

**Central Administrative Tribunal  
Ernakulam Bench**

**O.A No.180/00472/2021**

Monday, this the 20<sup>th</sup> day of September, 2021

**CORAM:**

**Hon'ble Mr. P.Madhavan, Judicial Member  
Hon'ble Mr.K.V.Eapen, Administrative Member**

1. Sumanta Kumardas S/o Radhanathdas, aged 38 years  
Gate Keeper, LC Gate No. 28  
Alappuzha section, Southern Railway  
(residing at Cherthala Railway Quarters No.7C  
Cherthala, Alappuzha-688524)
2. Sabu.K.S S/o Surendran, aged 57 years  
Gate Keeper, LC Gate No. 28,29,30,31(RGGK)  
Alappuzha section, Southern Railway  
(residing at Kochuthara House, Pallanakkad.P.O,  
Cherthala, Alappuzha-688531)
3. Saiju.M S/o Mohanan, aged 34 years  
Gate Keeper, LC Gate No. 28  
Alappuzha section, Southern Railway  
(residing at Mattathil, Varanadu.P.O,  
Cherthala, Alappuzha-688539)
4. Salpriyakumar.S S/o Sadanandapanikar, aged 57 years  
Gate Keeper, LC Gate No. 29  
Alappuzha section, Southern Railway  
(residing at Korappuzhachira House, Chenganda Varnadu.P.O,  
Cherthala CMC-6, Alappuzha-688555)
5. Bipin.P S/o P.M Peethambaran, aged 30 years  
Gate Keeper, LC Gate No. 25  
Alappuzha section, Southern Railway  
(residing at Puratechira House, Thiruvalloor.P.O,  
Cherthala, Alappuzha-688541)
6. Nishanth.T.C S/o Chandran, aged 33 years  
Gate Keeper, LC Gate No. 25

Alappuzha section, Southern Railway  
 (residing at Thottachira House, Valamangalam South.P.O  
 Cherthala, Alappuzha-688532)

7. Manoj.K S/o K.C.Gopalakrishnan, aged 52 years  
 Gate Keeper, LC Gate No. 25 Alappuzha section,  
 Southern Railway, (residing at Purnami House, Nediyirp.P.O,  
 Kondotty(Via), Malappuram-673836)
8. Mohanankrishnan.K S/o Balakrishnan.T.K.  
 aged 54 years  
 Gate Keeper, LC Gate No. 30  
 Alappuzha section, Southern Railway  
 (residing at Souparnika, Adhaloor,  
 Kodunthirapully, Palakkad-678004)
9. Vishnu.T.S S/o Shaji, aged 29 years  
 Gate Keeper, LC Gate No. 27  
 Alappuzha section, Southern Railway  
 (residing at Thayyil House, Thyckal .P.O,  
 Cherthala, Alappuzha-688530)
10. Vipin.V S/o Varkey, aged 33 years  
 Gate Keeper, LC Gate No. 27,28,29,30,31  
 Alappuzha section, Southern Railway  
 (residing at Kattezhathuthara, Vayalar.P.O,  
 Cherthala, Alappuzha-688536)
11. Baiju.K.A S/o Antony, aged 53 years,  
 Gate Keeper, LC Gate No. 31  
 Alappuzha section, Southern Railway  
 (residing at Kurishinkal House, Thaikkal.P.O,  
 Ottamassery, Cherthala, Alappuzha-688530)
12. Vysakh.M S/o Mahesh, aged 26 years,  
 Gate Keeper, LC Gate No. 25,26,27,28,29,30,31,32  
 Alappuzha section, Southern Railway  
 (residing at Menomveedu, Pattnakkad.P.O,  
 Cherthala, Alappuzha-688531)
13. Sunitha.S.R D/o Sudhakaran, aged 39 years  
 Gate Keeper, LC Gate No. 31  
 Alappuzha section, Southern Railway  
 (residing at Kizhakkeveli, Thanneermukkam.P.O,  
 Cherthala, Alappuzha-688527)
14. Nikhil.V.Uday S/o Udayan.K.N, aged 28 years  
 Gate Keeper, LC Gate No. 24

Alappuzha section, Southern Railway  
 (residing at Vinithalayam, Thuravoor.P.O,  
 Cherthala, Alappuzha-688532)

