

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA No. 2142/2017

New Delhi, this the 20th day of March, 2019

Hon'ble Mr. Pradeep Kumar Member (A)

1. Sh. Kartar Singh (Age about 58 years)
S/o Late Sh. Chet Ram, working as Casual Labour
(at present disengaged) O/o Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R/o –Village+Post: Kanonda, Distt. Jhanjhra, Haryana
2. Sh. Narender Singh (Age about 45 years)
S/o Late Sh. Hukum Singh,
working as Casual Labour
(at present disengaged) O/o Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R/o Vill. Habibpur, Post:- Sonda Habibpur,
Distt. Bulandshahar
U.P.- 203132
3. Sh. Ashok Kumar (Age about 46 years)
S/o Late Sh. Hari Chand,
working as Casual Labour
(at present disengaged) O/o Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R/o Vill- Sadullapur, Post- Vaidpura,
Distt. Gautambudhnagar, UP
4. Sh. Narender Kumar (Age about 50 years)
S/o Late Sh Ram Prakash,
working as Casual Labour
(at present disengaged) O/o Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R/o H. No. 316-A, Block-II, Nangla Gujran, Teh+ Distt.- Faridabad,
Haryana
5. Sh Sushil Kumar (Age about 40 years)
S/o Late Sh. Ved Praksh,
working as Casual Labour
(at present disengaged) O/o Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R/o Vill.+post – Bishehra,

Distt.- Guatambudhnagar, U.P.

6. Sh. Vinod Kumar (Age about 41 years)
S/ o Late Sh Hari Chand
working as Casual Labour
(at present disengaged) O/0 Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R /o Vill.- Sadullapur, Post:- Vaidpura,
Distt.- Gautambudhnagar, U.P.
7. Sh. Shyamveer (Age about 48 years)
S/o Late Sh Sheesh Ram,
working as Casual Labour
(at present disengaged) O/0 Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R/o Vill.- Sadullapur, Post:- Vaidpura,
Distt. – Gautambudhnagar, U.P.
8. Sh Tulsi Das (Age about 45 years)
S/o Late Sh Nathu Ram
working as Casual Labour
(at present disengaged) O/0 Dy. Superintending
Archaeological Chemist, Delhi Zone, Red Fort,
Delhi-110006
R/o Vill.- Bagner, Post:- Narela,
New Delhi

.....Applicants

(By advocate : Mr A K Bhakt)

Versus

Union of India & Others (Ministry of Culture),
Through

1. The Secretary
Ministry of Culture,
Shashtri Bhawan, New Delhi.
2. Director General
Archaeological Survey of India
Janpath, New Delhi
3. Dy. Superintending Archaeological Chemist,
Archaeological Survey of India
Red Fort Complex, Delhi-06
4. Director (Science)
Archaeological Survey of India,
29, New Cantt. Road, Dehradun
Uttarakhand

.....Respondents

(By advocate : Mr L C Singhi)

ORDER (ORAL)

Mr. Pradeep Kumar Member (A):

1. The applicants herein were engaged as casual labour with Archaeological Survey of India in the year 1986 and onwards and they had been working intermittently from time to time as per availability of work. The present OA has been filed on the plea that despite policies being in force, for those who were working as casual labour in the year 1993 and had completed certain minimum time period and who were to be granted temporary status which entails wages at the rate of 1/30th of pay scale of relevant CPC scale plus DA, the same has not been granted to the applicant despite there being representations submitted to DG, ASI on 12.11. 2015, Hon'ble PM of India on 19.09.2016 and Additional Director General of ASI on 10.03.2017.
2. There were two other similar OAs filed earlier vide number OA no. 3445/2017 and OA no 3501/2017 by similarly placed other casual labourers working in ASI. Both these OAs were disposed of at admission stage itself, without going into the merits of the case, by directing the respondents to consider the representations and to pass an appropriate reasoned and speaking order, in accordance with law, within 90 days from the date of receipt of the copy of order of the Tribunal.
Applicants mentioned that those speaking orders were yet to be passed. Therefore, grievance is still subsisting, the applicants had filed fresh OAs no 1397/2018 and 3106/2018. This is being considered by a Division Bench. The applicant pleads that they will be satisfied at this stage, if similar orders are passed.
3. The respondents opposed the OA, pleading that the applicants are not entitled for such grant of temporary status. Further, the respondents have no

objection if these 3 OAs can be clubbed and heard by a Division Bench as was already done in follow up of OAs no 3445/2017 and 3501/20127.

4. MA no 2298/2017 for joining together of applicant has already been allowed.
5. Matter has been heard at length. Mr A K Bhakt learned counsel appeared for the applicants and Mr L C Singhi learned counsel appeared for the respondents.
6. In the circumstances, the OA is disposed of at admission stage itself, without going into the merits of the case, with a direction to the respondents to decide the representations of the instant applicants by passing a reasoned and speaking order within 90 days from the date of receipt of a certified copy of this order, in accordance with law.
7. The applicants shall have liberty to approach the Tribunal and revive the OA, in case some grievance still subsists. No costs.

(Mr. Pradeep Kumar)
Member (A)

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