

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA 72/92.

Dt. of Order:25-1-94.

Dr. Anil Kumar Saxena

...Applicant

Vs.

1. Union of India,
rep. by its Secretary,
Ministry of Home Affairs,
North Block, New Delhi.
2. Director,
Sardar Vallabhbhai Patel,
National Police Academy,
Hyd-252.

...Respondents

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Counsel for the Applicant : Shri Vaada Rajagopala Reddy

Counsel for the Respondents : Shri N.V. Ramana, Addl. CGSC

CORAM:

THE HON'BLE JUSTICE SHRI V. NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (A)

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Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman)

Heard Sri Vada Rajgopala Reddy, learned counsel for the applicant and Sri N.V. Ramana, learned counsel for the respondents.

2. This OA was filed praying for a direction to R-1 to grant the revised UGC pay ^{scale} of Rs.3700-5700 to the post of Reader in Teaching Methodology in Sardar Vallabhbhai Patel National Police Academy (SVP-NPA), Hyderabad, on par with the scale of pay ^{to} the post of Reader in Lal Bahadur Sastry National Academy of Administration (LBS Academy) Mussorie, with retrospective effect from the date as is permissible under law and ^{to} fix the pay ~~scales~~ of the applicant accordingly and to grant all the arrears of pay.

3. The facts which are relevant and material for consideration of this OA are briefly as under :

There is one post of Professor and three posts of Readers in SVP Academy and the pay scales for the said posts prior to 1983 were Rs.1500-1800 and 840-1200 respectively. In 1983 the same ~~was~~ revised as Rs.1500-2000 and Rs.1100-1600 respectively so as to be on par with the pay scales of Professor and Reader in LBS Academy. Accordingly the pay of the applicant who joined as Reader in Teaching Methodology in SVP Academy in 1981 was fixed in the pay scale of Rs.1100-1600 with effect from 14-11-1983.

By order dated 4-12-1985 (vide Annexure-I), the University Grants Commission (UGC) scales of pay of Professors and Readers which were Rs.1500-2500 and 1200-1900 ^{respectively} were extended to the Professors and Readers in LBS Academy but ~~not~~ to Professors and Readers in SVP Academy.

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The revised UGC scales had come into effect from 1-1-1986, and those revised scales ^{for} of Professors and Readers ^{and they} of Rs.4500-7300 and Rs.3700-5700 respectively were being extended to Professors and Readers in LBS Academy, but not to the Professors and Readers in SVP Academy.

The applicant was making representations from 9-2-1986 praying for revision of the pay scales of Professors and Readers in SVP Academy so as to be on par with the pay scales of Readers and Professors in LBS Academy. Though the Director, SVP Academy, recommended for the said revision, it was ^{not} accepted to by the Government and hence this OA was filed.

4. The contention for the applicant in support ^{of} ~~on~~ ^{the} ~~his~~ relative claims in this OA are that the duties and functions performed by the Readers and Professors in SVP Academy are the same ~~and~~ as the duties and functions performed by the Readers and Professors in LBS Academy, and the qualifications prescribed for the posts of Professors and Readers in both ^{these} ~~these~~ Academies prior to 29-4-86 ~~are~~ were similar. While the LBS Academy is for Training of IAS Officers and All India Service officers, the SVP Academy is for the Training of IPS Officers and on the principles of equal pay for equal work, the pay scales which are applicable for the Readers and Professors in LBS Academy have to be allowed even to the Readers and Professors in SVP Academy. In representation dated 14-11-1991 the applicant submitted that when he ~~met~~ ^{met} an official of Ministry of Home Affairs, he was informed that the revised UGC scales were not allowed to the Professors and Readers in SVP Academy as the pre-revised UGC scales were not given prior to 1-1-86, and as the SVP Academy is not providing any degrees to the trainees. In the said representation it is stated that even ~~though~~ ^{to the} Professors and Readers in LBS Academy, the pre-revised UGC scales were given with effect from 4-12-1985 only, and Readers in SVP Academy cannot be blamed when those scales were not

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granted to them prior to 1-1-1986, and when they came to know of the same, the representation was made even on 9-2-1986 praying for those ^{scales} posts. It is also stated in the said representation that even in LBS Academy it ^{is} ~~has~~ not ^{giving} provided ~~any~~ degrees to the trainees.

5. In reply to affidavit filed by the Desk Officer in SVP Academy on all the respondents, ^{whole of} ~~it was~~ merely stated that the revised UGC scales for Professors and Readers were not made applicable to Professors and Readers in SVP Academy as ^{they} ~~if~~ it were not given the ^{pre} revised UGC scales. There is no denial in regard to the pleadings for the applicant that the duties and the responsibilities of the Readers and Professors in both SVP and LBS Academies are similar, and the qualifications for those posts ^{are} ~~are~~ also similar prior to 29-4-1983. It may be noted that even in 1983 when the scales of Readers and Professors in SVP Academy were less than the pay scales of the corresponding posts in LBS Academy, the pay scales of the former were revised with effect from 14-11-1983 so as to be on par with the pay scales of the latter. ^{it was} ~~had~~ to be further seen that while LBS Academy caters to the training of IAS and other ^{All India} officers, ~~and~~ SVP Academy was constituted for the training of IPS Officers. There cannot be two different opinions in regard to the ^{onwards} responsibilities and ^{to be shadowed} ~~duties that~~ ^{important duties that} have to be discharged by both the IAS and IPS officers.

Probably having realised the same, the pay scales of the Professors and Readers in SVP Academy were raised so as to be equal with the pay scales of their counterparts in LBS Academy. If the same is taken ^{into} ~~for~~ consideration in the light of the plea for the applicant that the ^{functions of} Professors and Readers in both the LBS and SVP Academies are similar and they are having the same responsibilities and when the same remains ~~to be~~ untraversed it had to be held that they are

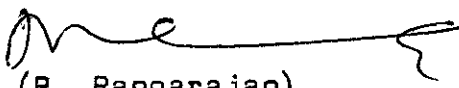
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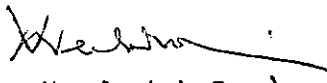
discharging the same duties and holding the same responsibilities. Further, the qualifications prescribed for the posts of Readers and Professors in both the Academies upto 29-4-1986 were same. Hence, under these circumstances when the applicant contends that equal pay for equal work is applicable in this case cannot be held as untenable.

6. So it is ^{proposed} ~~proposed~~ to give the following directions :

The applicant has to be given the scale of pay of Rs. 3700-5700 (UGC revised pay scales) for Readers with effect from 1-1-1986 by limiting the monetary benefits from 1-2-91 (this OA was presented on 30-1-1992). The arrears have to be paid within four months from the date of receipt of this order.


7. This OA is ordered accordingly. No costs.


(R. Rangarajan)
Member (Admn)


(V. Neeladri Rao)
Vice-Chairman

Dated : January 25, 1994
Dictated in the Open Court

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Deputy Registrar (Judl.)^e

Copy to:-

1. Secretary, Ministry of Home Affairs, Union of India, North Block, New Delhi.
2. Director, Sardar Ballabhai Patel, National Police Academy, Hyd-252.
3. One copy to Sri. V. Rajagopala Reddy, advocate, No.1 Law Chambers, High Court Buildings, Hyd-001.
4. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (J)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER (A)

Dated: 25/11-1992

ORDER/JUDGMENT:

M.A/R.A/C.A.No.

O.A.No.

72/92

S.A.No.

(W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

No order as to costs.

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