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UNION OF INDIA AND ORS.

v.

CARPENTER WORKERS UNION AND ORS.

NOVEMBER 30, 2006

B

[DR. AR. LAKSHMANAN AND TARUN CHATTERJEE, JJ.]

Service Law:

C

Pay scales—Carpenters in office of Chief Engineer, All India Radio and TV—Held, since order has been passed in respect of carpenters of East Zone, authorities directed to implement same yardstick and grant same benefits from same date to employees of all other zones.

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The Union of India filed the instant Special Leave Petition challenging the judgment of the High Court with regard to the pay scales to the carpenters. During the course of hearing of the petition it was brought to the notice of the Court that order of the Central Administrative Tribunal dated 6.8.1999 upgrading the pay scale of carpenters of East Zone, to Rs.1200-1800 notionally w.e.f. 1.1.1986 and granting them the revised pay scale of Rs.4000-6000 actually w.e.f. 1.1.1996, has been

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complied with.

Dismissing the petition, the Court

HELD: Since the order has been passed in respect of carpenters of East Zone, the Union of India and the Prasar Bharti are directed to implement the same yardstick and grant the same benefits etc. from the same date to the employees of other zones as well. [905-H; 906-A]

CIVIL APPELLATE JURISDICTION : Special Leave Petition (C) No. 7000/2004.

From the final Judgment and Order dated 1.10.2003 of the High Court of Delhi at New Delhi, in C.W. No. 7454/2001.

P.P. Malhotra, A.S.G., Harish Chandra, Ms. Kiran Bhardwaj, Ms. Sadhna Sandhu, V.K. Verma and P. Parmeswaran for the Appellants.

V. Mohana (for Abhijit Sengupta) and P.V. Yogeswaran for the Respondents. A

The Judgment of the Court was delivered by

DR. AR. LAKSHMANAN, J. The above Special Leave Petition was filed against the judgment and order dt.01.10.2003 passed by the High Court of Delhi Civil Writ petition No. 7454/2001 wherein the High Court dismissed the petition preferred by the Union of India and Others through the Secretary, Ministry of Information and Broadcasting; the Director General, All India Radio, New Delhi and the Chief Engineer (North Zone), Akashwani and Doordarshan, Jamnagar House, New Delhi. B C

The Delhi High Court has relied upon the order passed by the Calcutta High Court in WPCT No.505/99 dt.08.07.2002 which was challenged by another SLP No.....CC 11231/2003. The said SLP was filed by the Chief Engineer (East zone) against P. Bhakta and Ors. The said SLP was dismissed by this Court on 08.01.2004 on the ground of delay. Subsequently, a Review petition was filed by the Chief Engineer (East Zone), All India Radio and Television and the said Review petition was also dismissed by this Court on 12.08.2004. Thereafter, the Prasar Bharti (Broadcasting Corporation of India), Directorate General All India Radio (Planning and Development Unit) by their Order dt.29.9.2004/8.10.04 passed an order pursuant to the Central Administrative Tribunal's order dt.06.08.1999 passed in O.A.No.114/91 in the matter of *Sh. P.Bhakta and Ors. v. Union of India and Ors.* By the said order, the [ay scale of seven applicants of the aforesaid O.A. working as Carpenters in the office of Chief Engineer (East Zone), All India Radio and TV, Kolkata under Prasar Bharti (Broadcasting Corporation of India) (Director General : All India Radio) under Ministry of I and B was upgraded to Rs.1200-1800 notionally w.e.f. 01.01.86 and the revised pay scale pf Rs.4000-6000 actually w.e.f. 01.01.1996 only in the case of applicants. It is also stated in the said order that the order was issued with the approval with the Ministry of Information and Broadcasting and concurrence of Integrated Finance Division of I and B vide their endorsement No.1038/2004. Since the order of the Central Administrative Tribunal has already been complied with in respect of East Zone Carpenters, there is no need to entertain this Special Leave Petition, which raises the same issue. The Special Leave petition is accordingly stands dismissed. D E F G

Now, that the order has been passed in respect of carpenters of East Zone, the union of India and the Prasar Bharti is directed to implement the H

- A same yardstick and grant the same benefits etc. from the same date to the employees of other zones as well. Three months time is granted to the Union of India and Prasar Bharti to comply with the above order of this Court.

The question of law is left open to be decided n an appropriate.

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S.L.P. dismissed