

Item No.9



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**OA No. 1188/2021**

**This the 28<sup>th</sup> day of June, 2021**

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Ms. Aradhana Johri, Member (A)**

Dr. Amitesh Nagarwal,  
S/o Shri Ram Kishore,  
R/o H. No. 8, Nandpuri  
Malviya Nagar,  
Jaipur-302017.

... Applicant

(By Advocate : Ms. Bhawana Pandey)

**Versus**

1. Union of India,  
Ministry of Health & Family Welfare,  
Government of India,  
Through its Secretary,  
Nirman Bhawan,  
Near Udyog Bhawan Metro Station,  
Maulana Azad Road,  
New Delhi – 110011.
2. Union Public Service Commission,  
Through its Secretary,  
UPSC Bhavan, Shahjahan Road,  
Man Singh Road Area,  
New Delhi, Delhi – 110069.

... Respondents

(By Advocates : Ms. Geetanjali Sharma for R-1 and  
Mr. R.V. Sinha with Mr. Amit Sinha for R-2)

**ORDER (ORAL)**

**Justice L. Narasimha Reddy, Chairman :**

It is rather unfortunate that a youngster, who is at the threshold of his career and in noble profession of Doctor, is looking at money and nothing else.

2. The UPSC issued an advertisement in the year 2019 for selection to the post of Assistant Professor (Cardiology) in the Central Health Services (CHS). The applicant was selected for that post and was also issued an offer of appointment, in pay band of Rs. 15600-39100/- with grade pay of Rs. 6600/-.

3. The applicant contends that almost at the same point of time, the UPSC issued an advertisement for the post of Assistant Professor in the Government Medical College, Chandigarh and the pay scale stipulated for that post was Rs. 37400-67000/- with Grade pay of Rs. 8600/-. The applicant states that when the post is same, the appointment is by the Central Government and the selection is by UPSC for both the posts, there cannot be such a disparity in the pay structure. He filed this O.A. with a prayer to direct the 1<sup>st</sup> respondent to grant him, the pay band of Rs. 37400-67000/- with Grade pay of Rs. 8600/-, for the post, to which he was selected. The applicant contends that it is a clear case of discrimination and there is absolutely no basis for the respondents to stipulate different pay scales, when the post is the same.

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4. Today, we heard Ms. Bhawana Pandey, learned counsel for the applicant, Ms. Geetanjali Sharma, learned counsel for respondent No.1 and Mr. R.V. Sinha with Mr. Amit Sinha and, learned counsel for respondent No.2.

5. The applicant was selected for the post of Assistant Professor, CHS and he is yet to join the service. Anybody in his place would have rejoiced and joined the service with a lot of enthusiasm. Unfortunately, the applicant has landed in frustration, even before joining the service. He bestowed his attention to the pay scale, attached to the post of Assistant Professor, in a different institution. He did not even care to verify the nature of duties, the category of the post or Institution and other relevant particulars. The applicant seems to be under the impression that others, who are already working in the post or those who are selected along with him, are not cute or so clever as him and they are working as bonded labourers in a low scale of pay; not being aware of the fact that they are entitled to get a higher scale of pay. We take serious exception to the overreaching attitude of the applicant.

6. We, therefore, dismiss the OA. But for the fact that the applicant is at the threshold of his career and his case is represented by a decent advocate, we would have imposed costs.

**(Aradhana Johri)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/jyoti/sarita/vb/ankit/