

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

OA No. 157/88 .. Date of decision: 21.05.93

Sh. Karam Bir .. Applicant

Versus

Union of India -

Ministry of Information

and Broadcasting .. Respondents

CORAM

Hon`ble Sh. A.B. Gorthi, Member (A)

Hon`ble Sh. C.J. Roy, Member (J)

For the applicant .. Applicant in person

For the respondents .. Sh. M.L. Verma, Counsel.

JUDGEMENT (Oral)

(Delivered by Hon`ble Sh. A.B. Gorthi, Member (A))

The applicant was employed as a temporary Motor Driver in the office of the Director, Television Centre, New Delhi on 3.4.62. He was made Quasi-permanent w.e.f. 1.7.65. Thereafter, the pay of the applicant was fixed in the scale of Rs. 320-400 which is applicable to motor drivers (senior scale). He was selected in the Selection Grade Drivers for driving Out Broadcasting Van (O.B. Van) w.e.f. 3.7.76. Although the said vehicle is a heavy vehicle, the applicant is denied the scale of pay applicable to a heavy vehicle driver. Consequently,

he is being paid in the scale of Rs. 320-400 which is applicable only to light vehicle drivers. The applicant's prayer is that he should be given the scale of pay of Rs. 330-560. His several representations to the concerned authorities have brought him no relief.

The respondents, in their counter affidavit, admit the fact that the applicant is a senior scale motor driver. He was, however, entrusted with the task of driving the O.B. Van as and when required. The learned counsel for the respondents has further clarified that in Doordarshan Kendra, there is no post of heavy vehicle driver in the scale of Rs. 330-560. The applicant being the senior-most driver was given appointment against the solitary post of senior scale motor driver existing in the Kendra.

We have heard the applicant in person. His main contention is that the heavy vehicle drivers in other departments of the Government of India are given the pay scale of Rs. 330-560 and that the O.B. Van of the Doordarshan Kendra is a heavy vehicle, he should, therefore, be given the scale of pay of a heavy vehicle driver as is being given to similarly employed persons in other departments of the Government.

The equation of posts and the grant of equal pay to persons holding such posts is ordinarily a

matter to be determined by the executive authority. Consequently, we consider that it would be more appropriate if the respondents examined this question as to why the O.B. Van drivers of Doordarshan Kendra should not be given the scale of pay which is applicable to the drivers of heavy vehicles in other departments. This question may be examined, if necessary, by constituting a committee of officials. The decision taken thereon may be communicated to all concerned, within a period of 6 months from the date of communication of this order.

The application is disposed of with the above directions. There shall be no order as to costs.

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(C.J. Roy)

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Member (J)

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(A.B. Gorthi)

Member (A)