

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.947/1998

New Delhi, this 16th day of November, 2000

Hon'ble Shri Kuldip Singh, Member(J)
Hon'ble Shri M.P. Singh, Member(A)

(21)

1. Rajender Singh
 2. P.K. Pandey
 3. Beg Raj
 4. Shankar Dutt
 5. Laxman Singh
 6. RameshKumar
 7. Surender
 8. Narayan Singh
 9. Jogesh Kumar
- all working as Museum Attendants
under Respondent No.3
(Shri R.N. Singh, Advocate)

.. Applicants

versus

- Union of India,
1. Secretary
Deptt. of Education & Culture
Min. of Human Resources Development
New Delhi
 2. Secretary
Ministry of Personnel & PG & Pensions
New Delhi
 3. Director General
Archaeological Survey of India
Janpath, New Delhi
- (By Shri R.P. Aggarwal, Advocate)

.. Respondents

ORDER(oral)

By Shri Kuldip Singh


This application is filed by 9 applicants wherein they have impugned the order dated 30.3.98 issued by Respondent No.1 whereby Museum Branch under R-2 has been merged with the Circle Branch which has its own staff and cadre in Group C and D. Learned counsel for the applicants submits that this impugned order has caused great hardship to Group D employees in the matter of seniority and the merger is likely to affect the career of the applicants. The merger is against the recommendations of the Mirdha Committee accepted by the respondents themselves and is also arbitrary. They therefore pray for quashing of the impugned order dated 30.3.98.

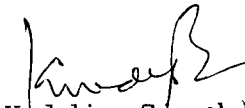
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2. The OA is being contested by the respondents. Respondents in their counter have stated that the merger has been made with a view to facilitate close liaison with each other. R/Rules of the Museum staff of Group D will continue to be the same and the staff posted will continue to remain at site museums. As regards applicants their posting will continue to remain at site museums and they are not affected by placing site museum under the control of Circle Superintending Archaeologist. (22)

3. During the course of arguments, learned counsel for the applicants submits that after the merger Group D employees of Museum Branch are also to be transferred to Circle Branch and they are being transferred without their consent. In reply to this, learned counsel for the respondents submitted that the department will not resort to transfer of Group D employees of museum branch and categorically stated that even though some of the Group D employees of museum branch who have already been transferred to circle branch they would be reverted back to their original office. Henceforth also all those group d employees recruited in the museum branch will not be transferred to circle branch without their consent. *and presently working in museum*

4. In view of this statement, we find that the impugned order cannot be quashed but the department would be bound by the statement given by the learned counsel for the respondents at the bar. The OA is disposed of accordingly. No costs.


(M.P. Singh)
Member(A)


(Kuldip Singh)
Member(J)

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