

(1996) 06 SHI CK 0013
In the High Court Of Himachal Pradesh
Case No : C.W.P. No. 616 of 1986

Bhagesh Datt Sharma and Others

APPELLANT

Vs

Himachal Pradesh Mineral and Industrial Development Corpn.
Ltd. and Others

RESPONDENT

Date of Decision : 07-06-1996

Acts Referred:

Constitution of India, 1950 — Article 14, 16, 39

Citation : (1997) 3 LLJ 1270 : (1997) 2 ShimLC 4

Hon'ble Judges : Kamlesh Sharma, J; Arun Kumar Goel, J

Bench : Division Bench

Advocate : K.D. Sood and B.N. Gupta, for the Appellant; D.K. Khanna and Ashok Sharma, for the Respondent

Final Decision : Allowed

Judgement

Kamlesh Sharma, J.—The petitioners by way of this writ petition under Articles 226 and 227 of the Constitution of India have prayed that they may be held entitled to pay scale of Rs. 570 -1080 and allowances as Junior Assistants and pay scale or Rs. 400 - 600 and the allowances for the period they had worked as Clerks, which is being paid to the corresponding staff of employees in the head office as well as other units of M/s. Himachal Pradesh Mineral and Industrial Development Corporation Ltd., Shimla, Respondent No. 1. During the pendency of the writ petition, T. V. Factory Chambaghat, District Solan, where the petitioners were employed, was transferred to Himachal Pradesh State Electronic Development Corporation, which was added as party Respondent No. 3, subject to just exceptions, by order dated June 6, 1991 passed in C. M. P. No. 450 of 1991. It is not in dispute, that both Respondents No. 1 and 3 are the companies registered under the Companies Act, 1956 and fully owned by the State of Himachal Pradesh.

2. The case set up by the petitioners in the writ petition is that Respondent No. 1 appointed Petitioner No. 1 as daily waged Supervisor-cum-Clerk and posted him

in H. P. M. I. D. C. Civil Work, Chambaghat on March 2, 1975. Later on he was transferred and posted as Clerk in T. V. Factory at Solan, which was being run as unit of Respondent No. 1. He was regularised as Clerk in the pay scale of Rs. 190-8-230/EB-12-364 on Punjstar Pattern (Annexure P-2). Thereafter, he was promoted as Junior Assistant in the pay scale of Rs. 500-12-560/16-640/20-780 on Punjab Wireless System Pay Pattern by order dated September 12, 1985 (Annexure P-11).

3. Similarly, Petitioner No. 2 was appointed as Mate Clerk on March 24, 1976 on a consolidated salary of Rs. 250 per month and was posted in T. V. Factory, Chambaghat. He was regularised as Clerk in the pay scale of Rs. 190-8-230/EB-20-280 on Punjstar pattern vide order dated December 19, 1978 (Annexure P-3) and further promoted as Junior Assistant (Accounts)-cum-Cashier in the pay scale of Rs. 500-12-560-15-640-20 780 on Punjab Wireless System Pay Pattern vide Office Order dated January, 3, 1985 (Annexure P-17). Petitioner No. 3 was also appointed as Training Clerk on August 2, 1976 by Respondent No. 1 and was posted in T.V. Factory, Chambaghat. Later on he was appointed as Clerk in the pay scale of Rs. 190-8-230/EB-20-280 on Punjstar Pattern vide Office Order dated December 19/20, 1978 (Annexure P-19) and promoted as Junior Assistant (Stores) in the pay scale of Rs. 300-15-360-EB-20-580 vide Office Order dated February 21, 1981 (Annexure P-24) on the Punjstar Pattern.

4. It is stated by the petitioners that in T. V. Factory, Chambaghat for technical as well as other establishment employees earlier wage pattern of Punjstar Standard Electronic Ltd., SAS Nagar, District Ropar, Punjab (called as Punjstar Pattern in short) was applied by Respondent No. 1 which was replaced by wage pattern of M/s. Punjab Wireless System Ltd., SAS Nagar, District Ropar, Punjab vide Memo dated January 2, 1982 (Annexure P-25) and the employees were asked to give their acceptance/undertaking on the prescribed form supported by an affidavit within a period of two weeks, failing which, it would be presumed that the offer was not acceptable and the employee wanted to retain his existing Punjstar Wage Pattern which will be treated as his personal and frozen pay scale w.e.f. November 1, 1981. On the other hand, for the employees of its Head Office and other units the pay scales of Himachal Pradesh Government in respect of the corresponding categories were adopted without any legal and valid reason. The pay scale of the post of Clerk was 110-250 which was revised to Rs. 400 - 600 w.e.f. January 1, 1978 and thereafter to Rs. 950-1800 w.e.f. January 1, 1986. Similarly, the pay scale of Assistant was Rs. 160 - 400 which was revised to Rs. 570 - 1080 w.e.f. January 1, 1978 and thereafter the pay scale of the category of Junior Assistant was fixed at Rs. 1500 - 2640 after the revision w. e. f. January 1, 1986.

