



**PROGRAMME STAFF ASSOCIATION
OF
ALL INDIA RADIO & DOORDARSHAN
(Recognised Association)**



No: PSA/OC/1/MIB/2017/91

14.03.2017

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

Sub: Judgement by Hon'ble CAT Chennai dated 09.01.2017 (OA.No.691/2013).

Ref: Judgement of Hon'ble CAT Delhi on 17.11.2003 – OA.No.3281/2002 (Copy attached)

Sir,

We wish to bring to your kind notice the above mentioned two Judgements, which concern the grant of replacement scale to the sub-ordinate Programme & Engineering cadres vide Ministry order dated 25.02.1999. The above mentioned case (OA.No.691/2013) had been filed by Sh.L.Uma Maheshwaran & others demanding upgradation of their pay scales (Administrative Staff). The Hon'ble CAT Chennai had passed certain remarks in the said Judgement and as we were not parties to the case, we submit the following extract from a Judgement rendered by the Hon'ble CAT New Delhi whereby a Full Bench of CAT had upheld the grant of scales vide Ministry order dated 25.02.1999.

1. "...The OA was filed by the applicants who are Programme Staff Association of All India Radio & Doordarshan wherein they had asked for the following reliefs,
 - (a) Direct the official respondents not to withdraw the revised pay scales of pay from the applicants, as were granted vide office memorandum dated 25.02.1999,
 - (b) Declare the Judgement and order dated 12.09.2002 passed in OA-1917/2000, by the Hon'ble CAT Bangalore Bench, as per incuriam and incapable of implementation, and/or in alternative refer the matter to a larger bench for authoritative pronouncement.

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2. Since there was a difference of opinion between Principal Bench and Bangalore Bench over the office memorandum dated 25.02.1999 the matter was referred to Full Bench. Full Bench had passed the orders on 12.09.2003 answering the reference as under :-

- (a) As conceded at either end, no opinion is being expressed on the impugned office memorandum dated 25.02.1999 pertaining to paragraphs 2(ii) and 4 of the same;
- (b) The decision of the Bangalore Bench in OA.1917/2000 is over-ruled,
- (c) We make it clear that so far as the rights of the private respondents are concerned who seeks parity of pay scales with the applicants, he may take recourse under the law, and
- (d) The result would be that respondents shall not withdraw the revised pay scales from the applicants and granted by the office memorandum of 25.02.1999.

3. In view of the decision given by the Full Bench, we think the OA has to be allowed. OA is allowed in terms of the orders passed by the Full Bench"

In the context of the above Judgement by a Full Bench of CAT Delhi, we submit that the Judgement rendered by the Chennai CAT is infructuous as far as the beneficiaries of the office memorandum dated 25.02.1999.

Shah
महोदय
(Dr.S.K.Nahar)
Vice-President

Dasrath Prasad
(Dasrath Prasad)
Executive Vice-President

R. Srinivasan
(R.Srinivasan)
President

4 MAH 2017

Copy to,

1. The CEO, Prasar Bharti, PTI Building, Sansad Marg, New Delhi-110001.
2. The Director General, All India Radio, Akashvani Bhavan, New Delhi.
3. The Director-General, Doordarshan, Copernicus Marg, New Delhi-110001.
4. The Deputy Secretary, Ministry of Information & Broadcasting, Shastri Bhavan, New Delhi.
5. The Additional Director General, Doordarshan, Copernicus Marg, New Delhi, 110001.
6. The Additional Director General (A), Akashvani Bhavan, Sansad Marg, New Delhi-110001.
7. Sh.Umesh Chandra President, ARTEE, Akashvani Bhavan New Delhi.
8. Sh.Shyam Vir President ADTEA, Akashvani Bhavan New Delhi.

W
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Shyam Vir
14/3/17

SKM
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