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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.935 of 2006

FRIDAY, THIS THE 8th DAY OF SEPTEMBER, 2006

HON'BLE MR. P. K. CHATTERJI, MEMBER-A

1. Shri G. D. Singh, aged about 53 years,
Son of Shri Karan Singh,
Resident of B 258 Deen Dayal Nagar,
Jhansi grade Rs.7450-4500.
2. Shri A. K. Singh aged about 54 years,
Son of Shri R. K. Singh,
Resident of 205 Nanak Ganj Sipri Bazaar,
Jhansi grade Rs.7450-11500.
3. Shri R. G. Bundela, aged about 56 years,
Son of D.B.L. Bundela,
Resident of 44 Billeswar Prem Nagar Jhansi
grade Rs.6500/10500.
4. Shri S. B. Singh, aged about 46 years,
Son of K.B. Singh,
Resident of E 204C Central School No.3 Rly.
Colony Jhansi grade 6500/10500.
5. Shri S.P.S. Yadav aged about 44 years,
Son of Shri Kamta Prasad Yadav,
Resident of A 85 Deen Dayal Nagar, Jhansi
Grade 6500/10500.
6. Shri Brijendra Singh aged about 59 years,
Son of Shri Omkar Singh R/o Opp. Central
Warehouse Nandan Road Jhansi grade Rs.5000-
10000.
7. Shri P.S. Niranjana aged about 44 years Son
of Shri Jagdish Prasad, R/o 1300/A Kheti
Bahe Jhansi grade 5500-9000.

.Applicant

(By Advocate Shri A. K. Dave and Shri A. D.
Prakash)

Versus

1. Union of India through the General Manager,
North Central Railway G. M's Office,
Allahabad.

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2. Divisional Railway Manager,
North Central Railway DRM's Office,
Jhansi.
3. Divisional Railway Manager (Personnel),
North Central Railway DRM's Office,
Jhansi.
4. Senior Divisional Mechanical Engineer (CWD)
N.C.R. DRM's Office, Jhansi.

..... Respondents.

(By Advocate)

ORDER

In this Original Application, applicants, seven in number, approached this Tribunal for directing their employer for making payment of overtime allowance to which they are entitled as per rules. The seven applicants namely, Shri G.D. Singh, Shri A. K. Singh, Shri R.G. Bundela, Shri S. B. Singh, Shri S. P. S. Yadav, Shri Brijendra Singh, and Shri P.S. Niranjana all worked in break down vehicles of the Railway under Jhansi Division of the North Central Railway. They had performed over time duty for several days in the month of February'2004. As per the circular of Railway Board No.E(P&A) II-98/BDA-1 dated 25.05.1999, staff attending break down vehicles are entitled to certain allowances including overtime allowance. This has been elaborated in the aforesaid memo of which para 3(iv) says that payment for overtime work, in accordance with normal rules, shall also be admissible and time taken in traveling of the

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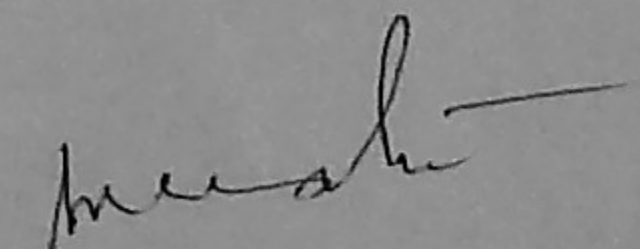
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side of accident and back shall be reckoned for payment of overtime.

2. Learned counsel for the applicant has said that although personnel attending to break down Trains in other divisions, such as, Delhi are being paid overtime allowance, these applicants have been deprived of this allowance for reasons not known to them. As evidence they have annexed the relevant order (Annexure-4).

3. I am of the view, that this O.A. may be decided by giving direction to the respondents for considering the Overtime allowance submitted by the applicants (Annexure-5) as permissible in accordance with the circular dated 25.05.1999 and take appropriate decision under the rules, keeping in view the averments made by the applicants that in similar circumstances overtime allowance has been paid to concerned employees in Delhi Division. After considering the claim, the respondents will pass appropriate, reasoned order within a period of three months from the date of receipt of this order.

4. No Costs.


Member-A

/ns/