

**Central Administrative Tribunal  
Principal Bench**

**OA No.2591/2013**

**New Delhi, this the 28th day of January, 2015**

Hon'ble Mr. A.K. Bhardwaj, Member (J)  
Hon'ble Mr. Shekhar Agarwal, Member ( A)

1. Vinod Kumar, S/o Shri Narayan Das Soni,  
R/o 17D/412, Avas Vikas Colony,  
Ghaziabad.
2. K. Narayanan S/o Shri S.A. Kodandaraman,  
R/o DB-401, Block 4A, Transit Flat,  
HUDCO Place, New Delhi-49.
3. Ms. Priyanka Kapoor, D/o Sh. Barat Kumar,  
R/o B-107, Pandara Road, Delhi-1.
4. Harish Chandra Joshi, S/o Sh. Devi Dutt Joshi,  
R/o D-2/6, R. Colony, Kingsway Camp, Delhi.
5. Durgesh Kumar, S/o Sh. Vijay Singh,  
R/o C-220/1, Defence Enclave, Meerut Cantt.(UP).
6. Uma Kant Joshi, S/o Late Shri M.N. Joshi,  
R/o Sh. C-1, Radio Colony, Nababagate,  
Rampur (UP).
7. Ram Prakash Sharma, S/o Late Sh. Shiv Dayal Sharma,  
R/o 49E, Gaur Home, Govindpuram, Ghaziabad (UP)

**.....applicants.**

(By Advocate : Shri Yogesh Sharma )

***Versus***

1. Union of India, through the Secretary,  
Ministry of Information and Broadcasting,  
Govt. of India, Shastri Bhawan, New Delhi-110001.
2. Director General,  
Doordarshan,  
Mandi House, Copernicus Marg,  
New Delhi.
3. Director General,  
All India Radio,  
Akashwani Bhawan, Sansad Marg,  
New Delhi.

**.....respondents**

(By Advocates : Shri S.M. Arif and Shri Sameer Aggarwal)

## **ORDER (ORAL)**

Mr. A.K. Bhardwaj, Member (J) :-

The prayer made in the OA is for issuance of directions to the respondents to grant financial upgradation under ACP Scheme. For easy reference, the prayer clause is reproduced hereinbelow :-

- “(i) That the Hon’ble Tribunal may graciously be pleased to pass an order of quashing the impugned order dated 19.10.2012 (colly) (Annex.A/1), declaring to the effect that the same is illegal, arbitrary and discriminatory and consequently, pass an order directing the respondents to consider the case of the applicants for granting first financial up-gradation under ACP Scheme on completion of 12 years of service in the grade of Rs.8000-13,500/- from due date and granting 2nd financial up-gradation on completion of 24 years of service in the pay scale of Rs.10000-15200 from due date with all consequential benefits including the fixation of pay and arrears of difference of pay and allowances with interest, by way of extending the benefit of judgment dated 07.09.2009 passed by Hon’ble Patna Bench in OA No.514/2002.
- (ii) That the Hon’ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not extending the benefit of judgment of Patna Bench is illegal, arbitrary and discriminatory in the eyes of law.
- (iii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicants.”

2. The learned counsels for the parties are ad idem that the issue involved in the present OA is in all fours of the order dated 07.09.2009 passed by the Patna Bench of this Tribunal in OA No.514/2002 titled Akashwani & Doordarshan Diploma Engineers Association through its President Vs. UOI & Ors. The operative part of the said order reads thus:-

- “9. This O.A. is, therefore, allowed. The respondents are directed to grant the applicants the pay scale of Rs.8000-13500 as and when they have completed 12 years service in the pay scale of Rs.6500-10500. The arrears should also be paid to the applicants. The respondents are directed to issue orders regarding ACP promotion to the applicants within a period of two months from the date of receipt of a copy of this judgment. The arrears may be calculated and paid to them within one month thereafter.

10. With these directions, this O.A. stands disposed. No costs.”

3. In view of the stand taken by the learned counsel for respondents, the OA is disposed of with a direction to the respondents to extend the aforementioned benefits to the applicants herein as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order. No costs.

**( Shekhar Agarwal )**  
**Member (A)**

**( A.K. Bhardwaj )**  
**Member (J)**