

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 13838 of 1996 (O&M)

Date of decision : 28.5.2016

Narinder Mohan Vijn

.. Petitioner

versus

State of Punjab and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Petitioner in person.

Mr. Anant Kataria, Deputy Advocate General, Punjab.

Rajesh Bindal, J.

The petitioner, who is working as Lecturer in Garment Technology, Government Institute of Garment Technology, Amritsar, has filed the present petition seeking parity of pay scale with the Lecturers working in other Government Technical Institutes under the control of Directorate of Technical Education, Punjab.

The petitioner submitted that though he is given the pay scale of ₹ 1,640-2,950, whereas the pay scale being given to the Lecturers in Garment Technology in Government Polytechnics in the Department of Technical Education and Industrial Training is ₹ 2,200-4000. Reference has been made to advertisement (Annexure P-1) issued for recruitment to the post of Lecturer Garment Technology by the Department of Technical Education & Industrial Training, Punjab. The claim is sought to be made on the basis of qualification prescribed for the post i.e. (a) Master's Degree in Economics or 1st Class Bachelor's Degree with Economics; (b) First Class Diploma in Cutting and Tailoring / Garment Technology of three year's duration with 5 years experience or Bachelor's Degree with Economics with

3 years diploma in Garment Technology with 10 years experience. The submission is that he is having the qualifications prescribed for the post of Lecturer in Garment Technology, hence, he is entitled to the scale of ₹ 2,200-4,000.

In reply, the stand of the State is that both the posts are governed by different set of Rules. The qualifications prescribed are different. The petitioner is working on a Class-III post, whereas the post of Lecturer in Garment Technology in Technical Education Department is a Class-II post.

Heard the petitioner and counsel for the State and perused the paper book.

It is not in dispute that the qualifications prescribed for the Lecturer in Garment Technology and Lecturer in Garment Manufacturing are different. The petitioner is working on a Class-III post, whereas the post of Lecturer in Garment Technology in Technical Education Department is a Class-II post.

The Educational qualifications required for both the posts, as referred to in para 10 of the reply, are extracted below:-

<i>Lecturer in Garment Technology (Class-III)</i>	<i>Lecturer in Garment Manufacturing Technology (Class-II)</i>
1. B. A.	1. Master's Degree in Economics or 1 st Class Bachelor's Degree with Economics;
2. Diploma in Cutting & Tailoring (of at least 3 years duration) awarded by the State Board of Technical Education.	2. 1 st Class Diploma in Cutting and Tailoring / Garment Technology of three years duration with 5 years experience or Bachelor's Degree with Economics with 3 years Diploma in Garment Technology with 10 years experience.
3. Two years professional experience.	3. Knowledge of Punjabi upto Matric or its equivalent standard.
4. Knowledge of Punjabi upto Matric or its equivalent standard.	

The aforesaid qualifications clearly shows that both the posts cannot be treated as equal. Merely because the petitioner possess the qualification which may be required for the post of Lecturer in Garment Technology in the Department of Technical Education & Industrial Training, Punjab, he cannot be given the scale admissible to the Lecturer in Garment Technology in the Department of Technical Education & Industrial Training, Punjab, as the basic qualification prescribed for the post on which the petitioner is working is different.

For the reasons mentioned above, I find no merit in the present petition and the same is accordingly dismissed.

28.5.2016
vs

(Rajesh Bindal)
Judge