5. According to the petitioners, though they are holding identical posts and discharging similar duties as that of their counter parts in the Head Office of Respondent No. 1 and its other units, yet they have been discriminated against in the matter of granting of pay scales without any reasonable basis. They have

further alleged that in fact in the TV Factory at Chambaghat the nature and duties performed by the petitioners are onerous and the working hours are more by one hour. The number of holidays allowed to the staff in the T.V. Factory, Chambaghat are only 8, whereas, in the Head Office it is 24. Further Second Saturday is holiday in the Head Office of Respondent No. 1, whereas, it is working day in TV Factory, Chambaghat. As such, there cannot be any justification for granting lesser scale of pay to the petitioners merely on the ground that they are working at TV Factory, Chambaghat.

6. After the service of notice of the writ petition on Respondents 1 and 2, the matter was listed on September 16, 1986, when it was ordered by the Division Bench that, "The case is not covered by the relevant provisions of the Administrative Tribunals Act, 1985 and it is, therefore not required to be transferred to the Tribunal u/s 29 of the Act". Respondents 1 and 2 did not challenge this order and surrendered to the jurisdiction of this Court. The writ petition was admitted on November 23, 1986.

7. Respondents 1 and 2 failed to file reply-affidavit(s) to the writ petition. However, Respondent No. 3 which was impleaded by order dated June 6, 1991 has filed its reply on the affidavit dated December 15, 1994 of its Managing Director Shri Sanjeev Gupta resisting the writ petition on the preliminary objections that the writ petition is not maintainable in this Court and liable to be transferred to H.P. State Administrative Tribunal and also that the writ petition involves disputed questions of fact, which cannot be decided in the writ jurisdiction. On merits, the case of Respondent No. 3 is that, "the petitioners were working in TV Factory, Chambaghat which is a separate establishment for all intents and purposes and the petitioners were not entitled for the pay scales which were payable to the Junior Assistant at Headquarters as per Notification of Government of Himachal Pradesh dated November 2, 1987. It is further submitted that the discrimination can only be amongst persons similarly placed. All the petitioners are in entirely different circumstances as compared to their counter parts in the Head Office and the nature of their duties and responsibilities is also entirely different. As such they cannot claim pay parity with the employees of the Head Office. It is further clarified that, "TV Factory, Chambaghat is a factory and is governed by the provisions of the Factories Act and the petitioners are performing the work as per the provisions of Factories Act. It may be clarified here that the quantum of work can only be one of the factors for determining the pay scale. It is also clarified that it is the quality of work that matters, as has been held by the Supreme Court of India. As such, there is no similarity in the work being done by the employee in the Head Office and which was done and is being done by the employees in the TV Factory".

8. While hearing the arguments, this Court finds that reply on behalf of Respondent No. 1 on the affidavit of its Manager (Personnel) Shri S.R. Justa is on the writ file, though no permission was granted for placing it on record, as it has not been filed within the stipulated period. Since we have permitted Mr. D.K.

Khanna learned Counsel to appear on behalf of Respondent No. 1 on May 20, 1996, when we finally heard this writ petition, we will take into consideration the reply of Respondent No 1. In this reply, it has taken the preliminary objection of jurisdiction and on merits it is stated that, "the petitioners, who are factory employees and are getting the same wages as paid to the same set of employees in the same and similar establishments are claiming parity of wages with those employed in the Headquarters of the Corporation. Those employed in the factory do not do the same work or have the same duties, reliability or responsibility as those employed in the Headquarters/Office of the Corporation. There is no parity in the work, duties, reliability or responsibility of factory employees and Headquarter employees. The claim set up by the petitioners vide Annexure P-27 is wholly baseless and untenable".

