

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

**C.P.No.328/2014 in O.A. No.1147/2014,  
with C.P.No.396/2014 & C.P.No.606/2014 in O.A.No.854/2014,  
with C.P.No.540/2014 in O.A.No.3106/2013,  
with C.P.No.560/2014 in O.A.No.51/2014,  
with M.A.No.1291/2014 in O.A.No.757/2013,  
And with M.A.No.3136/2014 in O.A.No.879/2013.**

**Order reserved on 5th February 2015  
Order pronounced on 11th February 2015**

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

**C.P.No.328/2014 in O.A. No.1147/2014**

1. Thomas Mathew  
S/o Sh. Chrayil John Thomas,  
R/o B-2/108, Paschim Vihar,  
New Delhi-11063.
2. Narinder Nath  
S/o Shri Virinder Nath  
R/o 64, Arjan Nagar,  
PO Safdarjung Enclave,  
New Delhi-110029.
3. Jitan Prasad Singh  
S/o Late Shri Ram Bilas Singh  
R/o Block 18, Q.No.905,  
Baba Kharag Singh Marg,  
New Delhi-110001.
4. Sita Ram Kushwaha  
S/o Shri Hari Singh Kushwaha  
R/o 17, Lumbini Apptt., Sec.14,  
Kaushambi, Ghaziabad (UP).
5. Raj Singh S/o Shri Dharam Bir Singh  
R/o B-59/G1, Dilshad Colony,  
Delhi-110095.
6. Dhyan Pal S/o Late Ganga Ram  
R/o C/o Sri Arun Kumar LHC Pritbha Apptt.  
Shalimar Garden, Shahibabad(Ext.I)  
Ghaziabad(UP).

7. Raj Kamal Sharma S/o Late Khushi Ram  
R/o 105-B, Single Storey, Ramesh Nagar  
New Delhi-110015
8. V Ravindra Nath S/o Late Sri Bhoomaiah  
R/o Flat No.165, Pocket-A, Sector-G  
New MIG Flats, Mayur Vihar Phase-3  
Delhi-110096
9. Ravindran, TP S/o Late Sri Pazhanan M  
R/o 72-A, Pocket-6, Site-2  
DDA Flats (Pink Appts.)  
Sector 1A, Dwarka, New Delhi-45.

.....Applicants

(By Advocate: Mr. Yogesh Sharma)

***Versus***

1. Shri Bimal Julka  
Secretary  
Ministry of Information & Broadcasting  
Govt. of India, Shastri Bhawan  
New Delhi-1
2. Shri Fiaz Shaharyar  
Director General  
All India Radio  
Akashwani Bhawan,  
Sansad Marg, New Delhi

.....Respondents

(Mr. Sameer Aggarwal, Advocate for Information and Broadcasting with  
Mr. S P Sharma, Consultant, Departmental Representative,  
Mr. S M Arif, Advocate for DG, AIR)

**C.P.No.396/2014 & C.P.No.606/2014 in O.A.No.854/2014**  
**C.P.No.396/2014**

1. Yogendra Pal Singh, S/o Shri Gajendra Pal Singh,  
Working as Assistant Engineer,  
O/o ADG(E), North Zone, AIR & Doordarshan, New Delhi.  
R/o 603/UG-3, Shalimar Garden Ext.1,  
Sahibabad-201005, Distt-Ghaziabad (UP).
2. Prakash Chandra Pandey, S/o Sh. B. D. Pandey  
Working as Assistant Engineer.  
O/o ADG(E), R&D, AIR & Doordarshan, New Delhi.

R/o 173/SF-4, Sector-6, Vaishali,  
Ghaziabad-201010 (UP).

3. Bani Singh, S/o Sh. Panna Lal,  
Working as Assistant Engineer.  
O/o ADG(E), R&D, AIR & Doordarshan, New Delhi.  
R/o D-3/11, Radio Colony,  
Kingway, Delhi-100009.
4. Mrs. Seema Bhatnagar, W/o Sh. D. K. Bhatnagar,  
Working as Senior Engineering Assistant.  
O/o ADG(E), R&D, AIR & Doordarshan, New Delhi.  
R/o 133, Charak sadan, E-Block, Vikaspuri,  
New Delhi-110018.
5. Prabhat Kumar Pathak, S/o Bashishtha Pathak,  
Working as Assistant Engineer,  
O/o ADG(E), West Zone, AIR & DD, Mumbai.  
R/o Vill-Pipra Pathak, Post-Baghan, Lar Road,  
Deoria-274505 (UP).
6. Sibayon Chanda, S/o Larte Sh. S. K. Chanda,  
Working as Assistant Engineer,  
DDK, Guwahati (Assam).  
R/o Central Apartment, B. M. Road, Ulubari,  
Guwahati-781007 (Assam).

.....Applicants

(By Advocate: Mr. Yogesh Sharma)

***Versus***

1. Shri Bimal Julka  
Secretary  
Ministry of Information & Broadcasting  
Govt. of India, Shastri Bhawan  
New Delhi-1
2. Shri Jawhar Sircar  
The Chief Executive Officer  
Prasar Bharti, PTI Building, Parliament Street  
New Delhi-1
3. Shri Fiaz Shaharyar  
Director General  
All India Radio  
Akashwani Bhawan,  
Sansad Marg, New Delhi

4. Shri Vijaya Lakshmi Chhabra  
The Director General  
Directorate General of Doordarshan  
Doordarsan Bhawan, Wing-A  
Copernicus Marg, New Delhi

**.....Respondents**

(Mr. Sameer Aggarwal, Advocate for Information and Broadcasting with  
Mr. S P Sharma, Consultant, Departmental Representative,  
Mr. S M Arif, Advocate for DG, AIR)

**C.P.No.606/2014**

1. Anurag Shrivastav, S/o Late Sh. Dr.R. C. Shrivastav,  
Working as Assistant Engineer,  
DDK, Kohima (Nagaland).  
R/o B-2, Bunglow, Akashvani Vihar, Colony  
Residency Area, Indore (MP).
2. Vivek D. Kasture, S/o Late Sh. D. R. Kasture,  
Working as Assistant Engineer,  
DDK, Indore (MP).  
R/o 40, Sai Vihar Colony, Post- Tilak Nagar,  
Indore-452018 (MP).
3. Sunil Kumar Tare, S/o Shri G. M. Tare,  
Working as Assistant Engineer,  
DDK, Indore (MP).  
R/o 166, Tilak Nagar (Main),  
Indore (MP).
4. Shripad Kalyani, S/o Sh. M. B. Kalyani,  
Working as Assistant Engineer,  
DDK, Indore (MP).  
R/o 27-A, Shriji Vatika, Near Pipliya Hana,  
Indore-452018 (MP).
5. Sheikh Sirajuddin, S/o Late Sh. Sadruddin,  
Working as Assistant Engineer,  
DDK, Indore (MP).  
74/81, Kanchan Vihar Colony, MHOW,  
Indore-453441 (MP).
6. Purushottam Das Koshta, S/o Sh. C. L. Koshta,  
Working as Assistant Engineer,  
DDK, Indore (MP).  
R/o 180-A, Veena Nagar Annex, Prime City,  
Indore (MP).

