

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 42/96.....

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN. NO.

42 OF 1995

TRANSFER APPLN. NO.

OF 1995

CONT.EMPT APPLN. NO.

OF 1995 (IN OA NO.)

REVIEW APPLN. NO.

OF 1995 (IN OA NO.)

MISC. PETN. NO.

OF 1995 (IN OA NO.)

..... S. Manjushree Singh .. APPLICANT(S)

-VS-

..... 103 .. RESONDENT(S)

FOR THE APPLICANT(S)

...MR. D.K. Biswas
MR.
MR.
MR.

FOR THE RESPONDENTS

...MR. S. Ale, Mr. C.R.

OFFICE NOTE

DATE

19.3.96

ORDER

Learned Addl. CGSC Mr G.Sarma for respondents

Learned counsel Mr D.K. Biswas moves this application on behalf of 103 applicants seeking for granting relief in the form of House Rent Allowance ~~Locality Allowance~~ to them. They have also prayed to be allowed to join together in one application under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules 1987. Prayer allowed.

Perused the grievances and the reliefs sought by the applicants. The application is admitted subject to verification by the respondents as indicated below. Issue notice on the respondents by registered post. Written statement within 8 weeks.

List on 20.5.96 for written statement and further orders.

The respondents are directed to verify whether the applicants are in their establishment and the genuineness of the signatures of the applicants. This report should be intimated to this Tribunal.

Steps within two days.

Send photocopy of verifications to respondent No.2.

Member

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

By Order

nkm

Request on 19/3
no. 634-35 2-26-96
Copy of order sent to C.R.C.
2 copies no. 644-95 2-26-96
K.M. 29/3

19/

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN. NO. 42 OF 1995
TRANSFER APPLN. NO. OF 1995
CONTEMPT APPLN. NO. OF 1995 (IN OA NO.)
REVIEW APPLN. NO. OF 1995 (IN OA NO.)
MISC. PETN. NO. OF 1995 (IN OA NO.)

..... APPLICANT(S)

-VS-

..... RESPONDENT(S)

FOR THE APPLICANT(S) ...MR.
...MR.
...MR.
...MR.
FOR THE RESPONDENTS ...MR.

OFFICE NOTE

DATE

ORDER

20
21-5-96

Mr. G. Sarma for the respondents,
written statement has not been submitted.
Mr. Sarma request for another six weeks
for counter.

List on 8-7-96 for counter and
further order.

60
Member

30.5.96

Notice duly

delivered and
respect No. 1.

lm

8.7.96

Mr. S. Ali, learned Sr. C.G.S.C., is
present. Written statement has not been submitted.

List for written statement and further
orders on 1.8.96.

60
Member

Counter has not been

6/1/96

nkm

1-8-96

Learned Advocate Mr. Sarma
for the respondents. None for the appellants.
Written statement has not been submitted.
To be decided by Additional Legalist for
written statement and further order on
8-7-96.

60
Member

Statement has not been

6/1/96

3/7/96

7/8

30.8.96

Mr. G.Sarma, Addl. C.G.S.C. for the respondents.

Written statement has not been submitted.

Mr. Sarma, Addl. C.G.S.C. seeks one month time to file written statement. Allowed.

List for written statement and further order on 27.9.96.

6
Member

trd

27-9-96

None for the applicant. Leave note of Mr. G. Sarma Addl. C.G.S.C.

List for order on 9-10-96.

6
Member

lm

W
29/9

9-10-96

Written statement has not been submitted. None is present.

List for written statement and further order on 19-11-96.

6
Member

lm

W
9/10

19.11.96

None for the applicant. Learned Addl. C.G.S.C. Mr G. Sarma for the respondents seeks time to file written statement.

List for written statement and further orders on 10.12.96.

6
Member

nkm

W
19/11

*w/statement has not been
b/w*

26/9

*w/statement has not been
b/w*

8/10

1) Notice duly served on
respdt no - 1.
2) *w/statement has not
been b/w*.

28/11

*w/statement has not been
b/w*

9/12

w/statement has not been b/w

8/12

10.12.96 Mr. G.Sarma, Addl.C.G.S.C. for the respondents.

none for the applicant.

Written statement has not been submitted.

List for hearing on 2.1.1997. In the meantime the respondents may submit written statement with copy to the counsel of the applicant.

6
Member

notice duly served
on Re No - 1

trd

2.1.97

None for the applicant. Learned Sr. C.G.S.C. Mr S. Ali and Learned Addl. C.G.S.C. Mr G. Sarma for the respondents. Written statement has not been submitted.

List for hearing on 30.1.97. In the meantime the respondents may submit written statement.

Inform Mr D.K. Biswas, Advocate for the applicant regarding the date of hearing.

6
Member

3.1.97
Copy of The order
Send to The Both
Side Advocate vide
order Dated. 2.1.97.

nkm

M
all

30.1.97

Learned counsel Mr. D.K.Biswas appearing on behalf of the applicant is present.

Learned Addl. C.G.S.C. Mr. G. Sarma appearing on behalf of the respondents is present.

Mr. Sarma prays that only yesterday he has received information for which he is compelled to pray for adjournment. Learned counsel appearing on behalf of the applicant has vehemently opposed because he has already come from Agartala. Considering the entire facts we adjourn it. Date and place for hearing of the case will be decided later on. Mr. Sarma also said that the written statement could not be filed due to lack of instruction. Costs Rs. 500.00 ~~shall~~ to be paid on the next date of hearing. by the respondent

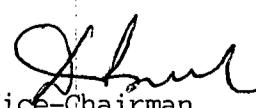
6
Member

Place the case in the Administrative Office.

By order

Re 30.1.97

trd
M 12


Vice-Chairman

5
OA. 42/96

24-2-97

4.6.97

Heard Mr. D.K. Biswas, learned counsel appearing on behalf of the applicant at some length. Let this case be listed on 6.6.97 for hearing, the case remains part hearing. List it on top of the list for hearing on 6.6.97.

68
Member

John
Vice-Chairman

30-5-97

Memo of appearance trd

Filed by Mr. G. S. Sharma
Addl. C.G.S.C. 5/6

BD

Adjustment - Cash
Rs. 500/- deposited

in Cash for OA
196, 43/96 and 44/96
- 6-97 by Mr. G. S. Sharma 6/6.97

Addl. C.G.S.C. vide R No 946.

68
3/6

Heard Mr. D.K. Biswas, learned counsel appearing on behalf of the applicant at some length. There are certain technical defects. Mr Biswas prays for 3 weeks time to rectify the defects. Prayer allowed.

