



Equal Pay For Equal Work For Temporary Employees: An Analysis In Indian Judicial Perspective

1. Ms. Antim Bala, LL.M., Student, Department of Law, Ch. Devi Lal University, Sirsa (Haryana)
2. Dr. Rakesh Kumar, Assistant Professor, Department of Law, Ch. Devi Lal University, Sirsa (Haryana)

ABSTRACT

This paper examines the principle of "Equal Pay for Equal Work" in the context of temporary employees in India, analysing its application through a judicial verdict. ¹The temporary employees in India often encounter significant pay disparities compared to their permanent counterparts. This research delves into key judicial rulings and legislative provisions to assess how Indian courts interpret and enforce equal pay principles for temporary employees. By reviewing landmark cases and statutory frameworks, the study aims to identify inconsistencies and challenges in the current legal system and propose recommendations for ensuring greater equity in employment practices. This research paper seeks to investigate how Indian courts have approached the concept of equal pay for equal work in case of the temporary employees by analysing notable cases and judicial interpretation.

KEYWORDS: Ad-hocism, Appointments, **Equal Pay**, **Temporary Employees**, Constitutional Provisions, Public Employment, Minimum of the Pay Scale, Dearness Allowance etc.

¹ The Times of India, Delhi Edition, Dated: 27-10-2016.

INTRODUCTION

The Principle of equal pay for equal work is derived from article 14, 16 and 39(d) of the constitution of India.²The principle of "Equal Pay for Equal Work" has emerged as a cornerstone of employee rights, aiming to ensure fairness and equity in compensation across various employment sectors. This principle is particularly significant in the context of temporary employees, who often face disparities in pay and benefits compared to their permanent counterparts. The quest for equitable treatment in the labour market is not just a matter of fairness but also a reflection of broader socio-economic and legal commitments to justice and equality. Judicial interpretation of Equal Pay Equal work in India have evolved to recognise and enforce Equal Pay rights for temporary employees, but significant inconsistencies remain in the application of the principle across different jurisdiction.³The Indian judiciary's approach to Equal Pay to Equal Work for Temporary Employees is influenced by broader socio-economic factors and labour market conditions, leading to varying of this interpretation and enforcement of this principle. Temporary Employees face substantial practical challenges in claiming equal pay due to procedural hurdles and lack of clear legal standards, despite judicial support for the principle of Equal Pay for Equal work. There, is a significant gap between the legal provisions and actual implementation of Equal Pay for Temporary Employment in India, as evidenced by judicial rulings and real-world outcomes. In India, the notion of equal pay for equal work has been a subject of judicial scrutiny and legislative debate.⁴The Indian legal system, through a series of landmark judgments and statutory provisions, has sought to address the challenges faced by temporary employees. However, the implementation of these legal principles remains inconsistent, and the gap between policy and practice continues to pose significant challenges. This research paper aims to analyse the judicial perspective on equal pay for equal work for temporary employees in India. It will examine the evolution of relevant legal doctrines, assess the effectiveness of judicial interpretations, and explore the impact of these interpretations on the employment landscape for temporary employees. By delving into key judicial decisions and legislative frameworks, this study seeks to provide a comprehensive understanding of the legal protections afforded to temporary employees and highlight areas where further reforms may be necessary. The paper will begin with a review of the historical development of the equal pay principle in India, tracing its origins from colonial times to contemporary legal standards. It will then analyse significant judicial pronouncements that have shaped the current legal framework, focusing on how courts have addressed issues related to wage disparities between temporary and permanent employees. Additionally, the paper will explore the challenges faced by temporary employees in asserting their rights and the effectiveness of legal remedies available to them. Through this analysis, the paper aims to contribute to the ongoing discourse on temporary employee rights and provide recommendations for strengthening legal protections for temporary employees.

² Thakker (Takwani), Justice C.K., Lectures on Administrative Law, Eastern Book Company 8th edition 2024.