15. Dinoop.V.0 S/o Unnikrishnan, aged 31 years  
 Gate Keeper, LC Gate No. 24  
 Alappuzha section, Southern Railway  
 (residing at Vadakkekara House, Thirumalabhadram.P.O,  
 Thuravoor, Cherthala, Alappuzha-688540)
16. Binija.K.P D/o Balan.P, aged 37 years  
 Gate Keeper, LC Gate No. 31  
 Alappuzha section, Southern Railway  
 (residing at Puzhathumkoottathil House, Muyipoth.P.O,  
 Meppayoor (Via) Calicut, PIN-673525)
17. Radhika.P.R D/o Ramachandran, aged 36 years  
 Gate Keeper, LC Gate No. 25,26,27,28,29,30,31  
 Alappuzha section, Southern Railway  
 (residing at Sreeja Bhavanam, Cheruvakanam, Varanam.P.O,  
 Cherthala, Alappuzha-688555)
18. Rejani.V.R D/o Sasidharan, aged 33 years  
 Gate Keeper, LC Gate No. 32  
 Alappuzha section, Southern Railway  
 (residing at Veliyil House, CMC-22, Cherthala.P.O,  
 Alappuzha-688524)
19. Suvith.P.S S/o Surendran.P.R,  
 aged 31 years  
 Gate Keeper, LC Gate No. 24  
 Alappuzha section, Southern Railway  
 (residing at Padinjarepurakkal House, Ponganamkadu.P.O,  
 Kurichikkara, Thrissur-680028)
20. Appukuttan.K.B S/o Badran, aged 28 years  
 Gate Keeper, LC Gate No. 26  
 Alappuzha section, Southern Railway  
 (residing at Kochuthara House, Thirumalabhadram.P.O,  
 Thuravoor, Cherthala, Alappuzha-688540)
21. Antony.K.V S/o Varghese, aged 58 years  
 Gate Keeper, LC Gate No. 29  
 Alappuzha section, Southern Railway  
 (residing at KAnnakkattu House, Udayanapuram.P.O,  
 Vaikom, Kottayam, PIN-686143)
22. Saritha.K.S D/o Dasappan,

Aged 40 years Gate Keeper, LC Gate  
 No. 31 Alappuzha section, Southern Railway  
 (residing at Chaniyil,Kadakkarpally.P.O, Cherthala,  
 Alappuzha-688529)

23. Ratheesan.P.N S/o Natesan.N.K, aged 46 years  
 Gate Keeper, LC Gate No. 28,29,30 (RGGK)  
 Alappuzha section, Southern Railway  
 (residing at Puthenparambil House,Kumarakom.P.O,  
 Kottayam,PIN-686563)

24. Saneesh.K.S S/o Sureshkumar, aged 29 years  
 Gate Keeper, LC Gate No. 27  
 Alappuzha section, Southern Railway  
 (Residing at Kizhakkekunnel, CMC-21.  
 Cherthala.P.O, Alappuzha-688524)

25. Mahesh.R S/o Ramakrishna Pillai, aged 36 years  
 Gate Keeper, LC Gate No. 30  
 Alappuzha section, Southern Railway  
 (Residing at Kunnel Veliyil House,CMC-22.  
 Cherthala, Alappuzha-688524)

26. Bibin.A.B S/o Baby, aged 30 years  
 Gate Keeper, LC Gate No. 32  
 Alappuzha section, Southern Railway  
 (Residing at Anadath House, T.V.Puram.P.O,  
 Vaikom, Kottayam-686606)

27. Arya.P Raju D/o Raju, aged 30 years  
 Gate Keeper, LC Gate No. 30  
 Alappuzha section, Southern Railway  
 (Residing at Nikarthil House,T.V.Puram.P.O,  
 Vaikom, Kottayam -686606)

28. Lajimol.K.M D/o Mohanlal.K.S, aged 36 years  
 Gate Keeper, Gate LC No. 25  
 Alappuzha section, Southern Railway  
 (Residing at Thottuchira House,Valamangalam South.P.O,  
 Cherthala, Alappuzha-688532)

29. Malka Pankaj W/o Jitha, aged 37 years  
 Gate Keeper, LC Gate No. 26  
 Alappuzha section, Southern Railway  
 (residing at Pallikadavath House,Thirumalabhadram..P.O,  
 Thuravoor, Cherthala, Alappuzha-688555)

30. Yedukrishnan.K.R S/o Radhakrishnan.V.K, aged 29 years

Gate Keeper, LC Gate No. 26  
 Alappuzha section, Southern Railway  
 (Residing at Kallunkal House, Poochakkal.P.O,  
 Cherthala, Alappuzha-688526)