List on 3.7.1997 for further orders

68
Member

John
Vice-Chairman

W/S. No 6/6.97

PG

DR
12/6

3.7.97

There is no representation on behalf of the applicant. Let this case be listed on 11.7.97.

68
Member

John
Vice-Chairman

Received list of
dates from Mr.
D.K. Biswas, learned
advocate, Agarwalla and
place at Flag 'X'.
Copy not yet served

to the Addl. C.G.S.C.

nkm

DR

2/7

9/7. W/S. No 6/6.97
DR 10/7

11.7.97

The applicant is not present. He was to furnish the legible typed copy. He has not done it. For the ends of justice the case is adjourned to 28.7.97.

6
Member

Vice-Chairman
nkm
28/7

28.7.97

The case is ready for hearing. Mr G. Sarma, learned Addl. C.G.S.C. submits that the matter relates to & Tripura. Accordingly the case will be taken up for hearing at Agartala. The date of hearing will be notified later.

The applicant has not filed the corrected typed copy. The applicant shall file the corrected typed copy.

Office to intimate this order to the counsel for the applicant.

Please Comply.

✓
30/76
Member

Vice-Chairman
nkm
30/7

21.5.98

All the applicants have joined in this single application and a prayer has been made by them to allow them to proceed with the case by a single application as per the provisions of Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

Heard Mr D.K. Biswas, learned counsel for the applicants and Mr G. Sarma, learned Addl. C.G.S.C. On hearing the learned counsel for the parties we allow the applicants to proceed with the case by a single application.

Heard the learned counsel for the parties. Hearing concluded. Judgment

Boo
w/s ds being filed
on Respondents

S.A
20/5

Notes of the Registry	Date	Order of the Tribunal
<p><u>15.6.98</u></p> <p>Copies of the Judgment have been sent to the Despatch court for issuing the same to parties through Regd. with A/c.</p> <p>SL issued Richt. No. 1603-1605 dt. 15.6.98</p> <p>rotv.</p>	<p>21.5.98</p> <p>nkm</p>	<p>delivered in open court, kept in separate sheets. The application is allowed. No order as to costs.</p> <p><i>60</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>

Notes of the Registry	Date	Order of the Tribunal

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

O.A. NO. 42 of 1996
T.A. NO.

DATE OF DECISION 21.5.1998

Shri S. Mangi Singh and
102 others

(PETITIONER(S))

Mr D.K. Biswas

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India and others

RESPONDENT (S)

Mr G. Sarma, Addl. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (S)

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

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

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.42 of 1996

Date of decision: This the 21st day of May 1998

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri S. Mangi Singh and
102 othersApplicants
By Advocate Mr D.K. Biswas.

-versus-

1. The Union of India, represented by the Secretary to the Government of India, Ministry of Defence, New Delhi.
2. The Garrison Engineer, 869 EWS, 57 - MTN DIV., Leimakhong (Manipur), 99 - A.P.O.Respondents

By Advocate Mr G. Sarma, Addl. C.G.S.C.

.....
O R D E R

BARUAH.J. (V.C.)

The applicants are Civilian Defence employees in the establishment of the Assistant Garrison Engineer, 57 Mountain Division, C/o 99 A.P.O., Leimakhong in the State of Manipur. By this application they claim House Rent Allowance (HRA for short), which has been denied to them by the respondents. Hence the present application.

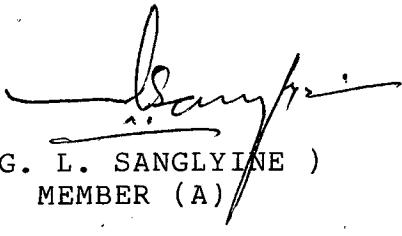
2. We have heard Mr D.K. Biswas, learned counsel for the applicants and Mr G. Sarma, learned Addl. C.G.S.C. appearing on behalf of the respondents. Mr Biswas submits that a similar application, namely original application No.122 of 1996 had already been disposed of by this

RB

Tribunal on 20.5.1998. Facts of the present case is squarely covered by the judgment and order dated 20.5.1998 passed in the aforesaid original application. Mr Sarma also confirms the same and submits that similar order may be passed in this case also.

3. As the facts are similar and also points involved are common we dispose of this application in the same manner as was decided in the aforesaid original application giving direction to the respondents to pay HRA to the applicants at the rate as was applicable to them by reference to the place of their posting as prescribed under the Office Memorandum dated 23.9.1986 with effect from 1.10.1986 or from the actual date of appointment, whichever is later, upto 28.10.1991 and at the rate as may be applicable from time to time as from 1.3.1991 (under O.M.No.2 (II)93-E-2(B) dated 14.5.1993) upto date and continue to pay the same at the rates as may be prescribed thereafter till 30.10.1995 and as from 1.11.1995 onwards under the appropriate orders of the Government of India. The arrear HRA as per this order shall be paid within one month from today. We also make it clear that future payment will be regulated as per the existing rate as may have been prescribed and any amount as may have been paid to the applicants towards HRA during the aforesaid period will be adjusted in the arrears.

3. With the above direction the application is allowed. However, in the facts and circumstances of the case we make no order as to costs.


(G. L. SANGLYINE)
MEMBER (A)


(D. N. BARUAH)
VICE-CHAIRMAN

HOUSE RENT ALL.

Manipur

18 MAR 1996

General Court
প্রকাশিত বিধিIN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

CASE NO : O.A. 42 of 1996

1. Shri S.Mangi Singh, Elct.SK MES NO.243681
2. " W.Megha Singh , Elect. " 243801
3. " K.Krishnamoni Sharma,Elect. " 243671
4. " Adhar Chandra Roy , " " 243710
5. " K. Sen Gupta , Spdt.B/R-1 " 265107
6. " A.K.Panja , Spdt.E/M-1 " 212037
7. " P.K.Dutta , " "-11 " 204988
8. " A.K.Das , S.A.-II " 264665
9. " K.Rajadurai, Spdt.B/R-II " 289212
10. " A.Hazarika, S.K.-II " 238098
11. " B.Paul, ... " " 242246
12. " A.C.Gope, " " 242428
13. " P.T.Ao , Mt.Ovr.Gr-II " 243553
14. " L.Marak, ~~Reception~~ Peon " 248556
15. " A.S.Marcony, Peon " 243555
16. " Amar Singh , Chowk. " 225161
17. " Padam Bahadur , Kh/Chowk " 243656
18. " Jogi Pradhan , Chowk. " 229149
19. " Samar Sarkar , " ... " 243656
20. " Ramadhar , " " 202110
21. " Jog Bahadur Thapa, Chowk. " 220162
22. " Jagadish Das , " " 238284
23. " Rama, Chowk. " 220145
24. " Khuplam, Chowk. " 243601
25. " Arjun Ram " " 243602
26. " Sankar Das,S/Walla " 243650
27. " Huring Zeeling , S/Walla " 242926

(2)

- 2 -

28. Shri Dulal Shome, Chowk. No. 243923

29. " Shatrughna Thakur, Chok " 243924

30. " P.M.Samuel, B/Sm " 220254

31. " Lal Mohan Das, Carp. " 243588

32. " Sriram Sharma, " " 220270

33. " Kailash Patra Maz. " 243598

34. % Ram Naval Das " " 243775 ?