³ Mahajan's V.D., Constitutional Law of India, Eastern Book Company, 8th Edition 2023.

⁴ Jain M.P., Jain S.N., Amita Dhanda, Principles of Administrative Law, Lexis Nexis, 8th Edition 2023.

By examining the intersection of law, policy, and practice, this study aspires to enhance the understanding of equal pay issues and promote greater equity in for the temporary employment.

CONSTITUTIONAL PROVISIONS

The concept of "Equal Pay for Equal Work" is enshrined in the Indian Constitution under Article 14 (Right to Equality) Article 16 (Equality of Opportunity in Public Employment) and Article 39(d) (Directive Principles of State Policy). Article 14 guarantees equality before the law and equal protection of the laws, while Article 39(d) directs the State to ensure that there is no discrimination in pay for equal work.⁵

OBJECTIVE OF THE STUDY

- To study the Constitutional provisions and judicial precedents in India that address the issues of equal pay for the temporary employees.
- To analyse the challenges for the implementation of equal pay for equal work in India.
- To study and analyse for the determination of the parameters of equal pay for equal work and minimum regular pay scale.
- To study the recent developments in law relating to Equal pay for Equal work.
- To study and analyse of the impact and implications.

SCOPE AND LIMITATION OF THE STUDY

The study will explore the relevant legal provisions concerning "**Equal Pay for Equal Work**" in India, including constitutional articles, statutory laws, and judicial interpretations. It will analyse significant court cases and judgments that have shaped the understanding and implementation of equal pay, focusing on both the Supreme Court and High Court decisions. The research will specifically focus on temporary employees across various sectors, examining the disparities in wages and the implications of these disparities on their livelihoods. The study is limited to identify the Judicial ruling in regard to application of the principle of equal pay for equal work for the temporary employees working in government departments and their instrumentalities.

LITERATURE REVIEW

This literature review explores existing studies, legal frameworks, and judicial interpretations concerning the rights of temporary employees, with a focus on their entitlements to equal pay in the Indian context.

⁵ Basu D.D. Commentary on the Constitution of India; Vol.07 Covering Article 36 to 78) Lexis Nexis, 9th Edition 2019.

RESEARCH METHODOLOGY

The present study is primarily a descriptive and analytical study. The researcher adopted the doctrinal research methodology by making use of secondary source of information relating to Equal Pay to Equal Work for the Temporary Employee and under the various judgements and books. The Researcher also proposes to review relevant books, newspapers magazines, journals articles etc. as found available. The study will include the secondary data such as text books, legal commentaries, websites, law digest, and case laws.

RESEARCH FOCUS

The principle of "Equal Pay for Equal Work" is a fundamental aspect of temporary employee rights that seeks to eliminate wage disparities based on employment type. In India, this principle is particularly relevant for temporary employees, who often face discrimination in pay compared to their permanent counterparts. This research aims to analyse the judicial perspective on this issue, highlighting key legal frameworks, landmark cases, and implications for labour policy.

STATEMENT OF THE PROBLEM

Despite the Constitutional and legal provisions advocating for "Equal Pay for Equal Work" in India, temporary employees often face significant wage disparities compared to their permanent counterparts. This discrepancy raises critical issues concerning fairness, equity, and the enforcement of labour rights.

HYPOTHESIS

1. The Temporary employees are entitled for the equal pay for equal work in India.
2. The Temporary employees are not entitled for the equal pay for equal work in India.

JUDGMENT RELIED

Randhir Singh v. Union of India⁶, In this landmark judgment the Supreme Court of India has consistently reinforced the principle. The Court emphasized that the principle of equal pay for equal work is a fundamental right and should be applied to all workers, including temporary employees.

