

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2565/2000

Friday, this the 4th day of January, 2002

Hon'ble Shri S.A.T. Rizvi, Member (A)

1. Naresh Kumar Gemini
S/O Sh. Raj Kumar Asst. Wireman
CCW Electrical, Broadcasting House
Akashbani Bhawan
Parliament Street
New Delhi -1
2. Naresh Kumar S/O Kali Ram
Khalasi
3. Chanan Singh S/O Sarder Pritam Singh
Electrician
4. K.K. Sharma, S/O _____, Wireman
5. Brij Mohan S/O _____ Wireman
6. Dinesh Chand S/O Sh. Makkhan Lal Gupta
Wireman
7. Jawala Prashad, S/O Sh. Roshan Lal, Wireman
8. Bhagwan Sahu S/O Sh. Vasudev Sahu, Wireman
9. Hira Singh, S/O Sh. Mohan Singh Bist, Wireman
10. Soran Singh S/O Sh. Shiv Singh, Asst. Wireman
11. Sansar Chand S/O Sh. Dharam Chand, Asstt. Wireman
12. Munni Lal S/O Sh. Ram Pyare, Pump Operator
13. Ram Phal S/O _____, Asstt. Pump Operataor
14. Amar Nath S/O Sh. Bhika Ram, Asst. Pump Operator
15. Ashok Kr. S/O Sh. Khem Chand, Asstt. Pump
Operator
16. M.M. Sharma, S/O Sh. Brij Lal Sharma,
E & M Operator
17. Virender Kr. S/O Sh. Raj Pal Khalasi
18. Raj Bir S/O Shri Shyama, Khalasi
19. Vinod Kr. Sharma, S/o Sh. Dharam Vir Sharma
Khalasi
20. Satya Prakash, S/O Udai Ram, Khalasi
21. Ram Lubhaya S/O Sh. Sada Ram, Khalasi
22. Seva Ram, S/O Sh. Sohan Lal, Khalasi
23. Mahender Singh S/O Sh. Dharam Pal, Khalasi

(2)

24. Charan Singh S/O Sh. Roop Chand, Khalasi
25. Vijay Vinod S/O Sh. Naurang Singh, Khalasi
26. M.P.Gupta, S/O Sh. M.P.Gupta
27. Bharat Singh, S/O Sh. Prashuram
28. C.D.Mehto S/O Baburam Mehto, Astt.Pump Operator
30. Jitender Kumar, Khalasi
31. Ram Lal, Wireman

Add.(Official) for all the applicants
 CCW Electrical, Broad Casting House,
 Akasbani Bhawan,
 Parliament Street
 New Delhi-1

..Applicants

(By Advocate: Shri Mukesh K. Verma)

Versus

Union of India through

1. The Secretary
 Ministry of Information & Broadcasting
 Shastri Bhawan
 New Delhi-1
2. Director General, AIR
 Akashvani Bhawan
 Parliament Street
 New Delhi-1
3. Chief Engineer
 Civil Construction Wing
 PTI Building
 Parliament House
 New Delhi - 1
4. Executive Engineer, Electrical, CCW,
 Division-I
 10th Floor, Suchana Bhawan
 CGO Complex
 Lohdi Road
 New Delhi-3

..Respondents

(By Advocate: Shri S.M.Arif)

ORDER (ORAL)

Non-payment of arrears of Over Time Allowance (OTA) at enhanced rates w.e.f. 1.1.1996 has led to the filing of the present OA by as many as 31 applicants working as work charged employees in the Civil

(3)

Construction Wing (CCW) of the All India Radio (AIR) as Assistant Wireman, Wireman, Khalasi, Electrician, Pump Operator etc.

2. The learned counsel appearing on behalf of the applicants submits that according to rules applicable to the CCW of the AIR, the rules contained in the CPWD Manuals and subsidiary instructions etc. will apply to those working in the CCW (A-C). The aforesaid position has been laid down in Rule 3.5.5 of Chapter IIIrd (Section 5) pertaining to the CCW. Rule 3.5.17 forming part of the same Chapter which deals with the Work Charge Establishment provides that for recruitment, pay scales and other rates, the CPWD Manual Volume IIIrd will be applicable. The learned counsel also submits that despite letter dated 26.7.2000 (A-A) issued by the respondents, the concerned officials have not acted with due expedition insofar as the payment of OTA arrears is concerned. That OTA at enhanced rates will be payable to the applicants has been brought out in the respondents' letter dated 3.2.2000 (A-B). The applicants press for the payment of OTA arrears at the earliest possible.

3. The learned counsel appearing on behalf of the respondents does not dispute the claim made by the applicants. According to him, since the approval of the competent authority became available only in February, 2000, the orders regarding payment of OTA arrears have been implemented with effect from February, 2000. They have, according to him, initiated expeditious action for

JN

(4)

payment of arrears from 1.1.1996 to January, 2000 to all the applicants. However, on account of quantum of work involved and the problem arising from non-availability of funds readily, the process is likely to take some time. He has asked for a period of six months to enable the respondents to make the payments in question not only to the applicants in the present OA, but to all others who are similarly placed.

4. At this stage, the learned counsel appearing on behalf of the applicants intervened to inform the Tribunal that in respect of some others who had approached the labour court, a direction has been given for arranging payments of OTA arrears by March, 2002 end. On this basis, he pressed for the payment of arrears in question to all the applicants in the present OA also by same date, i.e., March, 2002 end.

5. I have considered the submissions made by the learned counsel and find substance in the suggestion made on behalf of the applicants. The OA is accordingly allowed and the respondents are directed to make payments of arrears in question expeditiously and in any case before March, 2002 end.

6. The present OA is disposed of in the aforesated terms. No costs.


(S.A.T. RIZVI)
MEMBER (A)

/sunil/