

Employees of Engineers India Ltd. and Others

Vs

Engineers India Ltd. and Others

Writ Petitions Nos. 12655, 12712, 13202, etc. of 1984, 12386, 12387, 12774, etc. of 1985 and 252 of 1986 with Special Leave Petition Nos. 1081-82 of 1986 and Transfer Petition Nos. 170-172 of 1985

(A. P. Sen, B. C. Ray JJ)

14.03.1986

ORDER

1. Dr L.M. Singhvi, learned counsel appearing for the Union of India states on instructions that the Central Government has signified its willingness to refer to a High Power Committee, the question regarding the revision of pay scales, additional DA, compensatory and other allowances, and such other incidental aspects relating to the employees working in the Public Sector Undertakings belonging to the Government of India governed by the Central pattern of Pay Scale and DA. It is stated that a High Power Committee of two members consisting of a retired Judge of the Supreme Court of India and a senior civil servant of the Government of India, of which the retired Judge of the Supreme Court would be the Chairman to go into the various aspects relating to service matter viz. revision of pay scales, DA compensatory and other allowances and such other incidental aspects pertaining to the employees working in the public sector on the Central pay scales and DA pattern. He placed before us a letter addressed to the Government of India dated March 12, 1986, the material portion of which read as follows :

The Government after taking into consideration the facts stated in the writ petition in respect of DA matters in the Hon'ble Supreme Court and further to the orders passed by the Hon'ble Supreme Court on March 4, 1986 have examined the feasibility as to whether this issue may be referred to the Fourth Pay Commission which is presently examining the service matters and emoluments structure of the Central Government employees. As the Fourth Pay Commission is now in an advance stage of finalising its report in respect of Central Government employees, and since the Commission is not inclined to entertain further terms of reference, government would like, in the interest of expedition to appoint a committee consisting of two members to go into the various aspects relating to service matters and revision of pay scales and such other incidental aspects of the employees working in the public sector on the Central DA pattern. The committee will not consider the case of other Public Sector Undertakings. The Commission shall also consider the question of grant of interim relief to these employees. The Committee would consist of a retired Supreme Court Judge and a senior civil servant of the Government of India and would be requested to make its report within as short a time as practicable.

2. We accordingly direct the Central Government to constitute a High Power Committee to go into the various aspects relating to pay scale and other incidental matters such as additional DA, interim relief and other allowances, relating to the employees working in the public sector governed by the

Central Government pattern pay scale and DA. We would appreciate if the Central Government were to appoint such a High Power Committee as expeditiously as possible; and in any event, not later than one month from today.

3. We do hope and trust that the High Power Committee will go into the matters mentioned above and submit its recommendations as early as possible; and in any event within four months from the date of resumption of its office.

4. The committee at the threshold would take up the matter relating to the grant of interim relief to the employees of all Public Undertakings belonging to the Government of India who are drawing a basic scale of pay of above Rs 1,000 p.m. and grant necessary relief to them. In the meanwhile, the interim orders passed by this Court will continue till the committee takes a decision.

5. It is clarified that the interim orders passed by this Court, from time to time, will not stand in the way of the committee considering the question in all its aspects. In the meantime, the Central Government will ensure that there is uniformity in the matter of grant of additional DA and interim relief payable by reason of the interim orders by this Court to all employees of the Public Sector Undertakings governed by the Central DA pattern.

6. With these observations, all these matters stand disposed of accordingly.

7. We direct that all matters on the same point pending in different High Courts shall be kept in abeyance.

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