

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.223/98.

Wednesday this the 6th day of June 2001.

CORAM:

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

U.P. Faridabi,
Gramasevika, Border Area Project,
Androth Island,
U.T. of Lakshadweep. Applicant
(By Advocate Shri Shafik M.A.)

V_S.

1. The Chairman,
Lakshadweep State Social
Welfare Board, Kavaratti,
U.T.of Lakshadweep.
2. The Chairman,
Central Social Welfare Board,
New Delhi.
3. The Administrator,
U.T.of Lakshadweep,
Kavaratti.
4. Union of India, represented by
Secretary, Department of
Social Welfare,
M/o Human Resources Development,
New Delhi. Respondents

(By Advocate Shri S.Radhakrishnan (R.1-3)
(By Advocate Shri P.Vijayakumar, ACGSC (R-4)

The application having been heard on 6th June, 2001
the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN

The applicant who is working as Gramasevika in the Border Area Project, Androth Island has filed this application aggrieved by order dated 8.1.1998 of the first respondent rejecting her claim for revising the scale of pay with effect from the date of her joining to the post of Gramasevika. The fact necessary to understand the controversy involved can be stated as follows:

2. The applicant joined service as Gramasevika under the Lakshadweep State Social Welfare Advisory Board on 17.4.1982 in the scale of Rs. 260-430. The scale of pay of Gramasevika was enhanced to Rs.975-1500 on implementation of the 4th Pay Commission recommendations. The grievance of the applicant is that the Village Extension Officer and Lady Village Extension Officer under the Lakshadweep Administration were discharging the duties on par with the Gramasevika having been given the pay scale of Rs.1200-2040 w.e.f.1.1.86, the applicant and other Gramasevikas like her have been granted a pay scale of Rs.1200-2040 only w.e.f.28.10.93. The decision of the respondents in not revising the scale of pay of the applicant with effect from the date of her initial appointment, is arbitrary, irrational and unjustified, according to the applicant. With these allegations the applicant has filed his application seeking to have the impugned order A-1 set aside and for a direction to the respondents to grant the applicant the pay scale of Rs.1200-2040 from the date of her joining service i.e.17.4.82 in the corresponding scale, as has been given to other similarly placed employees.

3. The respondents 1-3 have filed a detailed reply statement in which they contend that the duties and responsibilities of Gramasevikas and of the Village Extension Officers and Lady Village Extension Officers are not the same, that the level of duties and responsibilities of Village Extension Officers and Lady Village Extension Officers are higher, that, prior to the implementation of the report of 4th Pay Commission, they were on a higher pay scale than that of

the Gramasevikas and that on an evaluation of the duties and responsibilities of the posts of Gramasevikas in October 1993, it having been found that, at that time the duties and responsibilities were almost similar, the Gramasevikas have been granted the pay scale of Rs.1200-2040 w.e.f 28.10.93 and that therefore, the applicant does not have a legitimate grievance.

4. Learned counsel of the applicant with considerable tenacity argued that there had not been any change in the duties and responsibilities of the Gramasevikas prior to 28.10.93, that the level of duties and responsibilities remain on par with those of Village Extension Officers and Lady Village Extension Officers, and that the mere fact that the respondents cared to undertake a study of the level of duties and responsibilities only in October, 1993, would not justify granting the benefit w.e.f.that date only.

5. Giving the facts and circumstances brought out in the material placed on record and the arguments advanced at the Bar, our anxious consideration, we do not find any merit in the claim of the applicant. The post of Gramasevika in the Lakshadweep State Social Welfare Advisory Board and the post of Village Extension Officers and the Lady Village Extension Officers in the Lakshadweep Administration are different posts. It is the prerogative of the competent authority to prescribe the pay scale of different posts commensurate with the recruitment qualification, the level of duties and responsibilities and other relevant factors. The competent

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authority in its wisdom prescribe different pay scales for different posts. It can be seen from the pleadings and the impugned order, which is not disputed by the applicant that, immediately prior to the grant of the pay scale of Rs.1200-2040 to the Village Extension Officers and Lady Village Extension Officers, those posts were in the scale of Rs.330-560 whereas the post of Gramasevika in the Lakshadweep State Social Welfare Advisory Board was in the lower pay scale of Rs.260-430. As the Gramasevikas like the applicant have been clamouring for higher pay scale, the Board conducted a work study in 1993 and on being satisfied at that time that the duties and responsibilities were on par with those of Village Extension Officers, a decision was taken to extend the pay scale of Rs.1200-2040 to the Gramasevikas in the Border Area Project under the Lakshadweep State Social Welfare Advisory Board prospectively. Whether the duties and responsibilities of the posts of Gramasevikas in the distant past had been on par with the duties and responsibilities of the Village Extension Officers and Lady Village Extension Officers were not studied and decided. Therefore, we do not find any discrimination in the decision taken by the respondents. We find that the decision to grant the pay scale of Rs.1200-2040 to the Gramasevikas on par with Village Extension Officers/Lady Extension Officers w.e.f. 28.10.93 on the basis of the study is a fair and just decision.

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6. In the light of what is stated above, we do not find any merit in the application and the same is dismissed leaving the parties to bear their own costs.

Dated the 6th June 2001.


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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Annexure A-1: True copy of the Order F.No.2/1/94- SWB dated 8.1.1998 issued by the first respondent.