

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.1666 OF 2017

Dated:13.11.2017

Between:

K.V. Venkateswara Rao,
S/o. Late Hanumantha Rao,
Aged about 48 years, Occ: Manager,
R/o.3-6-745, Flat No.105, Street No.12,
Ahalya Enclave, Himayatnagar,
Hyderabad

... Petitioner

And

B. Venkatesham, IAS, Principal Secretary,
(Tourism) Department, State of
Telangana, Talangana Secretariat,
Hyderabad and another

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

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ORDER:

W.P.No.7825 of 2017 is filed seeking to declare the action of the 2nd respondent in not implementing the principle of equal pay for equal work as arbitrary, illegal, inequitable and unjust.

2. According to petitioner, he is working as Joint Manager in the Telangana Tourism Development Corporation (for short, 'the Corporation') and is entitled to the pay as payable to the Joint Manager in the regular cadre though he is working as contract employee.

3. When the W.P. is taken up for consideration, the Court was informed that proceedings dated 17.01.2013 were issued by the Corporation to pay minimum basic pay of that particular cadre with all applicable allowances. Recording the said commitment, the Writ Petition was disposed of by order dated 23.03.2017.

4. This Contempt case is filed alleging that the commitment given by the Corporation was not implemented and petitioner is not getting equal pay for equal work rendered by him.

5. Along with the counter affidavit, respondents enclosed the statement of the minimum basic pay attached to the post of Joint Manager as per 2010 PRC. According to this statement, Rs.21,820/- is the basic pay of the Joint Manager.

6. Petitioner enclosed a copy of his pay slip for the month of June, 2017, which would disclose his basic pay as Rs.23,430/- and after adding all other allowances payable to him, he was

granted total earnings of Rs.48,521/-. This pay slip itself would disclose that minimum basic pay as committed by the Corporation in the proceedings dated 24.01.2013 is paid.

7. Learned counsel for the petitioner sought to contend that petitioner is not getting scale of pay and allowances as applicable to the regular employees working in the same cadre and a regular employee, by name, P. Janet Prabhavathy is drawing higher pay and her basic pay is Rs.24,300/-.

8. The petitioner may have a valid claim to get higher pay and allowances, whereas in so far as this Contempt Case is concerned, what is required to be seen is whether the undertaking given before this Court to comply with the proceedings dated 24.01.2013 are violated. As noted above, 2010 PRC, which is now implemented, would disclose basic pay of Rs.21,820/- and what is committed in the proceedings dated 24.01.2013 is to pay basic pay and other allowances. Thus, it cannot be said that the petitioner is not paid pay and allowances as per the undertaking given. Learned counsel also sought to contend that there is no upward revision subsequently and only 2010 PRC scales are applied. This is an independent cause of action, which cannot be gone into in the contempt proceedings.

9. The Contempt Case is accordingly closed. However, the petitioner is at liberty to work out his remedies as available in law.

P. NAVEEN RAO, J

Date:13.11.2017

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