

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.46/99

11

New Delhi this the 4th day of February, 2000.

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY,

VICE-CHAIRMAN (J)

In the matter of:

- 1) Sh.Gyan Chand,
s/o Sh.Itwary,
Aged about 60 years,
r/o 13/109, Schedule B,
President's Estate and was working
as Chowdhary in Rashtrapati Bhawan,
New Delhi.
President's Estate, and
working as Chowdhary in
Rashtrapati Bhawan, New Delhi.
- 2) Sh.Mohd. Mustapha,
s/o Sh.Abdul Mazid,
Aged about 51 years,
r/o 12/19, Schedule B,
President's Estate, New Delhi,
and working as Chowdhary in
Rashtrapati Bhawan, New Delhi.
- 3) Sh.Ram Kumar,
s/o Sh.Kedar Singh,
Aged about 50 years,
r/o 7/92, G, Point,
President's Estate, New Delhi.
and working as Chowdhary in
Rashtrapati Bhawan, New Delhi.
- 4) Sh.Nannu Ram,,
s/o Sh.Chhannu,
Aged about 49 years,
r/o 13/15, Schedule B, President's
Estate and working as Chowdhary in
Rashtrapati Bhawan, New Delhi.
- 5) Sh.Sunder Ram,
s/o Sh.Ramju Ram,
Aged about 48 years,
r/o 10/9, P.B.G. Schedule A,
President's Estate and working as
Chowdhary in Rashtrapati Bhawan,
New Delhi.
- 6) Sh.Govind Singh,
s/o Sh.Sher Singh,
Aged about 50 years,
r/o 13/21, Schedule B,
- 7) Sh.Ram Magan,
s/o Sh.Ram Dour,
Aged about 45 years,
r/o 1/50 Schedule A, President's
Estate, and working as Chowdhary in
Rashtrapati Bhawan, New Delhi.
- 8) Sh.Attar Singh,
s/o Sh.Deep Chand,
Aged about 50 years,
r/o 10/46, G.Point, President's
Estate, New Delhi and working as Chow
in Rashtrapati Bhawan, New Delhi.
- 9) Sh.Abdul Gaffor,
s/o Sh.Jeewan,
Aged about 52 years,
r/o 5/35, Schedule B, President's
Estate, New Delhi and working as
Sr.Mali in Rashtrapati Bhawan,
New Delhi.
- 10) Sh. Man Chand,
s/o Sh.Nanak Chand,
Aged about 50 years,
r/o 13/102, Schedule B,
President's Estate, New Delhi
and working as Sr.Mali in Rastrapati
Bhawan, New Delhi.
- 11) Sh.Dham Singh,
s/o Sh.Nambhat Singh,
aged about 46 years,
r/o D-1142, Jhangir Puri and working
as Sr.Mali in Rashtrapati Bhawan,
New Delhi.
- 12) Sh.Ragbir Singh,
s/o Sh.Sohan Lal,
aged about 54 years,
r/o Type I/13, Schedule A,
President's Estate, New Delhi,
and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.
- 13) Sh.Radhe Shyam,
s/o Sh.Khargh Singh,
aged about 48 years,
r/o 13/100, Schedule B,

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12

President's Estate, New Delhi,
and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

14) Sh.Ram Naval,
s/o Sh.Ram Bodh,
Aged about 48 years,
r/o I/53, Schedule A,
President's Estate, New Delhi,
and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

15) Sh.Chandu Lal,
s/o Sh.Tej Singh,
aged about 50 years,
r/o 2/29, G. Point,
President's Estate, New Delhi,
and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

16) Sh.Bisamber,
s/o Sh.Mohan,
aged about 45 years,
r/o Type I/21, Schedule A,
President's Estate, New Delhi,
and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

17) Sh.Jaanki Parsad,
s/o Sh.Kalwa,
aged about 59 years,
r/o Pocket I/72, Schedule A,
President's Estate, New Delhi,
and working as Asst.Fitter in
Rashtrapati Bhawan, New Delhi.