35. " Wilson Momin " " 242527

36. " Ramprit, Mason " 220227

37. " Vidhanan Thakur, Mason % 220226

38. " Lanpou Vaiphei, Mason, " 243644

39. " Shyam Behari, Ftr./pipe" 238378

40. " Shivnath Prasad, B/Smith" 255814

41. " Manijan Makhato, Painter 237281

42. " Rabindhar Das, Carp. " 230511

43. " P.C.Pradhan, Carp. " 220344

44. No. 237080 Shri K.M.Chakrabarty, SEMS-I

45. " 237716 " P.K.Holm Roy, Sr. Elect.

46. " 243604 " R.K.Paul, HS-II(Elect)

47. " 238104 " C.M.Mallik H.S.II(Elect)

48. " 238291 " N.Sridharan, P.H.O.

49. " 238326 " Vishnu Prabhat, "

50. " 238335 " Milyanus Ekka, "

51. " 220353 " Iswar Bhagat, "

52. " 238128 " Tulsi Munia, DMP

53. " 220336 " B.B.Thatui, Fitter

54. " 238011 " Sirajul Haque "

55. " 243922 " K.K.Dutta, B/R-I.

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

56.	No. 243672	Sh. KH. Sunil Singh, DES	80	No. 243921	Sh. Mayangnukan, Maz.
57.	No. 238497	" N. Ramchandran, V/Man	81	" 243922	" H. Ken Singh "
58	" 220338	H. Hanifa "	82	" 243545	" Lakhinder Doley, PHO.
59.	" 228252	Shiv Singh "	83	" 243522	" Rangina, Carp.
60.	" 238437	K.P. Chandrasekhar Nair.. "	84	" 238033	P-3891- Md. Rahim " Sonbahadur, Maz.
61	" 220251	Uchit Mahato, Mate	85	" 238033	" Sonbahadur, Mate.
62	" 220244	Bhubaneswar Ram, Mat	86	" 220253	" K. Pomiya, "
63.	" 220244	Singh Bahadur, Mate	87	" 220229	" Chandra Gaud, H/Man
64	" 243889	M.L. Kaipibou, "	88	" 243611	" Prom Lal, Mate
65.	" 243679	C. Lotha "	89	" 243821	" Manglomjao Singh, Mate
66.	" 238358	Ram prasad Harijan	90	" 237840	" Surulara Neog, "
67.	" 220211	Sunil Deb "	91	" 220311	" MD. Resul "
68.	" 243846	A.S. Wungnaoy, Maz.	92	" 238728	" Sh. Bhoj Bahadur, "
69.	" 238042	A.P. Kumar, Mate	93	" 243836	" Thoiba Singh, Maz.
70.	" 238026	Motilal, Maz.	94	" 243433	" Somingthang, "
71.	" 243434	Govind Singh, Maz	95	" 243435	" Thankheow "
72.	" 243641	G. Munnuwami, "	96	" 243599	" Sabbir Hussain "
73.	" 243603	Dodiram Dayal "	97	" 243673	" I. Kulamanis Singh "
74.	" 243643	Til Bahadur, "	98	" 243824	" Anna Vaiphei "
75.	" 243617	Bhakta Bahadur "	99	" 243623	" Hechon Chonglai "
76.	" 243683	Adhik Lal Mandal "	100	" 243842	" Labhoum, "
77.	" 243622	Shiv Kumar Rana "	101	" 243680	" Hari Ram Chouhan "
78.	" 243693	J.S. Winnor, "	102	" 243798	" Atovi Soma, Mason
79.	" 243682	K.K. Das, "	103	"	" Thangon Vaiphei

(H)

16
Date
20/02/70

All (103) posted in

Garrison Engineer , 869 , Leimakhong

57 - Mountain Div.

C/O, 99 - A.P.O. APPLICANTS

-- VERSUS --

1. Union of India,

represented by the Secretary to the Govt. of India

Ministry of Defence , New Delhi

2. Garrison Engineer, 869 EWS

57 - MTN DIV.

Leimakhong (Manipur)

99 - A.P.O. RESPONDENTS

PARTICULARS OF RESPONDENTS

1. Secretary to the Government of India

Ministry of Defence

Central Secretariat , New Delhi

2. Garrison Engineer

In Charge 57 MTN. DIV , Leimakhong

Manipur , 99 - A.P.O.

(5)

(House Rent All.)

:- Page-3 :-

PARTICULARS OF ORDERS AGAINST WHICH THE APPLICATION IS MADE.

The application is directed against the non-implementation of the Government of India, Ministry of Finance (Department of expenditure) O.M. No.20014/10/86-E-IV dated, 23-09-1986 and denial of House Rent All. allowance by the Respondents even after the judgement and Order of this Hon'ble Tribunal in O.A. S.O. /39 passed on 29-03-1994 and implemented by the Respondent No.1 in respect of 149 Applicants similarly situated as the Applicants here.

JURISDICTION OF THE TRIBUNAL

All Applicants are civilian Defence employees posted in same "newly defined field area" from various dates between 1984-1994. The Applicant declare that the subject matter of the application and the redressal prayed for are within the jurisdiction of this Hon'ble Tribunal. The Applicants declare that the application is within the prescribed limitation.

FACTS OF THE CASE

1. All these Applicants joined Sri GadaGhar Bania in a joint application before this Hon'ble Tribunal which was registered as O.A. S.O. of 1989 and was finally disposed of by Order dated, 11-01-1996. As the joint Petition suffered from procedural infirmity and irregularity this application in proper form is being filed under the leave of this Hon'ble Tribunal.
2. All the Applicants here are civilian defence employees working in various posts described in details in the list of names annexed. They are all posted in the establishment of Respondent No.2 with effect from different dates after 1984.
3. That the allowance namely, House Rent All. is admissible to all Central Government employees similarly

situated by virtue of Ministry of Defence Office Memo No.4(19)85/D(Civ-1) dated, 11-01-1984.