Rattan Lal v. State of Haryana,⁷ In this case the Apex Court was held that the policy of "ad-hocism" followed by the state government in the appointment of the teachers for quite a long period has led to the breach of Articles 14 and 16 of the Constitution. such a situation cannot be permitted to last any longer. The State government is expected to function as a model employer. The apex court deprecate the state government under which ad-hoc teachers are denied the salary and allowance for the period of the summer vacation by

⁶ (1982) 1 SCC 618

⁷ (1985) 4 SCC 43

resorting to the fictional breaks of the type referred to above. These ad-hoc teachers shall be paid salary and allowances for the period summer vacation as long as they hold the office. These teachers who constitute the bulk of the educated unemployed are compelled to accept these jobs on an ad-hoc basis with miserable conditions of service. This is not a sound personnel policy. It is bound to have serious repercussions on the educational Institution and the children studying there.

Hargurpartap Singh v. State of Punjab and Haryana and Others⁸ The Apex court held that to displace one ad-hoc arrangements by another ad-hoc arrangement which is not at all appropriate for the persons working as a teacher on ad-hoc bases who have gained experience which will be more beneficial and useful to the colleges concerned rather than to appoint person afresh on ad-hoc bases. They should be continued in service till regular appointments are made on minimum of the pay scale.

Union Territory Chandigarh & Another v. the Central Administrative Tribunal & Other⁹ In this case contractual employee had been appointed on a fixed salary and the tenure of their contractual engagement was extended from time to time. The Division Bench of Punjab and Haryana High Court held that the conditions incorporated in the appointment letters of the applicants limiting their appointments are illegal, unconstitutional and are accordingly struck down as such. Likewise, the condition of their being paid consolidated salary is also declared ultra vires of **Articles 14, 16 and 39(d)** of the Constitution of India respondents are accordingly directed to allow the applicants to continue in service till the availability of the regularly selected candidates appointed in terms of statutory rules. However, it is made clear that the services of the applicants can be terminated/ discontinued on the ground of unsuitability or unsatisfactory performance or misconduct.

Vandana Jain and others v. Union of India and others¹⁰, In this case Chandigarh Administrative Tribunal (CAT) observed that law is already authoritatively laid down in the Union Territory Chandigarh Case. The applicants shall not be replaced by contractual employees and they shall continue in service till the posts are filled up on regular basis. All the contractual lecturers shall be entitled to minimum of the pay scale of the post, with Dearness Allowance, as admissible from time to time and also the maternity leave to the extent indicated in that judgment in **Krishan Kumar v. Union Territory of Chandigarh**¹¹, The benefit of maternity leave would be available to a female contractual employee, with less than two surviving children. The duration thereof would be the same as has been recommended by the 6th Central Pay Commission. The

⁸ 2007 (13) SCC 292

⁹ (Writ Petition) No.16225-CAT of 1998, Decided on the 22.01.2001

¹⁰ OA No.33/CH/2011.

¹¹2004 (3) (cat) 229.

decision by the Tribunal was based upon the Apex Court pronouncement in the case of Rattan Lal & Others v. State of Haryana.

Subsequently, the Chandigarh Administration, Chandigarh has filed the writ petition before the Punjab And Haryana High Court against the order of the Tribunal in Vandana Jain case. In case of the **Chandigarh Administration, Chandigarh and Another v. Central Administration Tribunal, Chandigarh Bench, Chandigarh and others**¹², In this case the High Court upheld the Tribunal decision and held that the State became obliged to pay them the ordained pay scale. High Court affirms Equal Pay for equal work for lecturers on contract. The Court further affirmed that daily wagers, contract employee and those serving on an ad-hoc bases are entitled to parity of pay with regularly appointed employee if they perform similar duties. This Court does not find any merit in the writ petition filed against the order of the Tribunal and the same is hereby dismissed in the light of the settled principle of the equal pay for equal work for contractual employees.

Dhirendra Chamoli v. State of U.P.¹³, In this case the claim of the petitioner of pay pay-scale extended to regular employees was repudiated on the ground that the petitioner had taken up their employment with the knowledge fully-well that they would be paid employment of casual workers engaged on daily-wage bases and therefore they could not claim beyond what they had voluntarily accepted. The Supreme Court held that it was not open to the government to exploit citizens specially when India was a welfare state, committed to a socialist pattern of society. The argument raised by the Govt. was found to be violative of the mandate Article 14 ensured that there would be equality before law and equal protection of law. It was inferred therefrom that there must be Equal Pay for Equal Work.