18) Sh.Rameshwar,
s/o Sh.Mohan Lal,
aged about 52 years,
r/o 96, Teen Murti House,
Chanakyaपुरi, New Delhi and working as
Sr.Mali in Rashtrapati Bhawan, New Delhi.

19) Sh.Ishwar Deen,
s/o Sh.Bhagalu Ram,
Aged about 48 years,
r/o Pocket I/111, Schedule A,
President's Estate, New Delhi and working as
Sr.Mali in Rashtrapati Bhawan, New Delhi.

20) Sh.Komal,
s/o Sh.Bhura,
Aged about 56 years,

r/o Pocket I/75, Schedule A,
President's Estate, New Delhi and working as
Sr.Mali in Rashtrapati Bhawan, New Delhi.

21) Sh.Ram Murat,
s/o Sh.Kaushal,
aged about 50 years,
r/o Type I/48, Schedule A,
President's Estate, New Delhi and working as
Sr.Mali in Rashtrapati Bhawan, New Delhi.

22) Sh.Awadhu,
s/o Sh.Muneshwar,
Aged about 49 years,
r/o 3/7, Schedule A, President's Estate,
New Delhi and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

23) Sh.Lalsa,
s/o Sh.Sattu,
Aged about 49 years,
r/o Block H, Gali No:8/313, Dakshinपुरi,
New Delhi and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

24) Sh.Desh Raj,
s/o Sh.Shiv Narain,
Aged about 52 years,
r/o 3/35, G.Point, President's Estate,
New Delhi and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

25) Sh.Kanhiya,
s/o Sh.Rati Ram,
aged about 52 years,
r/o 5/72, G.Point, President's Estate,
New Delhi and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

26) Sh.Dharam Veer,
s/o Sh.Jaswant,
aged about 48 years,
r/o Village: Gittorani,
P.O: Gittorani, New Delhi and
working as Sr.Mali in Rashtrapati
Bhawan, New Delhi.

27) Sh.Sabbir Ahmed,
s/o Sh.Vakil Ahmed,
aged about 48 years,
r/o 13/103, Schedule B, President's
Estate, New Delhi and working as
Sr.Mali in Rashtrapati Bhawan,
New Delhi.

28) Sh.Babu Ram,
s/o Sh.Ram Adhir,
aged about 54 years,
r/o Pocket I/58, Schedule A,
President's Estate, New Delhi and
working as Sr.Mali in Rashtrapati
Bhawan, New Delhi.

29) Sh.Nabhu Ram,
s/o Sh.Trimal,
aged about 48 years,
r/o 4/28, Type I/50, Schedule A,
President's Estate, New Delhi and
working as Sr.Mali in Rashtrapati
Bhawan, New Delhi.

30) Sh.Lal Singh,
s/o Sh.Shyam Lal,
aged about 49 years,
r/o 10/22, Schedule B, President's
Estate, New Delhi and working as
Sr.Mali in Rashtrapati Bhawan,
New Delhi.

31) Sh.Daryav Singh,
s/o Sh.Khusi Ram,
aged about 50 years,
r/o 13/185, G.Point, President's Estate,
New Delhi and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

32) Sh.Bal Kishan,
s/o Sh.Lal Singh,
aged about 53 years,
r/o III-363, J.J.Colony, Wazirpur,
New Delhi and working as Sr.Mali
in Rashtrapati Bhawan, New Delhi.

33) Sh.Nanoo Rai,
s/o Sh. Shri Ram,
aged about 54 years,
Block-E/33, Khayala Village, New Delhi,
and working as Sr.Mali in Rashtrapati
Bhawan, New Delhi.

34) Sh.Puncham,
s/o Sh.Jalim,
aged about 52 years,
r/o 6/87, G.Point, President's Estate,
New Delhi and working as Sr.Mali in
Rashtrapati Bhawan, New Delhi.

