



रक्षा लेखा नियंत्रक कार्यालय उदयन विहार ,गुवाहाटी - 781171

Office of the Controller of Defence Accounts  
Udayan Vihar, Guwahati - 781171



दूरभाष- 0361-2640394/2641142 फैक्स- 0361-2640204/2640810

No. PAY/ORDER/CIRCULAR/VOL.I

Dt: 13 /02/2020

Important Circular

To

1. The Area Accounts Office,  
Biver Road,  
Shillong-793001

- ✓ 2. All AO GEs/AGEs  
( Through Website)

Sub: Stoppage of recovery of Dress Allowance already paid to the Industrial employees of  
MES

\*\*\*\*\*

A copy of HQrs Office, Delhi Cantt letter No. AT/Army-BR/A/Civ/2366/Dress Allow/Vol.I  
dated 28.01.2020 along with enclosures are forwarded herewith for necessary action at your end  
please.

Enclosure: As above

ACCOUNTS OFFICER

( PAY TECH )

Copy to :

The Officer-in-charge : With a request to upload the above letter along its enclosures.

IT & SW(Local)

ACCOUNTS OFFICER

( PAY TECH )



उलन बटार रोड, पालम, दिल्ली छावनी - 110010  
CONTROLLER GENERAL OF DEFENCE ACCOUNTS  
ULAN BATAR ROAD, PALAM, DELHI CANTT- 110010  
PH. 011-25665722



File No. : AT/Army-BR/A/Civ/2366/Dress Allow/Vol-I

Dated: 28 Jan 2020

To,

The CDA  
Gurgaon

Pay Tech

Sub: Stoppage of recovery of Dress Allowance already paid to the Industrial employees of MES.

\*\*\*\*\*

Please find enclosed AIDEF letter No 04/1004/Min./AIDEF/19 dated 30<sup>th</sup> Nov 2019 addressed to JS(E), Ministry of Defence and copy endorsed to this HQrs office including E-in-C, HQ MES; wherein AIDEF has intimated that recovery, on account of payment of dress allowance to Industrial Employees of MES, has been stayed by CAT Chandigarh Order dated 27.11.2019 and 16.12.2019 in OA 60/1228/2019.

Since, the above communication has been addressed to JS(E) Ministry of Defence and the matter is required to be decided by MoD itself, it is requested that the action at your end may be taken in accordance with the CAT orders.

This issues with the approval of Addl. CGDA(JL).

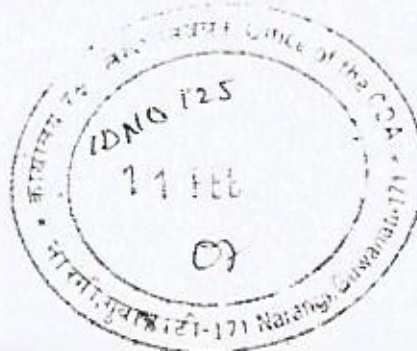
*SK Verma*  
SK Verma)  
Sr. AO (Army)

Copy to:

- 1 E-in-C Branch  
IHQ of MoD (Army)  
Kashmir House, Rajaji Marg,  
New Delhi-110011
- 2 All India Defence Employees  
Federation  
SM Joshi Bhavan, Survey No.  
81,  
Dr. Babasaheb Ambedkar Khadki  
Pune-411003

for information w.r.t AIDEF letter No  
04/1004/Min./AIDEF/19 dated 30<sup>th</sup> Nov 2019

for information w.r.t the above.



*SK Verma*  
SK Verma)  
Sr. AO (Army)



**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH, SECTOR 17 E**

**ORDER SHEET**

COURT NO. : 1  
27/11/2019  
O.A./1228/2019  
M.A./1894/2019

GURMIT SINGH & OTHERS  
-V/S-  
MILITARY ENGINEERING SERVICE

ITEM NO:5

FOR APPLICANTS(S) Adv. :

Mr. K.B. Sharma, Advocate

FOR RESPONDENTS(S) Adv.:

Notes of The Registry	Order of The Tribunal
	<p>MA No. 060/01894/2019 is allowed and the applicants are permitted to join together to file this O.A.</p> <p>Heard.</p> <p>Learned counsel contends, inter-alia, that the action of the respondents in denying Dress Allowances to the applicants and effecting recovery of the amount paid for the years 2018-19 and 2019-20, without following the principles of natural justice, is arbitrary and illegal as they themselves, in pursuance of OMs dated 02.08.2017 and 31.08.2017, granted this benefit to the applicants. A prayer for restraining the respondents from effecting recovery, as an interim measure, is also made.</p> <p>Issue notice to the respondents.</p> <p>At this stage, Mr. Sanjay Goyal, Sr. CGSC, appears and accepts notice. He seeks and is granted four weeks time for filing written statement.</p> <p>List on 16.12.2019.</p> <p>In the meantime, the respondents are restrained from effecting recovery in pursuance of the impugned orders, till the next date of hearing.</p> <p style="text-align: right;">( SANJEEV KAUSHIK ) MEMBER (J)</p> <p style="text-align: left;">mw'</p>

CHANDIGARH BENCH, SECTOR 17 E

ORDER SHEET

COURT NO. : 1  
16/12/2019  
O.A./1228/2019

GURMIT SINGH & OTHERS  
-V/S-  
MILITARY ENGINEERING SERVICE

ITEM NO:30  
FOR APPLICANTS(S) Adv. :

Mr. K.B. Sharma, Advocate

FOR RESPONDENTS(S) Adv.:

Mr. Sanjay Goyal, Advocate

Notes of The Registry	Order of The Tribunal
	<p data-bbox="470 806 1444 907">Learned counsel for the respondents seeks and is granted additional four weeks time for filing written statement.</p> <p data-bbox="470 929 742 974">List on 10.02.2020.</p> <p data-bbox="470 996 933 1041">Interim order to continue till then.</p> <p data-bbox="1157 1086 1444 1153">( SANJEEV KAUSHIK) MEMBER (J)</p> <p data-bbox="486 1265 534 1299">'mw'</p>





# ALL INDIA DEFENCE EMPLOYEES' FEDERATION

'S. M. Joshi Bhavan', Survey No. 81, Dr. Babasaheb Ambedkar Road, Khadki, Pune - 411 003.  
Tele Fax : (020) 2581 8761 • E-mail : defempfed@gmail.com

**PRESIDENT**

S.N.Pathak

**VICE PRESIDENT**

Harbajan Singh Sidhu

CH. Satyanarayana

M.K.Ravindran Pillai

Rajendra Jha

K. Balakrishnan

**GENERAL SECRETARY**

C.Srikumar

**ADDL.GEN.SECRETARY**

B.Guha Thakurta

**JOINT SECRETARY**

Ravindra S.Reddy

G.T.Gopal Rao

R.K.Parashar

**TREASURER**

Mohan Hol

**ORG. SECRETARY**

B.Chandriah

B.K.Sahoo

Rampravesh

Ajay Shelar

Chabilal Yadav

P.B.Panigrahi

K.Sivakumar

Debjyoti Basu

Ref. No. 04/1004/Min./AIDEF/19

Date : 30<sup>th</sup> November, 2019

To,

**The JS (E)**

Ministry of Defence,

South Block, New Delhi - 110 001.

**Subject : Request for stoppage of recovery of Dress Allowance already paid to the Industrial Employees of MES.**

**Reference : 1) Ministry of Finance OM No. 19051/1/2017-E.IV dated 02<sup>nd</sup> August, 2017**

**2) PCDA (WC) Chandigarh Letter No. Ray/II/Tech/195 dated 05.06.2018.**

**3) AIDEF Letter No. 04/1004/Min./AIDEF/18 dated 09<sup>th</sup> July, 2018.**

Sir,

This Federation vide Letter referred above have represented for extension of the payment of Dress Allowance to the Industrial Employees of Defence Establishments who were issued with protective clothing and protective equipments including various liveries, based on the recommendation of the 7<sup>th</sup> CPC. We were informed that MoD is actively considering the demand in consultation with the various Directorates. In the mean time based on the PCDA Chandigarh Letter dated 05.06.2018 Dress Allowance was already paid to the Employees. At present it has been brought to our notice that based on the instructions from CGDA the Accounts Authorities of MES have started recovering the amount of Dress Allowance already paid to the Industrial Employees.

In the above situation the affected employees of MES under Chief Engineer Headquarters MES Western Command Chandimandir have approached the Hon'ble CAT Chandigarh Bench and the Hon'ble CAT Chandigarh Bench in OA 60/1228/2019 vide its Order dated 27.11.2019





has directed the respondents including Defence Secretary that no recovery of the Dress Allowance already paid should be made till the next date of hearing. A copy of the above mentioned CAT Order is enclosed with this Letter for your kind ready reference.