4. The 4th Pay Commission recommended House Rent allowance irrespective of any other consideration in different range according to the classification of the place. On the basis of the recommendation of the Pay Commission sanction of House Rent allowance was made by the Government of India, Ministry of Finance (Department of expenditure) O.M. No.11013/2/1986-E.II(B) dated, 25-09-1986. All the Applicants here, though posted in field area are entitled to House Rent Allowance in terms of the aforesaid office W.M.D. dated 25-09-1986. The Applicants here thus challenge only the unlawful and arbitrary denial of the allowance.

5. The Applicants are all entitled to the allowance from such dates on which Applicants were individually posted to the establishment of Respondent No.3. The Applicants thus challenge the non-implementation of the allowance to which they are lawfully entitled.

6. As many as 149 Applicants posted in the establishment of G.E.(P) 892 EWS, at Agartala(Tripura) filed application before this Hon'ble Tribunal challenging the denial/non-implementation of the House Rent allowance. This Hon'ble Tribunal after hearing all the parties passed its final verdict on 29-03-1994 in O.A. 50/89 directing the Respondents to pay all arrears accrued to each individual Applicant with reference to the date of posting and the rate admissible. The said Order of this Hon'ble Tribunal was confirmed in review application.....1995 and as such the Order of this Tribunal has already been implemented in respect of all those 149 Applicants who are similarly situated as the present Applicants are.

7. The Applicants expected that the allowance would be uniformly applied in the case of all similarly situated employees on the decision of this Hon'ble Tribunal. But the Order of this Hon'ble Tribunal not having been implemented beyond the 149 employees, the present Petitioners alongwith others served a Notice demanding justice through their Counsel and despatched registered post on 10-04-1995. No response having been received the Applicants filed the joint application with Shri. Gadadhar Bania (O.A. 182/1995) and that joined the Petition being procedurally defective the present application is filed in proper form.

8. That the decision and the verdict passed by this Hon'ble Tribunal on 11-01-1996 in O.A. 182/1996 would be applicable in the case of the present Applicants, all being similarly situated and having common cause of action and identical relief sought for.

RELIEF SOUGHT

(i) The Judgement and Order of this Hon'ble Tribunal in O.A. 50/1989 and in O.A. 182/1995 passed on 29-03-1994 and 11-01-1996 respectively to be made applicable in the case of the present Applicants.

(ii) This Hon'ble Tribunal would also kindly pass Orders as to cost of this proceeding and such compensation for denying and delaying the payment of the allowance to which the Applicants are lawfully entitled.

THE DOCUMENTS ANNEXED

- 1.
- 2.
- 3.
- 4.

NUMBER OF I.P.O.

8.09.337002 > Agarwalla.
8.09.337003 >

VERIFICATION

WE the Undersigned posted in the establishment of Respondent-3 at Lemakhong, Manipur, do hereby verify the contents of the application above, which are true to our knowledge, and we have not suppressed any material facts.

No. 1. ~~SRI GADADHAR BANIA~~ ^(Signature) 21. 228161. Amar Singh. (Chow)

2. NO 243681. S. MANGI SINGH ^(ELECT. SK) 22. 243656 Padam Bahadur (KH/Chau ^{kid})

3. 243801. M. Mehab Singh (Ecl) 23. Jogi Pradham (Chow)

4. 243671. K. K. N. Khaman (Ecl) 24. 243656 Samir Sarkar. (SK)

5. 243710. Adhir Chandra 25. 202110. Ramadhar (Chow)

6. 268107. K. Sengupta ^{Supt. BIR - II} 26. 220162. Jogi Bhadur ^{Y. Jhupu} (Chow)

7. MES/212037 AK PANJA SUPDT EMI 27. 238284. Jagadish Das (Chow)

8. MBS-204988 P. K. Dutta E/m - II 28. 220143. Roma. (Chow)

9. MES-264665 A. K. Das SA - II. 29. 243601. Khuplam Haqabi (Chow)

10. 289212 K. Rajadura ^{Supt. BIR - II} 30. 243602. Arjun Ram. (Chow)

11. 31. 243650. Santanu Das (S. Chow)

12. 32. 242926. Hasmukh Zilling (S. Chow)

13. 33. 243923 Dulel Sharma (Chow)

14. 238098 A. HAZARIKA ^{SK II} 34. 243924. Shatrujan Singh ^{Y. Jhakum} (Chow)

15. 242426. B. Paul. SK. II 35. 220254. P. M. Samual. (B/ Sml)

16. 242428. A. C. Gope ^{S. SK. II} 36. SRI. LAL MOHAN DAS 243588 (carpenter)

17. ~~242461. S. K. Jyoti Datta~~ 37. 220270. Sriman Sharma. (carpenter)

18. 243553. P. T. AD (Mtau) 38. 243598. Kailash Patra. (Maz)

19. 248556. L. Morah (Prem) 39. 243775. Ram Naral Das. (Maz)

20. 243553. A. S. Matkomi ^(Prem) 40. 242527. William Monim. (Maz)

(9)

VERIFICATION

WE the Undersigned posted in the establishment of Respondent-3 at Leimakhong, Manipur, do hereby verify the contents of the application above, which are true to our knowledge, and we have not suppressed any material facts.

41. RAMPRIT 220227 (H.S. Mason) 81.243435 Thangkhoen MAZ (HS.)
 42. 220226. Md. Ihanam
Mother. 82. 243599 SABIR HUSSAIN
 43. 243644 Leipao Vaiphei 83. 243673 J. Kulamani Singh, Maz (HS.)
 44. 238378- Shyam Bhari. 84. 243824 Aornah Vaiphei (MAZ)
 45. 252814. Shrinath Prasad 85. 243623 Heklon Chonglo
 46. 237281 Manijam Mehat (painter) 86. 243842 L. Labhram (MAZ)
 47. 230571 Rabindhar Das (Carpenter) 87. 243680 Hari Ram Chauhan, MAZ.
 ✓ 48. P.C. PRADHAN 220244 88. ATovi SEMA 243798 (Mason)
 ✓ 49. Md. RAHM P. 3891 (MAZ) 89. Thang gen. Vaiphei
 ✓ 243522 Agakengma (earns).
 ✗ 50. P. 3891 Md. Rahimi 90. 237880 Shri. K. M. Chakrabarty. (SEHS-1)
 51. 238033 Sombahadur Gurung
(Male) 91. 237716 P K HOLM ROY. Elect HS-1
 52. 220283 K. Poumiya (Male) 92. R. K. Paul (Elect. HS. II)
 53. CHANDRA GIAU 0220229 93. Cm. Mallek 2380104 Elect HS II
 54. 243611 Prem Lal (Male) 94. A. Sreedhar 238291 PHO
 55. 243821 Mangleengao Sip. 95. 238326. Md. H. P. Prasad. CP. H. S.
 56. 237840 Surulala Neog (Male) 96. MILYANUS EKKA 238335 (P.H.O)
 57. 220311. M.D. RASUL (MAZ) 97. ISHWAR BHAGAT 220353 (P.H.O)
 58. 238728. Bhoj Bahadur 98. 238128 FQ M. TUHASI NOMIA.
 (MAZ) (MAZ)
 59. 243481 Thoiba Singh (MAZ) 99. 220336. B. B. Thatai (P.H.O)
 60. 243433 Sonamgathani 100. 238911 S. Rayajit Haque (P.H.O)
 (MAZ)

(10)

VERIFICATION

WE the Undersigned posted in the establishment of Respondent-3 at Loimakhong, Manipur, do hereby verify the contents of the application above, which are true to our knowledge, and we have not suppressed any material facts.

