

By Dasti

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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

Dated: 23/07/2018

From
The Principal Registrar,
Central Administrative Tribunal,
Principal Bench,
NEW DELHI

To,

- (1) Mr. Manish K. Bishnoi, Counsel for the applicant.
Nizammudin East C-47, Besment New Delhi-110013.
(2) Shri S.M. Arif, Counsel for the respondents
CAT Bar Room New Delhi

**Regn. O.A./100/2449/2018
M.A./100/2735/2018**

**ASSOCIATION OF AKASHVANI AND DOORDARSHAN
ENGINEERING EMPLOYEES THROUGH PULAK RAY & OTHERS**

Applicant(s)

Versus

**M/O INFORMATION AND
BROADCASTING & OTHERS**


Respondent(s)

Sir,

I am directed to forward herewith a copy of / Order dated **20/07/2018** passed by this Tribunal in the above mentioned case for information and necessary action if any.

Please acknowledge the receipt.

Yours faithfully,


23/7/18
Section Officer (Judicial)
For Principal Registrar

Encl:- As above



CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

ORDER SHEET

COURT NO. : 6
20.07.2018
O.A./100/2449/2018
M.A./100/2735/2018

ASSOCIATION OF AKASHVANI AND DOORDARSHAN
ENGINEERING EMPLOYEES THROUGH PULAK RAY &
OTHERS
-V/S-
M/O INFORMATION AND BROADCASTING

ITEM NO:1
FOR APPLICANTS(S) Adv. :
FOR RESPONDENTS(S) Adv.:

Shri Manish K Bishnoi
Shri S.M. Arif for Res. Nos. 5, 6 and 7

Notes of The Registry	Order of The Tribunal
	<p>Admitted.</p> <p>Issue notice to the respondents. Shri S.M. Arif, learned counsel, appears and accepts notice on behalf of respondent Nos.5, 6 and 7. Let notice go to the other respondent also.</p> <p>Heard the counsel for the applicants as well as the learned counsel appearing on behalf of respondent Nos. 5, 6 and 7.</p> <p>The issue relates to certain Engineering side employees of the Prasar Bharti Organization, of which ten employees had filed a joint Application, as well as on their behalf one association, which is said to be an un-recognized association, has also filed the petition.</p> <p>The issue relates to the time when certain employees were working with the Government under All India Radio(AIR and Doordarshan(DD). A new organisation, namely, Prasar Bharti came into being and certain Govt. employees of AIR and DD were deemed to be deputed to Prasar Bharti. Such deemed deputed employees were given higher scales w.e.f.</p>



(Signature)

01.01.1996, as per orders of the Government dated 25.02.1999. Subsequently, the Government also announced a MACP Scheme, under which the employees are granted financial upgradation, if in a fixed time period of say ten years, they do not get promotion in normal course.

The present petition pertains to a decision of the Prasar Bharati, wherein the orders passed on 25.02.1999 by the respondents, is now being treated as a financial upgradation so long as they are on deemed deputation to Prasar Bharti. This decision is being challenged by the applicants in the present OA.

Learned counsel for the applicants produced three orders wherein the Vacation Bench of CAT had considered the similar matter and passed orders to the effect that the respondents shall maintain *status quo* in respect of fixation of pay as well as recovery (OA No.2479/2015, OA No.1003/2007 and OA No.3046/2015).

In the instant case, the counsel for respondents 5, 6 and 7 submitted that the copy of the OA has not been given to them in advance. Therefore, they have not been able to submit any reply.

Learned counsel for respondent Nos. 5, 6 and 7 also mentioned that the OA should not be filed by any association and it should have been filed separately by the employees individually. He also submitted that the matter, under consideration, needs to be put up before a Division Bench and not to a Single Bench.

I have heard the learned counsel for the applicants and

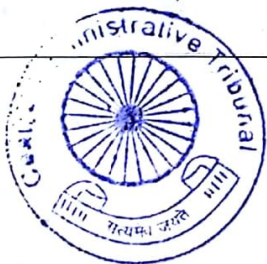


learned counsel for the respondents. Learned counsel for the applicants is directed to supply a copy of the OA and relied upon documents to the respondents' counsel within a week and thereafter the respondents shall prepare their counter and submit the same within four weeks. The matter be placed before the appropriate Bench.

Post the matter on 11.09.2018. Meanwhile, *status quo* shall be maintained in respect of fixation of pay as well as recovery.

Order be served dasti.

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(PRADEEP KUMAR)
MEMBER (A)



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(Procedure Rules)
प्रमाणित प्रतिलिपि
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दिनांक/Date.....

अनुभाग अधिकारी (न्या.)
Section Officer (J)
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रधान न्यायपीठ, नई दिल्ली
Principal Branch, New Delhi