Sir, you will appreciate that the above payment was made to the employees based on the direction of the concerned Authorities in the Government. Therefore, any action to recover the same at this juncture is not justified. Since, the CAT Chandigarh Bench have already stayed the recovery of the Dress Allowance already paid to the Industrial Employees, it is requested that MoD may kindly arrange to issue instructions for withholding the recovery of the Dress Allowance from the Industrial Employees and it is also requested that the issue may be settled at the earliest by issuing Government orders for payment of Washing Allowance to the Industrial Employees.

A copy of your instruction may please be endorsed to this Federation.

Thanking you,

Yours Sincerely,

(C.SRIKUMAR)

General Secretary

Leader / Staff Side

Departmental Council (JCM)

Ministry of Defence

Mobile : 09444080885

Copy to :

- 1) **THE ENGINEER IN CHIEF**  
Military Engineer Service  
Kashmir House, New Delhi - 110 011.
- 2) **THE CGDA**  
Office of the CGDA  
Ulan Batar Road, Palam,  
Delhi Cantt - 110 010.

For kind information and favourable action please.



	<p style="text-align: center;">रक्षा लेखा प्रधान नियंत्रक (पश्चिमी कमान) चंडीगढ़ PRINCIPAL CONTROLLER OF DEFENCE ACCOUNTS (WESTERN COMMAND) CHANDIGARH FAX No- 0172-2741611-14</p>	
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No. Pay/II/Tech/0195

Dated: 16.11.2019

To

1. ✓ Shri Brij Bhushan Sharma, President  
Branch Chandigarh and Member, JCM-  
IV Level  
183, Lal Kurti Bazar, Ambala Cantt
2. Shri Satyavan, Secy, JCM-IV Level,  
H.No. 23/01  
Race Course, Ambala Cantt.
3. Shri Karnail Singh, General Secretary  
MES Workers Union Area Committee  
CWE Patiala

Sub:- Grant of washing/dress allowance to MES Industrial employees

Ref:- Your office letter No. MESWU/ACA/CHD/ARMY/WED/2019 dated 20.11.19 (Sr. No. 1)  
Your office letter No. Dress Allowance/Mon/2019 dated 18.11.19 (Sr. No. 2)  
Your office letter No. MES/WU/ACCWE/Thursday/AT dated 10.10.19 (Sr. No. 3)

Case regarding recovery of dress allowance already paid to MES Industrial employees forwarded vide your letter cited under reference has been examined at appropriate level and following is intimated in this regard please.

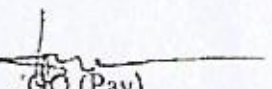
In this context please refer Para 2(iv) of DOPT letter No. F.NO.18/26/2011-Estt (Pay-I) dated 06.02.2014 and Para 5 of DOPT letter No. F.NO./18/03/2015-Estt (Pay-I) dated 02.03.2016 (Copy enclosed) which clearly stipulates that wherever the waiver of recovery in such situation is considered, the same may be allowed with the express approval of Department of Expenditure. Hence it is advised to obtain approval of concerned Ministry/Department through your executive channels for waiver of recovery.

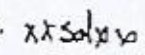
Copy to:-

1. All AO GEs
2. IT & S Local

- For information w.r.t above please.

- For uploading on official website please.

  
GO (Pay)

  
GO (Pay)

By Registered AD Post/Registered/By Hand/Speed Post  
**CENTRAL ADMINISTRATIVE TRIBUNAL**

**CHANDIGARH BENCH**  
**SECTOR 17 E**

*No. 84-39*  
*27/11/19*

Dated: 27/11/2019

From  
The Registrar,  
Central Administrative Tribunal,  
CHANDIGARH BENCH,  
SECTOR 17 E

To,

(1) Sh.K.B. Sharma, Advocate  
C/o CAT, Bar Association, Chandigarh.  
(2) Sh. Sanjay Goyal, Advocate  
C/o CAT, Bar Association, Chandigarh.



**Regn. O.A./60/1228/2019**

**Gurmit Singh & Others**

Applicant(s)

**Versus**

**Military Engineering Service & Others**

Respondent(s)

Sir,

I am directed to forward herewith a copy of Judgement order dated **27/11/2019** Passed by this Tribunal in the above mentioned case for *information and necessary action* if any.

