

50/100
2
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 151/20⁵
R.A/C.P No.....
E.P/M.A No.....

1. Orders Sheet..... O.A..... Pg..... 1..... to..... X.....
2. Judgment/Order dtd 21/06/2005..... Pg..... 1..... to..... 2..... 21/05.....
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A..... 151/2005..... Pg..... 1..... to..... 5.....
5. E.P/M.P..... Pg..... to.....
6. R.A/C.P..... Pg..... to.....
7. W.S..... Pg..... to.....
8. Rejoinder..... Pg..... to.....
9. Reply..... Pg..... to.....
10. Any other Papers..... Pg..... to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

Galiter
26/11/17

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O R D E R S H E E T

original Application No. 151/05

Misc. Petition No. _____

Contempt Petition No. _____

Review Application No. _____

Applicant(s) Md. N. Hussain

Respondents Geo 2018

Advocate(s) for the Applicant(s) Mr. Adil Ahmed

Advocate(s) for the Respondents Cosec.

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form is filed/C. F. for Rs. 50/- deposited via IFC/BD No. <u>209/133357</u></p> <p>Dated.....<u>10/6/05</u>.....</p> <p><i>Abu</i> Dy. Registrar <i>WT 20.6.05</i></p> <p><i>steps taken</i></p> <p><i>Mr. N. Hussain</i> <i>20/6/05</i> <i>Adil Ahmed</i></p>	<u>21.6.2005</u>	<p>Heard learned counsel for the parties. The application is disposed of in terms of the order passed in separate sheets at the admission stage.</p> <p><i>K. P. Dabral</i> Member</p>
	<u>mb</u>	<i>Q. J. Kapoor</i> Vice-Chairman
<p><u>22.7.05</u></p> <p>Copy of the judgment has been sent to the Office for issuing the same to the applicant by post.</p> <p><i>Abu</i></p>		

CENTRAL ADMINISTRATIVE TRIBUNAL ::GUWAHATI BENCH.

O.A. No 151 of 2005.

DATE OF DECISION: 21.06.2005

Md. Nazir Hussain

APPLICANT(S)

Mr. Adil Ahmed

ADVOCATE FOR THE
APPLICANT(S)

- VERSUS -

U. O. I. & Ors.

RESPONDENT(S)

Mr. M.U. Ahmed, Addl.C.G.S.C

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

THE HON'BLE MR. K.V.PRAHLADAN, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether the judgment is to be circulated to the other Benches?

Judgment delivered by Hon'ble Vice-Chairman.

[Signature]

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 151/2005

Date of Order : This the 21st day of June, 2005.

The Hon'ble Sri Justice G. Sivarajan, Vice-Chairman.
The Hon'ble Sri K.V. Prahladan, Administrative Member.

Md. Nazir Hussain
Son of Md. Ali Hussain
R/C Chowkidar
Office of the Assistant Engineer, Guwahati
Central Su-Division-I, Central Public Works Department,
C.R.P.F. Group Centre, Khanapara, Guwahati - 23.

... Applicant

By Advocate Mr. Adil Ahmed.

- Versus -

1. The Union of India, represented by the Secretary to the Government of India, Ministry of Urban Affairs, Nirman Bhawan, New Delhi - 110 001.
2. The Director General Works, Central Public Works Department, 118-A, Nirman Bhawan, New Delhi - 110 011.
3. The Superintending Engineer, Assam Central Circle - I, Central Public Works Department, Guwahati - 21.
4. The Executive Engineer, Meghayala Central Division, Central Public Works Department, Cleve's Colony, Dhankheti, Shillong - 793 003.

... Respondents.

By Mr. M.U. Ahmed, Addl. C.G.S.C.

ORDER (ORAL)SIVARAJAN. I. (V.C.)

