

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI



RA NO. 221/2002 IN
OA NO. 1737/2001

This the 18th day of September, 2003

HON'BLE SH. V.K. MAJOTRA, MEMBER (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

1. P.C. Saighal
S/o Late Sh. G.C. Saighal
R/o 1/7426, Street No. 12(A),
East Gorakh Park, Shahdara,
Delhi-32.
2. Bali Ram
S/o Late Sh. Harinam Singh
R/o H-181, Nanakpura,
New Delhi.
3. Smt. Pushpa Sharma
W/o Sh. J.C. Sharma
R/o G-102, Nanakpura,
New Delhi.
4. R.S. Kapoor
S/o Late Sh. Des Rak Kapoor
R/o A-309, Kidwai Nagar East
New Delhi-23.

(By Advocate: Sh. S.Y. Khan)

Versus

1. Union of India through
its Secretary
Ministry of Information and Broadcasting
Shastri Bhawan
New Delhi.
2. The Director General
All India Radio
Akashwani Bhawan,
New Delhi.
3. The Directorate General
Doordarshan
Doordarshan Bhawan
Mandi House,
New Delhi.
4. The Chief Executive Officer,
Prasar Bharti,
Mandi House,
New Delhi-1.
5. The Director
Doordarshan Kendra,
Akashwani Bhawan,
Sansad Marg,
New Delhi-21.

(By Advocate: Sh. S.M. Arif)

(28)

By Sh. V.K.Majotra, Member (A)

This application has been made seeking review of order dated 26.2.2002 in OA-1737/2001. The Tribunal had observed that there was no cogent material to establish that at any single point of time the pay scale of Senior Storekeepers was on par with that of Property Assistants; that two sets of posts stand on equal footing regarding recruitment, qualifications, duties, responsibilities, performance, standards etc. and as such the claim advanced of equal pay for equal work fails and the OA was dismissed.

2. Learned counsel stated that there is an apparent error on the face of record as material was available to establish that recruitment, qualifications, duties, responsibilities, performance, standards etc. of the Senior Storekeepers and the Property Assistants were the same. On being asked to refer to the material in the OA on the basis of which claim was made that qualifications, duties, responsibilities, performance, standards of the two categories of staff were the same. No such document could be referred to in the OA.

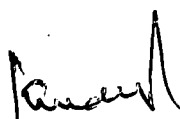
3. Learned counsel stated that he has now with the RA filed a comparative statement of nature of duties and pay scales of Property Assistants and Senior Storekeepers. Such a statement cannot be taken into account at this stage when no such material had been adduced at the outset in the OA and before it was finally disposed of. Learned counsel then referred to Ground-1 in the OA in this regard stating that it had stated in the OA that the applicants have been discharging the same

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similar and identical duties, functions and responsibilities as discharged by Property Assistant. He then stated that respondents had not rebutted this averment.

4. Respondents have in their reply given the background why a differential had been kept between these two categories of personnel and from the records we find that no material had been filed in the OA on behalf of the applicant much less the cogent material to establish that the two categories of staff had the same recruitment, qualifications, duties, responsibilities, performance, standards. Thus, in our considered view there is no error apparent on the face of order in question. RA is an attempt to reargue the case which is much beyond the scope of ambit of RA. It is, therefore, dismissed.. No costs.


(KULDIP SINGH)
Member (J)

'sd'


(V.K. MAJOTRA)
Member (A)