81. 243672. KH. SUNIL SINGH. No. 243683.
(DES) FGM- 101. SRI. ADHIK LAL MANDAL (Maz)

82. 243672. N. Parvathaendran (Woman) 102. 243622. Shrikumar Parma (Maz)

83. 220838 H. Hanifa (Woman) 103. J.S. WINNER 243693 (Maz)

84. S. Singh 228282 (Woman) 104. 243882. K.K. Das. (Maz)

85. K. P. Chandrasekaran 105.
(238437) Nair (Maz)

86. 226257 Vchit Mahatu (Male) 106. Mayangnath 243921 (Maz)

87. 220244. BHUWANE SWARRAM. 107. 243922. Mr. Khan Singh

88. 220244. Singh Bahadur (Male) 108. -SRI. LAKHINDAR DOLEY 243545 (PHO)

89. 243889 M.L. Kaipiba (54) 109. MES/01/2027 Sri Kr. Kr. Date super BFR
100

90. 243679 Chembentray - 110. MES/24.34.56 A. Hanu, w/ Rander

10th (Male)

91. 238258. RAMPRASAD HARIJA 111.

92. Sunil Dev (2021) 112.

93. A.S. WUNGNAOY 0243846 113.

94. 238042 A.P. Kumar (Maz) 114.

95. MOTILAL 238026 (Maz) 115.

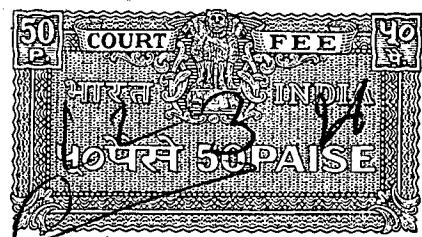
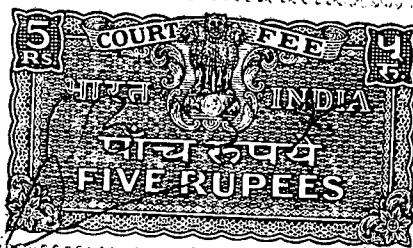
96. 249484 Govind Singh (Maz) 116.

97. 243641 G. muna Swamy (Maz) 117.

98. ① ADIKRAM DAHAL 243603 (Maz) 118.

99. 243643. Yil Bahadur. 119.
(Maz)

100. 243617. Bhakata Baha
dka. Lanna.
(Maz) 120.



(11)

23

VAKALAT-NAMA

IN THE

CASE NO. _____

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

GUWAHATI

.....J. Mawang Singh + 102 Others..... Petitioner/s
- VERSUS -

.....Ministry of Indian Affairs..... Respondent
Opp. Party

I/Do
Petitioner/s/ Respondents in the above application do hereby appoint and retain the below named Advocates to act and appear for me/us in the above case and on my behalf to conduct and prosecute the same and all proceedings that may be taken in respect of any application connected with the same ; to file/submit or to obtain return of documents or money on my/our behalf in the same above proceeding ; and to represent us/us and take all necessary steps on my/our behalf in the above matter. I/we agree to ratify all acts done by the aforesaid Advocates in pursuance of this Authority.

Dated day of 19

ACCEPTED :

(DEEPAK K. BISUAS)
ADVOCATE

AGARTALA - BAR

No. 243646. SRI GADADHAR BANIA. (ELECT)
S.K.

2. NO. 243681 & 243681 MANGAL SINGH Mung

3. 243801 W. Megha Singh (elect) Singh

4. 243671 K. Krishnamani Sharma (elect) Sharma

5. 243710. Adhish Chandra Roy. (elect) Roy

6. 2651071. K. Sengupta Sup. BIR, I

MES/212037 A K PANJA SUP/TEH, I

7. -----

8. MES-204988 - P.K. Deka E/M-II Deka

9. MES-264665 A.K. Deka SA-II Deka

10 2892121 Kr Rajadurgam BIR, Sup - P

11. -----

12. -----

13. -----

(12)

24

VAKALAT NAMA

(Continuation sheet- 2)

14. 238098 A. HAZARIKA, SKII Ob ~~Am~~

15. 242461 Sri. P. Paul (Sikri) - ~~Am~~

16. 242428 Sri. A. C. Gope ~~Am~~

17. ~~242461 Sri. R. Yamini Singh Das~~ ~~Am~~

18. 243553 Sri. T. A. J. M. Durr. gr. I Am

19. 248556 Sri. L. Marak - (Pron) ~~Am~~

20. 243559 A. S. Marak - ~~Am~~ (Pron)

21. 225161 Amrit Singh (Chow) ~~Am~~

22. 243656 Sri. Padam Bahadur (Khichow) ~~Am~~

23. 229149 Sri. Jagi Pradhan (Chow) ~~Am~~

24. 243656 Sri. Samud Sarkar (Chow) ~~Am~~

25. 220116 Ramachar (Chow) - ~~Am~~

26. 220162 Sri. Jag Bahadur Thapa (Chow) ~~Am~~

27. 238284 Sri. Jagadish Das (Chow) ~~Am~~

28. 228143 Rama (Chow) - ~~Am~~

29. 2413601 Khuplam Hafali (Chow) - ~~Am~~

30. 243602 Arjun Ram - (Chow) - ~~Am~~

31. 243650 Sri. Sankar Das - ~~Am~~

32. 242926 Sri. Huzairng Zedang (Maz) ~~Am~~

33. 243923 Sri. Dulal Sonne (Chowkdar) - ~~Am~~

34. 243924 Sri. Shatruघan Thakur - ~~Am~~

35. 220254 Sri. P. M. Samuel (B) Smith ~~Am~~

(Applicants)

(13)

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Page - 3

VAKALAT-NAMA

IN THE

CASE NO. :

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

GUWAHATI

- VERSUS -

Petitioner/s

Respondent
Opp. Party

I/We
 Petitioner/s/ Respondents in the above application do hereby appoint and retain the below named Advocates to act and appear for me/us in the above case and on my behalf to conduct and prosecute the same and all proceedings that may be taken in respect of any application connected with the same ; to file/submit or to obtain return of documents or money on my/our behalf in the same above proceeding ; and to represent me/us and take all necessary steps on my/our behalf in the above matter . I/We agree to ratify all acts done by the aforesaid Advocates in pursuance of this Authority.