13

- 35) Sh. Nanku,
s/o Sh. Nakoi,
aged about 48 years,
r/o 3/25, Schedule B, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 36) Sh. Kartar Singh,
s/o Sh. Hukmi,
aged about 42 years,
r/o 13/182, G. Point, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 37) Sh. Jag Ram,
s/o Sh. Dhani Ram,
aged about 48 years,
r/o 13/71, Schedule B, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 38) Sh. Chandra Bali,
s/o Sh. Sidhani,
aged about 48 years,
r/o Pocket 1/65, Schedule A,
President's Estate, New Delhi and
working as Sr. Mali in Rastrapati
Bhawan, New Delhi.
- 39) Sh. Ram Swarup,
s/o Sh. Algu,
aged about 49 years,
r/o 1/20, Schedule A, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 40) Sh. Ram Charan,
s/o Sh. Dasi Ram,
aged about 48 years,
r/o Pocket 1/67, Schedule A,
President's Estate, New Delhi and working
as Sr. Mali in Rastrapati Bhawan,
New Delhi.
- 41) Sh. Jawahar Sa,
s/o Sh. Amrit Sa,
aged about 43 years,
r/o type I/5, Schedule A,
President's Estate, New Delhi and working
as Sr. Mali in Rastrapati Bhawan,
New Delhi.
- 42) Sh. Likhi Ram,
s/o Shri Nanak,
aged about 39 years,
r/o 3/17, Schedule A, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 43) Sh. Pitam,
s/o Sh. Vijay Pal,
aged about 45 years,
r/o 13/22, Schedule B, President's Estate,
New Delhi and working as Sr. Mali
in Rastrapati Bhawan, New Delhi.
- 44) Sh. Kasev Lal,
s/o Sh. Palai Yadav,
aged about 39 years,
r/o Pocket 1/3, Schedule B, President's
Estate, New Delhi and working as Sr. Mali
in Rastrapati Bhawan, New Delhi.
- 45) Sh. Gopal Singh,
s/o Sh. Sultan Singh,
aged about 45 years,
r/o 4/51, G. Point, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 46) Sh. Rajendra Kumar,
s/o Sh. Lallu,
aged about 44 years,
r/o 5/67, G. Point, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 47) Sh. Karan Ali,
s/o Sh. Rahim Ali,
aged about 44 years,
r/o 12/48, Schedule B, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 48) Smt. Misaro,
w/o Late Shri Ragbar,
aged about 53 years,
r/o 3/8, Schedule B, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 49) Sh. Ram Charan Singh,
s/o Sh. Baij Raj Singh,
aged about 43 years,
r/o 9/126, G. Point, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 50) Sh. Bachchu Lal,
s/o Sh. Ram Prasad,
aged about 41 years,
r/o Pocket 1/100, Schedule A, President's
Estate, New Delhi and working as Sr. Mali
in Rastrapati Bhawan, New Delhi.
- 51) Sh. Ashok Kumar,
s/o Sh. Tirakha,
aged about 42 years,
r/o 13/52, Schedule B, President's
Estate, New Delhi and working as Sr. Mali
in Rastrapati Bhawan, New Delhi.
- 52) Sh. Chander Pal,
s/o Sh. Sannu,
aged about 42 years,
r/o 1/20, Schedule B, President's Estate,
New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 53) Sh. Ram Gopal,
s/o Sh. S. Narain,
aged about 52 years,
r/o Pocket 1/28, Schedule B, President's
Estate, New Delhi and working as Sr. Mali in
Rastrapati Bhawan, New Delhi.
- 54) Sh. Munni Lal,
s/o Sh. Basu Ram,
aged about 48 years,
r/o Pocket 1/9, Schedule A, President's
Estate, New Delhi and working as Sr. Mali
in Rastrapati Bhawan, New Delhi.
- 55) Sh. Braj Pal Singh,
s/o Sh. Amir Chand,
aged about 38 years,
r/o 3/27, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 56) Sh. Vinod Prakash,
s/o Sh. Heera,
aged about 38 years,
r/o 4/57, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

100

14

57) Smt. Kalawati,
w/o Late Sh. Ram Prasad,
aged about 55 years,
r/o 13/19, Schedule B, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.

