

Central Administrative Tribunal
Principal Bench

....

O.A. No. 1227/95

New Delhi, this the 7th day of March, 1996

Hon'ble Shri A.V. Haridasan, Vice-Chairman (J)
Hon'ble Shri R.K. Ahooja, Member (A)

1. Opto Electronics Factory Karamchari Union
Raipur, Dehradun,
through its authorised Organising Secretary,
Sh. G.C. Upreti, Presently R-50, Bihari Colony,
Gali No. 6, Shahdara, Delhi-32.

2. H.M. Bhatt s/o G.R. Bhatt,
Affected employee through
applicant No. 1.

... Applicants

(By Shri G.S. Bagrar, Advocate)

Versus

1. Union of India through
the Secretary,
Ministry of Defence,
Defence Production, Civil Side,
Govt. of India,
Sena Bhawan,
New Delhi.

2. The Chairman, D.G.O.F. Ordnance Factory,
10-A, Auckland Road, Calcutta.

3. The General Manager, Opto Electronics Factory,
Raipur,
Dehradun.

... Respondents

(By Shri V.S.R. Krishna, Advocate)

O R D E R (Oral)

By Hon'ble Shri A.V. Haridasan, Vice-Chairman (J):

The first applicant is the Opto Electronics Factory Karamchari Union, Raipur, Dehradun represented by its organising Secretary and the second applicant is one of the members of the said Union and working as skilled worker under the respondents. Their grievance is

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7

that the members of the first applicant Union though are performing the duties of skilled nature ~~but~~^{they are} retained in lower pay scales applicable to a semi-skilled workmen and that their repeated representations for re-consideration of the issue and for granting them an appropriate pay scales are not being considered favourably by the respondents. Under these circumstances, the applicants have filed this application seeking the following reliefs:-

"Direct the respondents to re-examine the pay scale of the applicant Union and its members with reference to their nature of duties, liabilities, higher qualification and also to consider their representations and to decide them within fix time and also to avoid discrimination in pay scale and to Honour the doctrine of equal pay for equal work enshrined in the Constitution of India under Article 39-D and also to frame a policy for upgradation which is being done in other Ministries of the Central Govt. with starting scale of semi-skilled Artisan at the rate of Rs. 1200-1800 with consequential benefits. Revising Annexure A-1 in view of Annexure A-2 and A-3".


The respondents in their reply ^{have} denied the allegations alleged in the application that the members of the first applicant Union are performing the duties of skilled nature, and opposed the grant of relief, prayed for in the O.A.


However, when the case came up for hearing today, the learned counsel on either side agreed that the application can be disposed of finally at the admission stage itself with appropriate directions in regard to re-consideration of the issue by the respondents. The learned counsel for the applicant

8

states that the applicants would now make a consolidated representation within a period of fifteen days and the respondents may be directed to dispose off the same within a reasonable time frame. The respondents' counsel has no objection if the application is disposed off with the above direction at the admission stage itself.

In the light of what is stated above, we are disposing of this O.A. with a direction to the applicant to make a representation with regard to their grievances highlighted in this application within a period of fifteen days from the date of receipt of the certified copy of this order and with a direction to the respondents to consider the said representation, if so made within the aforesaid period of fifteen days, and to dispose of the same with a speaking order within a period of four months from the date of receipt thereof. There is no order as to costs.


(R.K. Ahuja)
Member (A)


(A.V. Haridasan)
Vice-Chairman (J)

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