7. Mohd. Zahiruddin Qureshi, S/o Sh. Rafiuddin Qureshi,  
Working as Senior Engineering Assistant,  
TVRC, Shajapur (MP).  
R/o Badshahi Road, Near Jama Masjid,  
Shajapur-465001 (MP).
8. V. K. Shrivastava, S/o Late Sh. A. R. shrivastava,  
Working as Senior Engineering Assistant,  
TVRC, Vindhyanagar, Singrauli (MP).  
R/o NH-1B/248, NTPC Colony, VSTPP, Vindhyanagar,  
Singrauli-486885 (MP).
9. Ashok Kumar Soni, S/o Sh. B. L. Soni,  
Working as Assistant Engineer,  
TVRC, Mandsaur (MP).  
R/o 88, Abhinandan Nagar Ext. 1,  
Mandsaur-458001 (MP).
10. Mrs. Sandhya Kanoongo, W/o Manglesh Kanoongo,  
Working as Senior Engineering Assistant,  
TVRC, Mandsaur (MP).  
R/o 65, Shivji Baser Nagar, Near RTO,  
Mandsaur-458001 (MP).
11. Surendra Pal Sharma, S/o Sh. H. P. Sharma,  
Assistant Engineer (Retired),  
DDK, Bhopal (MP).  
R/o 6, Aradhana Nagar, Kotra Sultanabad,  
Bhopal-462003 (MP).
12. Mahendra Kr Pamecha, S/o Sh. Surajmal Pamecha,  
Assistant Engineer,  
TVRC, Kukdeswar (MP).  
R/o Nondram Malvya, Behind Police Colony,  
Kukdeswar-458116 (MP).
13. Sunil Kumar Jain, S/o Sh. Shantilal Jain,  
Assistant Engineer,  
TVRC, Neemuch (MP).  
R/o 18, Dayanand Marg,  
Neemuch-458441 (MP).
14. Satish Chandra Rathore, S/o Sh. B. L. Rathore,  
Working as Senior Engineering Assistant,  
TVRC, Ratlam (MP).  
R/o H. No.01, MDX-01, Ratan Puri,  
Ratlam-457001 (MP).

15. Pooram Mal Meena, S/o Sh. Ramswaroop Meena,  
Working as Engineering Assistant,  
TVRC, Sitamau (MP).  
R/o C/o R. C. Sharma, Post Office Road,  
Sitamau-458990 (MP).
16. Om Prakash Meena, S/o Sh. P.L. Meena,  
Working as Senior Engineering Assistant,  
TVRC, Bhanpura (under DMC, Ratlam) (MP).  
R/o F1-145, Vivek Vihar, Jagath Pura,  
Jaipur-302017 (Rajasthan).
17. Radhe Shyam Meena, S/o Sh. M. L. Meena,  
Working as Engineering Assistant,  
TVRC, Bhanpura (under DMC, Ratlam) (MP).  
R/o B-70, New Jawahar Nagar,  
Kota-324005 (Rajasthan).
18. V. K. Thomas, S/o Late Sh. V. T. Koshy,  
Assistant Engineer (Retired),  
TVRC, Adoor (Kerala).  
R/o Santhi Bhawan, Thumpamon Thazham PO,  
Pathanamthitta-689625 (Kerala).
19. K. S. Sasidharan, S/o Sh. K. Sankaran,  
Assistant Engineer (Retired),  
DMC, Kochin (Kerala).  
R/o MIG-166, Gandhinagar, Kadavanthra PO,  
Kochi-682020 (Kerala).
20. K. K. Jose, S/o Sh. Kochappen,  
Assistant Engineer (Retired),  
AIR, Alappuzha (Kerala).  
R/o Thattil Kockey House, Thallore PO, Ollur,  
Thrissur-680306 (Kerala).
21. C. P. Subramanian, S/o Sh. Pengan,  
Assistant Engineer (Retired),  
AIR, Alappuzha (Kerala).  
R/o Cheruparambil House, Mathew Nagar, W. Chalakudy PO,  
Thrissur-680307 (Kerala).
22. K. K. Viswanathan, S/o Sh. K. S. Krishnan,  
Assistant Engineer (Retired),  
AIR, Trivandrum (Kerala).  
R/o Pura-110, Nallath Temple Road, Poojappura PO,  
Trivandrum-695012.

23. N. Aravindan, S/o Sh. A. Narayana Pillai,  
Assistant Engineer (Retired),  
AIR, Trivandrum (Kerala).  
R/o Lekshmi Nivas, Mullancode,  
Edaicode-629152, Distt-Kanyakumari.
24. K. S. Krishnamma, D/o Sh. C. Sankar,  
Assistant Engineer (Retired),  
DDK, Trivandrum (Kerala).  
R/o TC6/94(2), Lakshmiprasadam, Prasanth Nagar,  
Ulloor Medical College P.o., Trivandrum-695011.
25. Paul J Pereira, S/o Sh. Joseph V Pereira,  
Assistant Engineer (Retired),  
DDK, Trivandrum (Kerala).  
R/o Carmel House, St. Andrews,  
PO-St. Xaviers College, Trivandrum-695586 (Kerala).
26. S. Vijayakumar, S/o Sh. M. Sadanandan,  
Working as Assistant Engineer,  
DDK, Trivandrum (Kerala).  
R/o Deepam, KP, XI/647, Peroorkada PO,  
Trivandrum-695005 (Kerala).
27. Mrs. M. Prema, D/o Sh. S. Murugesan,  
Working as Assistant Engineer,  
DDK, Trivandrum (Kerala).  
R/o K. K. Gardens No.10, VP2/429, Indira Nagar,  
Peroorkada PO, Trivandrum-695005 (Kerala).
28. D. Ravikumar, S/o Sh. M. G. Damodaran Nair,  
Working as Assistant Engineer,  
DDK, Trivandrum (Kerala).  
R/o Karammel, Karikodu,  
Kottayam-686610 (Kerala).
29. K. S. Moley, S/o Late Sh. K. C. Skaria,  
Working as Assistant Engineer,  
DDK, Trivandrum (Kerala).  
R/o H. No. 84, NCC Nagar, Peroorkada PO,  
Trivandrum-695005.
30. Assain Panikkarakathu, S/o Sh. Aboobacker C.,  
Working as Assistant Engineer,  
DDK, Trivandrum (Kerala).  
R/o TC 9/964, Love Dale, Panikers lane,  
Sasthamangalam, Trivandrum (Kerala).