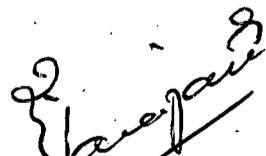
The applicant is Regular Classified Chowkidar working under the respondents. He has filed this application seeking for direction to the respondents to pay Overtime Allowances w.e.f. March 1997 to October, 1999 and arrear of Overtime Wages w.e.f. January 1996 to October 1999. The applicant had made representation in that behalf before the Chief Engineer, Central Public Works Department, who forwarded to the 4th Respondent for necessary action. It is the grievance of the applicant that inspite of the said direction and reminders (Annexures - C & D), the 4th Respondent has not yet communicated the decision taken as directed in Annexure - B.

2. We have heard Mr. Ahmed, learned counsel for the applicant and also Mr. M.U. Ahmed, learned Addl. C.G.S.C. for the respondents.

3. Since the applicant stated that no final decision has been taken in the matter by the 4th respondents inspite of specific direction issued in that regard, by the Chief Engineer vide annexure - B and inspite of reminders, there will be direction to the 4th respondent to take a decision in the matter as expeditiously as possible at any rate within a period of two months from the date of receipt of this order and communicate the same to the applicant without further delay.

The O.A is disposed of at the admission stage itself. The applicant will produce this order before the 4th respondent for compliance.


(K.V. PRAHLADAN)
ADMINISTRATIVE MEMBER


(G. SIVARAJAN)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

0 JUN2005

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

Guwahati Bench

ORIGINAL APPLICATION NO. 151 OF 2005

BETWEEN

Md. Nazir Hussain

... 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 letter No. 42/1/2002-Admn. Dated 1.4.2003

Annexures - C & D some of the representations submitted by the applicant for immediate release of this overtime allowance and overtime wages.

Annexure - E is the photocopy of the Order dated 03.06.2005 passed in O. A. No. 100/2005.

This application is made against non-payment of Overtime Allowance (O.T.) and arrears of Overtime Wages 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.) and arrears of Overtime Wages to the Applicant with 18% interest on Accumulate Balance amount

RELIEF SOUGHT FOR:

A direction to the Respondents to pay the Over time Allowance with effect from March 1997 to October 1999 and arrears of Overtime Wages with effect from January, 1996 to October 1999.

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.

8

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 151 /2005

Md. Nazir Hussain

... Applicant

- Versus -

The Union of India & Ors

... Respondents.

- I N D E X -

SL NO.	PARTICULARS	PAGE NO.
1	Original Application	1 to 9
2	Verification	10
3	Annexure-A	11
4	Annexure-B	12
5	Annexure-C	13
6	Annexure-D	14
7	Annexure-E	15

Filed By

(ADIL AHMED)
ADVOCATE

[Signature]

0 JUN 2005

গুৱাহাটী ব্যাবসীঁ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 151 OF 2005.

BETWEEN

Md. Nazir Hussain
Son of Md. Ali Hussain
R/C Chowkidar
Office of the Assistant Engineer, Guwahati
Central Sub-Division-I, Central Public
Works Department,
C.R.P.F. Group Centre, Khanapara,
Guwahati-23.

... 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,

Darvin

Filed by
Md. Nazir Hussain
Applicant
through
C.A. Md. Ali Hussain
Chowkidar
Guwahati

10

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.) and also payment of arrears of Overtime Wages 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.) and also payment of arrears of Overtime Wages 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 Regular Classified Chowkidar under the Office of the Assistant Engineer, Guwahati Central Sub-Division-I, Central Public Works Department, C.R.P.F. Group Centre, Guwahati - 23.

Anurin

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.

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 earlier he was posted under the Office of the Respondent No.4 i.e. Meghalaya Central Public Works Department, Shillong and after that he transferred to Guwahati Central Sub Division – I, Central Public Works Department, C.R.P.F. Group Centre, Guwahati – 23 in the year 2004. 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 with effect from March 1997 to October 1999 and also payment arrears of Overtime Wages with effect January, 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 and Overtime wages. The Chief Engineer, Central Public Works Department, NEZ vide his letter No. 42/1/2000-Admn. Dated 01.04.2003 forwarded the matter to the Respondent No. 4 to take and immediate necessary action in the matter but the respondents, particularly the respondent No. 4 have not taken any steps in the matter. The Respondents have paid only Rs. 17,618/- against his outstanding amount of Rs. 1,33,488/-. Due to non payment of his overtime allowance and arrears overtime wages he is facing acute financial hardship as he is the only earning member of his family and he has to look after his ailing parents including three unmarried sisters. As such, findings no other alternatives he is compelled to approached this Hon'ble Tribunal seeking in this matter.

