

ACP and related issues – Facts and Efforts

Friends & Colleagues,

We wish to inform all the members that PSA is actively pursuing the grant of ACP to subordinate Programme cadres as well. In this context, the Central Executive Committee on 24th September, decided to form a small committee to pursue the issue to a fruitful conclusion. The Committee shall consist of Sh.Sanjay Kumar PEX CBS and Dr.R.K.Tyagi PEX DTPES as Advisers and Sh.Rajesh Bhat PEX AIR Delhi and Sh.Anjay Mishra PEX, DTPES as team members. The team shall take all steps necessary to get the benefits of ACP to Programme cadres and shall be supported in all means by the Central team. Members are also requested to do their best to help the central team in pursuing the goal, by way of fund contributions or information.

PSA had filed a case (OA.No.2293/2001) in Principal Bench of CAT and the Judgement dated 05.12.2002 upheld the claim of ACP for Programme Cadres (PEX). Later, the department had filed a writ in the High Court of Delhi. The case is pending before a Division Bench.

In the meantime, our brothers in the Engineering section (Akashvani & Doordarshan Diploma Engineers Association) had filed a case in CAT, Patna (OA.No.514/2002) seeking ACP benefits for themselves. The Judgement delivered on 07.09.2009 upheld the claim of ACP by them. Later, an appeal filed in the High Court of Patna (CWJC.No.6451/2010) by the department against the CAT Judgement was dismissed on 25.08.2010. A SLP against the High Court Order (SLP.No.20212/2010) was also dismissed on 10.01.2011. A review petition filed in the High Court of Patna (RP.No.141/2012) by the department was withdrawn on 23.10.2013. The grant of ACP was implemented initially for some of the Appellants and later extended to others.

Subsequently similarly placed members have approached different courts and got favourable orders. The list of subsequent cases are as listed below,

S.No	OA.No & Court	Appellants	Status
1	OA.No.477/2011, PB, CAT New Delhi	Praveen Kumar Vs UOI	Judgement dated 01.02.2011, Implemented
2	OA.No.597/2011, PB, CAT New Delhi	Doordarshan Engineering Employees Welfare Association Vs UOI	Judgement dated 24.05.2011, Implemented for 16 of the Applicants.
3	OA.No.3400/2012, PB, CAT New Delhi	Vinod Kumar & Othrs Vs UOI	Judgement dated 09.10.2012, Screening

			process on.
4	OA.No.757/2013, PB, CAT New Delhi	Umesh Sharma & Othrs Vs UOI	Judgement dated 04.03.2013, Screening process on.
5	OA.NO.879/2013, PB, CAT New Delhi	S.K.Mishra & Othrs Vs UOI	Judgement dated 13.03.2013, Screening process on.
6	OA.No.3106/2013, PB, CAT New Delhi	Manoj Kumar Gupta & Othrs Vs UOI	Judgement dated 31.10.2013, Screening process on.
7	OA.No.350/2013, CAT Patna	H.K.Mishra & Othrs Vs UOI	Judgement dated 31.01.2014.
8	OA.No.4439/2013, PB, CAT New Delhi	Pradeep Gupta & Othrs Vs UOI	Judgement dated 20.12.2013
9	OA.No.4520/2013, PB, CAT New Delhi	Pradeep Galhotra & Othrs Vs UOI	Judgement dated 20.12.2013
10	OA.No.1155/2013, CAT Chennai	K.Kannan Vs UOI	Pending
11	OA.No.1156/2013, CAT Chennai	Sasikala Selvaraju Vs UOI	Pending
12	OA.No.4191/2013, PB CAT Delhi	Anil Kumar Sharma & Othrs Vs UOI	Pending
13	OA.No.4462/2013, PB CAT Delhi	Union of Akashvani & Doordarshan (Prasar Bharati) Engineering Employees (UADEE) & Othrs Vs UOI	Pending
14	OA.No.305/2014, PB CAT Delhi	Neeraj Tirkey & Othrs Vs UOI	Pending
15	OA.No.854/2014, PB CAT Delhi	Y.P.Singh & Othrs Vs UOI	Judgement dated 15.05.2014

Sh.Mahendra Dubey, Senior PEX DDK Delhi had filed case in the Principal Bench of CAT, Delhi (OA.No.1798/2014) seeking ACP in the Promotional hierarchy, which meant a PEX after 10 years shall get the GP of Rs.5400/- and the GP of Rs.6600/- after 20 years. The Court upheld his prayer on 22.05.2014.

PSA has already given a letter to the Ministry on 18.03.2014 requesting implementation of ACP benefits to Programme Cdares as well. We shall now approach the courts seeking grant of ACP in promotional channel to similarly placed PEX's, and also pursue the ACP case pending for long in the High Court of Delhi. Apart from the above, PSA shall also endeavor to place similar arguments placed in the list of cases mentioned above, so as to get benefits for Programme Staff in general and its members in particular.

LONG LIVE PSA LONG LIVE UNITY

Dr.S.K.Nahar
Executive Vice-President

Pankaj Pati Pathak
General Secretary

R.Srinivasan
President