

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.356/99

Friday, this the 28th day of May, 1999.

CORAM:

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

1. N.K.Mohammed,
Bearer,
Naval Armament Depot,
Aluva, Ernakulam.
2. N.P.Shaji,
Bearer,
Naval Armament Depot,
Aluva, Ernakulam.
3. P.R.Sivasankaran Nair,
Bearer,
Naval Armament Depot,
Aluva, Ernakulam.
4. A.K.Sreekumar,
Bearer,
Naval Armament Depot,
Aluva, Ernakulam.
5. C.John Das,
Bearer,
Naval Armament Depot,
Aluva, Ernakulam.
6. M.G.Raman Nair,
Bearer,
Naval Armament Depot,
Aluva, Ernakulam.
7. G.Sudheer,
Cook,
Naval Armament Depot,
Aluva, Ernakulam.
8. P.K.Narayanan Nair,
Cook,
Naval Armament Depot,
Aluva, Ernakulam.
9. K.S.Jayaprakash,
Dobhi,
Naval Armament Depot,
Aluva, Ernakulam.
10. V.V.Thankappan,
Mali,
Naval Armament Depot,
Aluva, Ernakulam.

- Applicants

11. K.Babu Nair,
Barber,
Naval Armament Depot,
Aluva, Ernakulam.
12. A.L.Urmese,
Supervisor(Gr.III),
Naval Armament Depot,
Aluva, Ernakulam.
13. K.Thilothama,
Women Searcher,
Naval Armament Depot,
Aluva, Ernakulam.

- Applicants

By Advocate Mr M.Rajagopalan

VS

1. Union of India represented by the
Secretary,
Ministry of Defence,
New Delhi.
2. The Chief of Naval Staff,
Naval Headquarters,
New Delhi.
3. The Flag Officer Commanding-in-Chief,
Southern Nava Command,
Naval Base, Cochin-4.

- Respondents

By Advocate Mr Govindh K Bharathan, SCGSC

The application having been heard on 28.5.99, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

The applicants are non-industrial workers, working in the industrial establishment. Their grievance is that they are not being paid overtime allowance for duties performed beyond 40 hours in a week. They have been making representations in this regard for a long time. The first applicant made a representation on 24.2.97. It is stated in the application that further reminders have also been sent. Seeing that the respondents are not responding to their repeated requests, the applicants have filed this application for a direction to the respondents to pay the

overtime allowance to them when they are made to work beyond 40 hours a week and declaring that the applicants who are non-industrial personnel are entitled to get overtime allowance when made to work beyond 40 hours a week.

2. When the application came up for hearing, learned counsel for the applicants stated that identical issue was considered by the Tribunal in a batch of cases, viz, O.A.1028/97, O.A.1066/97, O.A.1089/97, O.A.1135/97, O.A.1221/97 and O.A.1333/97 titled N.Narayana Pillai and others Vs Union of India and others, in which the identical claim of the applicants therein have been upheld by the Tribunal and that this application may also be disposed of with a direction to the third respondent to consider and dispose of the claim of the applicants made in A-1 and similar representations, in the light of the judgements in the aforesaid cases.

3. Learned counsel appearing for the respondents have no objection to the application being disposed of with such a direction.

4. In the light of the submission made by the learned counsel on either side, the application is disposed of directing the third respondent to consider the claim made by the applicants for overtime allowance when they are made to work for more than 40 hours a week as put forth in this application as also in the representations made by them, keeping in view the decision of the Tribunal in O.A.1028/97, O.A.1066/97, O.A.1089/97, O.A.1135/97, O.A.1221/97 and O.A.1333/97 and to give the applicants a speaking order within a period of three months from

the date of receipt of a copy of this order. No costs.

Dated, the 28th of May, 1999.



(A.V.HARIDASAN)
VICE CHAIRMAN

trs/1699

List of Annexures referred to in the Order:

A-1: True copy of the representation dated 24.2.97 submitted by the first applicant to the third respondent.