## Kr. 8/30/3003-SIVIA)

## (RASABBILARATI EB CATTING CORPIRATION OF INDIA) DIRECTORATE GENERAL: ALL INDIA RADID AKASIWANI BIRAYAN, SADSAGMAND,

NEW DELII-110001.

No.8/30/2003-3IV(A)

Dated, the 28h May, 2004

Sub:- O.A. No.2341 of 1995 filed by Association of Radio & TV Engineering Employees (ARTEE in CAT, Principal Sench, New Delhi regarding non-recovery of Bonus/OTA.

Reference this Directorate's letter No3/30/95-SIV(A), daed 1.8.1995 which was in pursuance of finistry of I&B's Crder No. 310/46/95-B(D), dated 10.7.95 rejarding recovery of 0.1A., Bonus etc. consequent upon revision of pay scales of Engineering Assistants in pursuance of Supreme Court's order 25.11.1994.

- 2. Aggrieving by the orders dated 1.8.1995 of Directorate and Ministry of I&B's order dated 10.7.95 deed above, an O.A. No. 234\*/95 was fled by the Association of Rado & TV Engineering Employees in CAT. Principal Bench with a prayer to quash Ministry d I&B's Order No. 310/46/95-BD), dated 10.7.95 vide which DG:AIR were requested to make recoveries of payment on account of OTA & Bonus from the affected Engg. Assistants whose pay scale was revised vide this Ministry's order dated 15.5.95.
- 3. The Hor'ble CAT, Principal Bench, Nev Delhi vide its order dated9th March, 2000 set asde the above mentoned orders of the Govt, and directed the respondents not make any diduction/acovery of the Borus and CTA from the arrear paymens admissble on account of revision of pay scales to the applicants. Any deductions/recoveries of bonus and/ or O.T.A. aready male shall be refunded to the applicants.
- 4. In view of above, he matter has beer examined in consultation with the Ministry of i&B, Ministry or Law & Justice, and Ministry of Finance (Department of Expenditure) and after our consideration it has been decided to implement the Hoo'ble CAT, Principal Bench, New Unlink's order dated 5.3.2000 tassed in 0.A. No.2341/95 filled by ART(E.

- Therefore of this order American prime issued on this subject, may be treated as multiply void. Accordingly all the zonal offices/ Head of offices of AIR Stations/Offices are requested to implement the Hob'be Tribund's order dated 9.1.2000 and not make any deduction/recovery of the Bonus and OTA from the arears payments examinishe on account of revision of pay states to the applicants and in case, if any deductions/recoveries or the bonus and, or O.T.A. have already been made, may be refunded to the applicants.
- 6. An early upon in the matter all be highly approviated.

Oy. Oirestor of Adnn.(E)

## No. 8/30/2003-SIV(A) PRASAR BHARATI (B'CASTING CORPORATION OF INDIA) DIRECTORATE GENERAL, ALL INDIA RADIO AKASHVANI BHAWAN, SANSAD MARG NEW DELHI-110001

No. 8/30/2003-SIV(A)

Dated, the 28th May, 2004

Sub:- OA No. 2341 of 1995 filed by Association of Radio & TV Engineering Employees (ARTEE) in CAT, Principal Bench, New Delhi regarding non-recovery of Bonus/OTA.

Reference this Directorate's letter No. 3/30/95-SIV(A), dated 1.8.1995 which was in pursuance of Ministry of I&B's Order No. 310/46/95-B(D), dated 10.7.95 regarding recovery of OTA, Bonus etc. consequent upon revision of pay scales of Engineering Assistants in pursuance of Supreme Court's order 25.11.1994.

- 2. Aggrieved by the orders dated 1.8.1995 of Directorate and Ministry of I&B's order dated 10.7.1995 cited above, an OA No. 2341/95 was filed by the Association of Radio & TV Engineering Employees in CAT, Principal Bench with a prayer to quash Ministry of I&B's Order No. 310/46/95-B(D), dated 10.7.95 vide which DGAIR were requested to make recoveries of payment on account of OTA & Bonus from the affected Engg. Assistants whose pay was revised vide this Ministry's order dated 15.5.95.
- 3. The Hon'ble CAT, Principal Bench, New Delhi vide its order dated 9<sup>th</sup> March, 2000 set aside the above mentioned orders of the Govt. and directed the respondents not make any deduction/recovery of the Bonus and OTA from the arrear payments admissible on account of revision of pay scales of the applicants. Any deductions/recoveries of bonus and/ or OTA already made shall be refunded to the applicants.
- 4. In view of above, the matter has been examined in consultation with the Ministry of I&B, Ministry of Law & Justice and Ministry of Finance (Department of Expenditure) and after the consideration, it has been decided to implement the Hon'ble CAT, Principal Bench, New Delhi's order dated 09.03.2000 passed in OA No. 2341/95 filed by ARTEE.

- 5. After issuance of this order, previous orders issued on this subject may be treated as null & void. Accordingly, all the zonal offices/ Head of offices of AIR stations/offices are requested to implement the Hon'ble Tribunal's order dated 9.3.2000 and not make any deduction/recovery of the Bonus and OTA from the arrears payments admissible on account of revision of pay scales to the applicants and in case, if any deduction/recovery of the Bonus and of O.T.A. have already been made, may be refunded to the applicants.
- 6. An early action in the matter will be highly appreciated.

-sd-( RAM BILAS ) Dy. Director of Admn.(E) Tele:23421996