

**BEFORE CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM –  
LABOUR COURT NO. II, NEW DELHI**

**ID No. 314/2022**

**Sh. Anoop Singh vs. Archaeological Survey of India and Anr.**

**Sh. Anoop Singh, S/o Sh. Babu Lal,  
R/o-67, Near Rehman Basti, Santrook, Bharatpur, Rajasthan-  
321025.**

**Through- Okhla Industrial Workers Union,  
B-577, Gola Kuan, Tehkhand, Okhla Phase-1, New Delhi-  
110019.**

...Applicant/Claimant

Versus

**1. Archaeological Survey of India,  
Dhrohar Bhawan, 24-Tilak Marg, New Delhi-110001.**

**2. Security Skills Council (I) Ltd.,  
A-28, 29, Okhla Phase-I, New Delhi-110020.**

...Managements/respondents

**Counsels:**

For Applicant/ Claimant:

*None for the claimant.*

For Management/ Respondent:

*Archaeological Survey of India (Management-1) has already  
been proceeded ex-parte.*

*None for management-2.*

**Item No.- 34**

I.D. No. 314/2022

04<sup>th</sup> March 2025

**Present:**

**None for the claimant.**

**Management-1 has already been proceeded ex-parte.**

**None for management-2.**

AR for the claimant Sh. Amit Tripathi was present in another case titled as *Sh. Sonu Kumar vs. NBCC & Ors.* (I.D. no. 321/2021). However, when this matter was called, he didn't appear.

Record perused. On the last date of hearing, when this tribunal had orally inquired from the claimant, he had answered that he had been working with the management as a supervisor, and there were Thirty Security Guards in his supervision, and he used to deploy them on different sites.

These averments made by the claimant orally, in response of the Tribunal's enquiry, are contrary to that of the claim statement filed by him.

Section 2(s) of Industrial Disputes Act, 1947 (**Herein after referred as 'The Act'**) has carved out four exceptions from the definition of 'workman'. The act excludes any such person:

- (i) who is subject to the Air Force Act, 1950 (45 of 1950), or the Army Act, 1950 (46 of 1950), or the Navy Act, 1957 (62 of 1957); or
- (ii) who is employed in the police service or as an officer or other employee of a prison; or
- (iii) who is employed mainly in a managerial or administrative capacity; or
- (iv) who, being employed in a supervisory capacity, draws wages exceeding [ten thousand rupees] per mensem or exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature.]

In the present case, the claimant admitted that he was employed in a supervisory capacity, and there were 30 guards under his supervision, he used to deploy them at different sites. Furthermore, he had been drawing more than an amount of Rs. 17,500/- per month. Therefore, he doesn't fall within the definition of a 'workman' as defined under the Act.

In view of the discussion above, the claim of the claimant is not maintainable before this tribunal. Hence, the same stands dismissed. The award is accordingly passed. A copy of this award be sent to the appropriate government for notification U/S 17 of the I.D Act. These files are consigned to record room.

Dated 04.03.2025

Atul Kumar Garg  
Presiding Officer  
CGIT-cum-labour court-II