9. In their rejoinder to the reply(s) of Respondents 1 and 3, the petitioners have submitted that in view of the order dated September 16, 1986, Respondent No. 3 which is successor of Respondent No. 1 in respect of Television Factory, Chambaghat, cannot raise the point of jurisdiction. Moreover, after the period of nine years, during which the writ petition has been pending, the petitioners cannot be denied the relief and compelled to go to either State Administrative Tribunal or the Labour Court. It is reiterated that the petitioners are doing the same work or duties, reliability or responsibility and output of work as those employed in the Headquarters and other units of the Corporation (Respondent No. 1), namely, Furniture Factory, Solan ; Furniture Factory, Bilaspur; Silk Filature, Nurpur; Silk Weaving, Nurpur ; Carpet Factory, Nurpur ; Hosiery Unit, Nalagarh : Mining Project, Bilaspur and Television Factory, Solan, who are being given pay scales and allowances similar to their counter parts in Himachal Pradesh Government. Even in Television Factory at Chambaghat, some of the employees working on the identical posts have been given pay scales of the Himachal Pradesh Government, whereas, the petitioners have been denied the same. To substantiate these allegations, a chart (Annexure P-35) has been placed on record, which shows that after making appointments Respondent No. 1 used to post its employees either in Head Office or in any of its units as per requirement. Some of the employees initially posted in TV Factory, Chambaghat and later on transferred to other Units or to Headquarters were also given the Himachal Pradesh Government pay scales. Two of such Clerks were Daulat Ram and B.S. Pathania, who were working in Civil Construction Wing, Solan and Mining Project Bilaspur respectively and were regularised alongwith Petitioners 2 and 3 as Clerks from the same date i.e. December 19/20, 1978 but were given Himachal Pradesh Government pay scales, whereas, Petitioners 2 and 3 were given pay scale on Punjstar Pattern. Petitioner No. 1 as a clerk was performing the same type and nature of duties as performed by one R.S. Singha in Stores Department of Television Factory at Chambaghat who was enjoying the pay scale of Himachal Pradesh Government, whereas, Petitioner No. 1 was given pay scale on Punjstar Pattern. Lateron R.S. Singha was transferred to other unit of Respondent No. 1 in the year 1979. On his promotion as Junior Assistant,

Petitioner No. 1 was looking after the duties of Stores/Sales and on his further promotion to Assistant Marketing Officer w.e.f. April 1, 1990 he was looking after the duties of sales/marketing in the Himudyogs of the respondent Corporation.

10. It is further stated in the rejoinder that Petitioner No. 2 had been performing the same duties of clerical nature in the Television Factory at Chambaghat from 1976 to 1984 as were performed by other Clerks, namely, Vijay B. Jaitely, J.C. Gupta and R.L. Verma who were given Himachal Pradesh Government pay scale, whereas, Petitioner No. 2 was given pay scale on Punjstar Pattern. Even on his promotion as Junior Assistant (Accounts-cum-Cashier) he was performing same duties as that of D.K. Jain in Accounts Department of Television Factory, Chambaghat but he was discriminated by not giving Himachal Pradesh Government pay scale, which was earlier given to D.K. Jain. Further example has been given of R.S. Singha, Amar Pal and Mrs. Viney Gautam, who were working as Clerks alongwith Petitioner No. 3 in the Television Factory, Chambaghat from August 1976 to January 1981 and were given Himachal Pradesh Government pay scales in discrimination to Petitioner No. 3, which continued even after his promotion as Junior Assistant (Stores) in February 1981, since when he had been performing the same duties which K.S. Rana and L.S. Kaushik, Store Keepers were performing earlier from 1976-77 to 1981-82 but he had not been paid pay scale of Himachal Pradesh Government, which had been given to them. During the pendency of the writ petition, Petitioner No. 3 has been transferred to Headquarter of Respondent No. 1 and promoted as Senior Assistant and is performing the same type and nature of duties, reliabilities and responsibilities as that of his counter-parts posted in the same office, still he continues to be given pay scale of Punjab Wireless Pattern and not of Himachal Pradesh Government, which is being given to others. The petitioners have specifically alleged that Respondents No. 1 and 3 Corporations are Companies registered under the Companies Act, 1956 and both in their Head Offices as well as Offices of their Units same type of books are maintained on the same format and schedules and procedure for writing Books of Accounts, Books of Stores/ Stocks and Books of Sales Proceeds is also the same as required under the Companies Act, as such, there cannot be any difference in the work, duties, responsibilities and reliabilities of their respective employees. They were compelled to opt for Punjab Wireless Scales by letter dated January 2, 1982 (Annexure P-25). It is also alleged that Security Guards had also exercised the same option but later on vide letter dated November 29, 1983 they were given Himachal Pradesh Government pay scales.