31. Abraham John, S/o Sh. C. C. John,  
Working as Senior Engineering Assistant,  
R/o Pampalimannil, PLRA 134, Panachamoodu Lane,  
Pattom, Trivandrum-695004 (Kerala).
32. Asoke Roy  
Assistant Engineer (Retired),  
AIR, Kolkata (WB).  
R/o B-18/1, Kalindi Housing Estate,  
Kolkata-700089 (WB).
33. Sati Kinkar Bhattacharya,  
S/o Late Sh. J .N. Bhattacharya,  
Assistant Engineer (Retired),  
AIR, Kolkata (WB).  
R/o BK-298, Salt Lake City, Sector-II,  
Kolkata-700091 (WB).
34. Amiya Kumar Roy, S/o Late Sh. P. R. Roy,  
Assistant Engineer (Retired),  
DDK, Kolkata (WB).  
R/o Mukherjee Bagan, Po-Chinsurah,  
Hooghly-712102 (WB).
35. Somnath Gangopadhyay,  
S/o Late Sh. P. N. Gangopadhyay,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o 55, Dharmatola Lane, PO-Shibpur,  
Howrah-711102 (WB).
36. Hara Nath Das, S/o late Sh. D. N. Das,  
Assistant Engineer (Retired),  
DDK, Kolkata (WB).  
R/o Raj Apartment, 41/3 Prince Golam Hossain Shah Road,  
Jadavpur, Kolkata-700032 (WB).
37. Arun Kumar Sarkar, S/o Late Sh. M. K. Sarkar,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o Mandirpara (Beside Childrens Park), Po-Rahara,  
North 24 Parganas-700118 (WB).
38. Sushil Kumar Das, S/o Late Sh. M. B. Das,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o 2/90B, Vidyasagar Colony,  
Kolkata-700047 (WB).



39. Ajoy Kumar Mukherjee, S/o Late Sh. P. C. Mukherjee,  
Assistant Engineer (Retired),  
DDK, Kolkata (WB).  
R/o Narendrapur Housing Coop. Society Ltd, Tegharia,  
Sonarpur, Kolkata-700150 (WB).
40. Mrs. Anjali Bhattacharya, W/o Sh. S. K. Bhattacharya,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o BK-298, Salt Lake City, Sector-II,  
Kolkata-700091 (WB).
41. Mrs. Sibani Banerjee, W/o Sh. Ashok Kumar Banerjee,  
Assistant Engineer (Retired),  
AIR, Kolkata (WB).  
R/o 1st Brajo Chandra Lane, Kamarpara, PO-Chinsurah,  
Hooghly-712101 (WB).
42. Anil Kumar Ghosh, S/o Late Sh. Panchanan Ghosh,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o 59, Chatterjee Bagan, PO-Chinsurah RS,  
Hooghly-712101 (WB).
43. Sudip Kumar Chakraborty,  
S/o Late Sh. P. K. Chakraborty,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o E-4/5, Purbasha Housing Estate,  
160, Maniktola Main Road,  
Kolkata-700054 (WB).
44. Saroj Kumar Kirtania, S/o Late Sh. S. C. Kirtania,  
Assistant Engineer (Retired),  
HPT, AIR, Chinsurah.  
R/o 65/A/33, Tirinji Danga Road, PO-Mallickpara,  
Hooghly-712203 (WB).
45. Tripura Sankar Chatterjee,  
S/o Late Sh. Chandidas Chatterjee,  
Assistant Engineer (Retired),  
DDK, Kolkata (WB).  
R/o 6/1/1A, Padda Pukur Road,  
Kolkata-700092 (WB).
46. Phanindra Nath Biswas, S/o Late Sh. M. C. Biswas,  
Assistant Engineer (Retired),  
AIR, Kolkata (WB).  
R/o 5/4, Purbachal Link Road, PO-Haltu,

Kolkata-700078 (WB).

47. Dilip Kumar Roy, S/o Late Sh. P. K. Roy,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o C/64/1, Sarada Park, Maheshtala,  
Kolkata-700141 (WB).
48. Bibhas Kar, S/o Late Sh. Suresh Kar,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o B-14/216, Kendriya Vihar, VIP Road, PO-Airport,  
Kolkata-700052 (WB).
49. Suprakash Nayak, S/o Late Sh. Benimadhab Nayak,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o Dwarik Jungle Road, PO-Bhadrakali,  
Hooghly-712232 (WB).
50. Samir Kumar Banerjee,  
S/o Late Sh. Krishnadhan Banerjee,  
Assistant Engineer (Retired),  
HPT, AIR, Chinsurah.  
R/o Purnamalhuri, Bhuban Chandra Bhas Road,  
Chandan Nagar, Hooghly-712136 (WB).
51. Subrata Banerjee, S/o late Sh. Sunil Banerjee,  
Assistant Engineer (Retired),  
AIR, Kolkata (WB).  
R/o 46A, Dakshin Behala Road, PO-Sursuna,  
Kolkata-700061 (WB).
52. Arup Kumar Panti, S/o Sh. B. C. Panti,  
Assistant Engineer (Retired),  
DDK, Krishnanagar (WB).  
R/o Mousumu Apartment, 505, Dum Dum Park,  
Kolkata-700055 (WB).
53. Dipak Chakrabarti, S/o Late Sh. Bhubijoy Chakraborty,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o 3/44, Dakshin Behala Road, PO-Sursuna,  
Kolkata-700061 (WB).
54. Madhusudan Rajbanshi, S/o Late Sh. H. M. Rajbanshi,  
Assistant Engineer (Retired),  
AIR, Kolkata (WB).  
R/o Vill-Muragacha, PO-Jugberia, 24 Parganas (N),

Kolkata-700110 (WB).

