

ORDER DATED 24-02-2004.

Heard Mr.Aswini Kumar Mishra, Learned Counsel appearing for the Applicants and Mr.S.Behera, Learned Additional Standing Counsel, appearing for the Respondents and perused the materials placed on record.

The Applicants, by filing this Original Application, have prayed for a direction to be issued to the Respondents to offer them the scale of pay of Rs.4,000-6,000/-; on the ground that such a scale of pay is available for the employees of other Departments like Prasar Bharati Broadcasting Corporation and Doordarshan/All India Radio etc. They have also submitted that denial of the scale of pay of Rs.4,000-6,000/- to them would result in violation of the provisions of Articles 14 and 16 of the Constitution of India.

Respondents contested the matter by filing a detailed counter; in which they have disclosed that the Applicants have not disclosed full facts of the case that they were recruited as Semi-skilled grade in the scale of pay of Rs.2650-4000/- and were given promotion to the next grade (skilled) of Artisan in the scale of Rs.3050-4590/- and has the promotional avenues open to them to the higher scale Grade.I in the pay scale of Rs.4,000-6,000/-. They have further submitted that the Representation dt.8.4.99 submitted by the applicants have been duly considered by them and a reply was also given in letter dt.3.2.2000 (Annexure-R/1) stating that the pay scale

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granted to the Applicants are the same as recommended by the Vth Pay Commission and that each Department has prescribed separate rules for recruitment, promotion, seniority and Pay scale which are not same and, therefore, in the nature of thing pay scale of similar grade would vary from one Department to another.

From the above discussions, it is clear that the Pay scale of Rs. 4,000-6,000/- being available to the Applicant in their own grade, we see no merit in this Original Application. In the aforesaid premises, this Original Application is dismissed, being devoid of any merit. No costs.

However, we hope and trust that the Applicants will be considered for grant of scale of pay of Rs. 4000-6000/- in their turn as per the Rules governing promotion or under the ACP scheme as and when due.

*Manoranjan Mohanty*  
24/02/04  
(MANORANJAN MOHANTY)  
MEMBER (JUDICIAL)

*B. N. Som*  
24/2  
(B. N. SOM)  
VICE-CHAIRMAN