

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 041/00221/2018

Date of Order: This, the 9th day of July 2018

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

1. SRI PRITHU RAJ DAS
Son of Late Dhirendra Chandra Das,
Udaipur, Rajarbagh, P.O. Rajarbagh,
District - Gomati, Tripura, PIN - 799114
2. SRI JHUTAN DEBNATH
Son of Harandra Debnath,
Village S. Moura Para,
P.S. - R.K. Pur, P.O. - Maurapara
District - Gomti, Tripura, PIN - 799120
3. SRI SRIBAS CHANDRA BISWAS
Son of Late Anadi Biswas,
Village - West Pillak,
P.S. - Baikhara, P.O. - Madhya Pillak
District - South Tripura, Tripura, PIN – 799141
4. SRI RATAN MAJUMDAR,
Son of Phanindra Majumdar,
Village - West Pillak, P.S. - Baikhara,
P.O. - Madhya Pillak, District - South Tripura
Tripura, PIN - 799141
5. SRI TAPAN DATTA,
Son of Sri Anil Datta,
Village - West Pillak, P.S. – Baikhara
P.O. - Madhya Pillak, District - South Tripura
Tripura, PIN - 799141
6. SRI ALI HAIDAR,
Son of Ali Ajgar,
Village - Boxanagar,
P.S. - Kalamchowra, P.O - Boxanagar,
District - Sepahijala, Tripura, PIN - 799102

7. SRI CHAIYED ALI,
Son of Late Ali Ahemmed,
Village - Boxanagar,
P.S. - Kalamchowra, P.O - Boxanagar,
District - Sepahijala, Tripura, PIN – 799102
8. SRI KHURSHID ALAM,
Son of Late Md. Ali Ahammed,
Village - Boxanagar, P.S. - Kalamchowra, P.O - Boxanagar,
District - Sepahijala, Tripura, PIN - 799102
9. SMT. BASANTI DAS,
Wife of Sri Akhil Das,
Village - Boulapassa, Kailashahar, P.O. & P.S. - Kailashahar,
District - Unakoti, Tripura, PIN - 799277
10. SRI BIRENDRA DEBBARMA,
Son of Agavnroy Debbarma,
Village - Chnibagan-Kailashahar,
P.O. - Chnibagan-Kailashahar, P.S. - Kailashahar,
District - Unakoti, Tripura, PIN - 799279
11. SRI SIMAL MAJUMDER,
Son of Sri Swaraj Majumdar,
Village - Dudhpuskarini, P.O. - Magpuskarini, P.S. - Kakraban,
District - Gomati, Tripura, PIN - 799120

All are working as casual labourers at various places of Tripura under the Aizwal Circle of the Archaeological Survey of India under the office of the Superintending Archaeologist, Aizwal Circle, T/126, Tuikhuahtlang, Near AIR Station, Aizawl, Mizoram - 796001

...Applicants

By Advocates: Mr. P.P. Dutta & Mr. C.S. Hazarika

-Versus-

1. The Union of India
Represented by the Secretary to the Government of India
Ministry of Culture, Shastri Bhawan
New Delhi, PIN – 110015.
2. The Archaeological Survey of India
Represented by its Director General
Janpath, New Delhi – 110001.

3. The Additional Director General (ADMN)
Archaeological Survey of India
Janpath, New Delhi – 110001.
4. The Superintending Archaeologist
Aizwal Circle, Archaeological Survey of India
T/126, Tuikhuahtlang, Near AIR Station
Aizawl, Mizoram – 796001.

...Respondents

By Advocate: None

ORDER (ORAL)

MANJULA DAS, JUDICIAL MEMBER:

By this O.A., applicants make a prayer for a direction upon the respondents to pay daily wages to them at the rate of 1/30th of the pay at the minimum of the relevant pay scale (i.e. as per the Central Civil Services (Revised Pay) Rules, 2016) plus dearness allowance in terms of clause (iv) and (vi) of the OM dated 07.06.1988 with arrears from the time they were in service (vide Annexure – A4) and further to pay them the said wages by depositing the same in their respective bank accounts.

2. Heard learned counsel for the applicants. Perused the pleadings and the documents relied upon.

3. According to learned counsel for the applicants, without giving any reason, the respondents deprived the rights of the applicants from their proper pay although the regular employees are doing the same nature of work. The respondents are clearly violates clause (iv) of the OM dated 07.06.1988 by not paying them wages for their OFF days after six working days. The respondents also violates Article 14 of the Constitution of India and the principle of 'equal pay for equal work' by not paying the applicants equal pay as that of the regular labourers though they are performing the same job as the regular labourers continuously for a long time now.

4. According to learned counsel for the applicants, the applicants have been pressing for their demand of receiving 1/30th of the pay for the last many years and have also filed representations to various authorities through their worker's union but their grievance in this regard has not been redressed.

5. In view of the above, without going into the merits of the case and for the ends of justice, I direct the applicants to submit the copy of this O.A. before the respondents within fifteen days. On receipt of the same, the respondent authorities shall treat the same as a representation and dispose of with a reasoned and speaking order keeping in mind clause (iv) of the OM dated 07.06.1988 within two months thereafter.

6. Accordingly, O.A. stands disposed of. No order as to costs.

(MANJULA DAS)
JUDICIAL MEMBER

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