Annexure-B is the photocopy of letter No. 42/1/2002-Admn.
Dated 1.4.2003

Armin

Annexures - C & D some of the representations submitted by the applicant for immediate release of this overtime allowance and overtime wages.

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 for the reason best known to him. The Respondents are depriving the instant applicant from the said benefit of Overtime Allowance in arbitrary and illegal manner.

4.6) That your applicant begs to state that one Sri Hafis Ali approached this Hon'ble Tribunal by filing an Original Application No. 100/2005 praying for early payment of Overtime Allowance which has not been paid by the same instant Respondent No. 4. The Hon'ble Tribunal vide its order dated 03.06.2005 directed the applicant to file a representation listing out all the grievances within a period to 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.

Annexure - E is the photocopy of the Order dated 03.06.2005 passed in O.A.No. 100/2005.

4.7) 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.

4.8) 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.

Amin

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

4.9) That your Applicant submits 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 applicant.

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

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, malafide, 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, malafide and not sustainable in law. For that, the action of the respondents is arbitrary, malafide 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:

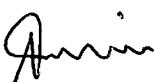
That there is no other alternative and efficacious and remedy available to the applicant except the invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

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) The Hon'ble Tribunal may be pleased to direct the Respondents to pay the Over time Allowance of the Applicant with effect from March 1997 to October 1999 and arrears payment of Overtime wages with effect from January, 1996 to October 1999.
- 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.

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. : 20 G 133357
 Date of Issue : 10.6.2005
 Issued from : Guwahati, G.P.O.
 Payable at : Guwahati.

12) LIST OF ENCLOSURES:

As stated above.

Verification . . .

Darino

-V E R I F I C A T I O N-

I, Md. Nazir Hussain, Son of Md. Ali Hussain, R/C Chowkidar, Office of the Assistant Engineer, Guwahati Central Sub-Division-I, Central Public Works Department, C.R.P.F. Group Centre, Khanapara, Guwahati-23 do hereby solemnly verify that the statements made in paragraph nos. 4.1, 4.4, 4.5, 4.7, 4.8 — are true to my knowledge, those made in paragraph nos. 4.2, 4.3, 4.6 — 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 20th day of June 2005 at Guwahati.

MD. NAZIR HUSSAIN

ANNEXURE - A

7/1
27/1/99
Mr. B. B. Singh
Superintendent Engineer (M&D)
Central Electrical Engineering Department
Guwahati Circle, P. W. D.
Guwahati-781021.

GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF WORKS
CPWD, NEEMAN BHAWAN

No. 23/3/98-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.

The question of applicability of OM No.21017/3/97-Estt. (Allowances) dated 22.11.97 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 notional 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 30th Nov. 1998. As regards arrears w.e.f. 1.1.1996, the quantum may be compiled at the level of Zonal 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.

(B. B. SINGH)

DY. SECRETARY

cc- 16 (b) 1991/6/EP/C/ NPO
C-ccpy for record for information and necessary
action to all EEs (G) and in GECs, OGDs

1. All the ADGs/C.EEs/G.EEs/6.EEs
2. DOH/ADOH/DDOH
3. Sr. Labour Officers/Labour Officers

Copy to :-

CCPT/II/SCD

Executive Engineer (Elect.) P & A
Guwahati Central Elect. Circle
C. P. W. D. Guwahati-781021

1. M/o U&E (EW-2), w.r.t. their L.D. Dy. No. 3079/98-EW-2 dated 8.12.98
2. Finance Division, M/o U&E
3. PPS to DG(W)/PS to ADG(S&P)/ADG(TD)/PA to DA/DS
4. Hindi Sakha for Hindi version
5. All the recognised Unions
6. Guard File/Stock File/Circular File
7. All dealing hands in the Section/SO-EC.V

Meetali Ghosh
(Meetali Ghosh)
Section Officer(EC.X)

After
JL
Date

42/1/2002-Admn.

