (TG 9653) PPT KEDARNATH (TH 0739)  
(excluding town limits) to JUMARATH (TH 0539) KALANHA  
(TH 5028) MILAM (TH 7423) SELA (TG 2593) CHITIALEKH (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 SEME OZONG (MS 2888) NATAU (MS  
6777) SALPMG (MT 1379) LABHET (MT 2280) KHANERA (MT 2803)  
NYARIN (MO 7525) to 8th mile stone (One ZIRO NYARIN Road) 8 th  
mile stone (on JAPORIJO - LIMKING ROAD) poyom (MT 9379)  
2nd mile stone north of YARE (MP 9575) DONGING (NL 3592) DAKHOH  
(NE 16208) AHINKOLIN (NF 8811) KHONLI (NG 2401) GURUDON (NN  
4592) LAFON (NM 7579) HAYLIANG (NF 6199) CHORAN (NT 9943)  
KAMPHU (NW 0125) point 6490 (NW 1403) VIJAYNAGAR (NW 1150).

5. SIKKIM

North and North East of the line running from point 12795  
(IN 96) point 10140 (LT 17) point 10405 (LT 38) point 9010  
(LT 24 46) Nala Junction (LT 5373) PANTHUM (LT 5701) point  
0030 (LT 64)

RESTRICTED

Tele : 3018433

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Appar Mahanideshalaya Sangathan  
Org 4 (Civ) (d)  
Adjutant General Shakra  
Sana Mukhyalaya  
Addl Dta Gen of Org/Org 4 (Civ)(d)  
Adjutant General Branch  
Army Headquarters  
HQ Delhi-110 061

16729/Org 4 (Civ)(d)

25 Apr 94

**Headquarters**

Southern Command  
Eastern Command  
Western Command  
Central Command  
Northern Command

FIELD SERVICE CONCESSIONS TO CIVILIANS PAID FROM  
DEFENCE SERVICES ESTIMATES INCLUDING CIVILIANS  
EMPLOYED IN LIEU OF COMBATANTS AND NCs(E) (BOTH  
OSTE AND LOCALLY RECRUITED)

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 37260/AG/PS-3(a)/90/D(Pay/Services) dt 13 Jan 94. Some of the concessions/Compensatory Allowances have also been revised in respect of Service Personnel. As per the field 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 Ministry of Defence 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 :-

|                                                                  | Rate of Comp<br>field area<br>allowance | Rate of Comp<br>modified field<br>area allow |
|------------------------------------------------------------------|-----------------------------------------|----------------------------------------------|
| For pay upto 900/- per month                                     | Rs. 375/-PM                             | Rs. 150/- PM                                 |
| For pay exceeding Rs. 900/-<br>but not exceeding Rs. 1500/-PM    | Rs. 450/- PM                            | Rs. 175/-PM                                  |
| For pay exceeding Rs. 1500/-PM<br>but not exceeding Rs. 2300/-   | Rs. 650/-PM                             | Rs. 225/-PM                                  |
| For pay exceeding Rs. 2300/-PM<br>but not exceeding Rs. 3000/-PM | Rs. 750/-PM                             | Rs. 300/-PM                                  |
| For pay exceeding Rs. 3000/-PM                                   | Rs. 975/-PM                             | Rs. 325/-PM                                  |

Attested  
[Signature]  
[Signature]  
[Signature]

(b) The special compensatory allowance such as Hill Compensatory and Winter Allowances, Bad climate allowances etc not to be addition to this allowance.

(c) The other concessions in kind at present admissible in full field areas as per details given in Annexure 'C' to M. Min of D. OM No A 62584/AG/PS-3(a)/97-S/D(Pay/Sec. 132) dated 25.1.64 as amended from time to time to continue to be admissible in the newly defined Field areas listed at Appx 'B' to this letter.

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

(i) Static Formation/Units eg, Military Farms, MES, Recruiting Office, Training Centres and establishments.

(ii) NCC Directorates and Units.

(iii) TA Units unless embodied.

(v) Record Office and similar establishments.

4. High Altitude/Uncongenial Climate Allowance-Civilians serving in field areas which are situated at a height of 9000 ft and above including uncongenial climate areas below the height of 9000 ft 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 above 15000 ft excl Siachen) |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------|
| For pay not exceeding Rs. 950/-                               | Rs. 100/-PM                                                                       | Rs. 150/-PM                                 |
| For pay exceeding Rs. 950/-PM but not exceeding Rs. 2300/-PM  | Rs. 140/-PM                                                                       | Rs. 210/-PM                                 |
| For pay exceeding Rs. 2300/-PM but not exceeding Rs. 3000/-PM | Rs. 180/-PM                                                                       | Rs. 270/-PM                                 |
| For pay exceeding Rs. 3000/-PM                                | Rs. 200/-PM                                                                       | Rs. 325/-PM                                 |

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

5. Command Headquarters are requested to examine the above proposal submitted to Ministry of Defence and given their comments. Annual financial implications on the above proposal may please be worked out separately in respect of Field Area Allowance, Modified Field area allowance and High Altitude/Uncongenial Climate Allowance and furnished to this Headquarters latest by 20 May 94.

Sd/- x x x x x x x x  
(Pranod Ji Saxena)  
SCSO  
Director, (MP)  
Org 4 (Civ)(d)  
for Adjutant General

RESTRICTED

Attested  
A. M. S.  
A. M. S.

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P.O. 20014/10/83  
Government of India  
Ministry of Public  
Department of Personnel

New Delhi, 14.12.83

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. 2014/3/83-E.IV dt 14th December, 1982 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) Termination of posting/deputation

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

(ii) Weightage for Central Government employees posted in Special Areas

The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue. These authorities are advised to give weightage for satisfactory performance of duties for the prescribed period in the North-East in the matter of promotion in the cadre posts, deputation to Central cadre post and course 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 1% of basic pay subject to a ceiling of Rs 1,000/- per month on posting to any station in the North Eastern Region. Special (Duty) Allowance will be in addition to any special pay and deputation duty allowance already being drawn for post. The condition that the total of such Special (Duty) Allowance plus Special pay/deputation (Duty) Allowance will not exceed Rs 1,000/- p.m. Special Allowances like Special Representative Allowance, Special Allowance, Construction Allowance and Project Allowance will be drawn separately.

Attested  
Advocate

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 1.10.86.

(v) Travelling Allowance on First Appointment :-

The present concessions are contained in this Ministry's O.M. dated 14.12.83 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) Travelling Allowance for journey on transfer :-

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

(vii) Boarding Allowance for transportation of personal effects 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 14.12.83 will continue.

Officers drawing pay of Rs 8200/- or above, and their families (i.e. spouse and dependent children (upto 18 years for boys and 22 years for girls) will be allowed air travel between Imphal/Silchar/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/Hospital Allowance :-

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

Attested  
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