



भारतीय प्रतिरक्षा मजदूर संघ
Bharatiya Pratiraksha Mazdoor Sangh
(AN ALL INDIA FEDERATION OF DEFENCE WORKERS)
(AN INDUSTRIAL UNIT OF B.M.S.)
(RECOGNISED BY MINISTRY OF DEFENCE, GOVT. OF INDIA)

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REF: BPMS/ OFB/ Medical Assistant/ 52(7/3/L) Dated: 25.10.2021

REMINDER

To,
The Director General (Co-ordination & Services)
Directorate of Ordnance,
10-A, S K Bose Road
Kolkata 700 001

Subject: Up-gradation of Pay Scales of Medical Assistant in OFB from GP 1800/- to GP 1900/- w.e.f 01.01.2006 in line with Judgement of Hon'ble High Court of Delhi in W.P. (C) 1877/2014.

Reference: This federation letter of even No. dated 16.06.2020

Respected Sir,

With due regards, your kind attention is invited the letter cited under reference (Copy enclosed) whereby this federation had raised the matter of up-gradation of pay scales of Medical Assistant in erstwhile OFB from GP 1800/- to GP 1900/- w.e.f. 01.01.2006 in line with Judgement of Hon ble High Court of Delhi in W.P. (C) 1877/2014.

Though a long time has elapsed, the matter is still unresolved. Therefore, you are again requested to go through the matter and do the needful.

Thanking you.

Enclosed: As mentioned

Sincerely Yours

(MUKESH SINGH)

General Secretary/ BPMS &
Member JCM II Level Council (MoD)



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REF: BPMS/ OFB/ Medical Assistant/ 52(7/3/L)

Dated: 16.06.2020

To,

The DGOF & Chairman
Ordnance Factory Board
10-A, S K Bose Road,
Kolkata- 700001

Kind Attention: Dr. P P Wadikhaye, DHS/OFB

Subject: Up-gradation of Pay Scales of Medical Assistant in OFB from GP 1800/- to GP 1900/- w.e.f 01.01.2006 in line with Judgement of Hon'ble High Court of Delhi in W.P. (C) 1877/2014.

Respected Sir,

With due regards, your kind attention is invited to the enclosed Judgement of Hon'ble High Court of Delhi in W.P. (C) 1877/2014 whereby hon'ble Court issued a direction to CGHS Department to enhance the grade pay of the Dressers in the CGHS from GP 1800/- to GP 1900/- from 1st Jan 2006 to establish law of natural justice and parity with Dressers of Northern Railway.

Hon'ble High Court decided the matter after weighing various parameters and principles, required while examining the prayer of equal pay for equal work, laid down by the Court in W.P.(C) 1006 of 2008 (Union of India vs Indian Navy Civilian Design Officers Association), wherein the court established that –

"It is apparent that on what principles equality has to be determined cannot be put in a watertight compartment. But some of the facts to be noted are:

- a) Source and mode of recruitment/ appointment
- b) Educational and other qualifications required
- c) Nature of work
- d) Value of work
- e) Responsibilities involved
- f) Reliability
- g) Prior experience and expertise
- h) Confidentiality and functional needs."

Further, the post of Medical Assistant (Erstwhile Dressers) in OFB was fixed in the Pay Scale of 5200- 20200 with GP 1800/- in 6th CPC w.e.f. 01.01.2006.

The duties of Medical Assistant in OFB comprise of various critical and technical works under Patient Care, Maintaining Ward Discipline, House Keeping and Infection Control etc and they are equal vulnerable to their duties like their counterparts in the Railways and CGHS.

The educational qualification for the post is-

- 1) Passed 10+2 or equivalent examination
- 2) Undergone a course of Instructions in First-aid from a recognised Institution/ St. John's Ambulance
- 3) Knowledge of First-aid.
- 4) Knowledge of Operation theatre and sterilisation procedure.

whereas, for Dressers in CGHS, the required educational qualification are middle pass and passing of first aid examination with 2 years prior experience and in Railways, it is matriculation.

The paragraph on educational qualification concludes that the post of Medical Assistant requires higher qualification than their counterparts in Railways and CGHS.

Besides Charter of Duties and Educational Qualification, other parameters/ principles as mentioned above also speak in favour of Medical Assistant that they should also be granted GP 1900/- w.e.f. 01.01.2006 like their counterparts in Railways and CGHS so that parity may be established.

Therefore, you are requested to do the needful to upgrade the Pay Scales of Medical Assistant in OFB from GP 1800/- to GP 1900/- w.e.f 01.01.2006 in line with Judgement of Hon'ble High Court of Delhi in W.P. (C) 1877/2014.

Thanking you.

Sincerely Yours



(MUKESH SINGH)

General Secretary/ BPMS &
Member JCM II Level Council (MoD)

etc