Please acknowledge the receipt.

Yours faithfully,

Section Officer Judicial  
For Registrar



IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL, CHANDIGARH  
BENCH, CHANDIAGR H

O.A. No. \_\_\_\_\_ of 2019

1. MES No. 372437, Gurmit Singh s/o Sh. Kewal Singh, aged 54 years, working as Elect-HS-II.
2. MES No. 370844 Vijay Pal Singh s/o Sh. Nasib Singh, aged 56 years, working as FGM-HS-I.
3. MES No. 373178 Sukhvinder Pal s/o Sh. Parkash Singh, aged 52 years, working as FGM-HS-II.
4. MES No. 373867 Bias Dev s/o Sh. Malkiat Singh, aged 54 years, working as FGM-HS-II.
5. MES No. 374992 Surinder Singh s/o Sh. Nasib Singh, aged 44 years, working as FGM-SK
6. MES No. 508213 Balbir Singh s/o Sh. Resham Singh, aged 52 years, working as FGM-HS-II.
7. MES No. 337347 Gurjant Singh s/o Sh. Gurnek , aged 27 years, working as Mate Fitter
8. MES No. 377349 Virender Singh s/o Sh. Jai Pal Singh, aged 26 years, working as Mate FGM.
9. MES No. 370357 Willson s/o Sh. Ram Rashpal, aged 55 years, working as FGM-SK.
10. MES No. 374672 Sukhdev Singh s/o Sh. Phuman Singh, aged 40 years, working as FGM-SK.
11. MES No. 375514 Arvind Kumar s/o Sh. Ram Sarup, aged 40 years, working as FGM-SK.
12. MES No. 375511 Francis s/o Sh. Parkash, aged 42 years, working as FGM-SK.
13. MES No. 372436 Pervinder Singh s/o Sh. Charan Singh, aged 57 years, working as FGM-HS.
14. MES No. 315935 Sarabjit Singh s/o Sh. Kuldip Singh, aged 38 years, working as Mate-FGM.
15. A/No. 86324008 Avtar Singh s/o Sh. Jarnail Singh, aged 53 years, working as Mate FGM .
16. MES No. 316316 Perminder Singh s/o Sh. Avtar Singh, aged 38 years, working as Mate-FGM .



17. MES No. 448233 Sat Pal s/o Sh. Amar Nath, aged 51 years, working as Painter SK.
18. T. No. 1565 Balwinder Singh s/o Pritam Singh, aged 40 years, working as Mate FGM.
19. MES No. 370358 Baru Ram s/o Sh. Bakshi Ram, aged 56 years, working as Carpenter.
20. MES No. 371328 Balbir Chand s/o Sh. Bhag Singh, aged 53 years, working as Carpenter Mate
21. MES No. 368376 Gurnam Singh s/o Sh. Raj Singh, aged 59 years, working as MCM Ref/Mech
22. MES No. 377346 Jagsir Singh s/o Sh. Mukhtiar Singh, aged 34 years, working as Mate Refg/ Mech.
23. MES No. 377393 Nand Lal Yadav s/o Sh. HariYadav, aged 32 years, working as Mate FGM.
24. MES No. 375672 Nirmal Singh s/o Sh. Opinder Singh, aged 37 years, working as Refg/Mech SK.
25. MES No. 374990 Tilak Raj s/o Sh. Des Raj, aged 47 years, working as Mate Carpenter.
26. MES No. 368334 Amarjeet s/o Sh. Ram, aged 59 years, working as MCM Painter.
27. MES No. 372322 Jatinder Mohan s/o Sh. Soma Nath, working as Pipe Ftr HS-I.
28. MES No. 370364 Gulshan s/o Sh. Sain Dasss, aged 56 years, working as Mate Fitter Pipe.
29. MES No. 375148 Charanjit Kaur W/o Sh. Nirmal Singh, aged 58 years, working as Mate Mason.
30. MES No. 374862 Kulveer Kaur w/o Sh. Harbans Lal, aged 52 years, working as Mate Mason.
31. MES No. 370365 Charan Dass s/o Sh. Ami Chand, aged 58 years, working as Mate Mason.
32. MES No. 368708 William s/o Sh. Sohan Lal s/o Sh. Amar Nath, aged 59 years, working as Pipe Ftr SK.
33. MES No. 372433 Tejinder Pal Singh s/o Sh. Ram Parkash, aged 59 years, working as Carp-HS-I.
34. MES No. 368712 Surinder Pal s/o Sh. BamarsiDasss, aged 59 years, working as Pipe Ftr, MCM.
35. MES No. 373595 Jagtar Singh s/o Sh. Vasdev Singh, aged 59 years, working as Mate.