Dated day of 19

SRI. LAL MOHAN DAS

36

LAL MOHAN DAS

37. 220227 or. Shyam Dharma (carpenter)

38. No-243598. (carpenter) KALASHPATRA - (carp.) KALASHPATRA

39. 243772. Sri. Ramnarayan Das (carp.) R.N.DAS

40. 242527. Sri. Willson Momin (carp.)

41. RAMBRIJ. (carpenter) H.S.R. - Rambrij

42. 220226. Vidyaman Thakur (carp.)

43. 243644. Lopoo Vaiphei (carpenter) Lopoo Vaiphei

44. 238378. Shyam Bhuni (carpenter) Shyam Bhuni

45. 255814. Shirmathi Prasad (B.Smith) Shirmathi Prasad (B.Smith)

46. 2372281. Meenakshi Mahato. (painter) Meenakshi Mahato. (painter)

47. 230511. Sri. Rabindra Das. (carpenter)

No-220344 R.D.DAS

48. P.C. PRADHAN (carpenter) P.C. PRADHAN (carpenter) P.C. PRADHAN (carpenter)

VAKALAT NAMA

(Continuation sheet- 2)

49. ~~22000242522~~ Ag. Bawna (carp) Sup

50. P3-8039 - Md. Bahar - (Marz) 23/1

51. 2380337 Sri. Sombahadur Gurung. (mate) ~~21/1/2018~~

52. 220263 - K. Punya (mate) - K. Punya 21/1/2018

53. No. 220229 CHINDRABHAGA (H. man) - Gould

54. 243611: Sri. Pramila. (mate) Pramila

55. 243821, Mangal Singh (mate) M. B.

56. 237840 Sri. Sarwaraneg (mate) Sar

57. 220311. MD. RASUL - (Marz) Ames

58. 238728 - Ar. Haj. Bahadur (mate)

59. 243436 - Sri. Thakur Singh 21/1/2018

60. 243433 - Somingthang (marz) Somang

61. 243435 - Thangkhoen Marz (usk) Skul

62. 243549 SABIR HUSSAIN - Hus

63. 243673 Shri. S. Kulamani Singh, Marz (usk) Skul

64. 243821. Aneshwar Singh (Marz) - An

65. 243623 Hekon Chinglo - Chinglo

66. 243842: L. Labham (Marz) Labham

67. 243680 Hari Ram Chauhan, Marz. Chauhan
No - 243798

68. ATOVI SEMA (Marz) Ames

69. Thangjam Verphi. (Marz) Thang

70. 237880 Shri. K. M. Chakrabarty. (S.R.H.S-7) Chakrabarty

(Applicants)

(15)

Page - 5

29

VAKALAT-NAMA

IN THE

CASE NO :

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

GUWAHATI

- VERSUS -

Petitioner/s

Respondent
Opp. Party

I/We

Petitioner/s/ Respondents in the above application do hereby appoint and retain the below named Advocates to act and appear for me/us in the above case and on my behalf to conduct and prosecute the same and all proceedings that may be taken in respect of any application connected with the same ; to file/submit or to obtain return of documents or money on my/our behalf in the same above proceeding ; and to represent me/us and take all necessary steps on my/our behalf in the above matter . I/we agree to ratify all acts done by the aforesaid Advocates in pursuance of this Authority.

Dated Day 27 19

ACCEPTED :

(DEEPAK K. BISUAS)
ADVOCATE

AGARTALA - BAR

71. 237716 P K HOLM ROY Elect H.S-I
No. 243604

72. R.K. Paul (Elect. H.S-II) - R.K.

73. No. 238109 C.m. Mallika (H.S-II) - C.m. Mallika

74. 238291 Sri Mr. Shridharen (P.H.O) - Shridharen

75. 238326 Sri. Vibhav Prabhakar P.H.O - Vibhav
No. 238333

76. Milyanus EKKA (P.H.O) - Milyanus

77. Ishwar Bhagat (P.H.O) - Ishwar

78. M/s. 238128 FGM. TULASI MONIA. Tulasi

79. 220336 Sri. P. P. Bhattacharjee (Factor) - Bhattacharjee

80. 238011 M.d. Sirajul Haque (Factor) - Sirajul Haque

81. 243672 KH. SUNIL SINGH (DES) FGM

82. 238497 Sri. N. Rameshwaran (V/Na) N.R. Chandran

83. 220338 Sri. H. Hanifa - Hanifa

Page - 6

VAKALAT NAMA

(Continuation sheet - 2)

No - 228252

84. S. Singh (V/maz) S. Singh

85. K. P. Chandra Sekar (maz) Nais

86. 220241 - Sr. Uchit Mahato (maz) Uchit

87. 220244 - BHUWANESWAR BAN (maz) Bhus

88. 220244 - Singh Bahadur (maz)

89. 243889 M.L. Kaipibay (elect SK) Kaipibay

90. 243673 - Chandan Singh (maz) Chandan

91. 238358 - RAMPRASAD HARIJA (maz) 21/4/119 8/15/01

92. ^{No. 220211} Sunil Dik (maz) Sunil

93. A.S. WUNOYO - Wunyo (maz)

94. 238041 - P. Kumar - Kumar

95. ^{No. 238026} MOTIAT (maz) - Motiat

96. 243434 - Sri. Gurind Singh (maz)

97. 243641 - Shri. G. mukh Singh (maz) G. mukh

98. 243693 ADIRAM DAHAL (maz) - Adiram

99. 243643 - Sri. Til Bahadur (maz) Til

100. 243617 - Sri. Bhakta Bahadur (maz) - BB

101. ^{No. 243683} SRI. ADHIKAL MANDAL (maz) - Al. Mandal

102. ^{No. 243622} SHIVKUMAR RANA (maz) Shivkumar

103. J.S. WINNER (maz) - Win

104. 243882 - K.K. Das - (maz) - K K. DAS

105. 243921 -

106. MAYANGNEKEN (maz) ^{Applicants} mayang

107. 243922 - H. Ram Singh ram

108. No. 243545 - SRI. LAKHINDAR DOLEY (P. H. O) - Lakhindar

109. MES/212027 Sri K. K. DATTA Supdt BIRI IC all

110. MES/243456 A. Mani, 1/1/2004 CPD

Spt. Petition WR. 2(5) (1)

