

No. 8/30/2003-SIV(A)
IRASABHARATI
ENGINEERING CORPORATION OF INDIA
DIRECTORATE GENERAL-ALL INDIA RADIO
Akashvani Bhavan, Sansad Marg,
NEW DELHI-110001

No.8/10/2003-SIV(A)

Dated, the 28th May, 2004

Sub:- O.A. 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 O.T.A., Bonus etc. consequent upon revision of pay scales of Engineering Assistants in pursuance of Supreme Court's order 25.11.1994.

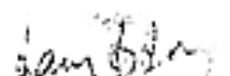
2. Aggrieved by the orders dated 1.8.1995 of Directorate and Ministry of I&B's order dated 10.7.95 cited above, an O.A. No. 2341/95 was filed by the Association of Radio & TV Engineering Employees in CAT, Principal Bench with a prayer to quash Ministry of I&B's Order No. 310/46/95-B(D), dated 10.7.95 vide which 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 Hon'ble CAT, Principal Bench, New Delhi vide its order dated 9th 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 to the applicants. Any deductions/recoveries of bonus and/or O.T.A. 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 due consideration it has been decided to implement the Hon'ble CAT, Principal Bench, New Delhi's order dated 9.3.2000 passed in O.A. No.2341/95 filed by ARTEE.

5. After issuance of this order, ~~all~~ 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 9.1.2000 and not make any deduction/recovery of the Bonus and GTA from the arrears payments admissible on account of revision of pay scales to the applicants and in case, if any deductions/recoveries of the bonus and/or G.T.A. have already been made, may be refunded to the applicants.

6. An early action in the matter will be highly appreciated.


(RAM NILAS)

Off. Director of Adm. (S)

Tele: 234/1336

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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 9th 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)

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