52 years, working as Mate.

37. MES No. 370363 Prem Pal s/o Sh. Sohan Lal, aged 56 years, working as Mate Mason.
38. MES No. 600325 Kulwant Singh s/o Sh. Karan Singh, aged 56 years, working as Mate Mason.
39. A/No. 1491017-H Sukh Pal Singh s/o Sh. Resham Singh, aged 45 years, working as Mate. .
40. MES No. 372431 Kewal Singh s/o Sh. Malkiat Singh, aged 55 years, working as Mate .
41. MES No. 375422 Satnam s/o Sh. Rattna, aged 44 years, working as Mate Mason.
42. A/No. 188090-B John Patric s/o Sh. J.R. Ambrose, aged 58 years, working as Mate FGM.
43. MES No. 370268 Amarjit Sharma s/o Sh. Shakti Ram aged 58 years, working as MCM FGM.
44. MES No. 13746510 Gurmail Chand s/o Sh. Tulsi Ram, aged 59 years, working as Elect SK..
45. MES No. 372432 Ram Lubhaya s/o Sh. Sant Ram, aged 58 years, working as FGM SK.
46. MES No. 375692 Amarjit Singh s/o Sh. Bhulla Ram, aged 38 years, working as Mate Elect.
47. MES No. 375517 Vikram s/o Sh. Kuku Raj, aged 40 years, working as FGM SK.
48. MES No. 372435 Rash Pal Singh s/o Sh. Sadhu Singh, aged 57 years, working as Vehicle Mech-HS-I.
49. MES No. 375513 Balwant Singh s/o Sh. Ajit Singh, aged 40 years, working as FGM SK.
50. A/No. 1490241-H Harwinder Singh s/o Sh. Surjit Singh, aged 42 years, working as Mate Veh Mech.
51. A/No. 1494115-N Satjinder Singh s/o Sh. Ranjit Singh, aged 43 years, working as Mate Veh Mech.
52. MES No. 316207 Amarjit Paul s/o Sh. Chaman Lal, aged 45 years, working as Mate FGM
53. MES No. 377348 Rahul Sharma s/o Sh. Rakesh Sharma, aged 28 years, working as Mate Elect.
54. MES No. 375518 Girdhari Lal s/o Sh. Prem Chand, aged 40 years, working as Elect SK.



55. MES No. 370373 Satpal s/o Sh. Lal Chand, aged 57 years, working as Elect. SK.
56. MES No. 1585363 - Bagga Singh s/o Sh. Naranjan Singh, aged 53 years, working as Mate Elect.
57. MES No. 372852 Ramjee s/o Sh. Mengha Ram, aged 54 years, working as Elect. SK.
58. MES No. 375516 Dharminder Kumar s/o Sh. Shanti Parkash, aged 40 years, working as FGM. SK.
59. MES No. 374861 Avtar Singh s/o Sh. Jit Ram, aged 52 years, working as Elect. SK.
60. MES No. 370371 Jaswinder Singh s/o Sh. Swran Singh, aged 61 years.
61. MES No. 373613 Sohan Lal s/o Sh. Pritam Chand, aged 61 years.
62. A/No. 1089495 Keshav Singh s/o Sh. Narotam Singh, aged 50 years, working as FGM SK.

(All the applicants are Group-C employees)

All the applicants are working in the office of the Garrison Engineer (AF), Adampur-144106 except Applicant No. 60 & 61.

.....Applicants

Versus

1. Union of India through its Secretary Ministry of Defence, South Block, New Delhi.-110001.
2. Engineer in Chief, Military Engineer Service, Integrated HQs, Kashmir Gate, New Delhi-110011.
3. Chief Engineer, Head Quarters, MES, Western Command, Chandimandir-Panchkula-134107.
4. HQ, Commander Works Engineer, MES, Jalandhar-144001.
5. Garrison Engineer (Air Force) Adampur (Punjab)-144103
6. Principal Controller of Defence Accounts (Western Command) Sector-9, Chandigarh-160009.

...Respondents

APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985.

RESPECTFULLY SHOWETH