11. During the pendency of the writ petition, Respondent No. 3 by its notice dated March 21, 1992 informed the petitioners that the Board of Directors of the Corporation had decided in their meeting held on December 23, 1991 that the employee of Television Factory and its Officers are delinked from PUNWIRE Pay Pattern and w.e.f. April 1, 1992 Himachal Pradesh Government Pay Pattern would be implemented. In this regard every employee/officer was asked to submit an affidavit on stamp paper of Rs. 3 regarding his willingness by March 27, 1992.

The petitioners duly complied with this notice and submitted their affidavits. However, when they were not given Himachal Pradesh Government pay scales w.e.f. April 1, 1992 as per the notice, they moved C.M.P. No. 103 of 1994 for bringing the said office notice and their affidavits on record for taking these into consideration at the time of hearing.

12. In reply to this application filed on the affidavit of its Managing Director Shri Sanjeev Gupta Respondent No. 3 has not raised any objection to the application. However, it is explained that, "the case for grant of H. P. Government pay scales was sent by the Corporation to the Himachal Pradesh Government for placing the same before the Service Committee, which is the Apex Body for all Government owned Corporations. All the financial policy matters having financial implications need approval of the Service Committee but no approval from the Service Committee has been received. However, a proposal for grant of the pay scales to the staff of T.V. Factory which was sent for approval to the Service Committee has been received back and the Corporation has been directed to send a detailed proposal which is being processed. As and when the approval is received from the Service Committee, the pay scales will be granted to the employees from the date the approval is granted by the Service Committee otherwise respondent is not competent of his own to grant the same as the Corporation is wholly owned and controlled by the State of Himachal Pradesh".

13. When we heard the arguments and ordered to list the case for dictating judgment on May 16, 1996, at the request of Mr. Ashok Sharma, learned Counsel for Respondent No. 3, he was granted permission to file sur-rejoinder in the meantime in view of new statement of facts in the rejoinder to the reply-affidavit, filed by the petitioners. We find that in the sur-rejoinder, which is again filed on the affidavit of Managing Director of Respondent No. 3 Shri Sanjeev Gupta, preliminary objections of jurisdiction, and alternative remedy have been raised. Another preliminary objection is that the matter regarding grant of Himachal Pradesh Government pay pattern to all the categories of the TV Factory employees is under active consideration of the State Government/ Board of Directors of the Corporation. Therefore, any decision in the matter by this Court may adversely affect their decision making process and cause hardship to other 43 employees. On merits, no specific reply has been given in respect of various examples of discrimination cited in the rejoinder. The general reply is that depending upon the availability of posts in various units Respondent No. 1 had made appointments of Clerks in the pay pattern/pay scales prevalent in the unit in which appointment is made, as each independent unit was having its own sanctioned posts and pay scales. It is submitted that though technical categories like Technicians, Senior Technicians, Supervisors, Junior Engineers, Engineers were available in Himachal Pradesh Government yet it was deemed fit and proper to implement the pay pattern of identical Punjab Government T. V. Unit in T. V. Factory. It is also reasserted that the petitioners were not similarly situated employees to those who were posted in the Head Office of Respondent No. 1. For its stand Respondent No. 3 has relied upon the judgments of the Supreme Court

in Harbans Lal and Others Vs. State of Himachal Pradesh and Others, and Mew Ram Kanojia Vs. All India Institute of Medical Sciences and Others, It is further stated that one of the petitioners has been temporarily transferred to the Head Office just to assist his senior colleagues there but his job, responsibility and accountability continue to be quite different and cannot be equated with his counterpart in the Head Office.

