

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

O.A. NO.97/95

Between:

Date of Order: 1.5.95.

Smt. Vijaya Kumari

...Applicant.

And

1. The Commanding Officer, Group Captain, 14 Air Force Hospital, Hyderabad.
2. Air Officer, Commanding Head Quarters Training Command, IAF, Bangalore.
3. Commanding Officer, No.23 ED Air Force, Avadi, Madras.
4. Commandant Air Force Academy, Hyderabad.

...Respondents.

Counsel for the Applicant : Mr. J. M. Naik

Counsel for the Respondents : Mr. S. S. Rao, Esq., M.A., LL.B., F.R.S.C.

CORAM:

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

contd...

As Per Hon'ble Shri A.B.Gorthi, Member (Admn.)

The applicant who is serving as Ward Sahayika in 14, Air Force Hospital, Hyderabad claims in this OA a direction to the respondents to grant her uniform allowance of Rs.1500/- p.a.

2. The applicant was initially appointed as Ward Sahayika in 1977. The duties performed by a Ward Sahayika are as follows:-

- (a) Cleaning the wards for all patients and changing the linen.
- (b) Combing patient's hair and putting plaits.
- (c) Feeding patients as and when necessary.
- (d) To give sponge bath to bed patients and bathing babies.
- (e) To clean the wards.
- (f) To ensure cleanliness of lockers, sink etc.
- (g) Maintenance of labour rooms at all times.
- (h) To make patients to various departments and specialists.
- (i) To assist nursing officers to serve food, fruits etc to the patients.
- (j) To supply material.
- (k) Any other duty assigned by the superior.

3. The grievance of the applicant is that firstly against the non grant of uniform allowance of Rs.1500/- p.a. as is being given to the nursing staff of the hospital. Instead Ward Sahayikas are being supplied with 4 cotton sarees, 4 petticoats and 4 blouses p.a. The quality of the sarees is inferior to such an extent that it is humiliating for a female employee to wear. As regards the washing allowance, once again, she

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claims parity with Nursing staff and demands washing allowance
that she is now receiving.

4. Even in the case of other Group 'D' employees who are supplied with lesser number of sarees washing allowance of Rs.15/- p.m. is being paid. The said amount is very meagre for a Ward Sahayika who has to maintain 4 sarees, 4 petty coats and a sari as cleanliness as is demanded by the nature of her duty.

5. The respondents in their reply affidavit refuted the claim on the ground that Ward Sahayika is not a member of the Nursing Staff and that her entitlement of uniforms and washing allowance is as determined by the Government of India from time to time in respect of all Ward Sahayikas. The respondents denied that the quality of uniforms to the applicant are of the poor quality.

6. Mr. J. M. Naidu, learned counsel for the applicant elaborately contended before me that the applicant should be treated as a member of the Nursing staff keeping in view the nature of duties performed by her.

7. The term "Nursing staff" must be given the same meaning as it has been understood by the department over a period of time and is being understood presently. From the Ministry of Health and Family Welfare letter dated 11.2.87 it is clear that the revision of uniform allowance and washing allowance as stipulated in the said letter pertained only to the nursing staff. What has been applied to the applicant however is the Ministry of Defence U.M. dated 1988 under which the washing allowance is increased from Rs.4/- to Rs.15/- p.m. There is nothing on record from which it can be concluded that Ward Sahayika can be treated as a member of the

To

1. The Commanding Officer,
Group Captain, 14 Air Force "
2. Air Officer, Commanding in Chief,
Head Quarters Training Command,
IAF, Bangalore.
3. Commanding Officer, No.23, ED Air Force,
Avadi, Madras.
4. Commandant Air Force Academy,
Hyderabad.
5. One copy to Mr.J.M.Naidu, Advocate, CAT, Hyderabad.
6. One copy to Mr.N.R.Devraj, Sr.CGSC, CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One spare copy.

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nursing staff.

8. It is entirely for the Executive to decide as to the quantum of the uniform, if any, to be supplied to its employees and the amount of uniform allowance or washing allowance that is to be paid. The disparity between washing allowance that is given to the nursing staff and the Ward Sahayika has been ~~in~~ ^{because} ~~for~~ years. This is not a case of violation of Article 14, ~~against~~, as already observed, the nursing staff forms a separate class distinguishable from Ward Sahayikas who are Group 'D' employees.

9. It has been very strongly urged by the applicant's counsel, that the quality of the uniform supplied to Ward Sahayikas is indeed very poor. It has also been contended that it would not be possible to maintain the uniform with the required standard of cleanliness with the meagre amount of Rs.15/- p.m. that is being given as washing allowance. Certain other Group 'D' female employees who are given lesser number of sarees and petticoats to maintain are also given Rs.15/- p.m. as washing allowance. As employees like the applicant are required to wear everyday uniform which is absolutely clean there is a case for increase in the washing allowance. This contention of the applicant's counsel seems to be genuine. Consequently the respondents may take this matter with the competent authority for a reconsideration of the quantum of washing allowance. As regards the quality of the uniform that is supplied to Ward Sahayikas, if there is any grievance, it should be attended to by Respondent No. '2'.

10. The application is thus disposed of with the above observations. No order as to costs.

sd

Dated: 1st May, 1995
(Dictated in Open Court)

transcript
(A.B.GORTHI)
Member (Admn.)
Deputy Registrar

TYPED BY
CHECKED BY

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

THE HON'BLE SHRI A.V.HARIDASAN: MEMBER (J)

AND

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

DATED

1-5-95

ORDER/JUDGMENT

M.A.NO/R.P.NO./C.P.NO.

in

O.A.NO. 97/95

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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