Harbans Lal v. State of Himachal Pradesh¹⁴, In this case H.P. High Court held that employee working on daily wagers cannot claim pay parity with the regular employees of the different establishment owned by the different management. Thus, for the application of the principle of Equal Pay for the equal work the employees of the subject post and the reference post must be working under the same master, same management or even with the establishment in different geographical location, though owned by the same master.

In case of the Suchitra and others v. State of Haryana¹⁵, The Punjab and Haryana High Court held that the Assistant Professor working on contractual basis are entitled to minimum of the pay scale meant for regularly appointed Assistant Professor in the college of pharmacy which includes the basic pay, grade pay

¹² CWP No.19280 of 2011 Decided on 31.08.2024.

¹³ (1986)1 SCC 637

¹⁴ (1989) 4 SCC 459

¹⁵ CWP 11201 of 2022, Judgment dated: 29-09-2023.

and dearness allowance along with they are also entitled of the arrears of 38th months prior to filing of the petition as well as the six per cent interest rate up to date of actual payment.

Later, on the State of Haryana has filed the appeal against the judgement¹⁶ of the single bench of the High Court In, this case the division bench of the Punjab and Haryana high court dismissed the state appeal on dated 04-03-2024. After dismissal the appeal the single bench judgments has attended the finality. Therefore, the Assistant Professor contractual are entitled to the pay parity with their regular counterparts.

Recently in case of **Kalyan Singh & others v. State of Haryana the Punjab and Haryana High Court**¹⁷, has held that the Assistant Professor/Extension Lecturers are entitled to minimum regular pay scale which includes basic pay, grade pay and dearness allowance meant for a regular Assistant Professor working in govt. colleges in Haryana. The Kalyan Singh judgement has challenged by the State of Haryana in LPA No. 733 of 2024 in this case the Division Bench of the Punjab and Haryana High Court modified the judgement given by the Single Bench dated 28.11.2023 and held that the extension lecturers working in Govt. Colleges Haryana are entitled to Minimum of the pay scale minus allowances as per the State Govt Policy dated 03.11.2017 issued by the Chief Secretary Govt. of Haryana regarding application of the equal Pay for Equal Work to the contractual employees working under outsourcing policy-II.

Hukum Chand Gupta v. Director General, Indian Council of Agriculture Research¹⁸, In this case Supreme Court upheld the decision of Administrative Tribunal and the High Court of Punjab and Haryana that there can be valid classification in the matter of pay scales, between employees even holding posts with the same **nomenclature** i.e., between those discharging duties at the headquarters, and others working at the institution /sub-office level, when the duties qualitatively dissimilar. The application of the principle of Equal Pay for Equal Work requires consideration of various dimensions of a given job.

The Union of India & Ors. v. Rajib Khan & Ors.¹⁹, In this case the Apex Court held that educational Qualification can be ground for different pay scale even if the nature of duties are the same. Thus, the pay scale difference in the posts of Nursing Assistant and staff nurse in the border security force is valid. Nature of the work may be more or less the same but the scale of pay may vary based on academic qualification or experience which justifies classification.

¹⁶ LPA NO. 632 of 2024.

¹⁷ CWP-1887-2019.

¹⁸ (2012) 12 SCC 666.

¹⁹ Civil Appeal No. 172 of 2023 (@SLP (Civil) No. 8083 of 2022.

