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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

O.A. NO. 1752/89

New Delhi this the 25th April, 1994.

Shri Justice V.S. Malimath, Chairman.

Shri P.T. Thiruvengadam, Member(A).

1. Bhartiya Telegraph Traffic Employees Union Group-D, through its General Secretary, T-5, Atul Grove Road, New Delhi.
2. Shri Chandrapal Singh, Telegraphman, C/o T-15, Atul Grove Road, New Delhi. ...Petitioners.

None for the petitioners.

Versus

1. Union of India, Ministry of Communications, Sanchar Bhawan, New Delhi through its Secretary.
2. Union of India, Ministry of Labour, through its Secretary. ...Respondents.

By Advocate Shri M.L. Verma.

ORDER (ORAL)

Shri Justice V.S. Malimath.

None appeared for the petitioners. Shri M.L. Verma, however, appeared for the respondents. As this is a very old matter, we thought it proper to look into the records, hear the learned counsel for the respondents and dispose of the case on merits.

2. The petitioners have prayed for a direction to the respondents to accord to the Telegraphmen the same pay scale as is accorded to the postmen invoking the principle of equal pay for equal work. In the alternative, they have also prayed to direct reference of the dispute to the Industrial Tribunal for adjudication.
3. At the outset, we have to note that an identical case, O.A. No.834/89, was disposed of on 22.3.94.

A similar claim for parity of pay-scale of Telegraphmen and Postmen was found to be not maintainable. Following the said decision, this application is liable to be dismissed.

4. It is necessary to point out that the Pay Commission which is an expert body after examining the qualifications prescribed, the functions and duties of the two categories of posts did not find it justified to accord the same pay scale to the Telegraphmen as is accorded to the Postmen. We should not interfere with the opinion of the expert body like the Pay Commission. The minimum qualifications prescribed for the two posts are different. Higher educational qualifications are prescribed for the post of Postman and the lower qualifications have been prescribed for the post of Telegraphman, as admitted by the petitioners. They, however, say that though that is a statutory prescription, what happens, in fact, is that the peoples of higher qualifications are recruited to the cadre of Telegraphmen. The fact that the peoples of higher qualifications are available and are recruited, in our opinion, is not a proper test. The proper test is as to which the rule making authority has found adequate for discharging the duties and responsibilities of different posts.

5. Another assertion of the petitioners is that they are discharging the same duties, functions and responsibilities as are being performed by the Postmen. This has been denied in the reply by the respondents. They have asserted that the Postmen carry responsibilities of high order as they have to handle value payable articles, insured articles, money ordrs, cash etc. and maintain records whereas

the duties of Telegraphmen are comparable with the duties of other Group 'D' employees. There is no good reason not to accept the statement of the respondents in their reply, particularly when the petitioners have not been able to produce any satisfactory material in this behalf. As we have examined the case in respect of the main relief and rejected the same, the question of considering the alternate relief does not arise.

6. For the reasons stated above, this petition fails and is dismissed. No costs.

P.T.Thiru

(P.T. Thiruvengadam)
Member(A)



(V.S. Malimath)
Chairman

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