58) Sh. Saraf Raj Hussain,
s/o Sh. Fayaji Hussain,
aged about 35 years,
r/o 10/10, Schedule B, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.

59) Sh. Ram Darash,
s/o Sh. Ram Swarup,
aged about 38 years,
r/o 1/20, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

50) Sh. Geetam Singh,
s/o Sh. Ram Prasad,
aged about 38 years,
r/o 5/70, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

61) Sh. Bhagawat Dayal,
s/o Sh. Banwari Lal,
aged about 45 years,
r/o 4/60, G. Point, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.

62) Sh. Shiv Pal,
s/o Sh. Girdhari,
aged about 37 years,
r/o Type I/69, Schedule A, President's
Estate, New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

63) Sh. Budh Ram,
s/o Sh. Ghatta Ram,
aged about 38 years,
r/o Pocket 1/91, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

64) Sh. Bechan Ram,
s/o Sh. Teju Ram,
aged about 37 years,

r/o 5/24, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

65) Sh. Shyam Lal,
s/o Sh. Bangali,
aged about 37 years,
r/o 1/43, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

66) Sh. Hari Chand Ram,
s/o Sh. Shyam Dev,
aged about 39 years,
r/o 1/31, Schedule A, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.

67) Sh. Shiv Jor,
s/o Sh. Purn Masi,
aged about 48 years,
r/o Pocket I/77, Schedule A, President's
Estate, New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

68) Sh. Mohd. Hanif,
s/o Sh. Mohd. Habib,
aged about 41 years,
r/o 11/5, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

69) Sh. Prabhu Singh,
s/o Sh. Har Pal Singh,
aged about 38 years,
r/o 4/29, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

70) Sh. Chet Singh,
s/o Sh. Baij Raj Singh,
aged about 36 years,
r/o 9/125, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

71) Sh. Sant Ram,
s/o Sh. Rassi Ram,
aged about 42 years,
r/o 1/33, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

72) Sh. Ram Lakhan,
s/o Sh. Rameshwar,
aged about 38 years,
r/o 99, Teen Murti House, New Delhi and
working as Mali in Rastrapati Bhawan,
New Delhi.

73) Sh. Ram Lagan Prasad,
s/o Sh. Manner,
aged about 41 years,
r/o 1/2, Schedule A, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.

74) Sh. Ram Brij Sha,
s/o Sh. Amrit Sha,
aged about 39 years,
r/o 1/32, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

75) Sh. Ram Shanker,
s/o Sh. Brij Lal,
aged about 39 years,
r/o 3/18, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

76) Sh. Surya Nath,
s/o Sh. Amar,
aged about 35 years,
r/o 6/76, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

77) Sh. Jai Shri,
s/o Sh. Chanika Kehar,
aged about 42 years,
r/o 5/2, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

78) Sh. Shalid Ahmed,
s/o Sh. Abdul Gafur,
aged about 38 years,
r/o K-171, Dakshinpuri, New Delhi and working
as Mali in Rastrapati Bhawan, New Delhi.

79) Sh. Shyam Lal,
s/o Sh. Jhagaru,
aged about 41 years,
r/o 1/22, Schedule B, President's Estate,

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New Delhi and working as Mali in Rastrapati Bhawan, New Delhi.

