

**SIN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD**

**Original Application No. 20/877/2017**

**Date of Order: 08.01.2019**

Between:

Smt. Kattamanchi Vanaja, W/o. late Sunil Kumar,  
Hindu, aged about 28 years,  
Occ: Casual Labour, Buddist Site (Sthupa),  
Archaeological Survey of India,  
Protected Monument, Gudivada, Krishna District,  
Andhra Pradesh.

... Applicant

And

1. The Government of India,  
Represented by its Director General,  
Archaeological Survey of India,  
Janpath, New Delhi – 110 011.
2. The Superintending Archaeologist,  
Amaravathi Circle, Amaravathi,  
Victoria Museum, Bandar Road, Vijayawada,  
Krishna District, Andhra Pradesh – 520 010.
3. The Assistant Superintending Archaeologist (Museums),  
Amaravathi Circle, Amaravathi,  
Guntur District, Andhra Pradesh – 522 020.
4. The Senior Conservation Assistant,  
Archaeological Survey of India,  
Vijayawada Sub Circle, Vijayawada,  
Krishna District, Andhra Pradesh – 520 001.

... Respondents

Counsel for the Applicant ... Mr. S. Syam Sunder Rao  
Counsel for the Respondents ... Mr. A. Radha Krishna, Sr. PC for CG

***CORAM:***

***Hon'ble Mr. B.V. Sudhakar ... Member (Admn.)***

***ORAL ORDER***  
***{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.) }***

2. The OA has been filed aggrieved by the action of the respondents in not considering the case of the applicant to implement the Office Order issued by the

1<sup>st</sup> respondent dated 26.12.2016 in regard to the payment of minimum wages to the casual labourers as per the recommendations of the VII CPC.

3. When the case came up for hearing, counsel for the applicant was not present. The docket order indicates that the counsel for the applicant has not appeared on quite a few occasions in the past. Nevertheless, as the learned counsel for the respondents was present, the case was taken up for hearing.

4. Brief facts of the case are that the 1<sup>st</sup> respondent has taken a decision that the minimum wages payable to the casual labourers should be revised every time when the minimum pay of the Central Government employees is revised. Albeit the minimum pay of the central government employees was revised w.e.f. 01.01.2016, the minimum wage of applicant has not been revised accordingly. Aggrieved over the same, the OA has been filed.

5. The contentions of the applicant are that their wages should have been revised the moment the minimum pay of the central government employees was revised w.e.f. 01.01.2016 vide orders of the respondents dt. 25.07.2016. It is settled legal position that enhanced salary has to be given to the applicant as and when the minimum pay of the central government employees is revised. In fact, the 1<sup>st</sup> respondent has issued a letter on 26.12.2016 to all the Heads of the Departments of the respondent organization directing them to ensure that minimum wages are paid to the casual labourers as per the recommendations of the VII CPC and in accordance with the DOPT dt. 07.06.1988. The applicant is working for the respondent organization for the last 1 ½ years with meagre salary and denying the eligible minimum wage is unfair.

6. The respondents in the reply statement intimate that the applicant was engaged on daily wage basis after her husband, who was working in the department died. The order issued by the Director General referred to by the applicant is meant for casual labourers. The applicant was engaged for cleaning of protected monuments and she was not appointed against any vacant regular post. The Additional Director General of the respondent organization located at New Delhi has issued orders to engage casual labourers only through e-procurement and the same was also communicated to the applicant.

7. As seen from the facts placed before the Tribunal, the applicant was engaged on daily wage basis. She has not been engaged as a casual labourer in order to be eligible for minimum wages equal to the minimum pay of the central government employees. The respondents' policy is to engage casual labourers through e-procurement. Applicant was engaged on daily wages, on sympathetic grounds as her husband who was working in the department has died. The applicant is thus not eligible for the relief sought for in the OA. Hence, the OA is dismissed being devoid of merits. There shall be no order as to costs.

**(B.V. SUDHAKAR)  
MEMBER (ADMN.)**

Dated, the 8<sup>th</sup> day of January, 2019

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