



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Original Application No.060/822/2022

Chandigarh this the 26th April, 2023

CORAM: HON'BLE MR. SURESH KUMAR BATRA, MEMBER (J)

- 1.** MES No. 376109, Amit Kumar Sharma, S/o Sh. Vijay Kumar, aged 29 years, working as Mate (Elect), **Group-C.**
- 2.** **MES No. 376102**, Dharampal Singh, S/o Sh. Bakshish Singh, aged 39 years, working as FGM (SK), **Group-C.**
- 3.** MES No. 376103, Atul Kumar, S/o Sh. Ashok Kumar, aged 39 years, working as Mate (Ref. AC), **Group-C.**
- 4.** MES No. 376104, Mukhtiar Singh, S/o Sh. Kulbir Singh, aged 32 years, working as Mate (Elect), **Group-C.**
- 5.** MES No. 376105, Prabhjot Singh, S/o Sh. Avtar Singh, aged 35 years, working as Elect (SK), **Group-C.**
- 6.** MES No. 376106, Paramjit Singh, S/o Sh. Salwinder Singh, aged 40 years, working as FGM (SK), **Group-C.**
- 7.** MES No. 376107, Jatinderpal Singh, S/o Sh. Daljeet Singh, aged 32 years, working as Mate (Elect), **Group-C.**
- 8.** MES No. 376108, Kanwarpreet Singh, S/o Sh. Santokh Singh, aged 37 years, working as Mate (Elect), **Group-C.**
- 9.** MES No. 376110, Manpreet Singh, S/o Sh. Mukhtiar Singh, aged 36 years, working as Mate (Elect), **Group-C.**
- 10.** MES No. 376111, Narinder Singh, S/o Sh. Nishan Singh, aged 40 years, working as Mate (Ref AC), **Group-C.**
- 11.** MES No. 376112, Sandeep Kumar, S/o Sh. Ram PiyareMoria, aged 30 years, working as Mate (FGM), **Group-C.**
- 12.** MES No. 376113, Baljinder Singh, S/o Sh. Nirmal Singh, aged 34 years, working as Mate (FGM), **Group-C.**
- 13.** MES No. 508027, Sarabjit Singh, S/o Sh. Tarlok Singh, aged 55 years, working as Elect HS-I, **Group-C.**
- 14.** MES No. 373015, Kashmir Singh, S/o Sh. Boor Singh, 56 years, working as MCM, **Group-C.**



- 15.** MES No. 372334, Rajesh Kumar, S/o Sh. Inderjit, aged 54 years, working as FGM (SK), **Group-C.**
- 16.** MES No. 373013, PiareLal, S/o Sh. Karam Chand, aged 60 years, working as Ref. MECH HS-I, **Group-C.**
- 17.** MES No. 372323, Parwinder Singh, S/o Sh. Sawarn Singh, aged 58 years, working as FGM HS-II, **Group-C.**
- 18.** MES No. 370296, Sukhdev Raj, S/o Sh. Ved Mittal, aged 59 years, working as FGM (SK), **Group-C.**
- 19.** MES No. 370609, Mangal Singh, S/o Sh. Bahal Singh, aged 59 years, working as Mate (P/Fitter), **Group-C.**
- 20.** MES No. Bhupinder Singh, S/o Sh. Piara Singh, aged 56 years, working as MCM, **Group-C.**

All are Group C Employees and working in the Office of Assistant Garrison Engineer (I), Air Force, Amritsar-C/o 56 APO-900757.

....Applicants

(By Advocate: Mr. K.B. Sharma for Sh. Rajesh Verma)

Versus

- 1.** Union of India, through its Secretary, Ministry of Defence, South Block, New Delhi-110001. Email Id:- jse@nic.in
- 2.** Engineer in Chief, Military Engineer Service, Integrated HQ's, Kashmiri Gate, New Delhi-110001. Email Id:- ceengrll-mes@nic.in
- 3.** Chief Engineer, Head Quarters, MES, Jalandhar Zone, Jalandhar Cantt-144005 .Email Id:- ceengrcl-mes@nic.in
- 4.** Principal Controller of Defence Accounts, Western Command, Chandigarh, Jan Marg, 9-A, Sector 9, Chandigarh- 160009. Email Id:- pcdawcan1.dad@hub.nic.in
- 5.** Commander Works Engineer, Head Quarter, Amritsar Cantt. C/o 56 APO- 900257. Email Id:- ceengrcl-mes@nic.in
- 6.** Assistant Garrison Engineer (I), Air Force Amritsar, Amritsar, C/o 56 APO-900757. Email Id:- ceengrcl-mes@nic.in

... .Respondents

(By Advocate: Mr. Sanjay Goyal)

ORDER



Per: SURESH KUMAR BATRA MEMBER (J):-

1. The applicants have filed present Original Application under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

(i) That the directions be issued upon the respondents to consider the case of the applicants for grant of Dress Allowance w.e.f. 2017 onwards till date, in view of the judgment passed by this Hon'ble Tribunal in bunch of cases vide order dated 05.06.2020 in O.A. No. 060/01228/2019 titled as MES No. 372437, Gurmit Singh and Others Versus Union of India and Others and in terms of Office Memorandum dated 02.08.2017 (Annexure A-1) issued by the Ministry of Finance, Department of Expenditure, New Delhi and Office Memorandum dated 31.08.2017 (Annexure A-2) issued by the department of Personnel and Training (DoP&T).