55. Birinchi Pada Mandal, S/o Late Sh. N. N. Mandal,  
Assistant Engineer (Retired),  
AIR, Kolkata (WB).  
R/o A-2/39A, Diamond Park, Joka,  
Kolkata-700104 (WB).
56. Uday Kumar Khan, S/o Late Sh. D. N. Khan,  
Assistant Engineer (Retired),  
TVRC, Ranaghat (under DMC, Burdwan).  
R/o 144/8, Jessore Road (East), Bijoynagar,  
PO-Kazipara, 24 Parganas (N), Kolkata-700125 (WB).
57. Swapan Kumar Das, S/o Late Sh. Sudhir Das,  
Assistant Engineer (Retired),  
o/o ADG(E), East Zone, AIR & Doordarshan, Kolkata (WB).  
R/o 37, Prantik Sarani, Rabindra Nagar,  
Kolkata-700065 (WB).
58. Swapan Saha, S/o Late Sh. S. P. Saha,  
Assistant Engineer (Retired),  
DDK, Kolkata (WB).  
R/o 36A, Bikram Garh, Jadavpur,  
Kolkata-700032 (WB).
59. Sambhu Nath Datta, S/o Late Shri Harihar Datta,  
Assistant Engineer (Retired),  
TVRC, Kokrajhar (Assam).  
R/o Dinhata, Ward-6, House No. 34, PO-Dinhata,  
Coochbehar-736135 (WB).
60. P. Dhanapal, S/o Sh. A. Perumal,  
Assistant Engineer (Retired),  
O/o ADG(E), South Zone, AIR & Doordarshan, Chennai.  
R/o 6, Cauvery Nagar, Urapakkam,  
Chennai-603210 (Tamilnadu).
61. K. Kanniah, S/o Late Sh. M. Kanniah Reddy,  
Assistant Engineer (Retired),  
HPT, AIR, Avadi, Chennai.  
R/o 4, 1st Cross, Bharathiyar Street, Solambedu,  
Thirumullaivoyal, Chennai-600062.
62. M. Sujatha, D/o Sh. M. Michael,  
Working as Assistant Engineer,  
HPT, AIR, Avadi, Chennai.  
R/o C-4, Radio Colony, HPT, AIR, Avadi,  
Chennai-600062.

63. V. Niranjan Reddy, S/o Sh. V. Changa Reddy,  
Working as Assistant Engineer,  
HPT, AIR, Avadi, Chennai.  
R/o 4-35, S. K.Nagar, M. R. Pally, Tirupati (AP).
64. S. V. Subramanian, S/o Sh. K. S. Venkata Rao,  
Working as Assistant Engineer,  
HPT, AIR, Avadi, Chennai.  
R /o G-6, Ezhil Castle, B-26, 1st Main Road, T. Nagar,  
Ambattur, Chennai.
65. R. Lakshminarayanan, S/o Sh. A. Rajagopalan,  
Working as Assistant Engineer,  
HPT, AIR, Avadi, Chennai.  
R/o F-2, Elite Enclave, C.T.H. Road,  
Thirumullaivoyal, Chennai-600109.
66. R. Munuswamy, S/o Sh E. Ranga Rao,  
Working as Assistant Engineer,  
HPT, AIR, Avadi, Chennai.  
R/o No.2, 9th Street, Thiruvalluvar Nagar,  
Thirumullaivoyal, Chennai-600062.
67. N. Murali, S/o Sh. B. Natarajan,  
Working as Assistant Engineer,  
HPT, AIR, Avadi, Chennai.  
R/o 17/7, 23rd Street, Villivakkam,  
Chennai-600049.
68. S. Veerasamy, S/o Late Sh. B. Santhanam,  
Assistant Engineer (Retired),  
DDK, Chennai.  
R/o 321/9, Kathiravan Colony, Anna Nagar West,  
Chennai-600040
69. S. V. Sampath Kumar, S/o Sh. S. R. Venkatesan,  
Assistant Engineer (Retired),  
DDK, Chennai.  
R/o Flat 4, Marvel Court, New No.5, old No.3,  
Mandaveli Street, Mandaveli, Chennai-600028.
70. K. Venugopalan, S/o Sh. P. C. Govindan Nair,  
Assistant Engineer (Retired),  
DDK, Chennai.  
R/o Sreepournami, Azhinhilam Post,  
Mallapuram-673632 (Kerala).
71. B. Babu, S/o Sh. B. Kumaraswamy,  
Assistant Engineer (Retired),

DDK, Chennai.  
R/o H-29/27, Ashtalakshmi Garden, Besant Nagar,  
Chennai-600090.

72. Susiladevi Srinivasarao, W/o Sh. Srinivasarao,  
Working as Assistant Engineer,  
DDK, Chennai.  
R/o 14/109, CPWD Quarters, Indiranagar, Adyar,  
Chennai-600020.
73. S. Murali, S/o Sh. S. S. srinivasan,  
Working as Assistant Engineer,  
DDK, Chennai.  
R/o 34, Arimuthu Achari Street, Triplicane,  
Chennai-600005.
74. S. Padmalata, D/o Sh. K. Chitti Babu Naidu,  
Working as Assistant Engineer,  
DDK, Chennai.  
R/o 19/2, 5th Street, Dr. Subburaya Nagar, Kodambakkam,  
Chennai-600024.
75. N. Usharani, D/o Sh. S. Natarajan,  
Working as Assistant Engineer,  
DDK, Chennai.  
R/o 20/153, CPWD Quarters, Indiranagar, Adyar,  
Chennai-600020.
76. S. Gurumanickam, S/o Sh. A. Srinivasan,  
Working as Assistant Engineer,  
DDK, Chennai.  
R/o 11, 4th Street, Sriram Nagar, Selaiyur,  
Chennai-600073.
77. P. Prakasan, S/o Sh. Chandu Nair P.K.,  
Working as Assistant Engineer,  
DDK, Chennai.  
R/o 24/3, CPWD Quarters, Besant Nagar,  
Chennai-600090.
78. J. Lakshmi Narasimsan, S/o Sh. T. V. Jayaraman,  
Working as Assistant Engineer,  
DDK, Chennai.  
R/o 4/30, CPWD Quarters, 4th Main Road,  
Indiranagar, Adyar,  
Chennai-600020.
79. R. Arul, S/o Sh. Ramakrishnan,  
Working as Assistant Engineer,

- DDK, Chennai.  
R/o 5, Aacini Nagar, Thirumullaivoyal,  
Chennai-600062.
80. K. Balaji, S/o Sh. J. Kailasam,  
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R/o 178A, Parvathy Nagar, 8th Cross Street,  
Madambakkam, Chennai-600073.
81. R. Sukumaran, S/o Sh. E. Rajagopalan,  
Working as Senior Engineering Assistant,  
DDK, Chennai.  
R/o 107, East Vaninar Street, K.K.Nagar West,  
Chennai-600078.
82. V. Sridharan, S/o Sh. V. Venkata Narasu,  
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Virugambakkam, Chennai-600092.
83. S. Meenakshi, D/o Sh. V. S. Eswaran,  
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DDK, Chennai.  
R/o 27/5, CPWD Quarters, Besant Nagar,  
2nd Cross Street,  
Chennai-600090.
84. K. Narayanan, S/o Sh. S. Kannan,  
Working as Senior Engineering Assistant,  
DDK, Chennai.  
R/o 95 & 96, 6th Cross Street, Rajiv Nagar, Perungudi,  
Chennai-600096.
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Chennai-600078.
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DDK, Chennai.  
R/o 54, 3rd Avenue, Ramakrishna Nagar, Porur,  
Chennai-600116.
87. T. Tamil Selvi, D/o Sh. T. Arumugam,  
Working as Senior Engineering Assistant,

