

50/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 100/2005

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SECTION OFFICER (Judl.)

FORM NO. 4
(SEE RULE 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Original Application No. 100/2005

Misc. Petition No. _____

Contempt petition No. _____

Review Application No. _____

Applicants. M. H. Ali

Respondents. M. U. Ahmed

Advocates for the Applicant. M. Adil Ahmed

Advocates of the Respondents. CGSC

Notes of the Registry	Dated	Order of the Tribunal
Mr. application is in form is filed C.F. for Rs. 10/- deposited vade P.C/BD No. 20.G.16.05.32 Dated 3.5.05	6.5.2005	<p>Heard Mr. A. Ahmed, learned counsel for the applicant. Mr. M. U. Ahmed, learned Addl. C.G.S.C. was present on behalf of the respondents.</p> <p>Issue notice to the respondents to show cause as to why this application shall not be admitted, returnable within four weeks.</p> <p>List on 3.6.2005 for admission.</p> <p><i>K. D. Seal</i></p> <p>Member</p> <p>bb</p>

Notice & order
sent to D/Section
for issuing to
resp. Nos. 1 to 4
by regd. A/D post.

cc
9/5/05.
D/ No. 697 to
700.

Dt. 10/5/05.
Notice duly served
on resp. No. 3.

03.06.2005 Present : Hon'ble Mr. K.V. Pahlada
Administrative Member.

This application has been filed by the applicant praying for Overtime Allowance from November 1996 to October 1999 at the rates approved by the 5th Pay Commission. It is stated in the application that during the tenure of posting under the Respondent No. 4 the applicant was not paid the arrear amount of Overtime Allowance from the month of November 1996 to November 1999.

The applicant is directed to file a representation listing out all the grievances within a period of two weeks from the date of receipt of copy of this order alongwith other representations dated 15.7.02 and 20.08.2003, to the Directors of General Works, New Delhi. The Respondent is also directed to dispose of the representations with a reasoned order within two months thereafter.

The O.A. is disposed of. No order as to costs.

K.V. Pahlada
Member (A)

mb

O.A. 100/2005

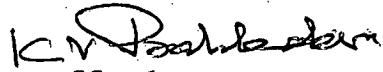
03.06.2005 Present : Hon'ble Sri K.V. Prahladan,
Administrative Member.

This application has been filed by the applicant praying for Overtime Allowance from November 1996 to October 1999 at the rates approved by the 5th Pay Commission.

The applicant is directed to file a representation listing out all the grievances within a period of two weeks from the date of receipt of copy of this order alongwith other representations dated 15.7.2002 and 20.08.2003 to the Director General Works, New Delhi who will dispose off the representations with a reasoned order within two months thereafter.

7.6.05
Copy of the order handed over to the Advocates for the party,
H.S.

The O.A. is disposed of. No order as to costs.


K.V. Prahladan
Member

/mb/

→ 5 MAY 2005

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

गुवाहाटी न्यायालय
Guwahati Bench

GUWAHATI BENCH, GUWAHATI.

(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO.

OF 2005

BETWEEN

Md. Hanif Ali

...Applicant

-Versus-

The Union of India & Others

...Respondents

LIST OF DATES AND SYNOPSIS

Annexure-A is the photocopy of Office Memorandum
No.23/5/98-EC.X Dated 15-12-1998.

Annexure-B is the photocopy of the representation dated 15-07-
2002 filed by the Applicant before the Respondent No.4.

Annexure-C is the photocopy of the representation dated 20-08-
2003 filed by the Applicant before the Respondent No.4.

Annexure-D is the photocopy of letter No.9(2)/GCD/2003/2068
Dated 4/09/2003.

Annexure-E is the photocopy of reminder dated 23-02-2005 filed
by the Applicant before the Respondent No:3

This application is made against non-payment of Overtime
Allowance (O.T.) to the Applicant by the Respondents particularly the
Respondent No.4 and also with a prayer before this Hon'ble Tribunal to
direct the Respondent No.4 to make immediate payment of Overtime

Md. Hanif Ali.

