

PRASAR BHARATI
(INDIA'S PUBLIC SERVICE BROADCASTER)
DIRECTORATE GENERAL: ALL INDIA RADIO
AKASHVANI BHAWAN: NEW DELHI

File No. 14/26/2015-S-IV(B)/ 607

December 17, 2015

ORDER


WHEREAS Sh. Narendra Kumar Srivastava & ors. had filed an OA No. 173/2009 before Hon'ble CAT, Patna for extension 1st ACP benefits as granted to similarly placed employees in OA No. 514/2002. The same was disposed of by the Hon'ble Tribunal on 13/02/2013 against which a review applications No. 17/2013 had been filed which was also disposed of by the Tribunal on 1/7/2013.

2. AND WHEREAS the applicants were not granted the benefits as the Tribunal had not issued any directions in their case. Subsequently the applicants had filed a Writ Petition CWJC 2797/2014 before Hon'ble High Court Patna, challenging the order passed by Hon'ble CAT, Patna, in OA No. 173/2009 & RA No. 17/2013.

3. AND WHEREAS Hon'ble High Court Patna passed orders on 29/6/2015 and directed to consider the case of each of the petitioners on its own merits in respect of grant of ACP and pass appropriate orders within 2 months' from the date of filing representation before DG:DDn, and if the order passed by it disentitles them in any manner, would be a speaking order giving reasons for the same. The matter being old, it is expected that an early decision is taken, as noted above.

4. AND WHEREAS the applicants had submitted a representation on 16/07/2015. The Ministry of I&B has decided that the Screening Committee will be constituted in this Directorate for granting ACP Benefits. As service particulars have to be verified from the service records of each of the employee and since the same of applicants of CWJC 2797/2014 are maintained by the East Zone, this Directorate forwarded their representations to O/o The ADG(E) East Zone for consideration by the zonal screening committee first so that ACP benefits, as per their eligibility, may be further examine as per the order dated 25/8/2010 of the Hon'ble Patna High Court in CWJC No. 6451/2010 arising out of OA No. 514/2002.

5. AND WHEREAS the Screening Committee constituted in DG:AIR in its meeting held on 12/10/2015 examined the cases of all the EAs, SEAs and AEs and found that they belong to two categories – those who had not accepted the upgraded payscales granted by the Ministry of I&B vide order dated 25/2/1999 belong to category – 1, and those who had accepted the upgraded payscales belong to category – II. The committee found that category-I employees are fit for ACP benefits. However, in view of the modification of CAT Patna order by the Hon'ble Patna High Court in CWJC No. 6451/2010 arising out of OA No. 514/2002 and in view of the eligibility conditions stipulated in the ACP Rules and subsequent clarifications issued by DoP&T, the committee felt it necessary to refer the matter to the Ministry of I&B as to in which payscale the ACP benefits should be granted.

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6. AND WHEREAS accordingly the matter has been referred to the Ministry of I&B by this Directorate vide letter dated 8/12/2015 and also informed the applicants of CWJC No. 2797/2014 that they belong to category-I and are eligible for 1st ACP benefits and further necessary action to grant them the benefit will be taken as per the advice of the Ministry of I&B.
7. THEREFORE, the applicants of CWJC No. 2797/2014 are informed accordingly.
8. This issues with the approval of the competent authority.



(Ajaya Kumar K.P.)
Deputy Director Administration (E)

Copy to :

1. All the applicants of CWJC No. 2797/2014 through O/o the ADG(E) (EZ), All India Radio & Doordarshan, 18/3, U.S. Sarani, Golf Green, Kolkata-700095
2. Sh. Ajay Joshi, Deputy Secretary, BA(E), Ministry of I&B, 7th Floor, Shastri Bhawan, New Delhi-110001
3. Sr. PPS to CEO, Prasar Bharati Secretariat, PTI Building, New Delhi-110001
4. PS to Member (P), Prasar Bharati Secretariat, PTI Building, New Delhi-110001
5. PS to Director General, Doordarshan, Copernicus Marg, New Delhi-110001
6. PS to Director General, AIR, Akashvani Bhawan, Sansad Marg, New Delhi-110001
7. PS to ADG(A&E), Prasar Bharati Secretariat, PTI Building, New Delhi-110001
8. PS to DDG(A&F), DG:AIR, Akashvani Bhawan, Sansad Marg, New Delhi-110001
9. Director (Administration), Prasar Bharati Secretariat, PTI Building, New Delhi-110001
- ✓ 10. Director (Administration), DG:AIR, Akashvani Bhawan, New Delhi-110001
11. Legal Cell, Prasar Bharati Secretariat, PTI Building, New Delhi-110001
12. IT Division, DG:AIR, New Delhi for publishing on AIRNET
13. Sh. Sangam Thakur Admin. officer DDK Patna (800001)