

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

LIBRARY

No. OA 350/00588/2015

Date of order : 5.10.2016

Present: Hon'ble Justice Mr. Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

TARAK NATH PRAMANICK

VS

UNION OF INDIA & ORS. (E.RLY.)

For the applicants : Mr. R. Kali, counsel

For the respondents : Mr.B.L.Gangopadhyay, counsel

O R D E R (ORAL)Justice Mr.V.C.Gupta, J.M.

Heard Id. Counsel for the applicant and Id. Counsel for the respondents.

2. The sole question for consideration before this Tribunal is that whether the applicant who is working as Office Superintendent and is falling within the category of Ministerial Staff would be allowed to work 40 hours in a week or 48 hours in a week.

3. Id. Counsel for the applicant would submit that he being the Ministerial Staff could be taken work upto 40 hours in a week and not beyond that. He relied upon an order dated 29.9.10 issued by Sr. Divisional Personnel Officer, Eastern Railway, Sealdah which is extracted hereinbelow :

“As per extant rule, the Clerical Staff (including Store Issuer etc.) deployed in field offices are required to work six days/40 hours a week.

You are therefore requested to implement the above working hours of Ministerial Staff in your field Units.”

4. On the contrary Id. Counsel for the respondents plead that the applicant is falling within the Ministerial category is deemed to be a continuous staff of the Railways and he is supposed to work at least 48 hours in a week and that can be extended to 54 hours in a week.

5. The applicant has made a representation to the Railway Authorities as Annexure A/4 on 26.8.14 but his grievance has not yet been redressed. Thus without making any comment on the merits of the case, we direct the

competent authority of the respondents to dispose of the representation keeping in mind all the notifications, orders, circulars and RBEs holding the field, within a period of three months from the date of receipt of the certified copy of this order along with the copy of the representation annexed to the Original Application, by passing a speaking and reasoned order to be communicated to the applicant.

6. With this observation the OA is disposed of. No order is passed as to costs.



(JAYA DAS GUPTA)
MEMBER (A)



(VISHNU CHANDRA GUPTA)
MEMBER (J)

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