Allowance(O.T.) to the Applicant with 18% interest on Accumulate Balance amount

RELIEF SOUGHT FOR:

A direction to the Respondents to pay the Over time Allowance of the Applicant from November 1996 to October 1999 as per Representation at Annexure-C of the instant application.

To pay the cost of the case to the applicant.

Any other relief or reliefs that may be entitled to the applicant

INTERIM ORDER PRAYED FOR:

At this stage no interim order is prayed for if the Hon'ble Tribunal deem fit and proper may pass any order or orders.

Md. Hanif Ali.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

(AN APPLICATION UNDER SECTION 19 OF THE CENTRAL
ADMINISTRATIVE TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO. 100 OF 2005.

BETWEEN

Md. Hanif Ali

Son of Sarifullah Seikh

Chowkidar, Office of the Assistant
Engineer, Guwahati Central Sub-Division-
III, Central Public Works Department,
Guwahati-21.

... Applicant

-VERSUS-

1. The Union of India represented by the
Secretary to the Government of India,
Ministry of Urban Affairs,
Nirman Bhawan, New Delhi-110011.
2. The Director General Works,
Central Public Works Department,
118-A, Nirman Bhawan,
New Delhi- 110011.
3. The Superintending Engineer,
Assam Central Circle-I.
Central Public Works Department,
Guwahati-21.
4. The Executive Engineer,
Meghalaya Central Division,
Central Public Works Department,

X
Filed by
Md. Hanif Ali Applicant
through
Advocate
CABIC AHMED

Md. Hanif Ali,

Cleve's Colony, Dhankheti,
Shillong-793003.

... Respondents

1) DETAILS OF THE APPLICATION PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE:

This application is made against non-payment of Overtime Allowance (O.T.) to the Applicant by the Respondents particularly the Respondent No.4 and also with a prayer before this Hon'ble Tribunal to direct the Respondent No.4 to make immediate payment of Overtime Allowance(O.T.) to the Applicant with 18% interest on Accumulate Balance amount.

2) JURISDICTION OF THE TRIBUNAL:

The Applicant declares that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.

3) LIMITATION:

The Applicant further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1) That your humble Applicant is a citizen of India and as such, he is entitled to all rights and privileges guaranteed under the Constitution of India. The Applicant is working as Chowkidar under the Office of the Assistant Engineer, Guwahati Central Sub-Division-III, Guwahati-21.

4.2) That your Applicant begs to state that the Respondent No.2 issued an Office Memorandum No.23/5/98-EC.X Dated 15-12-1998 regarding payment of Overtime Wages to the Central Public Works Department workers covered under the Minimum Wages Act.1948.

Md. Hanif Ali.

Annexure-A is the photocopy of Office Memorandum No.23/5/98-EC.X Dated 15-12-1998.

4.3) That your Applicant begs to state that he was transferred from the Office of the Respondent No.4 i.e. Meghalaya Central Public Works Department, Shillong in the month of February 2001 and posted to Guwahati Central Division, Central Public Works Department, Guwahati-21. During the tenure of his posting under the Respondent No.4 i.e. the Office of the Executive Engineer, Central Division, CPWD, Shillong-3 he was not paid the Arrear amount of Overtime Allowance from the month of November 1996 to October 1999 as per increase in his pay scale arising out of Fifth Pay Commission. He filed many representations before the Respondent No.4 through proper channel for early payment of his Arrear Overtime Allowance. The Executive Engineer, Guwahati Central Division, Central Public Works Department, Guwahati-21 has also forwarded one of such representation of the Applicant vide letter No.9(2)/GCD/2003/2068 Dated 4/09/2003 requesting the Respondent No.4 to settle the matter. Lastly the Applicant has also filed a reminder on 23-02-2005 before the Respondent No.3 i.e. the Superintending Engineer, Assam Central Circle-I, Central Public Works Department, Guwahati-21 through proper channel requesting him to regularize the Arrear payment of Overtime Allowance from November 1996 to October 1999. But till now the Respondents have not taken any steps in this matter. As such finding no other alternative your Applicant is compelled to approach this Hon'ble Tribunal for seeking justice in this Matter.

