

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

**RA No.219 of 2014
IN
OA No.1949 of 2012**

This the 14th day of May, 2015

Hon'ble Mr. G.George Paracken, Member (J)

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

1. The Secretary,
Ministry of I & B,
Shastri Bhawan,
New Delhi.
2. The CEO,
Prashad Bharti,
PTI Building, New Delhi.
3. The Director General,
Doordarshan Kendra,
Doordarshan Bhawan,
New Delhi.

.....**Review Respondents**

(Advocate : Shri Ajit Sharma for Review Applicants)

Versus

1. Rishi Raj,
S/o Sh. Prabhudayal,
R/o Vill. Dariyapur Kala,
Delhi 110093.
2. Laxman,
S/o late Sh. Bhagwandass,
R/o 76-F, Sector-4, Pushp Vihar,
MB Road, New Delhi.
3. Brijmohan,
S/o Sh. Inderjeet,
R/o H.No.J-2, Pandav Nagar,
Delhi.

4. Mohar Singh,
S/o Sh. Lekhram,
R/o Vill. Mochi Bagh,
88, Nanak Pura,
Delhi-110021.
5. Ratan Singh,
S/o Sh. Kaluram,
R/o 126, Vill. Aali Badarpur,
Delhi-110044.
6. Asha Ram Yadav,
S/o Sh. Ram Manohar Yadav,
B-686, Gali No. 8/1, I Pusta Sonia Vihar,
Delhi-110094.
7. Sagir Ahamed,
S/o late Sh. Nazir Ahamed,
R/o E-74, Shahin Bagh,
Abul Fazatu, Okhla, Delhi.
8. Mukesh,
S/o Sh. Sohan Lal,
R/o B-8/214, Rohini,
Sector-3, Delhi-110085.
9. R.D. Mishra,
S/o late Sh. Niwas Mishra,
R/o E-117, Gali No.5,
Jai Vihar Colony,
Najafgarh, New Delhi-110043.
10. Subodh Kumar,
S/o Sh. Atar Singh,
R/o B-47, Gali No.2,
West Nathu Colony,
Shahdara, Delhi-110093.
11. Vinod Kumar,
S/o late Sh. Nand Kishore,
R/o 32/2, CPWD, Sector-1,
Puspa Vihar,
Delhi-110017.
12. S.N. Rai,
S/o Sh. Avadh Ram,
R/o 306, S.N. Puri, Delhi.

13. Satender Singh,
S/o Sh. Govind Singh,
R/o 294, Lancer Road,
Timarpur, New Delhi.
14. Ratan Lal,
S/o Sh. Barulal Ram,
R/o D-44, Gali No.4,
Pappu Colony,
Sahibabad.
15. Rajender Panigrahi,
S/o Sh. K. C. Panigrahi,
R/o RZI-124, Mahaveer Enclave,
Palam, New Delhi-110045.
16. Prem Chand,
S/o Sh. Khem Chand,
R/o 172, Ist Floor, Aaram Bagh,
Delhi.
17. Krishan Kumar,
S/o Sh. Hari Ram,
R/o F-9, Aaram Bagh, Pahar Ganj,
Delhi.
18. Ilamjeet Singh,
S/o Sh. Pradshiram,
R/o C-533, Jaypur Pahari Society,
Camp, Badarpur, New Delhi-110044.
19. Khajan Singh,
s/o late Sh. Nathuram,
R/o ACD/335, Munirka Village,
Near Girls School, Delhi-110067.
20. B.R. Meena,
S/o Sh. Sakhan Kumar,
r/o Type-I, Room No.6,
Krishi Kunj, Inderpuri,
Delhi-110012.
21. Bhagwandass,
S/o Sh. Ramnath,
R/o H.No.197, Gali Banduk Wali,
Ajmeri Gate, Delhi-110006.

22. Vinit Kumar Mishra,
S/o Sh. Chander P. Mishra,
R/o B-2/3, Radio Staff Quarters, Kingway Camp,
Delhi.
23. Shri Ram Sharma,
S/o Sh. Rameshwar Prasad,
R/o 18, Aligoan, Kotla Mubarakpur,
Delhi.
24. Arjun Kanahar,
s/o Sh. Purender Prasad,
r/o D-504, Pocket-II, DDA Janata Flat,
Jasola, Delhi-110044.
25. Chetram,
s/o Sh. Udayram,
R/o 11, Gali No.7/3, Shakti Vihar,
Badarpur, Delhi-110044.
26. Brahmdev Yadav,
R/o Sangam Vihar, New Delhi.
27. Mahipal,
S/o late Shri Brahm Singh,
R/o 514, Gali No.18, E-Block,
Ashok Nagar, Shahdara, Delhi-110093.
28. Puran Chander Joshi,
s/o late Sh. G.P. Joshi,
R/o 151-B, Aram Bagh, Paharganj,
Delhi-110055.
29. Ram Kumar,
S/o late Shri Mangeram,
R/o Z-598, Timarpur, Delhi.
30. Ram Singh,
s/o Sh. Hardass,
962, Pana Papa Siyan,
Narela, Delhi.
31. Ram Swaroop Singh,
S/o Sh. Basant Singh,
R/o K-452, Mangolpuri,
New Delhi-110040.