भारत सरकार

मुख्य मंत्री नियर, उ.पू.क. १ का कार्यालय
केन्द्रीय लोक नियर्ण विभाग,

ग्राम. दिनांक 1.4.2003

मा.पा.म.

1. अधीक्षण इंजीनियर,
ग्राम केन्द्रीय परियोग्य-1,
केन्द्रीय लोक नियर्ण विभाग,
शासनी बैदान, गुवाहाटी-21
2. अधीक्षण इंजीनियर,
ग्राम केन्द्रीय परियोग्य-11,
केन्द्रीय लोक नियर्ण विभाग,
आ.जी. बस्ता रोड, गुवाहाटी-5
3. अधीक्षण इंजीनियर,
गुवाहाटी केन्द्रीय परियोग्य-1,
केन्द्रीय लोक नियर्ण विभाग,
गुवाहाटी-21
4. अधीक्षण इंजीनियर,
पिल्लर केन्द्रीय परियोग्य-1,
केन्द्रीय लोक नियर्ण विभाग,
पिल्लर-C2.
5. अधीक्षण इंजीनियर, १ श्रीजन-1
केन्द्रीय लोक नियर्ण विभाग,
सलीक कर्जोरो, प्रान्तेति, शिल्लंग-3
6. कर्पोरेशन लंडो नियर
MGC, CPWD,
Shillong-03.

Prayer for payment of C.T.A. Bills wef. 3/97 to 10/99 and
payment of arrears of O.T. Wages wef. 1/96 to 10/99.

रोटव,

I am directed to send herewith a copy of representation dated 26.7.02 with its enclosure received from Md. Nazir Hussain R.C. Chowkidar under SCSD-I, CPWD, Shillong on the above subject with a request to look into the matter and to do the needful immediately under intimation to this office.

Encl:- As above.

Yours faithfully,

DAO
1. It is noted
as already discussed
in the meeting.

5/

2-9-03

2. जेम्स ग्रान्ट लॉडनीर
उप-निदेशक १. प्रगति

उप-निदेशक १. प्रगति

अधीक्षण इंजीनियर/कर्पोरेशन इंजीनियर Md. Nassir Hussain, R.C. Chowkidar under SCSD-I CPWD Shillong wrt. his letter No. ११६ dtd. 26.7.02 for information.

Alfred
Lil
Lil

3. जेम्स ग्रान्ट लॉडनीर
उप-निदेशक १. प्रगति

To,

The Executive Engineer,
Meghalaya Central Division,
CPWD, Shillong.

(Through proper channel)

Sub:- (I) Payment of O.T.A. Bills w.e.f. 4/97 to 10/99
(II) Payments of Arrears of O.T wages w.e.f. 1/1/96 to 31/10/99

Ref. :- My Previous letter No.(I) Nil, Dated:26.7.2002

(II) Nil, Dated:16.7.2003
and (III) Nil, Dated:07.8.2003

Sir,

With reference to the above cited letters, I beg to state that have not yet been paid the remaining sum of O.T.A. bills for the above mentioned periods from your end. Only a sum of Rs.17,618.00 was paid to me against Rs.1,33,488.00 , due to which I am in a lot of economical problems as I am the only earning member of my family among my old ailing parents and three unmarried younger sisters. Therefore, I would like to request you to kindly pay me the remaining sum of sum of Rs.1,15,8

70.00 at the earliest or give me permission to go through the matter by the C.A.T., Guwahati. Thanking you.