(2)

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

CASE NO : O.A. of 1996

1. Shri S.Mangi Singh, Elect.SK MES NO.243681
2. " W.Meghe Singh , Elect. " 243801
3. " K.Krishnamoni Sharma,Elect. " 243671
4. " Adhar Chandra Roy , " " 243710
5. " K. Son Gupta , Spdt.B/R-1 " 265107
6. " A.K.Panja , Spdt.E/M-1 " 212037
7. " P.K.Dutta , " "-11 " 204988
8. " A.K.Das , S.A.-II " 264665
9. " K.Rajadurai, Spdt.B/R-II " 289212
10. " A.Hazarika, S.K.-II " 238098
11. " B.Paul, ... " " 242246
12. " A.C.Gope, " " 242428
13. " P.T.Ao , Mt.Dvr.Gr-II " 243553
14. " L.Marak, ~~Reception~~ Peon " 248556
15. " A.S.Marcony, Peon " 243555
16. " Amar Singh , Chowk. " 225161
17. " Padam Bahadur , Kh/Chowk " 243656
18. " Jogi Pradhan , Chowk. " 229149
19. " Samer Sarkar , " ... " 243656
20. " Ramadhar , " " 202110
21. " Jog Bahadur Thapa, Chowk. " 220162
22. " Jagadish Das , " " 238284
23. " Rama, Chowk. " 220145
24. " Khuplam, Chowk. " 243601
25. " Arjun Ram " " 243602
26. " Sankar Das,S/Walla " 243650
27. " Huring Zeoling , S/Walla " 242926

(18)

(2)

- 2 -

28. Shri Dulal Shome , Chowk. No. 243923

29. " Shatrughna Thakur, Chok " 243924

30. " P.M.Samuel,B/Sm " 220254

31. " Lal Mohan Das , Carp. " 243588

32. " Srikam Sharma, " " 220270

33. " Kailash Patra Maz. " 243598

34. % Ram Naval Das " " 243775

35. " Wilson Momin " " 242527

36. " Ramprit, Mason " 220227

37. " Vidhanan Thakur, Mason % 220226

38. " Lanpou Vaiphai, Mason, " 243644

39. " Shyam Behari , Ftr./pipe" 238378

40. " Shivnath Prasad, B/Smith" 255814

41. " Manijan Mabato , Painter 237281

42. " Rabindhar Das, Carp. " 230511

43. " P.C.Pradhan, Carp. " 220344

44. No. 237080 Shri K.M.Chakrabarty, SEMS-I

45. " 237716 " P.K.Holm Roy, Sr. Elect.

46. " 243604 " R.K.Paul , HS- II(Elect)

47. " 238104 " C.M.Mallik H.S.II(Elect)

48. " 238291 " N.Sridharan , P.H.O.

49. " 238326 " Vishnu Prabhat, "

50. " 238335 " Milyanus Ekka, "

51. " 220353 " Iswar Bhagat , "

52. " 238128 " Tulesi Munia, DMP

53. " 220336 " B.B.Thetui , Fitter

54. " 238011 " Sirajul Haque "

55. " 243922 " K.K.Dutta, B/R-I.

(2) (3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

56.	No. 243672	Sh. KH. Sunil Singh, DES	80	No. 243921	Sh. Mayangnukan, Maz.
57.	No. 238497	" N. Ramchandran, V/Man	81	" 243922	" H. Kan Singh "
58	" 220338	H. Hanifa "	82	" 243545	" Lakhinder Doley, PHO.
59.	" 228252	Shiv Singh "	83	" 243522	" Rangina, Carp.
60.	" 238437	K.P. Chandrasekhar Nair.. "	84	" 238033	P-389- Md. Rahim " Sonbahadur, Maz.
61	" 220251	Uchit Mahato, Mate	85	" 238033	" Sonbahadur, Mate.
62	" 220244	Bhubaneswar Ram, Mat	86	" 220253	" K. Pomiya, "
63.	" 220244	Singh Bahadur, Mate	87	" 220229	" Chandra Gaud, H/Man
64	" 243889	M.L. Kaipibou, "	88	" 243611	" Prom Lal, Mate
65.	" 243679	C. Lotha "	89	" 243821	" Manglomjao Singh, Mate
66.	" 238358	Ram prasad Harijen	90	" 237840	" Surulara Neog, "
67.	" 220211	Sunil Deb "	91	" 220311	MD. Resul "
68.	" 243846	A.S. Wungnaoya, Maz.	92	" 238728	Sh. Bhoj Bahadur, "
69.	" 238042	A.P. Kumar, Mate	93	" 243636	" Thoiba Singh, Maz.
70.	" 238026	Motilal, Maz.	94	" 243433	" Somingthang, "
71.	" 243434	Govind Singh, Maz	95	" 243435	" Thankhoo "
72.	" 243641	G. Munnuswami, "	96	" 243599	" Sabbir Hussain "
73.	" 243603	Dodiram Deyal "	97	" 243673	" I. Kulemani Singh "
74.	" 243643	Til Bahadur, "	98	" 243824	" Anna Vaiphei "
75.	" 243617	Bhakta Bahadur "	99	" 243623	" Hechon Chonglai "
76.	" 243683	Adhik Lal Mandal "	100	" 243842	" Labhoum, "
77.	" 243622	Shiv Kumar Rana "	101	" 243680	" Hari Ram Chouhan "
78.	" 243693	J.S. Winnor,	102	" 243798	" Atovi Soma, Mason
79.	" 243682	K.K. Das,	103	"	" Thanggen Vaiphei

(W) (H) 92
J. M. S.
All (103) posted in

Garrison Engineer , 869 , Leimakhong

57 - Mountain Div.

C/O, 99 - A.P.O. A P P L I C A N T S

-- VERSUS --

1. Union of India,

represented by the Secretary to the Govt. of India

Ministry of Defence , New Delhi

2. Garrison Engineer, 869 EWS

57 - MTN DIV.

Leimakhong (Manipur)

99 - A.P.O. R E S P O N D E N T S

PARTICULARS OF RESPONDENTS

1. Secretary to the Government of India

Ministry of Defence

Central Secretariat , New Delhi

2. Garrison Engineer

In Charge - 57 MTN. DIV , Leimakhong

Manipur , 99 - A.P.O.

