

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.**

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Original Application Nos.124 and 125 of 1990.

Date of decision : May 29, 1992.

In O.A.124 of 1990 Harekrushna Mohanta ... Applicant.

Versus

Union of India and others ... Respondents.

For the applicant ... Ms. S.L.Patnaik,
Mr. S.K.Mohanty, Advocates.

For the respondents ... **Mr.A.K.Misra,**
Sr. Standing Counsel (CAT)

IN O.A.125/90. Chandra Mohan Naik ... Applicant.

versus

Union of India and others ... Respondents.

For the applicant ... Ms. S.L.Patnaik,
Mr.O.N.Ghosh, Advocates.

For the respondents ... **Mr. A.K.Misra,
Sr. Standing Counsel (CAT)**

C O R A M₂

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN.

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1. Whether reporters of local papers may be allowed to see the judgment ? Yes.
2. To be referred to the Reporters or not ?
3. Whether His Lordship wishes to see the fair copy of the judgment ? Yes.

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C O R A M

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN

JUDGMENT

K.P.ACHARYA, V.C., In both the applications the applicants pray that the concerned authorities be directed to fix the monthly allowance of the applicants in the maximum stage and to pay the applicants the arrear dues with effect from 1.1.1986.

Since in both the cases the prayer of both the applicants is same involving same facts and law, though I have heard both the cases one after the other (separately)

yet it is directed that this common judgment will govern both the cases.

2. In O.A.124 of 1990 the applicant, Harekrushna Mohanta is an Extra-Departmental Delivery Agent attached to Budhikhamari Branch Post Office within the district of Mayurbhanj. In O.A.125 of 1990 the applicant Chandra Mohan Naik is an Extra-Departmental Mail Carrier attached to Jhadapokhanda Sub Post Office within the district of Mayurbhanj. The facts constituting the case, O.A.124 of 1990 are as follows:

The monthly allowance of the applicant had been fixed by the authorities assessing the workload and the distance travelled in the beat by the applicant. According to the applicant, after Saboor Commission report was given effect to by revision of allowance of all Extra-Departmental employees giving retrospective effect since 1.1.1985, the applicant in this case claims maximum monthly allowance. Since it was denied to the applicant, this application has been filed with the aforesaid prayer.

In O.A.125 of 1990, exactly same is the prayer and in both the applications respondents maintained that on the recommendation of the Saboor Commission, the Director General, Posts vide his letter No.14-6/87/PAP dated 15.7.1987 ordered to regulate the consolidated allowances of the Extra-Departmental Delivery Agents as per the norms applicable to the corresponding category of the Departmental staff i.e. Postman in the case of Extra-Departmental Delivery Agent and allowance to be fixed at Rs.240/- for less than two hours of work and in between Rs.275-420/-

Yours

for the workload of 2 hours or more on prorata basis. These directives are contained in Annexure-R/1 and R/2. Accordingly, the workload of the applicant in O.A.124 of 1990 was assessed to be 4 hours 27 minutes and his allowance was fixed at the stage of Rs.392/- vide calculation sheet contained in Annexure-R/3. In O.A.125 of 1990 it is maintained by the respondents that the workload calculated as per the norms fixed for the corresponding categories of the Departmental staff i.e. Mail Peon in Group 'D' cadre. The applicant in this application has been assigned with the duties of exchange of mail bags of Jharpokharia Sub Office twice daily at the bus stop which is at a distance of $\frac{1}{2}$ K.M. from the Post Office. In addition to this, the applicant conveys the Branch Office Bag from Jharapokharia Sub Office to Badachatra Post Office and vice versa. The distance being 4 K.Ms. and not 6 K.Ms. as maintained by the applicant. According to the respondents, the total workload comes to 3 hours and according to the norms laid down the applicant is entitled to Rs.320/-.

Hence, according to the respondents the cases of both the applicants in both the applications being devoid of merit, are liable to be dismissed.

3. I have heard Ms. S.L.Patnaik, learned counsel appearing for the applicants in both the cases and Mr.A.K.Misra, learned Senior Standing Counsel (CAT) appearing for the respondents in both the cases.

4. Ms.Patnaik urged that the workload assessed by the concerned authorities is wrong and therefore, the applicants

are entitled to the maximum allowance. The Court has no role to play in the matter of assessment of workload of a particular employee of the Government. This ~~is~~ completely lies within the province of the higher authority of the concerned employee and the Court can lay its hands for interference only when it is shown that there are some wrong calculations as per the norms laid down by the Government in compliance with the recommendations made by the Baboor Commission. Nothing could be pointed out in this regard by Ms. Patnaik and therefore, I find no merit in both the applications which stand dismissed leaving the parties to bear their own costs.



Central Administrative Tribunal,
Cuttack Bench, Cuttack.
May 29, 1992/Sarangi.

by order
29.5.92
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VICE-CHAIRMAN