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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

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Registration O.A. No. 728 of 1986

Shri ~~K. N.~~ Sharma
and others Applicants.

Versus

Union of India
and others Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.
Hon'ble Mr. K. Obayya, Member(A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

who
The applicants/were employees of the Ordnance Factory, Dehradun (Manufacturing of the Optical Instruments) have approached this Tribunal after approaching the departmental authority, with prayers that the respondents be directed to upgrade the applicants' trade in the scale of Rs. 260-400 w.e.f. 15.10.1984 and further directed to treat that trade as skilled trade and their grade be also upgraded; and be directed to pay the difference of their amoluments w.e.f. 15.10.1984, or as being paid to the other upgraded trades;

2. The factory is manufacturing and supplying Optical Instruments to all the three wings of the Defence and the workers engaged for manufacturing Opticals and other Optical components have been named and designated as 'Optical Workers'. The applicants' grievance is that discrimination has been done in their case and similarly placed other employees have been placed on the higher grade.

3. According to the respondents these grades are based on the recommendation made by the Third Pay Commission appointed ~~200000~~ and an Expert Classification Committee to evaluate

the jobs of various trades and grades in the Directorates of Ministry of Defence including Ordnance Factories. This committee consisted of official side members having technical knowledge of the jobs of the trades, as well as representatives of the workers drawn from two recognised federations of the Unions of Ordnance Factory employees. This committee studied the jobs ~~as~~ of various trades and awarded a point score to each, and on these point scores, the Government of India classified all the jobs in I.E. in five grades, which included Highly Skilled Grade-I, Highly Skilled Grade-II, Skilled, Semi Skilled, Un-Skilled. Subsequently, certain anomalies were pointed out by the employees representatives and that is why, the matter was referred to Anomalies Committee to re-evaluate certain trades which were common to various Directorates. The Anomalies Committee after re-evaluating these trades awarded fresh point scores and based on the same score trades were upgraded vide Ministry of Defence letter dated 15.10.1984. The job of Optical Worker was not considered by the Anomalies committee since it did not qualify for re-evaluation. The point score awarded for the job of optical worker Semi Skilled was 241, whereas the point score awarded for the jobs of Machinist (Semi Skilled) was 279, Miller (Semi-Skilled) 287, and for Turner (Semi Skilled) 284. The point score for Grinder (Semi Skilled) was 266.

4. Accordingly, it is clear that first the pay commission has considered the matter and thereafter the matter was again ~~re~~ considered by the Expert Classification Committee then the matter was referred to Anomalies Committee and the Anomalies Committee re-evaluated

the matter and gave the marks. In our opinion, as the work of ~~the~~ all the trades differs and is not exactly the same and that is why, the same pay scale has not been given to them. The evaluation job is that of the experts and not for the Tribunal, and the expert report should be considered by the Government, and the Government if found that nothing wrong has been done with the applicant in the report given by the Anomalies Committee, that is why, the higher grade pay was not given. We do not find any good ground to interfere in the case but we observed that the cases of the applicant can be considered by the next pay commission whenever it meets. But for the above observation the application is otherwise dismissed. No order as to Costs.

R. B. Singh
Member (A)

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Vice-Chairman

Dated: 11.2.1992

(n.u.)