

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

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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. Executiver Engineer, Electrical, CCW,  
Division-I  
10th Floor, Suchana Bhawan  
CGO Complex  
Lodhi Road  
New Delhi-3

..Respondents

(By Advocate: Shri S.M.Arif)

### O R D E R (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

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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

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(B)

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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 aforestated terms. No costs.

/sunil/

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