

Supreme Court of India

Union Of India And Another vs Pratap Singh And Others on 14 December, 1994

Equivalent citations: 1995 SCC (2) 42, 1995 SCALE (1)115

Author: K Ramaswamy

Bench: Ramaswamy, K.

PETITIONER:

UNION OF INDIA AND ANOTHER

Vs.

RESPONDENT:

PRATAP SINGH AND OTHERS

DATE OF JUDGMENT 14/12/1994

BENCH:

RAMASWAMY, K.

BENCH:

RAMASWAMY, K.

MOHAN, S. (J)

VENKATACHALA N. (J)

CITATION:

1995 SCC (2) 42

1995 SCALE (1)115

ACT:

HEADNOTE:

JUDGMENT:

ORDER

1. We have heard counsel for the parties. In the proceedings of the Ministry of Defence letter bearing No. B/19231/Organisation 4 (Civil) (d) 256-S/D (Civil-11) dated 20-12-1985, the President of India directed that the civilian employees who participated in "Blue Star" and "Wood Rose" operations be paid ration allowance. The order reads thus:

"The President is pleased to decide that ration allowance in lieu of free rations will be admissible retrospectively to the entitled categories of the Defence civilian employees deployed in connection with 'Operation Blue Star' and 'Operation Wood Rose' from the dates mentioned thereunder namely 'Operation Blue Star' between 1-6-1984 to 23-7-1985 and 'Operation Wood Rose' from 1-6-1984 to 28-2-1985."

The question is whether the respondents are entitled to the benefit of ration allowance in lieu of free ration. It is now conceded across the bar that such of those civilian employees who participated in those operations are entitled to ration allowance in lieu of free ration. Such of these civilians working in ordnance factories are the entitled category and it is not disputed that they had drawn free rations. Having drawn free ration they are not entitled to ration allowance payable since it was only in lieu of the latter. Such of these civilian employees who are not entitled categories are not eligible to free ration. The order quoted earlier was made applicable only to such of these entitled civilians working in Defence (sic) for free rations and free ration allowance was given in lieu of free ration as they were not drawn while in operation. The non-entitled categories, therefore, are not entitled to claim the ration allowance. Under these circumstances the Central Administrative + From the Judgment and Order dated 18-5-1992 of the Central Administrative Tribunal, in Chandigarh in Regn. No. 242/Pb. of 1989 Tribunal at Chandigarh was wholly unjustified in granting the benefit of free ration allowance to the respondents by its order dated 18-5-1992.

2. These appeals are allowed accordingly. No costs.