Annexure-B is the photocopy of the representation dated 15-07-2002 filed by the Applicant before the Respondent No.4.

Annexure-C is the photocopy of the representation dated 20-08-2003 filed by the Applicant before the Respondent No.4.

Annexure-D is the photocopy of letter No.9(2)/GCD/2003/2068 Dated 4/09/2003.

Annexure-E is the photocopy of reminder dated 23-02-2005 filed by the Applicant before the Respondent No.3

Md. Hanif Ali.

4.4) That your Applicant begs to state that in spite of various representations and recommendations submitted by the Applicant and other Officials, the Respondent No.4 deliberately and arbitrarily has not released the said Overtime Allowance to the Applicant.

4.5) That your Applicant begs to state that the said benefit claimed in this application are already given to similarly situated employees. But the Respondents particularly the Respondent No.4 have not agreed to give the said benefit to the Applicant the reason best known to him. The Respondents are depriving the instant applicant from the said benefit of Over time Allowance in arbitrary and illegal manner.

4.6) That your Applicant begs to state that the Respondents particularly Respondent No.4 by using his colorable exercise of power only to deprive your Applicant from his legitimate claim.

4.7) That your Applicant begs to state that the action of the Respondents particularly the Respondent No.4 is not maintainable before the eye of law.

4.8) That your Applicant submit that the Respondents have discriminated the instant applicant by not extending the similar benefit to him.

4.9) That your Applicant submit that the action of the Respondents are highly illegal, improper, whimsical and also against the policy adopted by the Government of India.

4.10) That in view of the facts and circumstances it is fit case for interference by this Hon'ble Tribunal to protect interest of the instant applicants.

4.11) That the application is filed bona fide and for the ends of justice.

Md. Hanif Ali,

5) GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1) For that, due to the above reason narrated in details the action of the Respondents are *prima-facie*, illegal, *mala fide*, arbitrary and without jurisdiction.

5.2) For that, the Applicant is legally entitled to get this benefit of overtime allowance as per Office Memorandum issued by the Office of the Respondent No.2.

5.3) For that, the similarly situated persons have already got the said benefit. Hence the Respondents cannot deny the said benefit to the Applicant without any cause or causes.

5.4) For that, being a model employer of Central Government, the Respondents ought to give the similar benefit to the similarly situated person without approaching the court of law.

5.5) For that, there is no justification in denying the said benefit of Over time Allowance which has been granted to the Applicant by the Respondents itself and denial has resulted the violation of Articles 14, 16 & 21 of the Constitution of India.

5.6) For that it is settled proposition of law that when the same principle is laid down it should be applicable to all other similarly situated persons and should grant the same benefit without any delay or interference.

5.7) For that, the Applicant has been denied the said benefit without any principle of being heard. There is total violation of principal of natural justice.

5.8) For that, the action of the Respondents are arbitrary, *mala fide* and not sustainable in law. For that, the action of the respondents is arbitrary, *mala-fide* and discriminatory with an ill motive.

5.9) For that, in any view of the matter the action of the Respondents are not sustainable in the eye of law.

The Applicant craves leave of this Hon'ble Tribunal to advance further grounds at the time of hearing of this instant application.

6) DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious and remedy available to the applicant except the invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

7) MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

That the applicant further declares that they have not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, Writ Petition or suit is pending before any of them.

8) RELIEF SOUGHT FOR:

Under the facts and circumstances stated above the applicant most respectfully prayed that Your Lordship may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relieves sought by the applicant may not be granted and after hearing the parties may be pleased to direct the Respondents to give the following reliefs.