- 80) Sh. Dal Singar,
s/o Sh. Pattar Ram,
aged about 41 years,
r/o 1/14, Schedule A, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.
- 81) Sh. Moti Lal,
s/o Sh. Mangal,
aged about 41 years,
r/o 11/36, Schedule B, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.
- 82) Sh. Shri Ram,
s/o Sh. Jag Ram Singh,
aged about 37 years,
r/o Type I/47, Schedule A, President's
Estate, New Delhi and working as Mali
in Rastrapati Bhawan, New Delhi.
- 83) Sh. Ram Piyare,
s/o Sh. Pandai,
aged about 42 years,
52, Teen Murti, Chanakyapuri, New Delhi
and working as Mali in Rastrapati
Bhawan, New Delhi.
- 84) Sh. Duli Chand,
s/o Sh. Kishori Lal,
aged about 39 years,
r/o 4/48, G. Point, Gol Dakhana, New Delhi and
working as Mali in Rastrapati Bhawan,
New Delhi.
- 85) Sh. Bhagwati Prasad,
s/o Sh. Udit Ram,
aged about 38 years,
r/o 1/2, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 86) Sh. Binu Ram,
s/o Sh. Alolu Ram,
aged about 41 years,
r/o 9/132, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 87) Sh. Ram Bahal,
s/o Sh. Thakur Din,
aged about 39 years,
r/o Type I/55, Schedule A, President's
Estate, New Delhi and working as Mali
in Rastrapati Bhawan, New Delhi.
- 88) Smt. Bhagwanti,
w/o Late Sh. Mem Chand,
aged about 57 years,
r/o Type I/41, Schedule A, President's
Estate, New Delhi and working as Mali
in Rastrapati Bhawan, New Delhi.
- 89) Sh. Ram Sunder Ram,
s/o Sh. Suraj Pal,
aged about 38 years,
r/o 10/16, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 90) Smt. Kashmiri,
w/o Late Sh. Girwar,
aged about 51 years,
r/o 10/8, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 91) Sh. Dharmendra Kumar,
s/o Sh. Dal Chand,
aged about 37 years,
r/o 5/27, Schedule B, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.
- 92) Sh. Shamim Ahmed,
s/o Sh. Kafil Ahmed,
aged about 40 years,
r/o Pocket 1/18, Schedule A, President's
Estate, New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 93) Sh. Bhag Singh,
s/o Sh. Shiv Dutta,
aged about 39 years,
r/o 5/28, Schedule B, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.
- 94) Sh. Mangat Ram,
s/o Sh. Saraj,
aged about 38 years,

r/o 3/6, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 95) Sh. Mittu Ram,
s/o Sh. Sarohi Ram,
aged about 41 years,
r/o 1/3, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 96) Sh. Sudhi Ram,
s/o Sh. Dukhli Ram,
aged about 40 years,
r/o 5/5, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 97) Sh. Virendra Prasad,
s/o Sh. Roshan Lal,
aged about 35 years,
r/o 12/177, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 98) Sh. Paras Ram,
s/o Sh. Sajan Ram,
aged about 37 years,
r/o 2/19, Schedule A, President's Estate,
New Delhi and working as Mali in Rastrapati
Bhawan, New Delhi.
- 99) Sh. Herender Singh,
s/o Sh. Bhawani Singh,
aged about 31 years,
r/o 2/29, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 100) Sh. Darsu,
s/o Sh. Ram Kewal,
aged about 35 years,
r/o Pocket I/46, Schedule A, President's
Estate, New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 101) Sh. Mahendra Singh,
s/o Sh. Balbir Singh,
aged about 38 years,
r/o 11/3, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

(16)

