

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1984 of 1999

New Delhi, this 13th day of September, 1999.

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE CHAIRMAN  
HON'BLE MRS. SHANTA SHASTRY, MEMBER(A)

1. Shri Hukum Singh  
S/o Shri Bohla Ram,  
Office Attendant 'C'
2. Shri Mohan Singh,  
S/o Shri Bhagwan Singh,  
Office Attendant 'B'
3. Shri Sukeshwar Mehto  
S/o Shri Ram Pukar Mehto  
Office Attendant 'D'
4. Shri Laxmi Datt Vasishat  
S/o Shanti Swaroop  
Office Attendant 'D'
5. Shri Rishi Pal  
Shri Ram Phal  
Office Attendant 'B'
6. Shri Gautam  
S/o Shri Rameshwar  
Office Attendant 'B'

All employees of Solid State Physics Laboratory,  
DRDO, ((Ministry of Defence) Lucknow Road,  
Timarpur, Delhi-110 054 ... Applicant

(By Advocate: Shri Y.R. Malhotra)

Versus

1. Union of India,  
Service Through  
Secretary to the Govt. of India,  
Deptt. of Defence Research & Development  
Organisation,

Ministry of Defence, South Block,  
Central Secretariat,  
New Delhi.

2. Secretary to the Govt. of India,  
Ministry of Finance,  
Deptt. of Expenditure,  
North Block,  
Central Secretariat,  
New Delhi.

... Respondents

O R D E R (Oral)

By Reddy, J.

Heard the learned counsel for the applicant  
on admission.

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2. The applicants are working in Solid State Physics Laboratory, New Delhi as Office Assistants 'B', 'C' & 'D'. The grievance of the applicants is that though they are discharging the same duties with the same responsibilities as the employees working in the posts mentioned in part B & C of the 1st Schedule of CCS(CCA) Rules, 1997, the applicants have been discriminated and are put on lower pay scales. It is also stated that the representation dated 19.4.1999 made by the applicant has been rejected by the respondents by an order dated 10.6.1999. The learned counsel for the applicants submits that no reasons are given in the order of rejection and none of the points raised by the applicants have been considered. It is also contended by the learned counsel for the applicants that the applicants are entitled for the parity of pay scales at par with other different groups as stated above who are performing the same duties.

3. The law is well settled that the Tribunal will not venture into the area of pay fixation and applying different pay scales as the same is dependent upon several factors including the responsibilities of the incumbents in the posts concerned. In Federation of All India Excise Stenographers Vs. UOI 1998 1 SCC p.422, the Supreme Court considered the question of equal pay for equal work and stressed the principle that it is not always easy to apply the different pay scales to different posts as there are inherent difficulties in comparing work which depends upon the

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responsibilities attached to the post and degree of reliability and it should be left to the wisdom of the administrative authorities.

4. However, as it is contended that the rejection order dated 10.6.1999 is devoid of any reasons whatsoever, we direct the respondents to consider the representation dated 19.4.1999 in detail and dispose of the same, afresh, within four months from the date of receipt of a copy of this order, as per law.

5. The OA is dismissed subject to the above observations. No costs.

*Shanta J-*

(Mrs. Shanta Shastry)  
Member(A)

*V. Rajagopla Reddy*

(V. Rajagopla Reddy)  
Vice Chairman(J)

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