

**S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S**

Petition(s) for Special Leave to Appeal (Civil) No(s).24205/2008

**(From the judgment and order dated 30/01/2008 in LPA No. 115/1999
of The HIGH COURT OF DELHI AT NEW DELHI)**

ASSO.OF EMPLOYEES OF NATION.PROD.COUNCIL

Petitioner(s)

VERSUS

CHAIRMAN,NATIONAL PROD.COUNCIL & ANR.

Respondent(s)

(With appln. for stay,directions, permission to file additional affidavit and with prayer for interim relief and office report)

Date: 27/03/2009 This Petition was called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAM**

For Petitioner(s) Mr. D.N. Goburdhan,Adv.

Ms. Geeta Luthra, Adv.

For Respondent(s) Mr. K. Sultan Singh, Adv.

Mr. Jagjit Singh Chhabra, Adv.

Mr. Jaswant Persoya, Adv.

**UPON hearing counsel the Court made the following
O R D E R**

Leave granted.

The appeal is disposed of with no order as to costs.

**(S. Thapar)
PS to Registrar**

**(Madhu Saxena)
Court Master**

The signed order is placed on the file.



IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2044 OF 2009
(Arising out of SLP(C) No.24205 of 2008)

ASSOCIATION OF EMPLOYEES OF NATIONAL PRODUCTIVITY COUNCIL ...APPELLANT (S)

VERSUS

CHAIRMAN, NATIONAL PRODUCTIVITY COUNCIL & ANR. ...RESPONDENT(S)

ORDER

Leave granted.

By consent the matter has been taken up for final hearing.

In the case of State of Haryana & Others Vs. Charanjit Singh & Others reported in 2006 (9) SCC 321 to which one of us (Hon'ble Kapadia, J.) was a party, it has been held by this Court that the doctrine of “equal pay for equal work” will not apply automatically in every case. In cases where parity of wages is claimed by the workmen, the Management can be directed to constitute what is called as an Equi Valance Committee which will decide the question of parity after examining the nature of work, the nature of responsibility and the hierarchy. This exercise has not been undertaken in this case. Consequently, we are directing the Management to appoint an Expert Committee. Before that Committee, the workmen will appear. They will place all the relevant material before that Committee including the Resolution of the Board of Directors of the Company dated 1st November, 1992.

In the meantime, an interim settlement has been entered into between the Management and the workmen. That settlement is taken on record. The settlement will operate till the Equi- Valance Committee decides the question of pay parity.

Accordingly, this civil appeal is disposed of with no order as to costs.

**.....J.
[S.H. KAPADIA]**

**New Delhi,
March 27, 2009**

**.....J
[AFTAB ALAM]**