- DDK, Chennai.  
R/o 4B, Anugraha Apartments, 7/9, Dy. Mayor  
Kabalamoorthy  
Salai, Chintadripet, Chennai-600002.
88. C. P. Divakar, S/o Sh. C. G. Pandurangam,  
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DDK, Chennai.  
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89. R. Parvathavarthini, D/o Sh. P. Rajagopalan,  
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DDK, Chennai.  
R/o W-550-A, G-1, 6th Street, Anna Nagar West Extn,  
Chennai-600101.
90. R. Shanmugasundaram, S/o Sh. P. Raju,  
Working as Engineering Assistant,  
DDK, Chennai.  
R/o 165/1, Lake View Road, West Mambalam,  
Chennai-600033.
91. P. Sundaresh, S/o Sh. P. J. Swamy,  
Working as Engineering Assistant,  
DDK, Chennai.  
R/o 5/7A, Sriram Nagar, 2nd Cross, Ramapuram,  
Chennai-600089.
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AIR, Tirunelveli (Tamilnadu).  
R/o D3, AIR Staff Quarters, Maharaja Nagar,  
Tirunelveli-627011 (T.N.)
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TVRC, Nagercoil (Tamilnadu).  
R/o 118/2D, Shree Hayagriva Bhawan, Rajiv Nagar,  
Irullappapuram Road, Nagercoil-629002.
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Working as Assistant Engineer  
DMC, Puducherry.  
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DDK, Puducherry.  
R/o 21, Jayaram Garden, 11th Cross Extn,  
Bharathi Nagar, Karuvadikuppam, Puducherry-605008.
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DDK, Puducherry  
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Chennai-600082
97. O. Subramanyam, S/o Sh. O. Nagaiah,  
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TVRC, Rajampeta (AP).  
R/o 6/969-C3H, Vidyuth Nagar,  
Rajampeta-516115 Distt-Kadappa (AP).
98. R. Tagore Nath Reddy, S/o Sh. R. Prabhakar Reddy,  
Working as Assistant Engineer  
AIR, Tirupati (AP).  
R/o D-1, AIR Staff Quarters, R. C. Road,  
Tirupati-517501 (AP).
99. G. Guruswamy Reddy, S/o Sh. G. Narayana Reddy  
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DDK, Tirupati (AP).  
R/o 4-17/C, Sri Krishna Nagar, M. R. Palli,  
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100. A. Suresh, S/o Sh. A Jangaiah,  
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TVRC, Kosgi (Mahaboobnagar), PIN-509339(AP).  
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102. Arvind Kumar Sinha, S/o Late Sh. Gopal Prasad,  
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HPTV, Jamshedpur (Jharkhand).  
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103. Omvir Singh, S/o Bhudev Singh,  
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104. Mrs Alpana Mitra, D/o Late Sh. N. C. Bhadra,  
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107. Mrs Monisha Nandi, D/o Late Dr. A. K. Dutta,  
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Sarai Kela-Kharshawar-832109.
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Working as Assistant Engineer,  
O/o ADG(E), West Zone, AIR &DD, Mumbai.  
R/o 201, Jeevan Veena, Plot-41,  
Sector-2, Charkop, Kandivali (W),  
Mumbai-400067 (M.S.).
132. Lal Singh, S/o S. Bhola Ram,  
Assistant Engineer (Retired),  
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133. Anoop Kumar Sinha, S/o Sh. Dharm Prakash Sinha,  
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DDK, Varanasi (UP).  
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Varanasi-221002 (UP).
134. Pavitra Mohan Panda, S/o Late Sh. B. B. Panda,  
Working as Assistant Engineer,

- TVRC, Sundargarh (Orissa).  
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Distt-Rourkela (Orissa).
135. Debashish Chakraborty, S/o Sh. Manoj Chakraborty,  
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TVRC, Rajgangpur (under DMC, Rourkela).  
R/o A/237, Koel Nagar,  
Rourkela-769014 (Orissa).
136. Harihar Nayak, S/o Sh. Nisamani Nayak,  
Working as Engineering Assistant,  
TVRC, Bonai (under DMC Rourkela).  
R/o G-20, Sector-1,  
Rourkela-769008 (Orissa).
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Assistant Engineer (Retired),  
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Patna-800007 (Bihar).
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Assistant Engineer (Retired),  
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140. Sunil Ekka, S/o Late Sh. Sahay Ekka,  
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DDK, Ranchi (Jharkhand).  
R/o Bara Ghaghra, Moga Bagaicha, Post- Doranda,  
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141. Rajesh Nigam, S/o Late Sh. H. P. Shrivastava,  
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146. Kabita Behera, D/o Sh. M. P. Behera,  
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.....**Applicants**

(By Advocate: Mr. Yogesh Sharma)

***Versus***

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Secretary  
Ministry of Information & Broadcasting  
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The Chief Executive Officer  
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3. Shri Fiaz Shaharyar  
Director General  
All India Radio  
Akashwani Bhawan,  
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4. Shri Vijaya Lakshmi Chhabra  
The Director General  
Directorate General of Doordarshan  
Doordarsan Bhawan, Wing-A  
Copernicus Marg, New Delhi

.....**Respondents**

(Mr. Sameer Aggarwal, Advocate for Information and Broadcasting with  
Mr. S P Sharma, Consultant, Departmental Representative,



Mr. S M Arif, Advocate for DG, AIR)