State of Haryana v. Haryana Civil Secretariat Personal Staff Association²⁰, In this case Supreme Court while delineate the parameters on the bases of which the principle of Equal Pay for Equal work can be made applicable observed that the fixation of the pay and determination of parity in duties and responsibilities is a complex matter which is for the Executive to discharge. The court should approach such matters with restraint and interfere only when they are satisfied that the decision of the government is potentially irrational, unjust, and prejudicial to a section of employee and the government while taking the decision has ignored factors which are material and relevant for a decision in the matter. Person holding the same rank/designation (in different department), but having dissimilar powers, duties and responsibilities, can be placed in different scales of pay, and cannot claim the benefit of the principle of Equal Pay for Equal work.

State of Madhya Pradesh v. RD Sharma²¹, In this case Hon'ble Supreme Court held that Equal Pay for Equal Work is not a fundamental right vested in any employee, though it is a constitutional goal to be achieved by the government. A beneficial reference of the observations made in this regard in case of Haryana Civil Secretariat Personal Staff Association 2002 case.

Bhagwan Dass v. State of Haryana²², In this case the Supreme Court held that the mode of the appointments is not a sole basis for the denial of the equal pay for equal work for the temporary employees. The court emphasis the duties and responsibilities of the temporary employees if they are performing similar to the regular counterparts they would also be entitled for the equal pay for equal work.

State of Haryana v. Jasmer Singh²³, In this case Apex Court two judge bench was held that the temporary employees those who have not possessed the required qualification for the post such temporary employees/ daily wagger are not entitled for the Minimum regular pay scale. The Judgement of the Bhawan das case were not noticed by the bench. However, the court held that they are entitled for the Minimum Wages prescribed for such workers if they are receiving higher emoluments which were being paid to them. But in this case the Court observed that if the state govt frame a regularisation policy for the daily wagers then they would be entitled for the regularisation of their services.

Surinder Singh v. Punjab State Electricity Board²⁴, The Court ruled that if temporary or ad-hoc employee are performing the same work as regular employee, they are entitled to the same pay. This judgement reinforced that employment status should not affect the principle of Equal Pay for Equal Work.

²⁰ (2002) 6 SCC 72.

²¹ CA 475-475 of 2022.

²² AIR (1987) 4 SCC 634

²³ 1996 (11) SCC 77.

²⁴ (1999) 3 SCC 487.

Union of India v. G.B. Ganjam²⁵, The Apex Court reiterated that Temporary Employment employees who perform similar duties as permanent employees should be entitled to Equal Pay equal Work. This Case solidified the notion that pay disparity based on employment status is unjust.

Secretary, State of Karnataka v. Uma Devi²⁶, A five- judges Constitution Bench of the Supreme Court of India on 10, April, 2006 decided that the primary focus of this case was on the regularization of services of temporary employee employees, the supreme court also reaffirmed the principle of Equal Pay, reinforcing that temporary workers should not be treated unfairly in terms of remuneration.

Sita Mundu & Ors. v. All India Institute of Medical Sciences²⁷, In this case the petitioner has working staff nurses on contractual basis in the respondent AIMS, who perform similar duties and have similar responsibilities of their regular counterparts. The Division Bench of the Delhi High Court has held that the contractual staff nurses are also entitled to minimum pay scale of the post along with dearness allowance.

In State of Punjab & Ors. v. Jagjit Singh & Ors.²⁸, In this historical judgement the Apex Court was opined that there is no escape from the obligation, in view of different provisions of the Constitution referred in the judgment, and in view of the law declared by this Court under Article 141 of the Constitution of India, the principle of ‘**equal pay for equal work**’ constitutes a clear and unambiguous right and is vested in every employee – whether engaged on regular or temporary basis. The Court has express, his view that the fallacious to determine artificial parameters to deny fruits of labour. An employee engaged for the same work, cannot be paid less than another, who performs the same duties and responsibilities. Certainly not, in a welfare state. Such an action besides being demeaning, strikes at the very foundation of human dignity. Any one, who is compelled to work at a lesser wage, does not do so voluntarily. He does so, to provide food and shelter to his family, at the cost of his self- respect and dignity, at the cost of his self- worth, and at the cost of his integrity. For he knows, that his dependents would suffer immensely, if he does not accept the lesser wage. Any act, of paying less wages, as compared to others similarly situate, constitutes an act of exploitative enslavement, emerging out of a domineering position. Undoubtedly, the action is oppressive, suppressive and coercive, as it compels involuntary subjugation. The Court held that all the temporary employees i.e. **(daily wage employees, ad-hoc appointees, employee appointed on casual basis, contractual employees and like)** are entitled to draw wages at the Minimum of the Pay scale at lowest grade in the regular pay scale extended to regular employees holding the same post. The right of the minimum of the pay scale will be from the date of temporary or contractual appointment.

