

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA 2690/1997

New Delhi this the 2nd day of June, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Shri H.O. Gupta, Member (A)

1. Shri Y.C. Bhatnagar,
Pollution Level Test Inspector,
Transport Dte. Govt. of NCT of Delhi,
5/9, Under Hill Road, Delhi-54.

2. Shri Rajender Parshad,
Pollution Level Test Inspector,
Transport Dte. Govt. of NCT of
Delhi, 5/9, Under Hill Road,
Delhi-54.

3. Shri Amitabh Nandi,
Pollution Level Test Inspector,
Transport Dte. Govt. of NCT of
Delhi, 5/9, Under Hill Road,
Delhi-110054.

4. Shri Sunil Chauhan,
Pollution Level Test Inspector,
Transport Dte. Govt. of NCT of
Delhi, 5/9-Under Hill Road,
Delhi-110054.

5. Shri Anuj Gupta,
Pollution Level Test Inspector,
Transport Dte. Govt. of NCT of
Delhi, 5/9 -Under Hill Road,
Delhi-110054.

6. Shri Anil Kumar Gulati,
Pollution Level Test Inspector,
Transport Dte., Govt. of NCT of
Delhi-110054.

.. Applicants

(None for the applicants)

Versus

1. Union of India, through
The Chief Secretary to the
Govt. of National Capital Territory of
Delhi, 5-Shyam Nath Marg,
Delhi-10054.

2. The Commissioner (Transport),
Transport Directorate, Govt. of
National Capital Territory of
Delhi, 5/9-Under Hill Road,
Delhi-110054.

.. Respondents

(None for the Respondents)

O R D E R (ORAL)

(Hon'ble Shri H.O. Gupta, Member (A))

In this O.A., the applicants who are Pollution Level
Test Inspectors, are aggrieved ^{of D} for non upgradation of their
pay scale from Rs.1640-2900 to Rs.2000-3200 and ^{w D} relief the
[^]


applicants are praying for grant of the pay scale of Rs.2000-3200 w.e.f. 19.3.1996 on the analogy of Office Supdts. whose pay scales was also upgraded to Rs.2000-3200, on various grounds stated in the application. (X)


2. On repeated calls, neither the applicant nor their counsel was present. Counsel for the respondents was also not present. Accordingly this order is dictated in Court after having perused the pleadings and annexures on record.

3. The applicants were appointed as Pollution Level Test Inspectors in the pay scale of Rs.1640-2900 on different dates from 1987 to 1993. Four of the applicants are holding diploma in Automobile Engineering whereas other two are holding diploma in Mechanical Engineering along with AMIE equivalent to degree in Engineering. One of the grounds taken by the applicants is that the nature of duties and responsibilities of the applicants are arduous and of technical nature as compared to the duties of Office Supdts. whose pay scale was upgraded to Rs.2000-3200. Their another ground is that their qualifications and experience at the time of recruitment were superior than those of Office Supdts. who were promoted from feeder grade of Clerk/Head Clerk/^{and}were having qualification of High School only.

4. The pay scales are determined keeping in view various factors including nature of duties and responsibilities, qualifications, experience mode of recruitment etc. for a particular post. The pay scale of a post is decided by the executive and based on the recommendations of the expert body like Pay Commission wherever necessary. It is settled law that Courts cannot take on work of the executive or Expert Bodies. In this case, the applicants and Office Supdts. belong to two different classes of employees and comparison itself is not justified.

5. In the circumstances, we do not find any ground to interfere in the matter. Accordingly OA is dismissed without any order as to costs.


(H.O. Gupta)
Member (A)


(Smt. Lakshmi Swaminathan)
Member (J)