- 102) Sh. Hari Krishan,
s/o Sh. Dharam Pal,
aged about 22 years,
r/o 9/124, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 103) Sh. Niyamat Ulla,
s/o Sh. Rahmat Ulla,
aged about 39 years,
r/o 4/21, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 104) Smt. Kamala,
w/o Late Sh. Balbir,
aged about 52 years,
r/o 4/22, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 105) Sh. Jagdish,
s/o Sh. Than Singh,
aged about 35 years,
r/o 9/20, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 106) Sh. Dharam Pal,
s/o Sh. Dal Chand,
aged about 36 years,
r/o 11/26, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 107) Sh. Rakesh Kumar,
s/o Sh. Laloo,
aged about 27 years,
r/o 46, Teen Murti House, New Delhi and
working as Mali in Rastrapati
Bhawan, New Delhi.
- 108) Sh. Vidya Sagar,
s/o Sh. Bhimu,
aged about 32 years,
r/o 3/2, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 109) Sh. Sher Singh,
s/o Sh. Tej Karan,
aged about 36 years,
r/o 3/11, Schedule B, President's Estate
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 110) Sh. Samanter Pal,
s/o Sh. Rahi Ram,
aged about 34 years,
r/o 10/16, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 111) Sh. Jitender Kumar,
s/o Sh. Mool Chand,
aged about 33 years,
r/o 8/12, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 112) Sh. Phul Singh,
s/o Sh. Des Raj,
aged about 35 years,
r/o Vill. & PO: Gitorni, Delhi and working
as Mali in Rastrapati Bhawan, New Delhi.
- 113) Sh. Mohd. Sarif,
s/o Sh. Nabab Ali,
aged about 31 years,
r/o 1/8, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 114) Sh. Veer Singh,
s/o Sh. Lila Singh,
aged about 30 years,
r/o 11/13, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 115) Sh. Alok Narain Tiwari,
s/o Sh. R.B. Tiwari,
aged about 35 years,
10/26, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 116) Sh. Yogeshwar Pandit,
s/o Sh. Devaki Pandit,
aged about 31 years,
r/o 5/11, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 117) Sh. Ram Nandan Singh,
s/o Sh. Ram Swarup Singh,
aged about 32 years,
r/o Type I/18, Schedule A, President's
Estate, New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 118) Sh. Jogender Kumar,
s/o Sh. Matadin,
aged about 33 years,
r/o C-II/8, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 119) Sh. Shiv Murat Maurya,
s/o Sh. Murat,
aged about 30 years,
r/o 5/10, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 120) Sh. Missari Lal,
s/o Sh. Ram Saran,
aged about 32 years,
r/o 10/30, Schedule B, President's Estate,
New Delhi and working as a Mali in
Rastrapati Bhawan, New Delhi.
- 121) Sh. Rajendra Kumar,
s/o Sh. Hukum Chand,
aged about 31 years,
r/o T 313/6A, Baljit Nagar,
New Delhi and working as a Mali in
Rastrapati Bhawan, New Delhi.
- 122) Sh. Rajendra Kumar,
s/o Sh. Nanku Ram,
aged about 29 years,
r/o 4/3, Schedule B, President's Estate,
New Delhi and working as a Mali in
Rastrapati Bhawan, New Delhi.
- 123) Sh. Naresh Chand,
s/o Sh. Rohan Singh,
aged about 30 years,
r/o 5/18, Schedule A, President's Estate,
New Delhi and working as a Mali in
Rastrapati Bhawan, New Delhi.
- 124) Sh. Basant Kumar,
s/o Sh. Thakur Din,
aged about 35 years,
r/o 3/26 Schedule B, President's Estate,
New Delhi and working as a Mali in
Rastrapati Bhawan, New Delhi.

