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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 16TH day of MARCH 2007

Original Application No. 196 of 2007

Hon'ble Mr. P.K. Chatterji, Member (A)

Ajay Kumar Mohan, S/o late Shri Naubat Ram,
presently working as Guard (Goods) and residing at
Care of G.B.I., N.E. Railway, Chhapra.

. . . .Applicant

By Adv: Sri R. Verma

V E R S U S

1. Union of India through General Manager, N.E. Railway, Gorakhpur.
2. The Divisional Railway Manager (Commercial), North Eastern Railway, Varanasi Division, Varanasi.
3. The Divisional Operating Manager, North Eastern Railway, Varanasi Division, Varanasi.
4. The Divisional Commercial Inspector, North Eastern Railway, Varanasi Division (Section Indara-Dohrighat), Varanasi.

. . . .Respondents

By Adv: Sri NIL

O R D E R

The applicant who was senior Booking Clerk at Ghosi, Railway Station is aggrieved that his claim for Over Time Allowances was not sanctioned by the respondents. Respondent No. 2 vide letter dated 11.03.2003 asked the applicant to explain under whose authority the Over Time was performed (Annexure A-9). The explanation was offered by the applicant vide letter dated 31.03.2003 (Annexure A-

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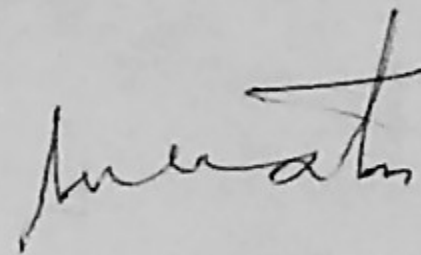
10). In the said letter the applicant had informed the circumstances which constrained him to work much beyond his normal working hours. He had explained the train timings and the attending duties which he had to perform. ~~This~~ He had clearly explained that this could not be preformed within the limited working hours. This was known to his superior officers.

2. On 03.12.2003 the respondent No. 2 informed the applicant that he did not submit the bills through his superior authorities and the Over Time bills should have been forwarded for consideration by the controlling authority which was not done. After this no decision has been taken by the respondents in the matter.

3. It appears that the matter is ^{stuck} ~~stuck~~ merely on a technical aspect i.e. whether the bill was forwarded ^{through} ~~to~~ the controlling authority or not. It also appears from the letter dated 03.12.2003 of the respondent No. 2 that he had accepted the explanation given by the applicant as to the circumstances which ^{lead} ~~lead~~ his performing the Over Time. If it is so, the respondents should take the decision appropriately taking into account the ground~~s~~ realities of operation. In any case the decision which is to be admissible as per rules should not be delayed.

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4. With these observations, it is directed that the respondent No. 2 will consider this OA, a copy of which is forwarded to him, as a representation of the applicant for sanction of Over Time Allowance claimed by him, take appropriate decision in keeping with the rules and also in accordance with the constraints in the field. After taking the decision that should be conveyed to the applicant and this should be done within a period of three months from the date of receipt of copy of this order alongwith copy of OA. With these directions the OA is disposed of. No cost.



Member (A)

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