

Central Administrative Tribunal
Principal Bench

O.A. No. 1947 of 1998

New Delhi, dated this the 2nd AUGUST, 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE MR. KULDIP SINGH, MEMBER (J)

1. National Archives & Museums
Employees Union through
its General Secretary Shri R.S. Atal,
39/466, Panchkuian Road,
New Delhi-110001.
2. Shri R.S. Atal,
General Secretary,
39/466, Panchkuian Road,
New Delhi. .. Applicants

(Shri R.S. Atal, Shri Atri and Shri Jagdev Singh
on behalf of applicant Association)

Versus

1. Union of India through
the Secretary,
Ministry of Human Resource & Development,
Dept. of Culture,
Shashtri Bhawan,
New Delhi.
2. The Director General,
National Museum,
Janpath, New Delhi. .. Respondents

(By Advocate: Shri V.S.R. Krishna

ORDER

MR. S.R. ADIGE, VC (A)

Applicant Association seeks

- (i) enhancement of the strength of the post
of Jamadar and Sr. Jamadar upto 22 and
36 respectively as recommended by D.G.,
National Museum.
- (ii) revision of pay scales.
- (iii) arrears pursuant to (ii) above with
interest @ 24% p.a. w.e.f. 1.4.88.

2. Respondents in their reply contend that
applicant Association has no locus standi to approach
the Tribunal, as the Hon'ble Supreme Court rulings

they rely upon were between the National Museum Non-Gazetted Employees Association and Union of India and not between Applicant Association and Union of India. It is contended that this O.A. is in the nature of a public interest litigation which is not permissible.

3. We have heard Shri R.S. Atal, Shri P.L. Atri and Shri Jagdev Singh on behalf of applicant Association. They claim to be Gallery Attendants and state that they are fully covered by the Hon'ble Supreme Court's orders dated 10.2.88 (Annexure A-1) dated 10.8.88 (Annexure II); and dated 7.9.98 (Annexure XIX). Shri V.S.R. Krishna appeared, ^{for respondents} and reiterated respondents' defence as contended in Paragraph 2 above.

4. We note that respondents' reply has not dealt with the merits of applicant's contentions as contained in the O.A.

5. We further note that applicants in their rejoinder have stated that the members of the National Museum Non-Gazetted Employees Association have now become members of the National Archives and Museum Employees Association and a copy of the resolution passed to this effect has also been enclosed.

(12)

6. Under the circumstances, we hold that we would not be justified in rejecting the O.A. merely on the grounds advanced by respondents as contained in Paragraph 2 above.

7. We dispose of this O.A. with a direction to respondents to examine the claims of applicants as extracted in Paragraph 1 above, by means of a detailed, speaking and reasoned order in accordance with rules and instructions and communicate their decision to applicants as expeditiously as possible and preferably within four months from the date of receipt of a copy of this order. No costs.

Kuldeep Singh
(Kuldeep Singh)
Member (J)

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S.R. Adige
(S.R. Adige)
Vice Chairman (A)