

PRASAR BHARATI  
(INDIA'S PUBLIC SERVICE BROADCASTER)  
PRASAR BHARATI SECRETARIAT  
(Legal & Vig. Cell)

No. 4/17/2014-LC

Dated the 17<sup>th</sup> October, 2014

To  
The Secretary,  
Ministry of Information & Broadcasting,  
Shastri Bhawan, New Delhi.

[Attn: Ms. Harcharan Kaur, DS BA(E)]

Subject: Proposal for grant of ACP to all eligible EAs/SEAs/AEs of AIR and Doordarshan as per CAT (Patna Bench) Order dated 07.09.2009 to the applicants in OA 514/2002– Financial implications reg.

Sir,

Kindly recall Ministry's decision to implement the CAT (Patna Bench) order dated 07.09.2009 to the applicants in OA 514/2002. Following this decision, a large number of cases have been filed in different Benches of CAT, including two bunch cases in the Principal Bench. In all these cases, the OAs have been disposed of by the CAT with the direction to the respondents to examine the cases of the applicants in the light of the CAT (Patna Bench) Order in OA 514/2002 and in case their cases are covered by the aforesaid Order, they shall also be given the same benefits and in any case, to pass a reasoned and speaking order.

Following these Orders, Ministry of I & B vide its letter No. 515/6/2014-BAE dated 06.05.2014 directed DG AIR to examine the service records of each applicant in these cases and to send proposal in respect of only those officers who were similarly placed to the applicants of O.A. No. 514/2002 [CAT (Patna Bench)] and if not, speaking order be issued.

While action is being taken by the DG AIR as per Ministry's directions, there are still a number of other similarly placed employees

in these Technical categories, who have not approached the Tribunal for similar benefits.

A meeting of Prasar Bharati Management and DGAIR officers was held in Prasar Bharati Secretariat under the chairmanship of the CEO on 22.04.2014 with representatives of ARTEE. In this meeting it was decided that in order to avoid proliferation of court cases in the matter, DGAIR would explore the possibility of proposing a 'generic order' for all eligible employees, alongwith full financial implications involved, both one time and annual, and send the proposal to the Ministry of I & B after obtaining approval of Prasar Bharati.

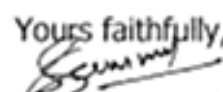
Accordingly, DGAIR have calculated the financial implications involved as under:

- (i) One time arrears will amount to tentative expenditure of Rs. 67 crores;
- (ii) Recurring annual expenditure will be around 13 crores. This will not be perpetual and may reduce further as employees joining after 01.09.2008 will be covered by MACP only.

The financial implications worked out by DGAIR have been considered in Prasar Bharati Secretariat. It is observed that while calculating the financial implications, DGAIR have excluded those who retired till 31.03.2014, as well as all those promoted to the JTS. It has been decided to include in the proposal all 'similarly placed' employees in this category so as to avoid a short claim. Accordingly, DGAIR have been requested to recalculate the financial implications involved in the proposal by including all similarly situated employees in these categories including those who have retired till 31.03.2014 and those who have been promoted to the JTS.

Meanwhile, the Ministry is requested to consider the proposal for extending ACP benefits as per CAT (Patna Bench) Order to all similarly placed EAs/SEAs/AEs of AIR and Doordarshan.

o/c  
12/04/14  
14/10/14

Yours faithfully,  
  
(Sanjay Saraswat)  
Dy. Director General (L&B/Estt.)