- 8.1) a direction to the Respondents to pay the Over time Allowance of the Applicant from November 1996 to October 1999 as per Representation at Annexure-C of the instant application.
- 8.2) to pay the cost of the case to the applicant.
- 8.3) Any other relief or reliefs that may be entitled to the applicant.

Md. Hanif Ali.

9) **INTERIM ORDER PRAYED FOR:**

At this stage no interim order is prayed for if the Hon'ble Tribunal deem fit and proper may pass any order or orders.

10) Application is filed through Advocate.

11) **Particulars of I.P.O.:**

I.P.O. No. : 206160532

Date of Issue : 3.5.2005

Issued from : Guwahati G.P.O.,

Payable at : Guwahati

12) **LIST OF ENCLOSURES:**

As stated above.

Verification . . .

Md. Hanif Ali,

-VERIFICATION-

I, Md. Hanif Ali, Son of Sarifullah Sheikh, Chowkidar, Office of the Assistant Engineer, Guwahati Central Sub-Division-III, Central Public Works Department, Guwahati-21 do hereby solemnly verify that the statements made in paragraph nos. 4.1, 4.4, 4.5, 4.6, 4.7 —

are true to my knowledge, those made in paragraph nos. 4.2, 4.3, _____ are being matters of records are true to my information derived there from which I believe to be true and those made in paragraph 5 are true to my legal advice and rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 5th day of May 2005 at
Guwahati.

Prof. Hanif Ali.

7/1
20/1/98
Superintending Engineer (EW-2)
Ganguly Central Engg. Office
Guwahati, Assam
G. P. W. D.
Circular General-21.

GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF WORKS
CPWD, NEW DELHI, INDIA

Guwahati, S.S. Date 12/1/98
Circular No. 21, P.W.D.

No. 23/5/98-EC.X

New Delhi, dated 15.12.98

MEMORANDUM

Sub: Payment of overtime wages to the CPWD Workers covered under the Minimum Wages Act, 1948.

1. The question of applicability of OM No.21017/3/97-Estt. (Allowances) dated 21.11.97 issued by the Ministry of Personnel, Public Grievances and Pension (Department of Personnel & Training) authorising payment of overtime allowances to the Central Govt. Employees on the basis of national pay admissible to the concerned Government Employees in the pre-revised scales of pay/pay slabs as laid down in the existing orders, to the CPWD workers covered under the Minimum Wages Act, 1948 was under consideration for some time past.

2. It has now been decided in consultation with the Government that the CPWD workers who are covered by the provisions of Minimum Wages Act, 1948 will be paid overtime wages at double the ordinary rates based on their revised wages w.e.f. 1.1.1996. Payment of overtime wages to such workers on this basis may be made for the overtime work performed after 10th Nov. 1998. As regards arrears w.e.f. 1.1.1996, the quantum may be compiled at the level of Zone/Chief Engineers and intimated to this Directorate. Orders regarding the manner and mode of payment of arrears will be issued separately.

3. This issues with the concurrence of AS(F) Dy. No. 1808-F dated 2.12.98.

(H.B. SINGH)

Dy. SECRETARY

Ref. 16 (6) 199/6/CPD/ N.P. - 1-77
Copy forwarded by for record to all B.T.G. and in G.O.Ms.
and forwarded to all B.T.G. and in G.O.Ms.

All the ADGs/C.Es/B.Es/Engg. Officers
DOH/ADOH/DDOH
Sr. Labour Officers/Labour Officers

Copy to :-

G.O.Ms/ B.T.G.

Executive Engineer (Eloc.) P & A
Guwahati Central Engg. Office
G. P. W. D. Guwahati-781081

M/o U.A&E (EW-2), w.r.t. their L.D. Dy. No. 3079/98-EW-2 dated 8.12.98
Finance Division, M/o U.A&E
PPS to DG(W)/PS to ADG(SER)/ADG(TD)/PA 16 DA/DS
Hindi Sankha for Hindi version
All the recognised Unions
Gated File/Stock File/Circular File
All dealing hands in the Section/SO-EC.V

Attn: Mr. J. C. Ghosh
(Meetuli Ghosh)
Section Officer(EC.X)

Attn: Mr. J. C. Ghosh
(Meetuli Ghosh)

12

ANNEXURE-B

To
The Executive Engineer,
Shillong Central Division,
C.P.W.D., Shillong-3.

