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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No. 73 of 1995

New Delhi, dated this the 27<sup>th</sup> JANUARY 2000

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE MR. KULDIP SINGH, MEMBER (J)

1. Shri Ved Pal Singh,  
S/o Shri Babu Singh,  
R/o 189, Durgapuri Extn.,  
Delhi-110093.
2. Smt. Sahab Pyari,  
W/o Shri Vishwanath Prasad,  
R/o 604, Sector II, R.K. Puram,  
New Delhi-120022.
3. Shri Krishan Verma,  
S/o late Shri Sher Singh Verma,  
R/o T-1043, Bhagat Singh Nagar,  
Manakpura, New Delhi.
4. Smt. Inderjit Kaur Dang  
W/o Shri Gurdeep Singh,  
R/o C-4A/101-A, Janakpuri,  
New Delhi.
5. Narinder Kumar Nagia,  
S/o late Shri Kishan Chand Nagia,  
R/o 21, Tarun Vihar,  
Plot No. 3, Sector 13, Rohini,  
Delhi-110085. ... Applicants

(Applicants Shri Krishan Verma  
and Shri N.K. Nagia in person)

Versus

1. Union of India through  
the Secretary,  
Ministry of Home Affairs,  
North Block, New Delhi.
2. Registrar General of India,  
Office of Registrar General,  
2-A, Mansingh Road,  
New Delhi-110011. ... Respondents

(By Advocate: Shri N.S. Mehta)

ORDER

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicants who are Senior Artists in the  
Office of the Registrar General of India seek the pay  
scale of Rs.2000-3200 w.e.f. the date on which the  
revised pay scale of Rs.1600-2660 was given to Artists/  
Senior Draftsmen in that office.

2. Heard both sides.

3. Admittedly pursuant to the award of the Board of Arbitration in favour of Draftsmen and Sr. Draftsmen/Artists working in Office of the Registrar General of India revising their pay upwards on the basis of equal level posts of Draftsmen in CPWD, the pay scale of Sr. Draftsmen/Artists which were earlier in the scale of Rs.1400-2300 was given the pay scale of Rs.1600-2660. This post is a feeder grade for promotion to the next higher post of Sr. Artists which already carries the pay scale of Rs.1600-2660. Accordingly applicants who were in the scale of Rs.1600-2660 seek revision of their pay scale to Rs.2000-3200 on the CPWD pattern, ~~merging~~ that post of Sr. Artist which is a promotional post for the lower post of Artist should have a higher pay scale and should not be equated with the lower post.

4. Respondents in their reply filed on 1.5.95 had stated that the Committee of Secretaries which gave its final recommendations on the Award of the Board of Arbitration had recommended that the post of Sr. Draftsman/Artist and Sr. Artist should be considered for redesignation and merged in the pay scale of Rs.1600-2660 but this recommendation required further examination in consultation with CPWD, DP&T and Finance Ministry as it would not only reduce the promotional avenues, but have other repercussions. These recommendations also involved revision of the Recruitment Rules.

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5. During the course of hearing respondents' counsel has invited our attention to the letter dated 4.10.99 from office of Registrar General of India addressed to him in which it has been stated that before that examination could be completed, DP&T had issued O.M. dated 10.2.97 imposing a ban on framing/ amendment/relaxation/modification of Recruitment Rules/service rules in respect of all groups of posts/service in all cadres, pending examination of the 5th Pay Commission's recommendations. In this letter it is stated that the Recruitment Rules for posts of Sr. Draftsmen, Artists and Sr. Artists are also being revised in consultation with respective Ministries/Departments and the proposal for merger of posts as recommended by the Committee of Secretaries is also being taken up.

6. Applicants in their rejoinder have opposed the prayer of merger of the posts of Artists with that of Sr. Artists held by them, and have pressed that they should be allowed the pay scale of Rs.2000-3200 as allowed to their counterparts in C.P.W.D., on the principle of 'equal pay for equal work'.

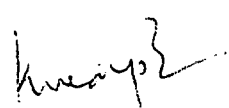
7. The principle of equal pay for equal work is not an abstract doctrine but one of substance and would depend upon similarity of duties, functions and responsibilities both in terms of volume as well as quality, educational and other eligibility

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qualifications, mode of recruitment and other special circumstances, if any attached to the performance of the duties. There is nothing in the reply of the Respondents to establish that the claims of applicants to be granted pay scales allowed to the counterparts in the CPWD have been examined by Respondents in the light of what has been stated above.

7. Under the circumstances this O.A. is disposed of with a direction to Respondents to examine claims of applicants in the light of the factors noticed above in Paragraph 6 above by means of detailed, speaking and reasoned order in accordance with rules and instructions under intimation to applicants as expeditiously as possible and preferably within four months from the date of receipt of a copy of this order. While doing so Respondents shall <sup>also</sup> keep the recommendations of 5th Pay Commission in view. No costs.

  
(Kuldip Singh)  
Member (J)

/GK/

  
(S.R. Adige)  
Vice Chairman (A)