14. We have heard the learned Counsel for the parties and gone through the record. By now it is settled by catena of judgments of the Supreme Court that principle of "equal pay for equal work" is though expressly not declared fundamental right under the Constitution, yet in view of Article 39 (d) read with Articles 14 and 16 of the Constitution a duty is enjoined on the State not to deny any person equality before law in matters relating to employment including the scales of pay. The doctrine is applicable when employees holding the same rank perform similar functions and discharge similar duties and responsibilities but they are denied equality in matters relating to the scale of pay. In judging the equality of work for the purposes of equal pay, regard must be had not only to the duties and functions but also to the educational qualifications prescribed for the posts. If the classification has reasonable nexus with the object sought to be achieved, efficiency in the administration, the State is justified in prescribing different pay scale but if the classification does not stand the test of reasonable nexus and the classification is founded on unreal and unreasonable basis it would be violative of Articles 14 and 16. Equality must be among the equals, unequals cannot claim equality. Moreover, if the employer is not the same, principle of "equal pay for equal work" does not apply. In other words, the impugned discrimination should be within the establishments owned by the same management, as comparison cannot be made with counterparts in other establishments with different management or even in establishments in different geographical locations, though owned by the same master. Mere nomenclature or the volume of work performed is not enough to hold two jobs as equal. It requires consideration of various dimensions of the job to be determined by the expert body. This is the ratio of the judgments of the Supreme Court starting from the case *Randhir Singh Vs. Union of India (UOI) and Others*, *Dhirendra Chamol v. State of U. P.* 1986 I LLJ 134 V.J. *Thomas v. Union of India* 1985 Suppl SCC 7 ; *Bhagwan Dass and Others Vs. State of Haryana and Others*, ; *Jaipal v. State of Haryana* 1994 III LLJ 134 and *Mewa Ram Kanojia v. All India Institute of Medical Sciences and Ors. and Harbans Lal and Ors. v. State of Himachal Pradesh* (supra).

15. Applying these principles to the case in hand, we have no hesitation to hold that the petitioners have been discriminated against by not granting them H. P. Government pay scales, which were granted not only to their counterparts, in the Head Office and other units of Respondent No. 1 but also to many others who hold the same post in TV Factory, Chambaghat which the petitioners have been holding since their appointments as Clerks and thereafter as Junior Assistants. The classification made by the respondents does not stand the test of

reasonableness and is violative of Articles 14 and 16 of the Constitution of India. The petitioners have given specific examples of such employees in their rejoinder and in Annexure P-35 annexed thereto, which have not been denied by Respondent No. 3 in its sur-rejoinder, as referred by us in earlier part of this judgment. In view of this position emerging on the record, the stand of the respondents that TV Factory, Chambaghat is a separate establishment for all intents and purposes and its employees, including the petitioners, cannot be compared with their counterparts in Head Office and other units of Respondent No. 1 in respect of the duties, responsibilities and reliabilities of the posts held by the petitioners, loses its ground and deserves to be rejected. Even on comparison the respondents have not been able to substantiate how the duties, responsibilities and reliabilities of the posts held by the petitioners are in any manner less and inferior to that of the posts of their counterparts in Head Office and other units of Respondent No. 1. The petitioners have made specific allegation in the writ petition as well as in the rejoinder that in TV Factory, Chambaghat number of hours of work in a day as well as number of working days in a year are more than in Head Office of Respondent No. 1, which has not been denied by the Respondents. It is also pointed out by the petitioners that Respondents 1 and 3 being companies, registered under the Companies Act, maintain the same type of books on the same format and schedules, and follow the same procedure for writing books of accounts, books of stores/stocks and books of sales proceeds as provided under the Companies Act, as such, there cannot be any difference in the work, duties, responsibilities and reliabilities of the posts held by the petitioners in TV Factory, Chambaghat as compared to their counterparts in Head Office and other units of Respondent No. 1. These allegations have also not been specifically denied by Respondent No. 3 in its sur-rejoinder.

16. It is not in dispute that management of TV Factory, Chambaghat and other units as well as of Head Office of Respondent No. 1 was the same. It is also not the case of the respondents that the educational qualifications of Clerks and Junior Assistants posted at Head Office and other units of Respondent No. 1 are higher, than that of the Clerks and Junior Assistants posted at TV Factory, Chambaghat, for which reason they are given lesser pay scales. We find that the stand of Respondent No. 1 as well as of Respondent No. 3 to whom the management of TV Factory, Chambaghat was transferred on July 1, 1988, is self-defeating as on the one hand they have opposed the claim of the petitioners for H. P. Government pay scales on the ground that being posted in TV Factory Chambaghat, the duties, responsibilities and reliabilities of the posts held by them are not the same as that of their counterparts in Head Office. On the other hand Respondent No. 3 has itself taken a decision to grant H. P. Government pay scales to the employees of TV Factory, Chambaghat by its resolution dated April 1, 1992, though the matter is lying before the Service Committee, which is the apex body of all Government owned Corporations, as stated in its reply to C. M. P. No. 103 of 1994 as well as in the sur- rejoinder. We regret to note that the