17

- 125) Sh.Om Prakash,
s/o Sh. Kripal,
aged about 27 years,
r/o D 18, East Vinod Nagar,
and working as a Mali in
Rastrapati Bhavan, New Delhi.
- 126) Smt. Sharda Devi,
w/o late Sh.Om Prakash,
aged about 36 years,
r/o 142 Malak Pur Kingway Camp,
and working as a Mali in
Rastrapati Bhavan, New Delhi.
- 127) Smt. Radha Devi,
w/o Sh. Kallu,
aged about 43 years,
r/o 13/26, Schedule B, President's Estate,
New Delhi and working as a Mali in
Rastrapati Bhavan, New Delhi.
- 128) Sh. Sushil Kumar,
s/o Sh. Ram Dass,
aged about 32 years,
r/o Pocket I/114, Schedule A, President's
Estate, New Delhi and working as a Mali in
Rastrapati Bhavan, New Delhi.
- 129) Sh. Lila Dhar,
s/o Sh. Bechi Ram,
aged about 32 years,
r/o 4/6, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 130) Sh. Samsul Nabi,
s/o Sh. Burhan Ahamad,
aged about 32 years,
r/o 27 Astabal, Schedule B, President's
Estate, New Delhi and working as Mali
in Rastrapati Bhawan, New Delhi.
- 131) Sh. Nisar Ahmed,
s/o Sh. Hapava,
aged about 31 years,
r/o 12/49, Schedule B, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 132) Sh. Sudershan Kumar,
s/o Sh. Puran Singh,
aged about 38 years,
r/o 13/2, Schedule B, President's Estate,

New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.

- 133) Sh. Rijendra Singh,
s/o Sh. Badam Singh,
aged about 39 years,
r/o 6/84, G. Point, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 134) Sh. Jagpal,
s/o Sh. Ram Saran,
r/o 2/7, Schedule A, President's Estate,
New Delhi and working as Mali in
Rastrapati Bhawan, New Delhi.
- 135) Sh. Meer Singh,
s/o Sh. Vijay Pal,
aged about 32 years,
r/o 5/6, Schedule B, President's Estate,
New Delhi and working as Bullockman in
Rastrapati Bhawan, New Delhi.
- 136) Sh. Bhagat Singh,
s/o Sh. Tulsi,
aged about 32 years,
r/o 3/21, Schedule B, President's Estate,
New Delhi and working as Bullockman in
Rastrapati Bhawan, New Delhi.
- 137) Sh. Bale Ram,
s/o Sh. Shera,
aged about 31 years,
r/o 4/9, Schedule B, President's Estate,
New Delhi and working as Bullockman in
Rastrapati Bhawan, New Delhi.
- 138) Sh. Veer Singh,
s/o Sh. Chunnu,
aged about 29 years,
r/o 3/24, Schedule B, President's Estate,
New Delhi and working as Bullockman in
Rastrapati Bhawan, New Delhi.
- 139) Sh. Ram Karan,
s/o Sh. Yogeshwar Rai,
Rastrapati Bhawan, New Delhi.
aged about 28 years,
r/o 3/4, Schedule B, President's Estate
New Delhi and working as Bullockman in
Rastrapati Bhawan, New Delhi.

.... Applicants

(By Advocate Shri S.S. Tiwari)

-Versus-

Union of India, through
secretary to the President
of India,
Rastrapati Bhawan,
New Delhi.

... Respondents

(By Advocate Shri P.H. Ramchandani)

[Signature]

O R D E R

The applicants are aggrieved by the impugned order only to the extent that the over time allowance was not paid to them retrospectively w.e.f. 1.1.74.

2. The essential facts in this case are as under:

2.1 The applicants are Malis working in the President's Garden, Rashtrapati Bhawan. All of them are workcharged staff. It is their case that the workcharged employees in the CPWD are getting over time wages at double the rates of the ordinary wages for Sunday/holiday/day of rest in addition to a substituted day of rest retrospectively w.e.f. 1.1.74. As the applicants were getting less over time allowance in comparison to their counter-parts in the CPWD and as their representations were not disposed of, the applicants approached the Tribunal in several OAs seeking parity in the over time allowance. While disposing of the OAs, by a common order dated 12.8.97 the Tribunal directed the respondents to dispose of the applicants' representation. Accordingly their representations were disposed of and the applicants were given over time allowance w.e.f. 1.1.98. The grievance of the applicants is that they are entitled for the OTA w.e.f. 1.1.74 as are given to their counter-parts in the Horticulture department of the CPWD.

