

12

Date of Decision: 04.06.93.

..... Applicant
versus
..... Respondents

CORAM :-

THE HON'BLE SH. C.J ROY, MEMBER(J)

THE HON'BLE SH. B.N. DHOUNDIYAL, MEMBER(A)

FOR THE APPLICANT : Sh. G.K. Srivastava,
counsel.

FOR THE RESPONDENTS : None.

JUDGEMENT

(of the Bench delivered by Hon'ble Sh. B.N. Dhoundiyal,
Member(A).

The applicant Smt. B.B. Gupta, a Librarian working in Commercial Secretarial Institute, Delhi is aggrieved that the pay scale given to her is lower than that given to her counterparts in I.T.I., even though educational qualifications prescribed for recruitment to both the posts are similar. The relief sought by her is that her salary may be fixed in the same pay scale as are applicable to the Librarian working in the I.T.I. with retrospective effect with consequential financial benefits alongwith interest of 18%.

2. The applicant was appointed in the scale of Rs.130-300 on 31.7.1971. At that time, the scale prevalent for the Librarians in I.T.I. was Rs.150-

320. The following table shows the position obtaining for both the categories of Librarians as a consequence of pay revisions given from time to time.

C.S.I.		I.T.I.	
Date	Pay Scale	Date	Pay Scale
25.9.70	130-300	25.9.70	150-320
27.5.70	220-430	27.5.70	220-500
	220-500		250-550
1.1.73	380-640	1.1.73	425-700
1.1.86	1350-2200	1.1.86	1400-2300

The applicant contends that her case for parity in the pay scale with I.T.I. was very strongly recommended by her department but no action has been taken by the respondents.

3. The respondents have taken a stand that the nature of duties and responsibilities of I.T.I. are much higher than those of the Librarian of C.S.I. because of the sanctioned strength of trainees in I.T.I. having the Librarian post ~~is~~ more than 1000 in comparison to that of the Commercial Secretarial Institute i.e. 224.

4. We have heard the learned counsel for the applicant and gone through the records of the case. None appeared for the respondents. It is obvious that the applicant was appointed in 1971 in the scale which was much lower than that prescribed for the Librarians working in I.T.I. This dissimilarity

14

prevailed through out during the subsequent pay revisions. Different scales for different jobs prescribed by expert bodies like Pay Commission cannot be interfered by the courts lightly unless a case is made out that the quantum and the nature of work for the post are similar; as also qualifications for recruitment. No such case has been made out by the applicant. The present application, therefore, fails and is hereby dismissed. No costs.

B. N. Dhoundiyal
(B.N. DHOUNDIYAL)
MEMBER(A) 4/6/53

C. J. Roy
(C.J. ROY) 4/6/53
MEMBER(J)