

Central Administrative Tribunal, Principal Bench

O.A.No.970/93

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 7th day of July, 1997

(9)

Shri B.C.Goswami
Chowkidar
s/o Suresh Chander Goswami
Block No.10, Qtr.141
Prem Nagar
New Delhi - 110 003. ... Applicant

(By Shri Ashish Kalia, Advocate)

Vs.

Union of India through

1. The Chief Engineer
Delhi Administration, PWD
New Delhi.
2. The Executive Engineer
PWD Delhi Admn.,
Elect. 7 Sub-Division-II
Tis Hazari Courts
Delhi. ... Respondents

(By Shri Amresh Mathur, Advocate)

O R D E R(Oral)

The applicant is aggrieved that he was not given Over Time Allowances (OTA) for the work he had performed in excess of the prescribed hours from 14.9.1983 to 31.08.87. Further, OTA granted to him was single rate at his basic pay whereas similarly placed other colleagues were paid at double rates of their basic pay including CCA and other allowances. He had preferred representations to the respondents to give the difference of OTA on the amount already paid to which he was entitled but to no avail. The respondents in reply have stated that the applicant is not entitled to any OTA except that which has already been paid to him.

2. I have heard the counsel on both sides. As per instructions at Annexure A3, OM dated 19.9.1986 those workers who are required to perform duty on Sunday and

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weekly rest days, should be paid Over Time Wages at double the ordinary rates. In other words ~~applicant~~ ^{claim} can claim double the ordinary rate only on the basis of duty performed on Sunday and weekly rest days. However, no such claim has been made in the OA. In view of this the position, the prayer of the respondents that the applicant has been duly paid for the over time he has rendered has to be accepted.

3. In view of the above position, the OA is dismissed. No costs.

R.K.Ahooja
(R.K.AHOOJA)
MEMBER(A)

/rao/