2. The respondents submit that the applicants are given all the benefits given to the other employees of the President's Secretariat, like free accommodation, free electricity etc. They are covered by the rules and

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19

ordes issued by the President's Secretariat from time to time. For determining the rates of over time allowance (OTA) different categories of staff in President Secretariat various aspects have to be taken into consideration like the nature of job, parity and rules prevalent in other departments of the Government. It is their case that the Arbitration award under which the pay scales and over time allowances of ^{L the employees of} Horticulture Department of the CPWD, have been revised in the order dated 20.12.93 with retrospective effect, has no application to the workcharged staff of the President's Secretariat. However, taking a sympathetic view the Malis were given the same pay scales as were given to the Malis in the Horticulture department in the CPWD w.e.f. 1.1.74. As regards the over time allowance rates it was decided that they were entitled to the benefits only w.e.f. 1.1.98 in view of the recommendations of the Fifth Pay Commission where it was stated that except pay scales the arrears of pay allowances are to be paid from the prospective date. The learned counsel for the respondents further submits that if the applicants are given the over time allowance retrospectively it would have a cascading effect and the claim of other employees would also have to be accepted from the back dates.

3. I have given careful consideration to the arguments of the learned counsel for the applicants and the respondents.

4. The short point that is involved in this case is whether the applicants are entitled to the over time allowance retrospectively w.e.f. 1.1.74. By

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20

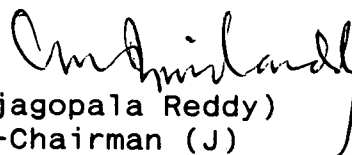
virtue of an award dated 20.12.93 under Section 10-A of the Industrial Disputes Act, 1947 the pay scales of the workcharged staff of CPWD were revised w.e.f. 1.1.74 and they were paid all the arrears and their pay scales including OTA have been revised accordingly. The applicants seeking parity with the workcharged staff of the CPWD made a representation and the same has been considered and it is not in dispute that all the workcharged staff of the President's Secretariat were given the same scales of pay as were given to the workcharged staff of Horticulture Department of the CPWD and all the Malis got the benefit of the revised scales of pay retrospectively w.e.f. 1.1.74. But the anomaly that is arisen in this case is with regard to the over time allowance. By the impugned order, though the applicants were accordingly given the pay scales, only the payment of the over time allowance has been restricted prospectively to be paid w.e.f. 1.1.98. From the order the ratio behind restricting the over time allowance, having given the pay scales as revised w.e.f. 1.1.74, as were given to the Malis in the Horticulture Department, is not discernible. The learned counsel for the respondents ~~only~~ argued that if the applicants are given the over time allowance retrospectively it would have a cascading effect on the demands of other employees for payment of overtime allowance from the back date. That can hardly be a valid reason to deny the applicants ^{by} their dues for the over time work they had turned out.

5. Learned counsel for the applicant submits that they had disposed of the representations of the applicants in accordance with the relevant instructions

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21

which have come into force only in 1991 in the office order dated 8.7.91. Initially they made the representation dated 9.1.91. The Tribunal earlier directed the respondents to consider the representation and pass suitable orders as per the "instructions". Accordingly the respondents have passed the impugned order, however, giving the over time allowance w.e.f. 1.1.98. I do not see any justification in denying OTA retrospectively when once they are found eligible for parity of scales of pay w.e.f. 1.1.74, they are also entitled for the OTA retrospectively. But, it should be noted that the instructions regarding the OTA were issued on 8.7.91. Thus taking the date of the instructions in office order dated 8.7.91 as the starting point for granting the applicants over time allowance and as they approached the court in the earlier OAs seeking to dispose of the representations regarding OTA made in 1991, I direct the respondents to grant over time allowance to the applicants with effect from the date of instructions dated 8.7.91 and pay the same within six months from the date of receipt of a copy of this order. The O.A. is accordingly disposed of. No costs.


(V. Rajagopala Reddy)
Vice-Chairman (J)

'San.'