**C.P.No.540/2014 in O.A.No.3106/2013**

1. Manoj Kumar Gupta,  
S/o Shri Laxman Pd. Gupta,  
R/o B-303, Doordarshan Apartment,  
GH-9, Sector-45, Gurgaon (Haryana).
2. Rudra Shanker Bharti,  
S/o Late Sh. M.C. Bharti,  
R/o D-1/12, Radio Colony,  
Kingsway Camp, Delhi-09.
3. Ramesh Kumar Verma  
S/o Sh. Shiv Charan Lal Verma,  
R/o D-9/10, Radio Colony,  
Kingsway Camp, Delhi-09.
4. Shailesh Kumar Joshi,  
s/o Sh. A.D. Joshi,  
R/o SF-1/257, Gyan Khand-I,  
Indira Puram, Ghaziabad (U.P.).
5. Yadav Kumar Dhyani,  
S/o Late Sh. D.R. Dhyani,  
R/o D-3/5, Radio Colony,  
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6. Gajendra Kumar Lohiya,  
S/o Late Sh. Lallu Ram,  
R/o C-7/6, Radio Colony,  
Kingsway Camp, Delhi-09.
7. Shashikant Tripathi,  
S/o Sh. B.S. Tripathi,  
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8. Vinod Kumar S/o Late Sh. Rameshwar Dayal Gupta,  
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12. Gurudutta Singh s/o Sh. Sardar Jhamu Singh,  
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13. Suresh Chand S/o Sh. Roop Chand,  
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Delhi-91.
14. S.K. Gaur,  
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17. Gaj Raj Singh S/o Late Sh. Lakhmi Singh,  
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New Delhi-110091.
20. K.L. Titiyal S/o Late Sh. D.L. Titiyal,  
R/o E-233, Pkt. 3, Bindpur, DDA Flats,  
Dwarka, New Delhi-59.
21. Vishwa Pal,  
r/o 512, South Delhi, Apartment Plot-08,  
Sec-04, Dwarka, New Delhi-78.
22. Rana Samsher Singh s/o Sh. C.M. Singh,  
r/o 168, Asha Pushpa Vihar,  
Sec. 14, Kaushambi (Ghaziabad)U.P.

23. Sushma Kumar,  
R/o H.No. 31, Block No.20,  
Trilok Puri, Delhi-91.
24. Rajeev Saxena,  
R/o S-29, West Patel Nagar,  
Delhi-110008.
25. S.K. Gupta, S/o Late Sh. D.P. Gupta,  
R/o D-10/15, Rohini Sector-8,  
New Delhi-110085.
26. Archana Agarwal D/o Sh. D.P. Gupta,  
R/o B-370, Sector-51, Kendriya Vihar,  
Noida.

.....**Applicants**

(By Advocate: Mr. Yogesh Sharma)

***Versus***

1. Shri Vimal Julka  
Secretary  
Ministry of Information & Broadcasting  
Govt. of India, Shastri Bhawan  
New Delhi-1
2. Shri Vijaya Lakshmi Chhabra  
The Director General  
Directorate General of Doordarshan  
Doordarsan Bhawan, Wing-A  
Copernicus Marg, New Delhi
3. Shri F Shaharyar  
Director General  
All India Radio  
Akashwani Bhawan,  
Sansad Marg, New Delhi

.....**Respondents**

(Mr. Sameer Aggarwal, Advocate for Information and Broadcasting with  
Mr. S P Sharma, Consultant, Departmental Representative,  
Mr. S M Arif, Advocate for DG, AIR)

**C.P.No.560/2014 in O.A.No.51/2014**

1. Pradip Kumar S/o Shri Lakhan Prasad,  
R/o E-311, Barra-8, Kanpur.
2. Shikhar Rastogi S/o late Shri Jagmohan Rastogi,  
R/o B-28, Pocket-5, KV-2, Sec.82, Noida.
3. Chander Prakash S/ Late Sh. Mohan Lal Sundriyal,  
R/o H.No.721, Gali No.2, Sোধipur, Roorkee Road,  
Meerut-250001.
4. Vinod Kumar s/o late Rajendra Prasad,  
R/o A-406, Pragati Vihar Hostel,  
Lodhi Road, New Delhi.
5. Bharat Bhushan S/o Telu Ram,  
R/o 60/2 sec.3, DIZ Area,  
New Delhi.
6. Shyam Narayan s/o late Shanker Pal Sharma  
R/o B-359, Brij Vihar, Ghaziabad (U.P.).
7. Sanjay Kumar Tyagi S/o Om Prakash Tyagi,  
R/o 458B/3A, Ward-3, Kaveri Apptts,  
Mehrauli, New Delhi.
8. Anil Kumar Garg S/o Jai Prakash Garg,  
R/o F-1, KI-163, Kavi Nagar,  
Ghaziabad (U.P.).
9. Manoj Kumar Chauhan S/o D.S. Chauhan,  
R/o Flat No.147, Pocket-2, Sector-19,  
Dwarka, New Delhi.
10. Lalsa Prasad S/o late Paltoo Ram,  
R/o C-3/15, Radio Colony,  
Kingsway Camp, Delhi-09.
11. Santosh Kumar S/o Shri Timar Singh,  
Flat No.241, Pocket F, Sec.B/2,  
Narela, Delhi-40.
12. Anil Kumar S/o Shri Mange Ram,  
R/o 75, Harsukh CGHS Ltd., Plot 4,  
Sector-7, Dwarka, New Delhi-75.
13. B.S. Arya S/o Sh. Prithvi Singh,  
r/o 290, New Roshanpura, Najafgarh,

New Delhi-110043.

14. Suresh Chandra S/o Sh. Ram Rattan,  
R/o Flat No.127, Sector A-10, Pocket-4,  
Narela, New Delhi.
15. Kiran Tikoo Kaul D/o Lt. Sh. Janki Nath Tikoo  
R/o C-503, Steller Green, Sector-44, Noida (U.P.).
16. Keshav Chand s/o Jaswant Singh,  
R/o Flat No.127, Sector A-10, Pocket-4,  
DDA Flat, Narela, New Delhi-40.
17. Keshav Kumar S/o late Sh. Ganga Ram,  
R/o 181, Lambini Apartment, Kaushambi,  
Sector-14, Ghaziab

.....**Applicants**

(By Advocate: Mr. Yogesh Sharma)

***Versus***

1. Shri Bimal Julka  
Secretary  
Ministry of Information & Broadcasting  
Govt. of India, Shastri Bhawan  
New Delhi-1
2. Shri Vijaya Lakshmi Chhabra  
The Director General  
Directorate General of Doordarshan  
Doordarsan Bhawan, Wing-A  
Copernicus Marg, New Delhi
3. Shri F Shaharyar  
Director General  
All India Radio  
Akashwani Bhawan,  
Sansad Marg, New Delhi

.....**Respondents**

(Mr. Sameer Aggarwal, Advocate for Information and Broadcasting with  
Mr. S P Sharma, Consultant, Departmental Representative,  
Mr. S M Arif, Advocate for DG, AIR)

