

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.2289/99

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)
Hon'ble Shri Govindan S. Tampi, Member(A)

New Delhi, this the 19th day of December, 2000

(1)

1. Shri T.N. Dham,
s/o Late Shri C.L. Dham,
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New Delhi.
Working as Dy. Director (Research)
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s/o Late Shri Rattan Chand,
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4. Shri A.K. Bajpai,
s/o Late Shri Sh. L.N. Bajpai,
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New Delhi - 110 022
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AIR & DD, New Delhi - 2

5. Shri K.K. Malhotra,
s/o Late Shri Sh. Ganesh Das Malhotra,
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6. Shri O.P. Girdhar,
s/o Shri Sh. K.R. Girdhar,
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AIR & DD, New Delhi - 2

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7. Shri Suresh Sharma,
s/o Shri Sh. J.N. Sharma,
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8. Shri Naresh Kumar,
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9. Shri R.K. Malviya,
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R/O - DDA, MIG Flats, N-16 Prasad Nagar
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10. Shri K.G.A. Pillai,
s/o Late Shri Sh. K.K.G. Pillai,
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11. Shri S. Dutta,
s/o Late Shri Sh. B.K. Dutta,
R/O - 202 Asia House, K.G. Marg,
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AIR & DD, New Delhi - 2

12. Shri Rajagopalan,
s/o Shri Sh. S.K. Krishnaswamy,
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13. Shri H.K. Khatri,
s/o Late Shri Sh. Girdhari Lal,
R/O - L - 1/60 B, DDA Flats, Kalkaji,
Working as New Delhi - 110 019
Station Engineer, Central Stores,
AIR & DD, New Delhi - 2

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14.	Shri s/o Shri R/O - Working as	A.S. Sabharwal, S. Santokh Singh Sabharwal, C4F/189 Janakpuri, New Delhi - 110 058 Station Engineer, Broadcasting House, New Delhi - 1
15.	Shri s/o Shri R/O - Working as	Govind Singh, Babu Singh, C 104 Saransh Apts., 34 I.P. Extension, Delhi - 110 092 DD (Engg.), P&D Unit, Akashvani Bhavan, New Delhi - 1
16.	Shri s/o Late Shri R/O - Working as	S.K. Khurana N.C. Khurana, A-110 Pandara Road, New Delhi - 110 003 Director (Engg.), DG, AIR, New Delhi - 1
17.	Shri s/o Shri R/O - Working as	D.S Chandok Bishen Singh 10/14, West Patel Nagar, New Delhi - 110 008 Dy. Director (Engg.), O/O CE(NZ), AIR & DD, Jamnagar House, New Delhi - 11
18.	Shri s/o Shri R/O - Working as	V.K. Pathak Uma Shanker 322 - AGCR Enclave, Delhi - 110 092 Dy. Director (Engg.), O/O CE(NZ), AIR & DD, Jamnagar House, New Delhi - 11
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20.	Shri s/o Late Shri R/O - Working as	M.K. Sharma U.C. Sharma 20-C Ber Sarai, DDA Flats, New Delhi - 110 016 Dy. Director (Engg.), O/O CE(NZ), AIR & DD, Jamnagar House, New Delhi - 11

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22	Shri s/o Late Shri R/O - Working as	Swaranjit Singh Sunder Singhji, 1055 Vikas Kunj, Vikaspuri, New Delhi - 110 018 Dy. Director (Engg.), O/O CE(NZ), AIR & DD, Jamnagar House, New Delhi - 11
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25	Shri s/o Shri R/O - Working as	S.P. Singh Tota Ram C 3/8 Yamuna Vihar, Delhi - 110 053 Dy. Director (Engg.), O/O CE(NZ), AIR & DD, Jamnagar House, New Delhi - 11
26	Shri s/o Shri R/O - Working as	R.K. Pharia R.V. Pharia N-82 Vijay Vihar, Uttam Nagar, New Delhi - 110 059 Dy. Director (Engg.), O/O CE(NZ), AIR & DD, Jamnagar House, New Delhi - 11

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27. Shri Mukhtiar Singh
 s/o Late Shri S. Ishar Singh
 R/O - 594/15A Faridabad,
 Haryana
 Working as Dy. Director (Engg.),
 O/O CE(NZ), AIR & DD, Jamnagar
 House, New Delhi - 11

28. Shri V.V. Sharma
 s/o Shri Sharma
 R/O - New Delhi
 Working as Dy. Director (Engg.),
 O/O CE(NZ), AIR & DD, Jamnagar
 House, New Delhi - 11

29. Shri Chandrakanta
 s/o Late Shri Lahori Lal
 R/O - N-501 Sector 9, R.K. Puram,
 New Delhi - 110 0122
 Working as Assistant Engineer,
 O/O the CE(R&D), AIR & DD,
 I.P. Estate, New Delhi - 2

**APPLICANTS
 versus**

UNION OF INDIA, through :

1. The Secretary,
 Ministry of Information & Broadcasting,
 Shastri Bhavan,
 New Delhi - 110 001
2. The Director General,
 All India Radio,
 Akashvani Bhavan,
 Parliament Street,
 New Delhi - 110 001

Advocates Present:

- (1) For the applicants: Shri T.C. Aggarwal.
- (2) For the respondents: Shri Madhav Panikar.

O R D E R (Oral)

Justice V. Rajagopala Reddy:

(P)

This matter pertains to the pay parity of Engineering Assistants with Sound Recordists in the All India Radio.

The scale of the Engineering Assistants as on 1.1.1973 was Rs.425-750. The pay of the Sound Recordists ~~is~~ ^{was} Rs.550-900. This question is no longer res-integra. The Supreme Court in Civil Appeal No.4307-08 of 1993 and 15706-07 of 1992 ^{of} Shri Raj Kumar Sharma and Others Vs. Union of India & Others, had confirmed the view taken by the Madras Bench of the Tribunal in OA No.654/89 in A.Rajshekhar Vs. Secretary, Govt. of India and Another where it was directed that qualifications prescribed as also nature of duties and responsibilities of the Engineering Assistants ^{were similar to that of Sound Recordists} _{in the benefit of the order passed by the} Ministry of Information and Broadcasting dated 21.2.1988 should be extended to the Engineering Assistants also. Thus, the pay scales of the applicants have been revised to be in parity to that of the Sound Recordists. The applicants are therefore entitled for the reliefs claimed in this OA. However, the learned counsel for the applicants seeks parity w.e.f. 1973 which cannot be granted as the same was granted in some other writ petitions filed earlier. The Tribunal having come into existence only in 1985, the applicants can get the benefit of the revised scales only w.e.f. 1.1.1986. It is seen from the order of the respondents dated 15.5.1995 that the applicants were already granted the benefit of the higher scale from 1.1.1986. Thus no relief can be

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granted. The question of payment of arrears is however not pressed by the applicants, and it is ~~not~~ right^{as} as the writ petition was filed in 1991. The OA ^{is dismissed} is ~~disposed of~~. No costs.

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(GOVINDAN S. TAMPI)
MEMBER(A)

/RAO/

Dr. Ammal
(V. RAJAGOPALA REDDY)
VICE CHAIRMAN(J)