

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

O.A. No.138/2011

Jodhpur this the 7th January, 2013

CORAM

**Hon'ble Mr. Justice Kailash Chandra Joshi, Member (J) and
Hon'ble Mr. B.K. Sinha, Member (A)**

Narayan Ram Tholiya S/o Shri Purana Ram Tholiya
R/o Village and Post – Chhoti Khatu
District- Nagaur (341302)

.....Applicant

(Through Adv. Mr.J.K. Mishra)

Versus

1. Union of India through Secretary to the Govt. of India
Ministry of Communication & Info Tech.,
Deptt. of Posts, Dak Bhawan
Sansad Marg, New Delhi
2. Superintendent of Post Offices
Nagaur Division, Nagaur
3. Sub Divisional Inspection (Post),
Degama - 341503

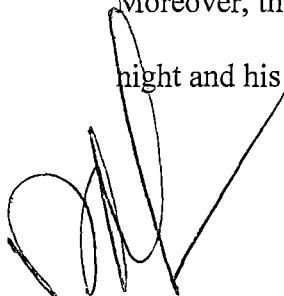
.....Respondents

(Through Adv. Mr.Vinit Mathur, ASGI)

ORDER
(Oral)

Per: B.K.Sinha, Administrative Member

1. Heard the learned counsel for the parties. The basic argument of the learned counsel for the applicant in the instant case is that the applicant is holding the substantive post of GDS Messenger and he has been assigned the duties of GDS Delivery Agent. He is required to collect and deliver mail involving 42 kms of travel. Moreover, the applicant has been given a split duty involving one hour of work in the night and his grievance is that this keeps him engaged far beyond the duty hours.



2. The learned counsel for the respondents has admitted that applicant is a GDS Messenger who has been assigned duties of Mail carrier and Mail Delivery Agent. However, he strongly submitted that his total involvement in this work is less than of five hours and no extra remuneration is required to be paid for this.

3. Considering the fact that the applicant has been assigned duties beyond the requirement of post hold by him in substantive capacity a cogent case is being made out for either relaxation of the duties assigned to him. The applicant is admittedly a Mail Carrier while again acknowledgedly he has been assigned job of Mail Delivery Agent. This alone is sufficient to justify the contention that he is being engaged for much longer beyond his duty hours. In addition he has been admittedly doing another shift on split duty assignment. This Tribunal is, however, not equipped to ascertain the involvement of his working hours as well as traveling time. The applicant will, therefore, file a representation listing his grievances and the facts of the case to the respondent no. 2 who is directed to consider the same and pass orders whereby applicant should be paid commensurate to the quantum of work being performed by within a period of three months of such representation being filed.

With this the OA is disposed off.


(B K SINHA)
ADMINISTRATIVE MEMBER


(JUSTICE K.C. JOSHI)
JUDICIAL MEMBER