

**File No. 515/04/2014-BA(E) Pt.
Govt. of India
Ministry of Information & Broadcasting
'A' Wing, Shastri Bhawan,
New Delhi**

Dated 17th February, 2015

To,

Brig. (Retd.) Sh. V.A.M. Hussain,
Principal Advisor (Pers. & Admn.),
Prasar Bharati Secretariat,
PTI Building, New Delhi.

Subject: Clarification on admissibility of MACP to TREX and some other cadres (Programme & Engineering Staff)- request for stopping of recovery from the retiring/retired employees-reg.

Sir,

I am directed to refer to your D.O. letter No. M-1/128/2014-PPC dated 05-02-2015 addressed to Joint Secretary (B-II), Ministry of I&B for stopping of recovery from the retiring/retired employees in the light of judgment dated 18-12-2014 of Hon'ble Supreme Court in SLP (C) No. 11684/2012 and to state as follows:-

2. That the matter was taken up with Ministry of Law (Department of Legal Affairs). The Ministry of Law has advised that *the administrative office order dated 08-09-2014 does not appear to be justifiable in given facts and is against the law laid down by the Supreme Court in Rafiq case. The MIB may at first instance consult DOP&T for its final views / determination and till then, recoveries etc may not be executed. The MIB may make a suitable reference to DOP&T on urgent basis with complete details and precedents as noted above*".

3. In view of above, it is advised to keep in abeyance the recovery being made if any on account of grant of MACP as per DOP&T advice dated 10-07-2013 conveyed to DG:AIR vide this Ministry's letter No. 515/5/2014-BA(E) dated 08-09-2014 till the matter is finally decided by this Ministry in consultation with nodal department i.e. DOP&T.

Yours faithfully,



**(Ajay Joshi)
Deputy Secretary (BA-E)
Ph: 23384754**