

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

Original Application No.20/240/2019

**Reserved on: 27.06.2019
Pronounced on: 04.07.2019**

Between:

1. T. Chudamani, S/o. T. Srinivasulu,
Aged 48 years, Casual Labour,
Lower Fort, R/o.20-6, Royal Fort,
Chandragiri, Chittoor District.
2. E. Shankaraiah, S/o. E. Bodaiah,
Aged 47 years, Casual Labour,
Lower Fort, R/o.4015 JF, Paidpalli,
Tirupathi Rural Mandal, Chittoor District.
3. K. Varalakshmi, W/o. K. Srinivasulu,
Aged 38 years, Casual Labour,
VV Temple, Srinivasamangapuram,
R/o. 4-30, Matampalli,
Chandragiri Mandal, Chittoor District.
4. B. Rajeswari, W/o. B. Siddaiah,
Aged 38 years, Casual Labour,
Upper Fort, Chandragiri,
Royal Fort, Chandragiri, Chittoor District.
5. M. Gajendra, W/o. M. Nagulu Reddy,
Age 25 years, Casual Labour,
Gudimallam, R/o.1-237, Mundlapudi Village,
Tirupathi Rural Mandal, Chittoor District.
6. M. Parthasaradhi, S/o. M. Muni Raja,
Aged 32 years, Casual Labour,
Gudimallam, R/o. 20-64, Kavamma Temple Street,
Oldpet, Chandragiri, Chittoor Dist.
7. K. Sekhar, S/o. K. Ramanna,
Aged 26 years, Casual Labour,
Kalakada, R/o. 6-41, Balijagadda,
Chittoor District.
8. S. Ravi Kumar, S/o. S. Chandra,
Casual Labour, Gurramkonda,
R/o. O-2, Sheelamvaripalle,
Madanapalle, Chittoor District.

9. P. Ravi Chandra, S/o. late Krishnappa,
Aged 46 years, Casual Labour, Sompalem,
R/o. 14-68A, K.C. Nagar,
Sompalli, Chittoor Dist.
10. P. Reddy Mahesh, S/o. P. Chinna Reddappa,
Aged 25 years, Casual Labour, Sompalem,
R/o. 14-90, K.C. Nagar,
Sompalli, Chittoor Dist.
11. T. Ramadevi, W/o. T. Dhoudamani,
Aged 45 years, Casual Labour,
Lower Fort, R/o. 20-6, Royal Fort,
Chandragiri, Chittoor District.

... Applicants

And

1. The Union of India,
Rep. by its Under Secretary,
Ministry of Culture, New Delhi.
2. The Archaeological Survey of India,
Rep. by its Director General,
24, Tilak Marg, New Delhi – 110 011.
3. The Superintending Archaeologist,
Archaeological Survey of India,
Amaravathi Circle, Babu Museum,
Bandar Road, Vijayawada,
Andhra Pradesh – 520 002.
4. Senior Conservation Assistant,
Archaeological Survey of India,
Chandragiri Sub-Circle, Chandragiri,
Chittoor District.

... Respondents

Counsel for the Applicants ... Mr. P. Govinda Reddy

Counsel for the Respondents ... Mr. B. Siva Sankar,
Addl. CGSC

CORAM:

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

ORDER

2. OA is filed challenging the action of the respondents in not paying the minimum of the relevant time scale of pay.

3. Applicants are working as casual labour in the respondents' organisation since 2012. Daily wages are being paid as per schedule of rates and in accordance with details in measurement book/attendance register. Wages are credited to the bank accounts of the applicants. Some of the casual labour like Mr. P. Prabhakar and 4 others have been paid the relevant minimum of time scale of pay. Applicants claim that they have been discriminated and therefore, made a representation to the respondents. The same has not been disposed till date. Hence, the OA.

4. The contentions of the applicants are that the action of the respondents is contrary to the observation of the Hon'ble Supreme Court in State of Punjab & others v Jagjit Singh & ors, reported in 2017 (1) SCC 148. Similarly placed employees have been granted the benefit sought.

5. Respondents have not filed the reply statement despite adequate opportunity was given to them to file the reply. The issue deals with the grievance of the lowest rung of employees namely casual labour. Therefore, in the interest of justice, the case was heard.

6. Heard both the counsel and perused documents placed on record.

7. Applicants are working as casual labour and are being paid daily wages. They have sought wages to be paid as per the relevant minimum of pay scale. Applicants claim that similarly situated employees Mr. P. Prabhakar and others have been granted the said relief. Applicants, being aggrieved, represented to the respondents on 28.1.2017 (A-II). They have cited the Hon'ble Apex Court verdict in State of Punjab & others v Jagjit Singh in support of their contention. The representations of the applicants have not been disposed till date as submitted by the learned counsel for the applicants. In view of this submission, respondents are directed to examine in detail the representations of the applicants in the context of some similarly situated employees being granted the relief sought and also the Hon'ble Supreme Court judgment cited. Thereafter, respondents should issue a well reasoned and speaking order within a period of 8 weeks from the date of receipt of this order.

8. With the above directions, the OA is disposed, with no order as to costs.

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

Dated, the 4th day of July, 2019

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