(ii) That the respondents be directed to frame a policy for grant of Dress Allowance to the eligible employees so that the benefits may be granted to all the eligible employees without any discrimination and delay.

2. The pleaded case of the applicants is that they are Industrial employees and are working as FGM (SK) (Ref AC), Mate (Elect), Elect (SK), Mate (FGM) respectively under the overall control of Respondent No. 3 and are presently working in the office of Assistant Garrison Engineer (I), Air Force, Amritsar i.e. the Respondent No. 6. Prior to implementation of recommendations of 7th CPC, the Industrial employees like applicants were provided Dangri (Dress) yearly and



washing Allowance per month. But on the recommendations of 7th CPC, the respondents stopped providing same to the employees like applicants. The applicants continued to get washing allowance till 2017 and providing Dangri was stopped to them w.e.f. 01.01.2016. The Government of India, Ministry of Finance issued Office Memorandum dated 02.08.2017 (Annexure A-1) , whereby a decision was taken and existing orders relating to Uniform Related Allowance, Clothing Allowance, Robe Allowance, Robe Maintenance allowance, Shoe Allowance, Uniform Allowance and Washing Allowance were subsumed in a single Dress Allowance amounting to Rs.5000/- per annum. Subsequently, the Government of India, DoP&T issued Office Memorandum dated 31.08.2017 (Annexure A-2) providing that in supersession of the existing orders relating to admissibility of Uniform Allowance/Washing Allowance/stitching charges/Shoe allowance etc. to common categories of Group-C and erstwhile Group-D employees of various Ministries/Department including attached/subordinate offices, who are supplied uniform and required to wear them regularly, they shall be paid Dress Allowance @ Rs.5000/- per year.

3. Pursuant to Office Memorandums dated 02.08.2017 and 31.08.2017, Respondent No. 4 issued circular dated 02.08.2018 (Annexure A-4) whereby all the sub Offices were directed to grant Dress Allowance to the employees(Industrial/Non-Industrial), who are wearing Uniform and/or were drawing washing allowance, which was later on withdrawn.

4. Learned counsel for the applicants argued that the issue of entitlement of Industrial employees to Dress Allowance @ Rs.5000/- per annum has been considered and decided by this Tribunal in a bunch of



matters with leading case titled **Gurmit Singh Vs. Union of India & Others** (O.A. No. 1228/2019 decided on 05.06.2020) wherein the applicants (therein), who are similarly situated like the applicants herein, have been held entitled to Dress Allowance and a direction has been issued to respondents to refund the recovered amount towards dress allowance. The decision of this Tribunal in the case of **Gurmit Singh** (supra) has been upheld by the Hon'ble High Court of Punjab and Haryana vide order dated 04.10.2021 in CWP No. 19228 of 2021 titled **Union of India & ors Vs. Vinod Kumar and Others**. It has been submitted that the orders dated 05.06.2020 of this Tribunal have been implemented qua the applicants therein. It has been prayed that the applicants being the similarly situated like the applicants in the case of **Gurmit Singh** (supra) be granted the benefit of decision dated 05.06.2020 in the case of **Gurmit Singh**(Supra), as affirmed by the Hon'ble High Court of Punjab and Haryana.

5. Learned counsel for the respondents could not dispute the fact that the action of the respondents in withdrawing the benefit of dress allowance has been held to be unsustainable by this Tribunal in the case of **Gurmit Singh** (Supra) and the applicants therein have been granted the relevant benefit.

6. I have gone through the pleadings and perused the decision of this Tribunal in the case of **Gurmit Singh** (supra) and judgment dated 04.10.2021 of the Hon'ble High Court of Punjab and Haryana in the C.W.P. No. 19228/202 challenging the decision of this Tribunal. On the basis of the judgment aforementioned, this Tribunal has recently decided the O.A. No. 67/2022 titled **Sanjeev Kumar and Others Vs. Union of India & Others** on 24.02.2023



7. In view of the above facts and law position on the issue, the present Original Application is disposed of with a direction to respondents to decide the claim of applicants for grant of Dress Allowance in the light of decision of this Tribunal in the case of **Gurmit Singh** (supra), within a period of two months from the date of receipt of a certified copy of the order. No costs.

(SURESH KUMAR BATRA)
MEMBER (J)

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