

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

DA No. 69/1995

New Delhi, this 2nd day of May, 1996

10

Hon'ble Shri B.K. Singh, Member(A)
Hon'ble Dr. A. Vedavalli, Member(A)

1. Central Govt. Class IV Employees
Assn., DGET Branch
Shram Shakti Bhavan, New Delhi

2. Shri Baljeet Singh
Peon, Min. of Labour
Shram Shakti Bhavan, New Delhi .. Applicants

(By Shri A.K. Bhardwaj, Advocate)

Vs.

1. Union of India, through
Secretary
M/Labour, New Delhi

2. Director General of E&T
Shram Shakti Bhavan
New Delhi

3. The Section Officer
DGET, Shram Shakti Bhavan
New Delhi .. Respondents

(By Shri Madhav Panicker, Advocate)

ORDER (oral)

Hon'ble Shri B.K. Singh

Though no particular order has been impugned in this DA, the grievance of the applicants is that though they are engaged as Peons, the respondents are exploiting them by utilising their services as Watchmen/Chowkidars/Farash and that they are required to work on Saturdays/Sundays/Holidays also.

2. On notice, the respondents contested the application and grant of reliefs prayed for.

..P/2

3. In the counter reply filed, the respondents have stated that the pay scales of Chowkidar, Farash and Peon are the same and that 25% Peons are recruited by way of transfer from Chowkidar, Farash and Safaiwala, etc. working in the Central Government Offices with 5 years service in the respective grade. It was argued that no duties of Peon have been prescribed formally as their duties differ from place to place of posting depending on circumstances. The deployment of Peons during day-time on holidays is not untenable and that arrangement of deployment of Peons on Holidays which was a temporary arrangement has since been discontinued. It is further stated that as and when the Peons are deployed on Holidays, they are allowed compensatory leave.

4. Government of India circular on the subject of payment of OTA says that whenever the Peons are deployed on holidays, they should be given compensatory leave and the amount of OTA should not exceed the maximum ceiling limit prescribed and also should be within the sanctioned budget. It is stated that the respondents are strictly following these instructions.

5. In view of the fact that the respondents have since discontinued the arrangement of deployment of Peons on Holidays and that the Peons so employed are granted compensatory leave in lieu thereof, there is nothing surviving in this OA. The OA is, therefore, disposed of as having become infructuous but without any order as to costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)


(B.K. Singh)
Member (A)

/gtv/