

HON'BLE SRI JUSTICE R.KANTHA RAO

Writ Petition No.27245 of 2015

Order:

Heard Sri Ch.Venu Kumar, learned counsel appearing for the petitioners and Sri Deepak Bhattacharjee, learned Standing Counsel for the 1st respondent-Osmania University.

2 .The Lab Attendants of Osmania University were given the pay scales in the Revised Pay Scales (RPS) of 1961 and 1969 equivalent to the Junior Assistant (Lower Division Clerk), Book Bearers, Head Cooks and other categories. But, the Lab Attendants were given two different pay scales in 1974 pay revision i.e., Rs.180-350 for direct recruits and for those who are promoted from Class IV and for others who were appointed prior to 1974 were given the scale of Rs.240-420. Aggrieved by the same, the petitioners who are the Lab Attendants made several representations to the 1st respondent-University not to discriminate the two categories and to allow the same pay scale to the Lab Attendants without creating a class within the class in allowing the pay scales when the qualifications prescribed for the post and nature of duties are one and the same and to allow the scales as in the case of other categories such as Salesmen Press, Supervisor Lab, Section Cutter etc., who were placed in the equivalent scales of Lab Attendants in the RPS of 1961, 1970 and also 1974

i.e., Rs.240-420.

In spite of the said representations, the respondents without rectifying the said anomaly, allowed the discrimination to continue between the direct recruitees and promotees. It is also submitted that this Court rendered a judgment in W.P.No.4013 of 1988 on

21-09-1992 directing the 1st respondent-University to allow the scale of Rs.410-625 without any discrimination. Thereafter, the petitioners were allowed the same pay scale. The anomaly remained unrectified in respect of the some employees of the 1st respondent-University on par with the employees/Lab Attendants similarly situated at other colleges of the 1st respondent-University and other Universities like JNTU in the RPS of 1986, 1993 and 1999. In view of the said facts, the petitioners sought the

1st respondent-University authorities to look into the matter and rectify the anomaly caused to the Lab Attendants which is basically promoted category from Class IV and who are allowed the equivalent scales to that of Junior Assistant in the RPS of 1961, 1969 and 1974 be continued to allow the same time scale of pay at least from the RPS of 1986 by allowing the single scale of pay to all the Lab Attendants working under the control of the 1st respondent-University and to allow the scale of Rs.1010-1800 as in the case of Lab Attendants of JNTU as recommended by the Committee or the scale of Rs.910-1625 as in case of other categories of the 1st respondent-University. The 1st respondent-University

neither replied nor considered their representation dated 06-12-2014. The petitioners are entitled for parity in awarding the Pay Scales as directed by the respondents 2 and 3. The 1st respondent-University has not implemented the instructions of the respondents 2 and 3 despite giving concurrence. Hence, the writ petition.

3. Having regard to the facts and circumstances stated in the Affidavit filed in support of the writ petition, this writ petition is disposed of directing the 1st respondent-University to consider the representation dated 06-12-2014 submitted by the petitioners and pass appropriate orders thereon as expeditiously as possible preferably within a period of 3 (three) months from the date of receipt of a copy of this order. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

R.KANTHA RAO, J.

26th August, 2015.
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