

**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A.No.3400/2012
MA 2836/2012**

Tuesday, this the 9th day of October 2012

**Hon'ble Shri George Paracken, Member (J)
Hon'ble Ms. Jayati Chandra, Member (A)**

1. Sh. Vinod Kumar(Aged about 48 year)
S/Shri Narayan Das Soni
Working as Sr. Engineering Assistant
Broadcasting House,
All India Radio, New Delhi.
2. Priyanka Kapoor (Aged about 44 year)
D/o Sh. Bharat Kumar,
Working as Sr. Engineering Assistant,
Broadcasting House,
All India Radio, New Delhi.
3. K. Narayanan (Aged about 46 year)
Sh. S.A. Kopandaraman
Working as Assistant Engineer,
Broadcasting House,
All India Radio, New Delhi.
4. Harish Chandra Joshi (Aged about 47 year)
S/o Sh. Devi Dutt Joshi,
Working as Sr. Engineering Assistant,
Broadcasting House,
All India Radio, New Delhi.
5. Durgesh Kumar (Aged about 44 year),
S/o Sh. Vijay Singh,
Working as Sr. Engineering Assistant,
Broadcasting House,
All India Radio, New Delhi.
6. Uma Kant Joshi (Aged about 43 year),
S/o Late Sh. M.N. Joshi
Working as Engineering Assistant,
All India Radio, Rampur UP.
7. Ram Prakash Sharma (Aged about 43 year),
S/o Late Sh. Shiv Dayal Sharma,
Working as Engineering Assistant,
Broadcasting House,
All India Radio, New Delhi.

..Applicants

(By Advocate: Shri A.K. Bhakt)

Versus

1. The Secretary,
Ministry of Information & Broadcasting,
Govt. of India, Shastri Bhavan,
New Delhi.
2. Director General,
All India Radio, Akashvani Bhawan,
Sansad Marg,
New Delhi.
3. Chief Executive Officer, Prasar Bharti
PTI Sansad Marg, New Delhi.

..Respondents

O R D E R (ORAL)

Shri G George Parackken:

The applicants have filed this joint application under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

- (i) Direct the respondent to grant 1st ACP benefits to the applicants w.e.f. 7.11.1999, 13.2.2001, 16.5.2001, 5.10.2001, 2.12.2003, 16.8.2006 & 30.11.2006 respectively extending the benefits of order dated 07.09.2009 in OA No. 514/2002 passed by Ld. Central Administrative Tribunal, Patna Bench and Order dated 1st Feb. 2011 in O.A. No.477/2011.
- (ii) Direct the respondents to produce the records of the case.
- (iii) Award exemplary costs of proceedings.
- (iv) Pass such further order or orders which this Hon^{ble} Tribunal may deem fit and proper in the facts and circumstances of the present case.

2. According to the applicants, before they have approached this Tribunal they filed representation dated 06.02.2012 seeking redressal of their grievances departmentally. Since no reply was given to them, they have also sent a reminder to them on 19.3.2012.

3. In our considered view, the respondent-department has the duty and responsibility of looking into the grievances of its employees. If their grievances are genuine, the department should also endeavour to redress them without much delay. Only in cases where the department fails to redress their grievances and reject their claims, the employee concerned should approach this Tribunal, if so advised. However, in the present case, it is seen that the respondents have not considered the aforementioned representation and reminder of the applicants at all.

4. In the above facts and circumstances of the case, we dispose of this Original Application at the admission stage itself but with a direction to the respondents to consider the aforesaid prayers of the applicants departmentally and try to find solutions in accordance with the rules. To facilitate the respondents to take appropriate decision in the matter, a copy of this OA is also sent with this order so that it may be treated as an additional representation on behalf of the applicants. The respondents shall consider the grievances of the applicants as ventilated by them in their representations and in this OA. If their grievances are genuine and requests are covered under the rules, the respondents shall accede to them. In case they are not covered by the rules, they may reject them but by passing a reasoned and speaking order which would give further liberty to the applicants to challenge the same before this Tribunal through appropriate proceeding, if so advised. There shall be no order as to costs.

(Jayati Chandra)
Member (A)

(G George Paracken)
Member (J)