

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/020/00904/2018

Date of Order : 06-06-2019

Between :

1. Ch.Tirumala Rao S/o Ch.Ramana,
Aged 40 years, Senior Technician (PL),
Group 'C' Post, O/o The Senior Section
Engineer, Electrical Maintenance,
Marshalling Yard, South Central Railway,
VIJAYAWADA-520001.
2. Md.Madar Mohiddin S/o Md.Aliuddin,
Aged 40 years, Technician Grade I (PL),
Group 'C' Post, O/o The Senior Section
Engineer, Electrical Maintenance,
Marshalling Yard, South Central Railway,
VIJAYAWADA-520001.Applicants

AND

1. Union of India,
Rep by The General Manager,
South Central Railway, Rail Nilayam,
Secunderabad-500 071.
2. The Divisional Railway Manager,
South Central Railway,
VIJAYAWADA-520001.
3. The Senior Divisional Electrical Engineer (Maintenance),
South Central Railway,
VIJAYAWADA-520001.
4. The Senior Divisional Personnel Officer,
South Central Railway,
VIJAYAWADA-520001.
5. The Senior Divisional Finance Manager,
South Central Railway,
VIJAYAWADA-520001. ...Respondents

Counsel for the Applicant: Mr.M.Bhaskar
Counsel for the Respondents : Mrs.A.P.Lakshmi, SC for Rlys

CORAM :

THE HON'BLE MR.B.V.SUDHAKAR, ADMINISTRATIVE MEMBER

(Oral Order per Hon'ble Mr.B.V.Sudhakar,Administrative Member)

Heard Mr. M. Bhaskar, learned counsel for the applicant and Mrs. Parvathi, learned counsel representing Mrs. A.P.Lakshmi, learned Standing Counsel for Respondents.

2. The OA has been filed by the applicants being aggrieved by the non payment of Over Time hours from 01.07.2013 to 22.03.2015 and 12.08.2013 to 31.05.2015 totalling to 737 hours in respect of the 1st applicant and 696 hours in respect of the 2nd applicant. Though the applicants were expected to work for eight hours per day, they were made to work for twelve hours per day and therefore the over time allowance became due. This issue cropped up in the PNM meetings bearing Nos. 180, 181 and 182. In the said meetings the said issue was discussed between the Sangh and Administration. The outcome of the meeting was that the employees were permitted to make their claim and accordingly payments would be released. It was also decided to condone the delay in submitting the claims. Accordingly Sr Divisional Electrical Engineer (Maintenance), Respondent No.3 in OA has condoned the delay. Even after these developments, the OTA has not been paid. Hence the applicants submitted representations on 29.11.2017 and 16.09.2018.

4. Learned counsel for the applicant pleaded that the Respondents may be directed to dispose of the representations keeping in view the observations made in the PNM meetings referred to above. Learned Standing Counsel for the Respondents has also agreed for the disposal of the OA.

5. As can be seen from the facts of the case, the applicants have worked for additional hours than the hours they were expected to work for. Consequently they were liable to be compensated for the additional hours worked in the form of OTA. The Respondents through their PNM meetings cited have agreed to pay the Over Time Allowance. Till date Respondents have not filed the reply statement. However, Respondents can very well dispose of the representations of the applicants keeping in view the observations made in the PNM meetings and relevant instructions cited supra to give a quietus to the OA.

6. Accordingly the OA is disposed of directing the Respondents to dispose of the applicant's representations within a period of four weeks from the date of receipt of a copy of this order. In the circumstances stated, there shall be no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER
Dated : 6th June, 2019.
Dictated in Open Court.

