

Central Administrative Tribunal

Principal Bench, New Delhi.

TA-09/2009

New Delhi this the 30th day of August, 2011.

Honble Mrs. Meera Chhibber, Member (J)

Honble Dr. A.K. Mishra, Member (A)

1. Association of Qualified & Trained

Technologists, A.I.I.M.Sc., Ansari Nagar,

New Delhi-29.

2. Sh. Naveen Nischal Sharma,

S/o Sh. Somdatt Sharma,

R/o D-1120, Gali No.7,

Ashok Nagar, Shahdara,

Delhi-93.

. Applicants

(through Sh. D.S. Chaudhary, Advocate)

Versus

1. All India Institute of Medical Sciences

Through its Director,

Ansari Nagar,

New Delhi-29.

2. Union of India through

The Secretary,

Ministry of Health & Family Welfare,

Nirman Bhawan, New Delhi-11.

. Respondents

(through Ms. Sangita Rai for Sh. R.N. Singh, Advocate for R-1 and

Sh. Sanjeev Joshi, Advocate for R-2.)

O R D E R

Dr. A.K. Mishra, Member (A)

The Association of Qualified and Trained Technologists and applicant No. 2, who is a Laboratory Technician have filed this application seeking a direction to Respondent No.1 to grant higher pay scale of Rs.5000-8000/- to the Laboratory Technicians w.e.f. 01.01.1996.

2. All India Institute of Medical Sciences (AIIMS) is a premier Medical Institution under the administrative control of Ministry of Health of Government of India. It is autonomous in character and has a Board of Governors of its own which decides on issues relating to the pay scales to be granted to its employees. The applicants, Laboratory Technicians, were getting the pay scale of Rs. 4500-7000/- w.e.f. 01.01.1996. The applicants have drawn our attention to the fact that Postgraduate Institute Chandigarh which also happens to be another reputed National Level Institution under the administrative control of Government of India decided on 17.12.2002 to revise the pay scale of the Laboratory Technicians from Rs. 4500-7000/- to Rs. 5000-8000/- w.e.f. 01.01.1996. They are claiming similar benefits as AIIMS being the premier Government Medical Institution in the country should not be following an inferior standard for its employees.

3. At the time of hearing, learned counsel for the applicants drew our attention to the recommendations of the Sixth Pay Commission as contained in Paragraph 3.8.14 of their report. For better appreciation, this paragraph is extracted below:-

Laboratory Staff exists in Group B, C and D pay scales. All the posts of Laboratory Staff presently in Group D (commonly designated as Laboratory Attendants Grade I, II & III) shall now be placed in the revised pay band PB-I of Rs. 4860-20200/- along with grade pay of Rs.1800/- after their skills are suitably enhanced. The post of Laboratory Assistant exists in different scales of Rs.3050-4590/-, Rs. 4000-6000/- and Rs.4500-7000/-. All these posts shall be extended the corresponding replacement pay band and grade pay. Laboratory Technicians exist in different scales of Rs.5000-8000/-, Rs.5500-9000/- and Rs.6500-10500/-. The posts of Laboratory Technician Gr.II and III in the existing scales of Rs.5500-9000/- and Rs.5000-8000/- respectively shall stand merged in the revised pay band PB2 of Rs.8700-34800/- along with grade pay of Rs.4200/-. The post of Laboratory Technician Gr.I in the existing pay scale of Rs.6500-10500/- shall be upgraded and placed in running Pay Band PB-2 along with grade pay of Rs.4600/- corresponding to the pre-revised pay scale of Rs.7450-11500/-.

4. It is seen that the pre-revised scale for Laboratory Assistant ranged between Rs.3050-4590/- to Rs. 4500-7000/-, whereas the pay scale for Laboratory Technicians was between Rs. 5000-8000/- to Rs. 6500-10500/-. In other words, the Pay Commission had noted that the Laboratory Technicians Grade-III had the pre-revised scale of Rs. 5000-8000/-. Learned counsel further submits that there should be parity between the pay scales given by central autonomous Institutions.

5. Learned counsel for the respondents submits that the issue of grant of higher pay scale to the Laboratory Technicians is under active consideration of the management. It was placed before its Standing Finance Committee, which in its meeting held on 28.02.2010, decided that the Recruitment Rules of the Laboratory Technicians should be amended to provide for the essential qualification prescribed by PGI Chandigarh. The suggestion for amendment of the Recruitment rules are under active consideration and consequentially the issue of grant of parity to the Laboratory Technicians will also be decided shortly.

6. The fact remains that the recommendations of the Sixth Pay Commission have been accepted by the Central Government. The recommendations have been given effect from 01.01.2006 and a lot of time has already elapsed. Therefore, the issue, which is under examination of the management, should be decided within a short time. Keeping in view the developments mentioned by the respondents, we are disposing of this application with a direction to the respondent to decide the issue of revision of pay scale of the Laboratory Technicians as well as the related matter of

amendment of Recruitment Rules for this cadre within a period of three months from the date of receipt of a certified copy of this order. The O.A. is disposed of accordingly. No costs.

(Dr. A.K. Mishra)

Member (A)

(Mrs. Meera Chhibber)

Member (J)