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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Original Application No: 993 of 1988

Hon'ble Mr. T.L.Verma, Member-J
Hon'ble Mr. K.Muthukumar, Member-A

R.Seetaraman aged about 52 years, S/o
Shri P.V.Ramchandran, Resident of B 15/35 B,
Faridpura, Near Bamali Tola Inter College,
Varanasi.

..... Petitioner.

By Advocate V.K.Srivastava

V.K.Srivastava
Versus

1. Union of India through Secretary, Ministry of Textiles, Govt. of India, New Delhi
2. Development Commissioner for Handlooms, Ministry of Textiles, D.H.Q. Post Box No. 5421, Udyog Bhawan, New Delhi- 110 011.
3. Director, Indian Institute of Handloom Technology Chaukaghata, Varanasi-221 002

..... Respondents.

By Advocate N.B.Singh

Judgement by Hon'ble Mr. T.L.Verma, J.M.

This application under Section 19 of the Administrative Tribunal's Act has been filed for issuing a direction to the respondents to maintain parity in the scale of pay and other benefits of the Draftsman with that of Senior Lecturer in the Indian Institute of Handloom Technology, Varanasi and pay ~~more and~~ difference of the pay of the post of Draftsman ^{pay of} and that ~~xxx~~ of the Senior Lecturer.

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2. The facts giving rise to this application briefly stated are as follows;

That the petitioner was initially appointed as a Draftsman-cum-Workshop Superintendent on 1.7.1968 in the scale of pay of Rs. 400-680/- in the Institute of Technology, Varanasi vide order dated 18th July, 1968 (Annexure-1). The Third Pay Revision Committee recommended of replacement scale/Rs. 650-960/- for the scale 400-680/-. The grievance of the applicant is that the Third Pay Revision Committee recommended the replacement scale of Rs. 650-1200/- for all other Group 'B' posts except the post of Draftsman-cum-Workshop Superintendent. The grievance of the applicant is also that a superior scale of Rs. 700-1300/- has been recommended for the post of Senior Lecturer although the responsibilities assigned to the Draftsman is similar to that of the Senior Lecturer.

3. The further case of the applicant is that there is a clear line of ~~promotion~~ for all the posts of the Institute except the post of Draftsman-cum-Workshop Superintendent because there is only one post in that category. In absence of promotional channels for the post of Draftsman-Workshop Superintendent, the applicant is stagnating at the maximum of the scale. The Workshop Superintendents appointed in/similar ~~other~~ Educational Institutions, which is stated, ~~are~~ are drawing higher scale of pay of Rs. 700-1300/-. The ~~disparity~~ in the scale of pay of the applicant vis-a-vis his counter parts in other Educational Technical Institutions and the Senior Lecturer in the institute, it is stated is not only

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discriminatory but also unjust. The anomaly and the injustice to the applicant was brought to the notice of the Textile Commissioner and the Third Pay Revision Commission. This, however, did not yield any result favourable to the applicant. Thereafter, when the Fourth Pay Revision Committee was constituted, he filed another representation addressed to the Member Secretary Fourth Pay Revision Commission on 15.10.1988 (Annexure-4). This representation also does not appear to have impressed the Pay Revision Commission and accordingly, a separate scale of pay has been recommended for the post of Draftsman-cum-Workshop Superintendent of the Indian Institute of Handloom Technology. Hence, this application for the reliefs mentioned above.

4. This petition has been opposed by the respondents by filing a Written Reply. It has been averred that there are promotional avenues for the post of Draftsman-cum-Workshop Superintendent to the post of Workshop Foreman and Assistant Workshop Superintendent.

5. We have heard the learned counsel for the parties and perused the record. The learned counsel for the applicant urged that a direction be issued to the respondents to consider the representation (Annexure A-4) filed by the applicant ^{and dispose of the same} with a reasoned and speaking order.

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6. The representation (Annexure A-4) is addressed to the Member Secretary, Fourth Pay Revision Commission. The Fourth Pay Revision Commission has already submitted its report and its recommendations have been implemented, pursuant to which the applicant has been given the replacement scale of Rs. 650-960/-.

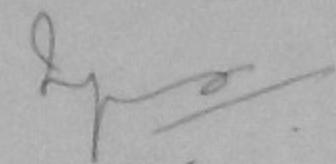
7. It may not be out of place to mention here that the Courts/Tribunals are not the proper authorities to recommend scales of pay to be given to different categories of the Government employees. It is the function of the expert body such as Pay Revision Commission which recommends the pay scales to be given to different categories /after hearing the delegation of different associations and examining other relevant materials to determine as to what pay scale should be recommended for which category of the employees. This Tribunal, obviously, not in a position to consider the correctness or otherwise of the stand taken by the applicant on the basis of the slender material on the record. That being so, no direction is prayed for in the circumstances of the case discussed above, can be issued. The Fifth Pay Revision Commission has already been constituted. The applicant, therefore, if, advised, may file fresh representation before the ^{11th} Pay Revision Commission.

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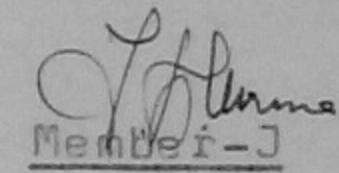
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In view of the discussions made above, this application is dismissed with the above observations.



Member-A



Member-J

Allahabad Dated: 26.9.94

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