

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
Original Applicants No. 044/00146/2019
Date of Decision: 07.05.2019

THE HON'BLE MRS. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR. N. NEHSIAL, ADMINISTRATIVE MEMBER

1. Ginlian, U.D. C
Son of Late Laikhogen
M-81, Ramhlun South
Aizawl – 796012, Mizoram
2. D.R. Lalropuia, Director Engineer
Son of Shri A.D.R. Roy
I.T.I. Veng
Aizawal – 796005, Mizoram
3. Lalzidinga Renthlei, Programme Executive
Son of Late R. K. Buaia
Sethlun, lunglei Camp
Aizwal – 796001, Mizoram
4. Lalpianthanga, Sr. Engg Assistant
Son of Shri R. Thagkhuma
Saikhamakawm
Aizwal – 796005, Mizora.
5. Lalnunengi, Accountant
Son of Late C. Thanthuama
M-81, Ramhlun South
Aizawl – 796012, Mizoram
6. S.W. Lalremruata, Technician
Son of Shri A.D. R. Roy
I.T.I Veng
Aizawl – 796005, Mizoram
7. Nursailova Sailo, Technician
Son of Shri Lalthanzuava Sailo
AIR Quarter, Chawnpui
Aizawl – 796009, Mizoram

8. C. Vanlalawmpuia, Technician
Son of Shri C. B. Thlengliana
H.No. K- 206, Mualpuiikawn
Salem Veng
Aizwal – 796005, Mizoram
9. Pramit Kumar, Engg. Assistant
Son of Shri Nand Kishore Singh
Sheikhpura, Camp
Aizwal – 796009, Mizoram
10. Jenny Zothanpuui, Transmission Executive
Son of Shri Vanlalpeka
Chaltlang
Aizawl – 796012, Mizoram
11. Julie Lalthlanthangi, Lib. Assistant
Son of Shri C. Chawngchhunga
C-21, Armed Veng South
Aizawl – 796007, Mizoram
12. H. Lalnunpari, U.D.C
Son of Late Samthanga
YMA Road, Bungkawn
Aizwal – 796007, Mizoram
13. Judy H. Lalmuanpuui, L.D.C
Son of Shri H. Zaliana
Khatla South
Aizawl – 796001, Mizoram
14. Evelyn L. Chhakchhuak, L.D.C
Son of Shri C. Aitawna
H.No. I-5/1, Chawnpui
Aizawl – 796009, Mizoram
15. Lalhmunsiamma, Engg. Asistant
Son of Shri H. Hrangtawma
Chawnpui veng
Aizawl – 796009, Mizoram

(All the above applicants are working under office of the Director (Engineering), All India Radio, Aizwal, Mizoram, Pin – 796001)

16. Sh. Vanlalhriate, SEA
Son of Shri Rozama
B-12, Mission Veng, Below PC. Girls School
Aizwal – 796001, Mizoram.
17. Sh. Ronny Sangma, Vid Editor
Son of Shri G. K. Sangma
H.K.- 2/C, Bethlehem Veng
Aizawl – 796001, Mizoram
18. Sh. C. Lalniropuia, EA
Son of Shri C. Lalzama
H.No. Y-168, Near KC Bakery, Bazar Road
Aizawl – 796008, Mizoram
19. Sh. Lalnuntluanga, Sr. Tech
Son of Shri Lallawmthanga
H.No. A- 167/A, Luangmual West
Aizawl- 796009, Mizoram.
20. Sh. Khupkhilian Guite, UDC
Son of Late Hemzaang Guite
Tlangnuam
Izawl – 796005, Mizora
21. Sh. Lalmaka Iushai, S/G
Son of Shri Chalhuna
Khatla
Aizawl – 796001, Mizoram
22. Sh. Lalpiandika, Driver
Son of Late Lalpariliana
Melthu
Aizawl – 796005, Mizoram
23. Sh. Benjamin Lalrela Pachuau, Trchnician
Son of Late P.C. Rothuama
Govt. Complex
Aizawl – 796009, Mizoram.

24. Sh. Lalnunsanga, Driver (Missing),
Door Darshan Kendra.
Son of Shri Taihranga
Tuikuai South
Aizawl – 796001, Mizoram.

(Applicant No. 16 to 24 are the employees working in various categories in the office of the Doordarshan Kendra, Aizawl, Pin – 796001).

.....Applicants

By Advocate: Mr. M. Chanda

-Versus-

1. Union of India
Represented by the Secretary
to the Government of India
Ministry of Information and Broadcasting
All India Radio, Akashvani Bhavan
Parliament street, New Delhi – 110001.
2. The Director General
A & G Section, Room No. - 256
All India Radio, Akashvani Bhavan
Parliament Street, New Delhi – 110001
3. The Director General
Doordarshan, Coperniccus marg
New Delhi – 110001.
4. Director (Engg.)/Head of Office
Prasar Bharati
India's Public Service Broadcaster
All India Radio
Aizawl – 796001.

.....Respondents.

By Advocate:

ORDER(ORAL)**MANJULA DAS, MAMBER(J):**

By this O.A. applicants make prayer for granting the benefit of HRA @ 'B' class city rate with arrear monetary benefit from the date of actual posting of the individual applicants at Aizwal in the light of the judgement and order dated 12.04.2002 passed in O.A. No. 381/200 in the case of similarly situated employees of All India Radio with immediate effect.

2. The applicants in the present O.A. seeks a permission to move this O.A. jointly in a single application under Section 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987 as the relief's sought for in this application by the applicants are common. Accordingly permission is granted.

3. Mr. M. Chanda, learned counsel for the applicants submitted that all the applicants are working in various posts of Group 'B', 'C' & 'D' in the office of the Director (Engineering), All India Radio and Doordarshan Kendra, Aizwal, Mizoram respectively.

4. Referring to letter dated 28.01.2019 (Annexure-A14 of the OA) the learned counsel for the applicants submits that the present applicants have been denied grant of 16% of HRA – 'B' class cities only on the ground that they were not the applicants of OA.381/2000 (CP No.584/2014) in High Court order dated

25.04.20003. According to the learned counsel, similarly situated employees posted at Aizawl are getting 16% of HRA, but the same has been denied to the applicant only because they did not approach this Tribunal. Learned counsel categorically argued that the present issue is squarely covered by the decision of this Tribunal dated 12.04.2002 rendered the O.A. No. 381/2000. Learned counsel also relied on the decision of this Tribunal dated 03.02.2015 rendered the O.A. No. 282/2013 where this Tribunal directed that to verify factual details and if the applicants would be found to be similarly situated, the benefit of HRA @ 'B' class city i.e. 20% be extended. Learned counsel further submitted that the applicants being similarly situated employees of AIR and DDK, Aizawl, as such, they cannot be deprived of the same benefit of HRA @ 'B' class city rate from the date of actual date of posting at Aizawl.

5. In view of that, without issuing notice and without going into the merit of the case, we direct respondents authority to verify the factual details of the present applicants with the applicants of OA.282/2013 and if the applicants are found to be similarly situated, similar benefit of granting HRA @ admissible to 'B' class cities shall be granted to them from the date of their actual posting at Aizawl with consequential benefits within a period of two months from the date of receipt copy of this order.

6. With the above observations and direction the present O.A. is disposed of. No order as costs.

**N. NEIHSIAL
MEMBER (A)**

**MANJULA DAS
MEMBER (J)**

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