**M.A.No.1291/2014 in O.A.No.757/2013**

1. Umesh Chandra s/o Shri Abhay Ram Sharma  
r/o G-119, Sanjay Nagar, Sec 23  
Ghaziabad 201002
2. Sh. Yogesh Kumar s/o Sh. Jagdish Prasad  
r/o 12/7-A, Gali No.2, Saket Block, Mandavli  
Delhi-92
3. M P Chaudhari s/o Sh. Seshraj Chaudhari  
r/o C-105, MS, MS Apartment, K G Marg, New Delhi-1
4. Rajesh Kumar Gautam  
s/o Mr. Mahavir Singh  
r/o D-15/2 Shayam Enclave  
PO Chikamberpur, Ghaziabad-201006
5. Shiv Prasad Dubey s/o Sh. B M Dubey  
r/o SR EA, Room No.140, Phase II  
DDE Bhawan, New Delhi-1
6. Lakhpat Rai Gupta s/o Sh. B P Gupta  
r/o C-I/129-B, Lawrence road  
New Delhi-35
7. R N Rai s/o Sh. Ramjog Rai  
r/o M-1/14, Shiksha Apptt  
Sec 6 Vasundhara, Ghaziabad-201012
8. U N Gupta s/o Sh. P L Gupta  
r/o 33, Shahpurjat, New Delhi-49
9. Purushan s/o late Sh. Thakappan  
r/o RGB-148 DDA Flats, Raghuvveer nagar  
Delhi-27
10. Man Singh s/o Sh. Parana Singh  
r/o 223, Highland Aptt., (Bharat Jagareti CGHS)  
Pwt-22, Sector 12, Dwarka, New Delhi-78.
11. Mahipal Singh Yadav s/o Late Sh. Janjhu Singh Yadav  
r/o 33, Shahpurjat, New Delhi-49

.....Applicants

(By Advocate: Mr. Yogesh Sharma)

***Versus***

1. Union of India through the

Secretary  
Ministry of Information & Broadcasting  
Govt. of India, Shastri Bhawan  
New Delhi-1

2. Prasar Bharati through  
Chief Executive Officer  
Prasar Bharti, PTI Building  
New Delhi-1
3. Director General  
Doordarshan  
Mandi House, Copernicus Marg, New Delhi
4. Director General  
All India Radio  
Akashwani Bhawan,  
Sansad Marg, New Delhi

**.....Respondents**

(Mr. Sameer Aggarwal, Advocate for Information and Broadcasting with  
Mr. S P Sharma, Consultant, Departmental Representative,  
Mr. S M Arif, Advocate for DG, AIR)

**M.A.No.3136/2014 in O.A.No.879/2013**

1. Shailendra Kumar Mishra  
S/o Shri H.C. Mishra  
  
R/o H.No. 633, Sector 3, Type-IV,  
R.K. Puram, New Delhi-22.
2. Gaurav Chaturvedi S/o Shri P.C. Chaturvedi  
R/o C-176, Minto Road Complex,  
New Delhi.
3. Rajesh Srivastava S/o Late Shri R.S. Srivastava  
R/o Quarter No.485, Sector-3,  
R.K. Puram,  
New Delhi.
4. Ashin Ghosh S/o Shri S.N. Ghosh  
R/o C-501, Sarojini Nagar,  
New Delhi.
5. Sanjiv Verma S/o Late Shri Surendra Mohan Verma  
R/o 5-G, MSD Flats, Minto Road Complex,  
Minto Road,  
New Delhi.

6. Ms. Amita Gautam D/o P.C. Sharma  
R/o 12, Jeevam Bima Apartment,  
Arjun Nagar,  
Delhi-110032.

.....Applicants

(By Advocate: Mr. Yogesh Sharma)

***Versus***

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

.....Respondents

(Mr. Sameer Aggarwal, Advocate for Information and Broadcasting with  
Mr. S P Sharma, Consultant, Departmental Representative,  
Mr. S M Arif, Advocate for DG, AIR)

**ORDER**

Mr. A.K. Bhardwaj:

As has been espoused by Mr. Yogesh Sharma, learned counsel for the applicants/petitioners, the common complaint of the applicants/petitioners in these proceedings is that the respondents have not examined the case of the applicants/petitioners to find out " whether their claim in the respective Original Applications was covered by the view taken in Akashwani & Doordarshan Diploma Engineers Association through its President name Brij Kishore Roy & others v. Union of India & others (O.A. No.514/2002) decided on 7.9.2009 " and they have not been extended the benefits of the same to them. The further complaint made by them is that no appropriate orders have yet been passed by the respondents, as directed by this Tribunal.

2. Mr. S.M. Arif, learned counsel for respondent - Director General, All India Radio produced a copy of speaking order No.8/8/2014-S-IV(B)/ 29, dated 30.1.2015 passed in one of the cases and submitted that after the Order passed by the Patna Bench of this Tribunal in CCPA No.22/2011, the respondents have again filed CWJC No.1869/2015



before the Hon'ble High Court of Judicature at Patna. According to him, the various grounds raised before the Hon'ble Patna High Court touch the very merits of the case, as one of the pleas raised before it is that the posts of EA & SEA were not merged, as claimed by the applicants/petitioners before the Patna Bench of the Tribunal. According to him, it was only after the recommendations of 6th Central Pay Commission that the pre-revised pay scales admissible to EA & SEA (5000-8000/5500-9000) were brought in PB-2, i.e., 9300-34800/- with Grade Pay of 4200/- and merely because the two pay scales are brought in one band, it cannot be held that there was merger of two grades, as after the recommendations of 6th Central Pay Commission, different pay scales were included in single pay band and distinction was marked by the Grade Pay.

3. The further argument of Mr. Arif, learned counsel is that after the introduction of the Modified Career Progression Scheme (MACP), the Government servants are entitled to three financial upgradations in the next Grade Pay and not in the Grade Pay of higher posts and since the Order of the Patna Bench of the Tribunal has far reaching ramification, including the burden of crores of rupees on public exchequer, the respondents have filed CWJC No.1869/2015 before the Hon'ble High Court of Judicature at Patna. Various grounds raised in the CWJC, as reproduced in the speaking order dated 30.1.2015, read out of Mr. Arif, read thus:

- (i) that because even though the Ministry of I & B passed order dated 04.11.2011 in compliance of order dated 25.08.2010 in CWJC No.6451/2010, the Hon'ble CAT has refused to accept the order and has taken it as contemptuous.
- (ii) that because the benefit of ACPs by virtue of DOP&T circular dated 10.02.2000 vide point of doubt No.1 can be given to only those employees to whom benefit of promotion have been given and by virtue of recommendation of pay commission the feeder and promotional post stood merged. In the present case the posts of EA & SEA were not stood merged as claimed by the applicant in OA. Prior to 5th CPC and after the verdict of Supreme Court though the pay scale of EA was Rs.2000-3200/- but the pay scale of SEA was not changed and it remained the same as it was awarded in the 4th CPC. Therefore, the contention of the applicants in OA that the pay scale of EA and SEA stands revised to Rs.2000-3200/- is misleading.
- (iii) that because the merger of EA & SEA in PB-2 scale of Rs.9300-34800/- with the Grade Pay of Rs.4200/- (pre-revised of Rs.5000-8000/5500-9000/- attached to EA and SEA) has formally been approved by the competent authority in consultation with DoP&T and Ministry of Finance as per MIB letter dated 13.04.2012. Therefore, the claim of merger of EA, SEA & AE in Rs.6500-10500/- in any way, claimed by the applicants in any of the OAs was misleading.