31. Sreejith.S.P S/o Purushuthaman, aged 29 years  
 Gate Keeper, LC Gate No. 25,26,27,28,29,30,31  
 Alappuzha section, Southern Railway  
 (Residing at Sreeja Bhavanam, Cheruvakanam, Varanam.P.O,  
 Cherthala, Alappuzha-688555)

32. Sumith, S/o Surendran, A B, aged 33 years,  
 Gate Keeper, L C Gate No 24,27,26,29,30 31,  
 Alappuzha Section, Southern Railway.  
 (Residing at Attuvakkathu House, T.V.Puram.P.O,  
 Vaukom, Kottayam-686606)

33. Lakshmanan K V, S/oVishnu K S, aged 38 years, Gate  
 Keeper, L C Gate No 24,25,26,27,30,31,32 Alappuzha  
 Section, Southern Railway  
 (Residing at Abhibhavanam, Muhamma.P.O.,  
 Cherthala, Alappuzha- 688 525) - Applicant

(By Advocate: Mr.T.R. Rajan and Mr.I.B. Suseel)

Versus

**RESPONDENTS:**

1. The General Manager, Southern Railway,  
 Park Town P.O., Chennai-600003

2. The Senior Divisional Engineer, Southern Railway,  
 Trivandrum Division, Thiruvananthapuram-695014

3. The Senior Divisional Personnel Officer, Southern Railway,  
 Trivandrum Division, Thiruvananthapuram-695014

4. The Senior Section Engineer (P.Way),  
 Southern Railway, Alappuzha, Railway Station,  
 Alappuzha-688001 - Respondents

(By Advocate: Mr.Sunil Jacob Jose)

The O.A having been heard on 20<sup>th</sup> September, 2021 through video conferencing, this Tribunal delivered the following order on the same day:

## **O R D E R (ORAL)**

### **P.Madhavan, Judicial Member**

This Original Application has been filed by the applicants seeking the following reliefs:

*“(a) Declare that the applicants are entitled to overtime allowance from 14.12.2019 as in the case of applicants in Original Application No.180/919/2017 leading to Annexure A1 judgment.*

*(b) Issue a direction to the respondents to grant as overtime allowance to the applicants for the hours they have worked beyond 8 hours every day at the railway gates with effect from 14/1/2016 and also interest at the rate of 18% per annum over the said amount from the respective dates of due to the respective dates of payment within a timelimit to be fixed by this Hon'ble Tribunal.*

*(c) Issue a direction to the 1<sup>st</sup> respondent to take appropriate action upon the Annexure A2 petition submitted by the applicants within a timelimit to be fixed by this Hon'ble Tribunal after affording an opportunity of being heard to them.*

*(d) Issue any other direction or order as this Hon'ble Tribunal finds fit in the facts and circumstances of the case.*

*(e) Cost of proceedings.”*

### 2. The brief facts of the case are as under:

The applicants have filed the above original application for grant of overtime allowance for the hours worked beyond 8 hours every day at the railway gates. The alleged reason for non-grant of overtime allowance seems to be the non-conduct of job analysis in the railway gates wherein the applicants are working. Applicants submit that non-conduct of job analysis is per se illegal. Hence, the applicant has approached this Tribunal praying for the above reliefs.

### 3. When the matter came up for consideration, it appears that the applicants will

be satisfied if Annexure A-2 representation is considered in the light of relevant rules, regulations and guidelines and pass a speaking order within a stipulated time.

4. Adv.Mr.Sunil Jacob Jose takes notice on behalf of the respondents and submits that he has no objection in disposal of the representation.

5. In view of the above submission, **the competent authority among the respondents are directed to consider Annexure A-2 representation in the light of relevant rules, regulations and guidelines and pass a speaking order within a period of six months from the date of receipt of a copy of this order.**

6. The Original Application is disposed of as above at the admission stage itself. No costs.

**(K.V.Eapen)**  
**Administrative Member**

**(P.Madhavan)**  
**Judicial Member**

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**List of Annexures**

Annexure A1 - True copy of the judgement dated 04.12.2019 of this Hon'ble Tribunal in Original Application No. 180/919/2017.

Annexure A2 - True copy of the representation dated 26.06.2021 submitted by the applicants before the 1<sup>st</sup> respondent.

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