said Service Committee has taken more than four years to take its decision for the reasons best known to it, but from this it is clear that the respondents, who are expected to be model employers being public undertakings, have failed to meet the legitimate claim of the petitioners and other employees of TV Factory, Chambaghat who are suffering recurring financial loss in the present days of soaring prices. The stand taken by Respondent No. 3 in its sur-rejoinder filed on May 16, 1996 is very strange that since the matter of grant of H. P. Government pay pattern to all the categories of the employees of TV Factory, Chambaghat is under active consideration of the State Government/Board of Directors, the decision of this Court, which is pending since 1986 would "adversely affect the decision making process and the whole process may go haywire at this critical juncture when the matter is already in the advance stage of consideration at the State Government level" and would cause undue hardship to other 43 employees of TV Factory, Chambaghat. From this stand of Respondent No. 3 it is clear that the want to defeat the claim of the petitioners on one pretext or the other.

17. Relying upon the judgment dated May 17, 1995 passed by Division Bench of this Court in C. W. P. No. 311 of 1991 titled, The Himachal Pradesh State Small Industries and Export Corporation Ltd. v. General Secretary Concrete Poles and Paper Conversion Workers" Union and Ors., and the judgment of the Supreme Court in Hindustan Antibiotics Ltd. Vs. The Workmen and Others, Mr. D.K. Khanna, learned Counsel appearing for Respondent No. 1, has tried to raise an argument that the wages of employees of TV Factory, Chambaghat were to be fixed on region-cum-industry basis keeping in view its financial capacity. There cannot be any dispute that the service conditions of the employees of public sector undertakings are not analogous to those of the Government employees, as such, the governmental pay structure cannot be conducive to industrial relations. But the ratio of these judgments will not apply to the peculiar facts and circumstances of the present case, in which it is established that there is no difference in the nature of duties and responsibilities of the staff working in the TV Factory, Chambaghat and Head Office as well as other units of Respondent No. 1 in respect of the posts held by petitioners. The respondents are not able to bring on record any material to show that because of regional conditions of TV Factory, Chambaghat, its wage structure should be different than the wage structure of Head Office and other Units of Respondent No. 1.

18. Another argument raised by Mr. Khanna is that the petitioners were given pay scales of PUNWIRE by Annexure P-25 as a result of collective bargaining, challenge to which will be unfair labour practice for the petitioners under Clause 3 of Part II of Fifth Schedule and also for respondents under Clause 15 of Part I of the said Schedule to the Industrial Disputes Act, 1947. This argument has been raised to be rejected, as there is nothing to show that grant of PUNJSTAR wage structure earlier and thereafter PUNWIRE wage structure to the petitioners and other employees of TV Factory, Chambaghat was as a result of collective bargaining by a recognized trade union as envisaged by Clause 15 of Part I and Clause 3 of Part II of Fifth Schedule to the Industrial Disputes Act. Annexure

P-25 only states that PUNWIRE scales of pay were granted to the employees of Television Factory, Chambaghat by the Management in consultation with and concurrence of its, employees, which does not serve the requirement of law, assuming that the petitioners are workmen. No other point is raised on behalf of the respondents.

19. The result of above discussion is that there is merit in this writ petition and it is allowed with costs. The petitioners are held entitled to H. P. Government Pay Scales in respect of the posts of Clerks as well as Junior Assistants held by them. In the normal course we would have allowed them H. P. Government Pay Scales from the date of their appointments as Clerks/Junior Assistants but in the totality of facts and circumstances on record, we limit it from April 1, 1992, when the Board of Directors of Respondent No. 3 Corporation had itself decided in its meeting held on December 23, 1991 that the employees of Television Factory and its Officers will be given H. P. Government Pay Pattern vide its notice dated March 21, 1992. Respondent No. 3 is directed to pay H. P. Government Pay Scales to the petitioners forthwith and the arrears, if any, w.e.f. April 1, 1992, within a period of three months. The cost of this petition is determined at Rs. 2,000 to be paid by Respondents No. 1 and 3.