

(11)

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 11th Day of October, 2000

Coram: Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. S. Dayal, A.M.

Original Application No. 1440 of 1994.

1. B.L. Yadav son of Sri Late Vishwa Nath Yadav, aged about 34 years resident of B-116, Avas Vikas Colony, Nandan Pura, Jhansi working as Chief Trains Clerk in Senior Divisional Operating Manager's Office, Central Railway, Jhansi.
2. R.C. Sharma son of Late Sri Ganga Prasad, aged about 41 years resident of 666-D, Rani Laxmi Nagar, Colony, Jhansi working as Chief Trains Clerk in Senior Divisional Operating Manager's Office, Central Railway, Jhansi.

... Applicants.

Counsel for the applicants: Sri A.N. Dwivedi, Adv.
Sri S.K. Mishra, Adv.

Versus

1. Union of India through the General Manager, Central Railway, G.M's. Office, Bombay V.T.
2. Divisional Railway Manager, Central Railway, D.R.M's. Office Jhansi.
3. Senior Divisional Operating Manager, Central Railway, D.R.M's. Office, Jhansi.

... Respondents.

Counsel for the respondents: Sri G.P. Agarwal, Adv.

Order (Open Court)

(By Hon'ble Mr. S. Dayal, Member (A.))

This application has been filed for setting aside order dated 16.8.94 and 23.8.94 introducing six day week of working for the applicants. Directions have also been sought to the respondents to observe five day week roster as applicable to staff of Movement Section in Divisional Railway Manager's Office.

2. The case of the applicants is that they had been working in the Movement Section of Divisional Railway Manager's office Jhansi under five days week roster since 3.6.1985. The respondent No.3 in violation of orders of the Central Railway Head Quarters and of Railway Board revised the duty roster of the applicants changing it from five day week to six day week. The application has been filed against the orders of the respondents changing the roster of work.

3. We have heard Sri A.N. Dwivedi, counsel for the applicants and Sri S.D. Kapoor, counsel for the respondents.

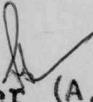
4. The applicants have challenged the authority of the respondents to change their work roster from five day to six day week. They admittedly belong to the cadre of Trains Clerk and it is admitted by learned counsel for the applicants that Trains Clerk follow a six day roster in a week.

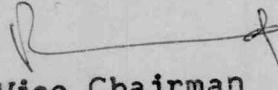
5. The learned counsel for the respondents

has mentioned that the applicants have been assigned different duty hours from those applicable to other ministerial employees working in the Movement Section of the Divisional Railway Manager's Officer. The working hours applicable to the applicants are ten to five while working hours applicable to the other employees are from 10.00 A.M. to 6.00 P.M.

6. The learned counsel for the applicants has mentioned that on Saturdays the applicants would be the only employees in the Movement Section of D.R.M's. office and they would have no work to attend to. We find from this order dated 16.11.93 that the applicants have been assigned to Trains Clerk Cell. The applicant No.2 is Trains Clerk. Punctuality is also to collect details of detention and apprise E.O.S.(M.) will take up the cases in the meeting of A.D.R.M.(O.)

7. We find that duty roster to Trains Clerk cadre to which the applicants belong is of six day week and find no irregularity in changing the roster from five day week to six day week in case of the applicants. The application, therefore, lacks in merit and is dismissed. No order as to costs.


Member (A.)


Vice Chairman

N, fees