(Through proper channel)

Subject:- 1) Payment of OTA
and

2) Arrear of OTA from 1996 to 1999

Transfer of OTA payment in respect of
Shri Hanif Ali, Chowkidar, now posted under
Guwahati Central Divn., CPWD, Guwahati-21.

Sir,

I beg to state that I was transferred from Meghalaya
Central Division, CPWD, Shillong in the month of February/2001 and
posted under Guwahati Central Division, CPWD, Guwahati-21.

But, it is regretted to say that the following payments
are left unpaid during my stay under Meghalaya Central Divn., CPWD,
Shillong-3.

1) Monthly payment of OTA

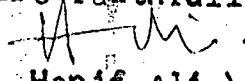
2) Arrear OTA from 1996 to 1999 due to increased
in pay arising out of Fifth Pay Commission.

It is requested that whatever payments are due in favour
of me, may please be transferred to my present place of posting i.e.
Office of the Executive Engineer, Guwahati Central Division, C.P.W.D.,
Guwahati-21 and thus oblige.

Dated, Guwahati

15th July, 2002.

Yours faithfully,


(Md. Hanif Ali)
Chowkidar, GCD/CPWD
Guwahati-21.

Attest
J. S. Sarker

To
The Executive Engineer
Guwahati Central Division
CPWD, Guwahati-21

13

ANNEXURE-C

(THROUGH PROPER CHANNEL)

Subject:- Regularization of arrear O.T. payment from November/1996 to October/1999
Regarding.

Sir,

With reference to above subject it is to inform that I have performed Over Time Duty from November/1996 to October/1999 in the O/o Asstt. Executive Engineer, Shillong Central Sill-Division III, CPWD, Shillong-3 under the administrative control of EE/MgCD/Shillong. (O.T. Statement enclosed). As per Dy. Secretary, O/o Directorate General of Works, CPWD, N.Delhi's No23/9/98-EC X dated: 30th October/1998 & No.23/5/98-EC.X dt.15/12/98 I am entitle to get Overtime wages at double the ordinary rates based on my revised wages from November/1996 to October/1998 without any restriction on ceiling limit on the total number of hours on which O.T.A. is admissible and from November/1998 to October/1999 I am entitle to get Overtime wages at double the ordinary rates based on my revised wages with ceiling limit on Over Time of 30 hours for Chowkidar. Accordingly, my O.T. A. claim for the periods is worked out below:

