

(8)

Central Administrative Tribunal  
Principal Bench: New Delhi

OA No.264/88

Date of decision: 03.06.1993.

Shri B.B. Chaturvedi & Ors.

...Petitioners

Versus

Union of India & Ors.

...Respondents

Coram: The Hon'ble Mr. I.K. Rasgotra, Member (A)  
The Hon'ble Mr. J.P. Sharma, Member (J)

For the petitioners           None

For the respondents           None

Judgement(Oral)  
(Hon'ble Mr. I.K. Rasgotra)

When this case was called out for hearing none appeared either for the petitioner or for the respondents. As the matter is very old, we consider it appropriate to decide the case on merits after perusing the records of the case.

2. This Application has been filed by S/Shri B.B. Chaturvedi, Mahinder Singh, M.K. Kulshreshtha and K.G. Kapoor. They are working as Storekeepers in the Ordinance Depots of the Army Ordinance Corps. Their prayer is that respondents should be directed to give the petitioners the pay and benefits available at least to the storekeepers in Railways or Air Force who are doing the same type of work as done by them.

3. The respondents in their counter-affidavit have submitted that the pay scales of the storekeeping staff as well as other categories of Central Government are determined on the basis of the recommendations of the various Central Pay Commissions set up by the Government of India from time to time. The petitioners have been allotted the scales of pay as have been

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recommended by the Third and Fourth Central Pay Commission as accepted by the Government of India. Both these Commissions were manned by experts and the pay scales were assigned after a detailed and expert evaluation of the responsibilities and duties of the various categories. They further submit that the comparison of Central Government Offices cannot be done with that of Railways and Airforce because they have their own Rules. The employees of the Railways are governed by the different set of rules and the same cannot be made applicable to the Defence Department. It is further averred that the Store Clerks of the Railways are equivalent to the post of Storekeepers of Army Ordnance Corps and education qualification for both categories is only Matric. The Assistant Ward Keepers of Railways are equivalent to the post of Senior Store Keepers of Army Ordnance Corps "because the categories are not directly recruited but they are promoted from lower post i.e. Store Clerks and Storekeepers in Army Ordnance Corps. respectively." Therefore, the Storekeepers in Army Ordnance Corps cannot be compared with the Assistant Ward Keepers of Railways.

4. We have considered the matter carefully. What is crucial for the equal pay for equal work principle is the responsibilities and the duties of each post. The evaluation of the responsibilities and duties fall within the domain of the executive. This is done from time to time by appointing expert bodies like Pay Commissions. Recently the Fourth Central Pay Commission had given their recommendations which have been implemented w.e.f. 1.1.1986. After these issues have been examined by the Fourth Central Pay Commission and suitable

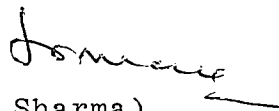
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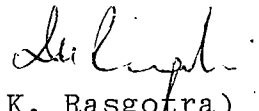
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scales of pay assigned and implemented by the respondents, there is no justification for the Tribunal to interfere. It is now settled that the Tribunal cannot substitute itself for the expert bodies like Pay Commissions in the ordinary course.

5. In the above facts and circumstances of the case, the O.A. is bereft of merit and is dismissed. No costs.

  
(J.P. Sharma)  
Member(J)

  
(I.K. Rasgotra)  
Member(A)

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