32. Mohan Chandra Pathak,
S/o Sh. Purshottam,
R/o 59-B, Gali No.8,
Sangam Vihar, Najafgarh, Delhi-110043.
33. Shivram Yadav,
S/o Late Sh. Ramdin Yadav,
R/o C-57, Qutab Vihar,
Gayaly Dairy, New Delhi-110071.
34. Vijay Singh,
s/o Late Shri Delip Singh,
r/o F-Block, 2148,
Netaji Nagar, Delhi-110023.
35. Hawaldar Prasad
S/o Ram Charitra,
R/o H.No.RC-969,
Khoda Colony, Pragati Vihar,
Ghaziabad, UP.
36. Vinod Kumar Pal
s/o Sh. Bal Kishan,
R/o 55-B, Aaram Bagh,
Paharganj, New Delhi.
37. Karambir Singh,
s/o Sh. Ram Pal Singh,
r/o Village Nahra,
Distt. Sonapat, Haryana.
38. Sant Lal,
S/o Sh. Ram Ganesh,
R/o F-47, Rana Park, Siraspur,
Delhi-110042.
39. Satbir Singh
S/o Sh. Ram Diya,
r/o Saraswati Vihar, Malwa Road,
Sonapat,
Haryana.
40. Lal Chand,
s/o Sh. Sohan Pal,
r/o VPO Bimka, Tehsil & Distt. Faridabad,
Haryana.

41. Narpal Singh Negi,
S/o Sh. Luhar Singh Negi,
R/o A-9, Gali No.1, Amrit Vihar,
Burari, Delhi-110084.
42. Mahipal Singh,
S/o Shri Ramesh Chand,
R/o S-229A, 2nd Floor,
Pandav Nagar, Delhi-110092.
43. Ram Kishan,
s/o Sh. Ram Raj,
R/o RZ-56-A, Gali No.1
Durga Park, New Delhi-110045.
44. Suresh Chandra Singh,
s/o Sh. Trilok Singh Rawat,
r/o 2/24, Panchkuian Road,
Mandir Marg, New Delhi-110001.
45. Rajbir Singh,
s/o Sh. Fattan Singh,
R/o Village Mathnora, Distt. Ghaziabad,
UP.
46. Sant Ram,
S/o late Shri Mangeram,
R/o 167, Mandawali,
Faztupur, Delhi-110092.

.....**Review Respondents**

(Advocate : Mrs. Priyanka Bhardwaj for Shri M.K. Bhardwaj)

ORDER (ORAL)

SHRI G. GEORGE PARACKEN, MEMBER (J) :

This Review Application has been filed by the respondents in the OA seeking review of the Order of this Tribunal dated 3.4.2014 in OA 1949/2012. The operative part of the said Order reads as under:-

4. On the basis of above analysis, we allow this O.A. and direct the respondents to grant the scale of Technician i.e. Rs. 4500-7000 to the applicants from the due date. This will be done within a period of eight weeks from the date of receipt of a certified copy of this order. The applicants will also be entitled for grant of arrears as a result of re-fixation of their pay. The respondents are also directed to take a

decision on the recommendations of cadre review Committee expeditiously, in so far as the applicants are concerned. No costs.

2. The ground taken by the Review Applicants is that cadre controlling authority of Helpers, i.e., DG, AIR was not a party respondent in the aforesaid OA. Further, on merits, they have submitted that without giving any competitive examination, Helpers are eligible for promotion to the post of LDC and not to the post of Technician. They have also submitted that Helpers who are otherwise eligible on the basis of seniority and possess relevant educational qualification, then they will be promoted to the post of LDC from amongst Group D employees and not to the post of Technician. According to them, grant of Technician pay scale to Helpers under the ACP Scheme is in fact against the terms of the ACP Scheme. Again they have submitted that they have already granted financial upgradation to the original applicants to the post of LDC in the year 2008 and have been enjoying upgraded pay scale for several years.

3. We have heard learned counsel for the parties and we have also gone through the pleadings available on record. So far as the first objection of the review applicant that cadre controlling authority, i.e., DG, AIR was not a party respondent in the OA is concerned, it is not sustainable as the Secretary, Ministry of Information and Broadcasting, CEO, Prasar Bharti and Director General, Doordarshan Kendra were parties in this case. Admittedly, the review applicant is under the control of Secretary, Ministry of Information and Broadcasting. Other submissions made by the review applicants are on the merits of the case. It is not their case that there is any error apparent on the face of record. Further, it is seen that this Review Application was filed only on 9.10.2014 whereas the Order of this Tribunal was passed way back on 3.4.2014. As per the rules, the review applicants (respondents in OA) were required to file the Review Application, if any, within a month from the date of receipt of a certified copy of the said Order. They have also not filed any application seeking condonation of delay in filing the Review Application.

4. In view of the above position, this Review Application is dismissed both on the grounds of limitation and merits. There shall be no order as to costs.

(SHEKHAR AGARWAL)
MEMBER (A)

(G. GEORGE PARACKEN)
MEMBER (J)