Pay = Rs.2900/-
DA = Rs.1421/-
HRA = Rs.415/-

Rs.4756/-

Month	Rate of O.T.A	O.T.Hours	Ceiling of Hours	O.T.A entitle
Nov/96	4756 X 2 = 45.30/hr 30 X 7	160 hrs	No Ceiling	160 hrs X 45.30/hr = 7248.00
Dec/96	4756 X 2 = 43.83/hr 31 X 7	156 hrs	No Ceiling	156 hrs X 43.83/hr = 6837.00
Jan/97	4756 X 2 = 43.83/hr 31 X 7	208 hrs	No Ceiling	208 hrs X 43.83/hr = 9117.00
Feb/97	4756 X 2 = 48.53/hr 28 X 7	136 hrs	No Ceiling	136 hrs X 48.53/hr = 6600.00
Mar/97	4756 X 2 = 43.83/hr 31 X 7	172 hrs	No Ceiling	172 hrs X 43.83/hr = 7539.00
Apr/97	4756 X 2 = 45.30/hr 30 X 7	180 hrs	No Ceiling	180 hrs X 45.30/hr = 8154.00
May/97	4756 X 2 = 43.83/hr 31 X 7	172 hrs	No Ceiling	172 hrs X 43.83/hr = 7539.00
June/97	4756 X 2 = 45.30/hr 30 X 7	152 hrs	No Ceiling	152 hrs X 45.30/hr = 6886.00
July/97	4756 X 2 = 43.83/hr 31 X 7	172 hrs	No Ceiling	172 hrs X 43.83/hr = 7539.00
Aug/97	4756 X 2 = 43.83/hr 31 X 7	164 hrs	No Ceiling	164 hrs X 43.83/hr = 7188.00
Sept/97	4756 X 2 = 45.30/hr 30 X 7	152 hrs	No Ceiling	152 hrs X 45.30/hr = 6886.00
Oct/97	4756 X 2 = 43.83/hr 31 X 7	196 hrs	No Ceiling	196 hrs X 43.83/hr = 8591.00
Nov/97	4756 X 2 = 45.30/hr 30 X 7	160 hrs	No Ceiling	160 hrs X 45.30/hr = 7248.00
Dec/97	4756 X 2 = 43.83/hr 31 X 7	172 hrs	No Ceiling	172 hrs X 43.83/hr = 7539.00
Jan/98	4756 X 2 = 43.83/hr 31 X 7	180 hrs	No Ceiling	180 hrs X 43.83/hr = 7889.00
Feb/98	4756 X 2 = 48.53/hr 28 X 7	144 hrs	No Ceiling	144 hrs X 48.53/hr = 6988.00
Mar/98	4756 X 2 = 43.83/hr 31 X 7	172 hrs	No Ceiling	172 hrs X 43.83/hr = 7539.00
Apr/98	4756 X 2 = 45.30/hr 30 X 7	184 hrs	No Ceiling	184 hrs X 45.30/hr = 8335.00
May/98	4756 X 2 = 43.83/hr 31 X 7	172 hrs	No Ceiling	172 hrs X 43.83/hr = 7539.00
June/98	4756 X 2 = 45.30/hr 30 X 7	160 hrs	No Ceiling	160 hrs X 45.30/hr = 7248.00
July/98	4756 X 2 = 43.83/hr 31 X 7	156 hrs	No Ceiling	156 hrs X 43.83/hr = 6837.00

P.T.O

Attest
El. Service

-14-

Aug/98	<u>4756 X 2 = 43.83/hr</u> 31 X 7	164 hrs	No Ceiling	164 hrs X 43.83/hr = 7188.00
Sept/98	<u>4756 X 2 = 45.30/hr</u> 30 X 7	156 hrs	No Ceiling	156 hrs X 45.30/hr = 7067.00
Oct/98	<u>4756 X 2 = 43.83/hr</u> 31 X 7	180 hrs	No Ceiling	180 hrs X 43.83/hr = 7889.00
Nov/98	<u>4756 X 2 = 45.30/hr</u> 30 X 7	160 hrs	30 hrs	30 hrs X 45.30/hr = 1359.00
Dec/98	<u>4756 X 2 = 43.83/hr</u> 31 X 7	80 hrs	30 hrs	30 hrs X 43.83/hr = 1315.00
Jan/99	<u>4756 X 2 = 43.83/hr</u> 31 X 7	76 hrs	30 hrs	30 hrs X 43.83/hr = 1315.00
Feb/99	<u>4756 X 2 = 48.53/hr</u> 28 X 7	68 hrs	30 hrs	30 hrs X 48.53/hr = 1456.00
Mar/99	<u>4756 X 2 = 43.83/hr</u> 31 X 7	72 hrs	30 hrs	30 hrs X 43.83/hr = 1315.00
April/99	<u>4756 X 2 = 45.30/hr</u> 30 X 7	108 hrs	30 hrs	30 hrs X 45.30/hr = 1359.00
May/99	<u>4756 X 2 = 43.83/hr</u> 31 X 7	72 hrs	30 hrs	30 hrs X 43.83/hr = 1315.00
June/99	<u>4756 X 2 = 45.30/hr</u> 30 X 7	76 hrs	30 hrs	30 hrs X 45.30/hr = 1359.00
July/99	<u>4756 X 2 = 43.83/hr</u> 31 X 7	80 hrs	30 hrs	30 hrs X 43.83/hr = 1315.00
Aug/99	<u>4756 X 2 = 43.83/hr</u> 31 X 7	80 hrs	30 hrs	30 hrs X 43.83/hr = 1315.00
Sept/99	<u>4756 X 2 = 45.30/hr</u> 30 X 7	72 hrs	30 hrs	30 hrs X 45.30/hr = 1359.00
Oct/99	<u>4756 X 2 = 43.83/hr</u> 31 X 7	116 hrs	30 hrs	30 hrs X 43.83/hr = 1315.00
Total:				195527.00