AN APPLICATION UNDER RULE 4(5)(a) OF THE
CENTRAL ADMINISTRATIVE TRIBUNAL (PROCEDURE)
RULES 1987 FOR LEAVE TO SUBMIT A JOINT
APPLICATION BY THE APPLICANTS HAVING COMMON
CAUSE OF ACTION AND SEEKING SAME RELIEF .

The Petitioners above named respectfully beg to state as follows :-

1. That the Petitioners are filing a joint application before this Hon'ble Tribunal seeking relief on House Rail Allowance.
2. That all the Petitioners are civilian Defence employees under the same department and posted at the same station in the same establishment. All the Petitioners have identical and common interest and the cause of action is also similar in as much as the denial of the allowance to which the Applicants are entitled is similar and with effect from the same date.
3. That the Petitioners are low-paid employees and cannot afford to engage lawyers independently or bear the expenses involved in filing a separate application and as such the Petitioners agreed to pray for a permission of this Hon'ble Tribunal to submit the application jointly by the Petitioners by one application and hence this application for leave of this Hon'ble Tribunal to file a single application jointly by all the Applicants.

3. That the present Petitioners were among the 108 Applicants who jointly filed O.A. 182 of 1995 which was heard at length by this Hon'ble Tribunal on 11-01-96 at Guwahati Bench. Although the judgement was passed the relief was allowed in respect of the 1st Petitioner Shri Gadadhar Bania who had signed the Petition, but not in respect of other 107 who joined the 1st Petitioner. Leave was however, allowed to the Petitioners to file proper applications whereupon this Hon'ble Tribunal would consider extending the benefit of the judgement passed by the Hon'ble Tribunal on 11-01-1996. Hence this Petition for filing a single application jointly by all the Applicants.

It is therefore humbly prayed that this Hon'ble Tribunal would consider the circumstances and allow all the Petitioners to file a single application jointly by all the Petitioners.

A N D

for this act of kindness the Petitioner shall
ever pray.

26. 35
Dil Bholi, Samsa
Date: 21/3/97
Central Administrative Tribunal
Guwahati Bench
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

In the matter of :

O.A. No. 42 of 1996

Shri Mangi Singh and Others

-versus-

Union of India & Others

-And-

In the matter of :

Written Statement on behalf of
the Respondents.

I, A.K.Gupta, Major, Garrison Engineer, 869
Engineer Works Section, C/o 99 APO do hereby solemnly
affirm and declare as follows :

1. That the respondents are in receipt of the above
noted Original Application and an Order passed by this
Hon'ble Tribunal asking them to file written statement
and myself being authorised to file the written statement,
I do hereby file it on behalf of all the respondents and
the same may be treated as a common written statement.

2. That the respondents beg to state that the appli-
cants have been appointed by Garrison Engineer 869
Engineer Works Section and working under Assistant

Contd...P/2

Garrison Engineer, Military Engineering Services at Leimakhong, C/o Headquarters 57 Mountain Division, C/o 99 APO.

3. That the respondents beg to state that Office Memorandum dated 23 September 96 regarding decision of the Government relating to grant of compensatory (City) and House Rent Allowances to Central Government employees, states that House Rent Allowance shall be paid to all employees other than those provided with Government owned/hired accommodations.
4. That the respondents beg to state that the applicants are serving in field area and as part of fields service concession, they have been provided with free single accommodation and conveted facilities as part of field service concession as already being enjoyed by them from the date of their appointment in the station.
5. That the respondents beg to state that Office Memorandum dated 23 September, 96, No. 14017/(i)/88-3 (HRA) dated 26 September 96 which is attracting the service of defence civilian employees posted in the North Eastern Region from other parts of the country are not applicable to the applicants belonging to this region where they are appointed and posted. Government of India, Ministry of Defence letter No.37279/AG/PS3(a)/165/(Pay)/Services) dated 31st January 95 regarding field service concession to defence civilian employees serving in the newly defined field areas

have been modified vide Government of India, Ministry of Defence Corrigendum No. B/37279/AG PS3 (a)/730/D (Pay/ Services) dated 17 April 95 and substituted that in respect of defence civilians employees in the newly defined field areas, special compensatory allowances and other allowances are not concurrently admissible alongwith field service concession.

Copy of Office Memorandum No. 37279/AG/PS3 (a)/165/ (Pay/Services) dated 31 January 95 is annexed hereto and the same is marked as Annexure R₁.

6. That the respondents beg to submit that by virtue of their appointments and cadre they are to continue in the station with occupation of rent free single accommodation provided by the Government. Therefore, the applicants are not eligible for any relief in the form of house rent allowance.

7. That the respondents beg to submit that the applicants serving in the field area from the date of their appointment and availing the field service concessions such as free ration, free single accommodation, free medical facilities and shall continue to avail these facilities as long as they are positioned in the station.

8. That the respondents beg to submit that the present application is ill-conceived of law and mis-conceived of facts.

9. That the present ~~application~~ is not at all ~~maxx~~ tenable in the present form.

Contd...

10. That the applicants having failed to make out a prima facie case and the application is liable to be dismissed.
11. That the respondents crave leave of this Hon'ble Tribunal to file additional written statement if the situation ~~so~~ arises.
12. That this written statement is filed bona fide and in the interest of justice.

... ... Verification.

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

I, Sri A.K.Gupta, Major, Garrison Engineer,
869 Engineer Works Section, C/o 99 APQ do hereby
solemnly affirm and declare that the contents made
in paragraph 1 are true to my knowledge and those
made from paragraphs 2 to 7 are true to my infor-
mation being derived from records which I believe
to be true and rests are my humble submissions
before this Hon'ble Tribunal.

I, sign this verification on this the 10th day
of February, 1997.

Ashutosh
✓
DECLARANT
A. K. GUPTA
MAJOR
Garrison Engineer



(Copy of the Govt of India, Ministry of Defence, New Delhi letter No B/37269/4/C/PS3(a)/1654 (Pay/Services) dated 31.1.95.

FIELD STRIKE CONCESSIONS TO PROTECT CIVILIANS
SERVING IN THE HEAVILY BATTLED FIELD AREAS

" I am directed to refer to Para 13 of Govt. letter No 37269/1/C/
PSI(a)/D (Pay/Services) dated 13.1.1974 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/AC/PSS(a)/97-1/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/25761/AC PSS(b)/146-3/2/D (Pay/Services) dated 2nd March, 1969.

(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 UD No. 5 (1) /95-IC (14-PA) dated 9.1.1995.

36/- x x x y y

(L.T. Tluanda)
Under Secretary to the Government
of Iria.

CTC



N. S. Sundaram
N. S. SUNDARAM

CAPÍTULO

~~off~~ ASST. GARRISON ENGINEER