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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI.

O.A. No. 82/90

New Delhi this 26th May, 1994.

CONCURRENCE:

Hon'ble Mr. S.R. Adige, Member (A)  
Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

Shri Kripal Singh,  
r/o 14, Kalyan Vas,  
Delhi-110091

.....Applicant.

None for the applicant.

Versus

1. Delhi Administration,  
through the Lt. Governor, Delhi,  
Delhi.

2. Asstt. Director (Admn)  
Planning Department, Delhi.

3. Union of India,  
Ministry of Home Affairs, through  
its Secretary,  
Delhi.

.....Respondents.

By Advocate Ms. Rashmi Chhabra, proxy counsel  
for Mrs. Avnish Ahlawat.

ORDER (ORAL)

Hon'ble Mr. S.R. Adige, Member (A)

None for the applicant, although we waited for a considerable length of time. Ms. Rashmi Chhabra, proxy counsel for the respondents present. This is an old case and we thought it fit to dispose it on the basis of the materials on record and the pleadings.

2. The applicant Shri Kripal Singh was appointed as a peon in the office of Secretary, Delhi Administration on 18.12.70 and was thereafter appointed as Machine (Gestetner) Operator (Scale Rs. 210-270/- pre-revised) on adhoc basis w.e.f. 20.1.81. In May, 1993,

the applicant's services were transferred to newly created Planning Department as Gestetner Operator (revised scale Rs.800-1100/- consequent to 4th Pay Commissioner Report) and was regularised as such w.e.f. 17.8.84(Annexure-P/4). He contends that his counter-part i.e. Zerox Operator in the Archives Department of Delhi Administration is in revised scale of Rs.1200-2040(Rs.330-560/- prerevised) and claims that as the Recruitment Rules, conditions of appointment, nature of duties and functions, classification of posts etc. are the same, the pay scale of the post of Gestetner Operator in the Planning Department should be revised to Rs.1200-2040/- on the principle of 'equal pay for equal work'.

3. The respondents in their counter affidavit point out that the post of Machine Operator in the Planning Department is a group 'D' post which is filled up by promoting Group ('D' employees from within the Planning Department itself, whose number is meagre while the post of Zerox (Photocopier) Operator in the Archives Department is a Group C post which is filled up through direct recruitment. Hence, the difference in pay scale.

4. These pay scales have been determined on the basis of the IV Pay Commission's recommendations which was an expert body specifically set up to examine the salary structure of different categories of Govt. employees in the background of their duties, functions, nature of work, conditions of service, responsibilities etc. and thereafter make their recommendations. It is well settled that the recommendations of such an expert body should not be lightly interfered with by the Tribunal which is not fully equipped to go into the matter, unless

there are overwhelming reasons to do so, for any tinkering with the problem would derange the relative <sup>ities</sup> of the salary structure governing different categories of Govt. service, creating further anomalies.

5. In the instant case, the post of Machine (Gestetner) Operator in the Planning Department is a Group D post filled by promotion from amongst Group D employees from within the Planning Department itself, while the post of Zerox Operator in the Archives Department is a group C post which is filled up through direct recruitment (Planning Department's letter dated 7.9.87 at Annexure P/6A). The difference in pay scales is, therefore, entirely reasonable, and any attempt to equate the salary structure of a Group D post with that of a Group C post would be treating unlikes alike, and would thus offend Articles 14 and 16 of the Constitution.

6. In the result, we see no reason to interfere in the matter. This application lacks merit and is dismissed. No costs.

*L. Swaminathan*  
(L. SWAMINATHAN)  
MEMBER (J)

*S. R. Adige*  
(S. R. ADIGE)  
MEMBER (A)

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