- (iv) that because even in the cadre structure the post of EA is feeder post for promotion to SEA. The post of SEA is feeder for promotion to AE. Thus the EA, SEA and AE are three distinct posts.
- (v) that because the respondents i.e. EA and SEA in the present case were already granted pay protection and financial up-gradation due to Hon'ble Supreme Court order which was other than the scale given by 5th CPC. Rather it was special pay personal to them and was in fact financial up gradation and they already received the scale of Rs.6500-10500/-, and as such were not entitled to the benefit of ACP, in the scale of Rs.6500-10500/- as claimed by them in OA No.514/2002.
- (vi) that because the respondents deliberately concealed the pay scale of SEA in their OA as well as from the court. They had claimed that the scale of EA and SEA was Rs.2000-3200/- and AE was Rs.2000-3500/- which stood merged in 5th CPC, which is absolutely false. The correct position was that the pay scale of EA in the 4th pay revision was Rs.1600-2660/- which was revised due to Supreme Court order as Rs.2000-3200 and during 5th CPC this scale was revised as Rs.5000-8000/-. Similarly in the 4th CPC the scale of SEA was Rs.1640-2900/-, but by the order of Hon'ble Supreme Court their scale was revised as Rs.2000-3275/- which was deliberately concealed by the present respondents.
- (vii) that because as per the DOP&T's ACP Scheme dated 09.08.1999 (Condition No.6 and doubt/clarification No.16 of DOPT OM dated 10.02.2000), all promotion norms have to be fulfilled for up-gradation under the Scheme otherwise no up-gradation is allowed. As per RRs of JTS grade (8000-13500-pre-revised), the essential qualification for Direct Recruitment and promotion both is Degree in Engineering. All the applicants are not Engineering Graduate as such are not eligible for grant of ACP as per instructions on the matter.
- (viii) that because the entry grade pay scale in JTS of IB (E)S is Rs.8000-13500/- to which the applicant have been granted ACP is required to be filled up 50% by promotion from Assistant Engineer and 50% by direct recruit, it does not include EA and SEA automatically in the feeder grade of AE to make them eligible for ACP benefit as claimed.
- (ix) that because the Principal Bench, CAT, New Delhi in its order dated 4.1.2001 in Doordarshan Engineering Employees Welfare Association in OA No.1867/1998 directed that the proper course could be for granting the incumbents the benefit of pay in the pay scale of Rs.2000-3200/- w.e.f. 1.1.1986 or their date of joining and the corresponding scale of Rs.6500-10500/- w.e.f. 1.1.1996 with consequential benefits, but as personal to them. Therefore, there was no direction from any court that EA/SEA/AE stand merged to uniform scale of Rs.6500-10500/-

- (x) that because if matter is not re-considered then the Union of India shall suffer huge loss of crores of rupees as well as may face problems in all over India.
- (xi) that because in any view of the matte the impugned order is fit to be quashed since despite consideration of the case of the respondents in accordance with the DOPT circular dated 10.02.2000 the learned tribunal has refused to accept the order dated 04.11.2011. ”

4. On rejoining the submissions, learned counsel for applicants/petitioners submitted that, as has been mentioned in the communication dated 27.1.2014 addressed to Mr. Sameer Agarwal, Govt. Counsel, a decision has been taken by the respondents to honour the Order passed by the Tribunal, subject to the outcome of the writ petition to be filed.

5. We heard the learned counsel for the parties and perused the record.

6. It is not so that in the Orders passed by the Tribunal a decision was taken on merits after dealing with the respective stand of the parties. Only direction given was to examine whether the claim of the applicant was covered by the view taken in O.A. No.514/2002 and to extend the benefit of the Order to such applicants/petitioners, who were covered by the said Order. Once the said respondents have again decided to take up the matter before the Hon'ble High Court by filing fresh writ petition and it has been espoused that the matter is being examined before the Hon'ble High Court, in the interest of judicial discipline, we should await the outcome of the writ petition.

7. As far as the plea of the learned counsel for applicants that a view was taken by the respondents to implement the Order subject to the outcome of the writ petition to be filed before the Hon'ble High Court of Judicature at Patna is concerned, we find that the decision was taken to implement the Order passed in O.A. No.514/2002 and not regarding the Orders, of which execution has been sought by filing the Miscellaneous Applications/ disobedience is alleged in the Contempt Petitions. Paragraph 3 of the communication reads thus:-

“3. In the meanwhile, it was also decided to file Review Petition before Patna High Court against CP No.22/2011 in OA No.514/2002. However, this was dismissed as withdrawn with a liberty to file fresh WP. While fresh WP has been filed but there is no stay on the operation of CAT, Patna order dated 07-09-2009. As such, it has been decided to honour the CAT, Patna order dated 07-09-2009 till the outcome of WP.”

8. From the record produced by Mr. Arif, learned counsel, we have seen that it is not so that the respondents have not undertaken the exercise to find out whether the claim of the applicants/petitioners is covered by the Order passed by the Patna Bench of this Tribunal in O.A. No.514/2002. In fact, they have gone deep into the matter and having found that there are certain issues which need to be brought to the fore in the judicial proceedings as well as in the wake of the fact that the extension of benefit of the

aforementioned Order to the petitioners herein and other similarly situated persons would have huge financial ramification, they have decided to prefer fresh CWJC before the Hon'ble High Court of Judicature at Patna. At this stage, we cannot predict that what would be the fate of the proceedings instituted by them but once the fate of the Orders, of which disobedience is alleged / execution is sought in the present proceedings, has been subject to certain proceedings before the Hon'ble High Court, it would be in the fitness of things to await the outcome of such proceedings.

9. In the circumstances, we dispose of the present proceedings with the emphasis that the respondents should complete the exercise required to be completed by them in terms of the Orders passed by this Tribunal before the disposal of the CWJC by the Hon'ble High Court of Judicature at Patna in all respects and in the event the Order passed by the Patna Bench of the Tribunal in O.A. No.514/2002 is not altered / modified by the Hon'ble High Court, to implement the directions issued in the Orders of which execution is sought / disobedience has been alleged in the present applications/petitions forthwith. If needful is not done even after the disposal of CWJC (supra), it would be open to the applicants/petitioners to seek revival of the present proceedings.

No costs.

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

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