

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

OA NO. 783/88

DATE OF DECISON: 29.11.1990.

Shri Ram Lal & Another

...Applicants.

Versus

Union of India & Another

...Respondents.

OA No. 817/88

Shri Roshan Lal & Another

...Applicants

Versus

Union of India and Another

...Respondents.

CORAM:

THE HON'BLE JUSTICE MR. AMITAV BANERJI, CHAIRMAN

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

For the applicants Shri Sunil Malhotra, Counsel

For the respondents Shri P.P. Khurana, Counsel

(Judgement of the Bench delivered by Hon'ble

Mr. I.K. Rasgotra, Member (A))

We have heard the learned counsel for both the parties. In both the above OA's the subject matter relates to allotment of appropriate scale of pay to the Charge Hands and skilled category of Workmen employed on the Motor Vehicle Maintenance Workshops of the Department of Post, P&T Directorate.

The applicants have submitted that in the Motor Vehicle Maintenance Department there is only scale of pay for skilled category of workers and that all of them are placed in the scale of Rs.260-400. They have not been provided avenues of promotion to highly skilled grade-II Rs.330-480 and highly skilled grade-I Rs.380-560 keeping in view the advancement in technology and introduction of more sophisticated

equipment. In fact besides the skilled category in Rs.260-400 grade there is only one level of charge-hands, who are placed in the grade of Rs.330-480 (H.S.G.II scale of pay). Although they are termed as Supervisor yet the grade allotted to them is that of highly skilled grade-II category. The applicants have prayed that they should be provided avenues of promotion in the relevant grades commensurate with their expertise and job requirement. The equivalent grade in terms of Fourth Central Pay Commission for skilled, H.S.G.II, H.S.G.I Rs.950-1500, Rs.1200-1800, Rs.1320-2040 respectively. The grade of charge-hand is Rs.1400-2300 although he is classified as a Supervisor.

The applicants also contend that career progression to workshops staff in the pay-scales mentioned above is available in all technical departments like Railways, Civil Aviation etc. The Fourth Central Pay Commission had also observed that:

"The Third Pay Commission had suggested eventual fitment of different categories into the revised scales on the basis of the recommendations of expert bodies after cautious adoption of job evaluation techniques over a limited sphere - particularly for industrial and fairly standard jobs. We were informed that implementation of this scheme has not given much satisfaction.

Since the distribution of posts in different organisations is made on the basis of work requirement and after a review of the work content, etc., it may neither be possible nor desirable to prescribe a uniform structure to be followed by all departments. That will have to

be left to each department to decide and

to take such action as may be necessary to

adapt the pay-scales to the requirements of the

various departments and to meet the needs of

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be done after a careful examination of all relevant aspects by the ministries/departments concerned. We however strongly emphasise the need for having a central coordinating machinery in the Ministry of Finance so that a uniform approach may be adopted by different ministries/departments while refitting the workshop employees into the different scales of pay suggested by us hereafter."

In the counter filed by the respondents it has been submitted that the Departmental Council for the Joint Consultative Machinery is presently seized of this matter. Besides, the department has also undertaken the job evaluation with a view to consider regarding the posts in Motor Vehicle Maintenance Department. Since the Fourth Pay Commission pay scales were announced in 1987 (but implemented w.e.f. 1.1.1986), the matter seems to have been pending for almost two and half years. However, keeping in view the fact that the respondents are seized of the matter, we would not like to go into the merits of the case at this stage.

We understand from the learned counsel of the applicants that job evaluation of the relevant categories of staff has already made substantial progress that it should be possible for the respondents to decide the fitment of these categories in the scales of pay recommended by the Fourth Central Pay Commission for Workshop staff and Supervisors without any difficulty. Nevertheless, we would like to give adequate time to the respondents to complete job evaluation, process the results and finalise fitment in the revised scales of pay.

In the above view of the matter, we would direct the respondents to complete the process of job evaluation and fitment of the staff in commensurate

scales of pay recommended by the Pay Commission for Artisans and Supervisors as expeditiously as possible, but not later than six months from the date of receipt of a copy of this order.

The OAs Nos. 783/88 & 817/88 are disposed of with the above directions. The applicants will, however, be at liberty to file fresh OA in case they are aggrieved by the final decision of the respondents. A copy of this order may be given to the learned counsel for both the parties, besides sending it to the respondents in a normal course.

There will be no order as to costs.

(I.K. RASGOTRA)
MEMBER(A)
29.11.90.

(AMITAV BANERJI)
CHAIRMAN
29.11.90