Yours' faithfully



Dated : 18.11.2003

Station : Shillong

(Md. NAZIR HUSSAIN)

R/C Chowkidar
SCSD-I, MGCD,
CPWD, Shillong

Copy to:

1. The Assistant Engineer, S.C.S.D.-I, C.P.W.D., Shillong
2. The Assistant Engineer, S.C.S.D.-III, C.P.W.D., Shillong
3. The Branch Secretary, Shillong Branch, C.P.W.D. Mazdoor Union, Shillong.

Md. NAZIR HUSSAIN

*Attent
JL
Anita*

To,

The Executive Engineer,
Meghalaya Central Division,
C.P.W.D Shillong.

- 14 -

ANNEXURE-1

Through The Assistant Engineer:
S.C.S.D -I, Shillong.

Sub:- (i) Payment of O.T.A. Bills w.e.f. 3/97 to 10/99.
(ii) Payment of arrears of O.T. wages w.e.f. 1/1/96 to 31/10/99.

Sir,

With due respect it is to inform you that, 32 Nos. of O.T.A. Bills in favour of me have been lying unpaid in your office since long back. Despite of repeated reminders in this regard no action has been initiated for payment of the same till date.

The reference of the Sub-Division office forwardings in this regard are as follows.

- (i) No. 21(3)/SCSD III/G/97/240 Dated 1/7/97.
- (ii) No. 21(3)/SCSD III/G/97/Camp/Shillong/1/254 Dated 19/7/97.
- (iii) No. 21(3)/SCSD III/G/97/261 Dated 16/7/97.
- (iv) No. 21(3)/SCSD III/G/97/363 Dated 23/12/97.
- (v) No. 21(3)/SCSD III/G/98/102 Dated 11/6/98.
- (vi) No. 21(3)/SCSD III/G/98/206 Dated 15/10/98.
- (vii) No. 21(3)/SCSD III/G/98/278 Dated 5/1/99
- (viii) No. 21(3)/SCSD III/G/00/ 101 Dated 28/9/2000.

Therefore you are requested again to kindly be paid all the pending O.T.A bills as well as arrear for the above mentioned periods in applicable revised rate at earliest.

Thanking you.

Yours faithfully,

(Md. Nazir Husain)
R.C. Chowkidar.
Under SCSD-I
C.P.W.D. Shillong.

Copy to:

- (i) The Chief Engineer, (NEZ), CPWD Shillong for information please.
- (ii) The Suptdg. Engineer A.C.C. I C.P.W.D., Ghy -21 for information please.
- (iii) The Asstt. Engineer SCSD - III, CPWD, Shillong for information and necessary action please.
- (iv) The Zonal Secy., Eastern Zone, CPWD, Mazdur Union Kolkatta -20, for information and necessary action please.
- (v) The Branch Secy. Shillong Branch, CPWD, Mazdur Union, Shillong-3 for information and necessary action please.

SCSD-I

(I) D.N.O : 231 - 1-26-7-02

(Md. Nazir Husain)

(II)

(III) *26/7/2002*
S.P.D. Secy.

(IV) *26/7/2002*
M.S. Secy.

Attd
J.L
Ansari

ORDER SHEET

Original Application No. 100/2005

Misc. Petition No.

Contempt petition No.

Review Application No.

Applicants: Md. H. Ali

Respondents: No 1 & 2

Advocates for the Applicant: Md. Amin Ahmed

Advocates of the Respondents: CGSC

Notes of the Registry

Dated

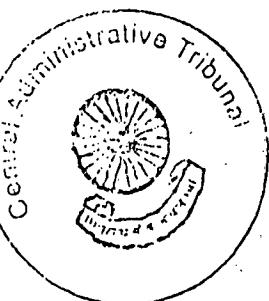
Order of the Tribunal

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.

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



enlisted for hearing on
existing matter

6.6.05
Section Officer (J)
C.A.T. - GUWAHATI BENCH
Guwahati - 781003

Sd/MEMBER (A)

Attent
file
Ans