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आकाशवाणी एवं दूरदर्शन तकनीकी कर्मचारी संघ  
**A.I.R. & D.D. Technical Employees Association**

(भारत सरकार द्वारा पंजीकृत एवम् मान्यता प्राप्त)  
(Registered and Recognised by Govt. of India)

No. 2298/63

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To

The Secretary  
Govt of India  
Ministry of Information & Broadcasting  
Shastri Bhawan  
New Delhi – 110001



Dated: 05/01/2017

Sub : Regarding immediate implementation of Principal Bench, CAT, New Delhi's order dated 29-12-2016 in O.A.No.4130/2016 & M.A. No. 3722/2016.

Respected Sir,

This is to bring to your kind notice that our association had filed an O.A. mentioned in the subject noted above, praying therein that Assistant Engineers posted in AIR & Doordarshan, who have completed four years of regular service in the Grade Pay of Rs.4800/- may kindly be granted Grade Pay of Rs.5400/- as per recommendation of 7<sup>th</sup> CPC.

Mr.S.M.Arif, Ld. Counsel for respondent No. 3 (DG:AIR) had submitted before the court that DG:AIR had already taken a decision to the effect that whosoever had completed four years of service in the Grade Pay of Rs.4800/- would be granted Grade Pay of Rs.5400/-. A proposal to this effect had been sent to the Ministry of Information & Broadcasting by DG:AIR.

In view of the aforesaid submission, the O.A. was disposed of with the direction that Respondent No. 1 (MIB) would decide the grievances of the applicants within a period of four months.

Further in the O.A, No. 3541/2016 read with M.A.No.3092/2016 filed by sister association i.e.ARTEE an order in such terms has already been passed on dated 08-12-2016.

**OFFICE COPY**

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In view of the aforesaid, it is submitted that all eligible Assistant Engineers working in AIR & Doordarshan belong to the aforesaid two associations. Even otherwise also, if any AE is not enrolled as a member of any association and is eligible for the grant of Grade Pay of Rs.5400/-, cannot be denied such benefit simply because he did not approach the Court for similar & identical relief in view of several judicial pronouncements, latest in the series being **State of UP and Others Vs. Arvind Kumar Srivastava & Others** reported as (2015)1 SCC 347 wherein it has been once again reiterated and reaffirmed by holding that **“when a particular set of employees is given relief by the court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would be violative of Article 14 of the Constitution”**.

Based on the principles and *dicta* confirmed in the judgement referred to above, the Hon'ble Principal Bench of CAT, New Delhi in O.A. No. 3775/2015 ( Neeta Dutta Vs. Union of India) has yet again echoed the same dictum in its order dated 28-04-2016. In para no. 6 of the said order, a copy of the order has been directed to be sent to DoPT to follow the dictum laid down by Hon'ble apex Court in (2015)1 SCC 347.

Therefore, in view of the aforesaid premises , it is requested that the benefit of Grade Pay of Rs.5400/- may kindly be generalised and granted to all eligible AEs irrespective of their affiliation to their respective associations without insisting upon providing of list by the associations.

With regards!

Encl: Copy of order

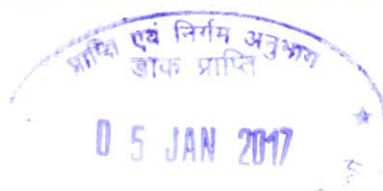


(P.K. Kohli)

General Secretary

Copy for kind information to:

1. The Chief Executive Officer, Prasar Bharati, PTI Building, New Delhi
2. The Director General, All India Radio, AV Bhawan, New Delhi.
3. The Director General, Doordarshan, Copernicus Marg, New Delhi.



  
(P.K. Kohli)