²⁵ (1999) 4 SCC 66.

²⁶ (2006) 4 SCC 1

²⁷ WP (C) 6282 of 2016, Decided on 5th October, 2023.

²⁸ (2017) 9 SCC 86.

Tej Singh & Ors. v. Sarvesh Kaushal & Another²⁹, In this case Supreme Court considered the expression **“Minimum of the Pay” means the Basic pay+ grade pay+ dearness allowances+ washing allowances.** Volunteers are paid duty allowances and other allowances to which they are entitled. There is nothing on the record to suggest that they performed duties through out of the year. On the other hand, it is the specific case of the state that as and when is requirement they were called for duty and otherwise they remained in their homes. Therefore, in absence of any details about continuity of service, month to month basis or year to year basis, the duties and responsibilities performed by them throughout the year can neither be equated with that of police personal. No relief can be granted to the appellants either regularization of services or grant of regular appointments. However, taking into consideration the fact that Home Guards are used during the emergency and for other purposes and at the time of their duty they are empowered with the power of police personal. The State Government should pay them the duty allowances at such rates, total which 30 days (a month) comes **to minimum of the pay to which the police personal of the state are entitled.**

State of Gujrat & Ors. etc. v. Dr. P.A. Bhatt & Ors. etc.³⁰, In this case the Supreme Court set aside the order of the Division Bench of the Gujrat High Court holding that practitioners possessing a degree of Bachelor of Ayurveda in medicine and surgery are to be treated at par with doctors holding MBBS degrees and are entitled to the benefits of the recommendation of the Tikku pay commission. However, several petitions have been filed in the Supreme Court seeking Review its judgement delivered on April 26, 2023 in which held that Ayurveda Doctors are not entitled to Equal Pay for Equal Work.

THE CRUX OF THE CONCEPT OF EQUAL PAY FOR EQUAL WORK FOR THE TEMPORARY EMPLOYEES IN LIGHT OF THE JUDICIAL POINT OF VIEW:

1. The **‘onus of proof’**, of parity in the duties and responsibilities of the subject post with the reference post, under the principle of **‘equal pay for equal work’**, lies on the person who claims it. He who approaches the Court has to establish, that the subject post occupied by him, requires him to discharge equal work of equal value, as the reference post.
2. The claimant cannot be treated differently merely because they belong to different department when they are discharging functionally identical and equal duties, which are of the same quality and sensitivity. Persons performing the same or similar functions, duties and responsibilities, can also be placed in different pay-scales.
3. Persons holding the same rank/designation (in different departments), but having dissimilar powers, duties and responsibilities, can be placed in different scales of pay, and cannot claim the benefit of the principle of **‘equal pay for equal work’**.) Such as – **‘selection grade’**, in the same post. But this

²⁹ (2019) 12 SCC 372

³⁰ Civil Appeal No. 8553-8557 of 2014 Decided on April 2023.

difference must emerge out of a legitimate foundation, such as – merit, or seniority, or some other relevant criteria.

