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CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH
NEW DELHI

O.A. NO. 519/1986

DECIDED ON : 30.7.1991

Shri Mehar Singh

... APPLICANT

Vs.

Union of India & Another

... RESPONDENTS

Shri Ashok Aggarwal, Counsel for the Applicant.

Mrs. Rajkumari Chopra, Counsel for the Respondents.

CORAM : Hon'ble Mr. Justice U. C. Srivastava, V.C.

Hon'ble Mr. I. P. Gupta, Member (A)

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JUDGMENT (ORAL)

Hon'ble Mr. Justice U. C. Srivastava, V.C. :

The applicant was taken in employment by the Director General, All India Radio, New Delhi since 11.1.1976 as a Plumber on daily wages basis and has been getting the prescribed minimum wages from time to time. According to the applicant a Plumber is getting the salary of about Rs.1,200/- per month whereas the applicant is getting not more than Rs.500/- per month and he is deprived of the other benefits including gratuity, pension, bonus, leave, L.T.C., house building advance etc. even though the applicant is performing the same duties as his counter parts on regular basis are doing. The applicant has stated that principles of 'equal pay for equal work' are not being complied with by the respondents. The applicant submits that the Supreme Court in Dhirendra Chamoli Vs. State of Uttar Pradesh (1986 (52) FLR 147); Surender Singh Vs. Engineer-in-Chief, CPWD (1986 (52) FLR 216) and Brahm Prakash & Ors. Vs. Municipal Corporation of Delhi (writ petition (civil) No.3077-3111 of 1985 took decision on 5.3.1986 upholding the right of an employee of regularisation and also the principle of 'equal pay for equal work'. The Hon'ble

Supreme Court have directed the respondents therein to regularise the daily rated employees and also pay them the same salary and allowances as are paid to the regular and permanent employees with effect from the date they were first employed.

2. In view of the principle of 'equal pay for equal work' the fact that the applicant has been working for 15 years, it is a fit case for regularisation.

3. Accordingly, the respondents are directed to regularise the applicant and pay him the same salary and allowances as are being paid to his counter-parts on regular basis, if the applicant has been performing the same duties and functions. Let this be done within three months from the date of communication of this order.

With the above directions the application is disposed of with no orders as to costs.

I. P. Gupta
(I. P. Gupta)
Member (A)

U. C. Srivastava
(U. C. Srivastava)
Vice Chairman (J)