But I have received Rs.14,879/- as arrear O.T.A. for 4/97 to 10/99. As such the balance arrear O.T.A. amount (Rs.195527/- - Rs.14,879/-) = Rs.180648/- may please be reimburse to regularize my OT arrear claim.

Encl: As stated above.

Yours faithfully,

(Janif Ali)
Chowkider
GCSD-III/CPWD
Guwahati-21

P/c

96.20/8/03

Forwarded for record
Date 25.09.03
No. 511/Expt/1/NE/GCSD/III/03

Forwarded

Attached
JAI
Below it

15

Government of India
Central Public Works Department

9
ANNEXURE - D

No. 96/GCD/2003/2068

Date: 4/09/2003

To

The Executive Engineer
Meghalaya central Division
CPWD, Shillong

Sub: Regularisation arrears O. T. payment from 11/96 to 10/99 – Regarding.

A self explanatory representation dated Nil addressed to this office claiming difference of O.T.A. payment received from Sri Hanif Ali, Chowkidar presently attached to this division is forwarded herewith for taking necessary action at your end please.

The O.T.A claim submitted by the official concerned for the period pertains to your Division i.e. 11/96 to 10/99, and required to be settled from your end please.

Encl:

- (1) Representation dated Nil- in Original
- (2) Photo copy O.M. dated 15/12/98 and 30/10/98 – 2 nos.
- (3) Photo copies of O.T. statement from 11/96 to 10/99 – 36 nos.

Executive Engineer
Guwahati-Central Division
CPWD, Guwahati -21

Copy to:

(1) Sri Hanif Ali, Chowkidar, through the Assistant Engineer, Guwahati Central Sub Division-III, CPWD, Guwahati -21 for information.

Chun
Executive Engineer

Affidavit
J. Hanif Ali

ANNEXURE E

1Ind REMINDER

Dt. 23/02/2005

To
 The Superintending Engineer
 Assam Central Circle-1
 CPWD, Guwahati-21

(Through Proper Channel.)

Subject:- Regularization of arrear O.T.A. from Nov/1996 to October/1999 -- Regarding.

Reference:- 1) My representation dtd.23/12/03
 2) My representation dtd.24/06/2004

Sir,

In continuation of my above referred representations I once again reiterated that my arrear O.T. claim for the period from Nov/1996 to October/1999 has not been settled in terms with O.T. rules issued from time to time by EE/Mgcd. As such it is requested to initiate necessary steps from your end to settle the matter in terms with O.T. rules.

Please note that, if my O.T. claim for the above period is not settled within 15(fifteen) days time, I will be constrained to move court of law for final settlement charging 18% interest on accumulate balance.

With due regards,

Yours faithfully,

No. 097/Gen/04-05/00.....01.02.05
 For my succ to EE. GCD.
 For Further N/A Please

A.E.-III

HANIF ALI
 (HANIF ALI)
 Chowkidar/GCSD-III
 CPWD/Guwahati-21

Attn: Gd
 Sub: G