4. Differentiation of pay-scales for posts with difference in degree of responsibility, reliability and confidentiality, would be of valid classification, and therefore, pay differentiation would be legitimate and the nature of work of the subject post should be the same and not less onerous than the reference post.
5. Even the volume of work should be the same. And so also, the level of responsibility. If these parameters are not met, parity cannot be claimed under the principle of **‘equal pay for equal work’**.
6. For placement in a regular pay-scale, the claimant has to be a regular appointee i.e. on the basis of a regular process of recruitment and not on a temporary basis.
7. The principle of **‘equal pay for equal work’**, cannot be invoked in case where qualifications for recruitment to the post are different as it denotes that they are not qualitatively similar or comparable.
8. The reference post, with which parity is claimed, under the principle of **‘equal pay for equal work’**, has to be at the same hierarchy in the service, as the subject post. Pay-scales of posts may be different, if the hierarchy of the posts in question, and their channels of promotion, are different. Even if the duties and responsibilities are same, parity would not be permissible.
9. Where the establishments are in different geographical locations, though owned by the same master. Persons engaged differently, and being paid out of different funds, would not be entitled to pay parity.
10. The priority given to different types of posts, under the prevailing policies of the Government, can also be a relevant factor for placing different posts under different pay-scales. Herein also, the principle of **‘equal pay for equal work’** would not be applicable.
11. The principle of **‘equal pay for equal work’** is applicable only when it is shown, that the incumbents of the subject post and the reference post, discharge similar duties and responsibilities.
12. For parity in pay-scales, under the principle of **‘equal pay for equal work’**, equation in the nature of duties, is of paramount importance.
13. The principle of **‘equal pay for equal work’** would not be applicable, where a differential higher pay-scale is extended to persons discharging the same duties and holding the same designation, with the objective of upgrading inactivity, or on account of lack of promotional avenues.
14. Where there is no comparison between one set of employees of one organization, and another set of employees of a different organization, there can be no question of equation of pay-scales, under the principle of **‘equal pay for equal work’**, even if two organizations have a common employer. Likewise, if the management and control of two organizations, is with different entities, which are independent of one another, the principle of **‘equal pay for equal work’** would not apply.

CONCLUSION

The Role of the judiciary in upholding the principle of equal pay for equal work for temporary employees are both vital and transformative. Through its interpretations and rulings, the judiciary has significantly advanced the legal framework protecting the rights of workers, emphasizing the importance of equitable compensation regardless of employment status. Judicial decisions have underscored that temporary workers deserve the same remuneration as their permanent counterparts when performing similar duties. The achieving equal pay for equal work is not merely a legal obligation but a moral imperative that reflects India's commitment to social justice and economic equity. Continued advocacy and reform are essential to bridge the gap between legal ideals and the realities faced by temporary employees in India. The judiciary has played a pivotal role in interpreting the provisions and emphasizing the principle of equal pay as a fundamental right. However, the enforcement of these principles remains inconsistent, highlighting a gap between legal standards and practical application. In conclusion, while the judiciary has made commendable strides in promoting equal pay for temporary employees, ongoing vigilance and advocacy are necessary. A collaborative effort among the judiciary, lawmakers, and civil society is essential to ensure that the ideals of justice and equity are realized in practice, creating a fair atmosphere for the temporary employees in India

REFERENCES

- 1) Takwani C.K. Lectures on Administrative Law (Eastern Book Agency 7th edition 2021)
- 2) Sathe S.P. Administrative Law (Lexis Nexis 7th edition 2004)
- 3) Upadhyaya J.J.R. Administrative Law (Central Law Agency 2019)
- 4) Prof. Kumar Narender, Constitutional Law of India (Allahabad Law Agency 9th edition Reprint 2021)
- 5) Massey I.P. Administrative Law (Eastern Book Agency 10th edition 2022)
- 6) Wade H.W.R. & Forsyth C.F. Administrative Law (Oxford Press 11th edition 2014)
- 7) Sebston V.D. & Kyvalya Garikapati an Introduction to Administrative Law (Asia Law House 2016 Hyderabad)

WEBOGRAPHY

1. <https://www.livelaw.in/tags/login-id>
2. <https://www.sci.gov.in/>
3. <https://highcourtchd.gov.in/>
4. <https://cgat.gov.in/>
5. <https://legislative.gov.in/>