

Current Scenario of Accounts.

The developments about accounts and finances of association for the last 10 months have been in the eye of storm. The situation has been of conflicts at many levels.

As we are all aware, Treasurer, Sh. Paritosh Kaushik has not been co operative with present body even after being elected from the same Team.

Please go through the sequence of events:

(1). Elections of this Associations were notified well before completion of present term on 29/6/2015 and Election Process was started. Intimation was given to Prasar Bharati after getting approval of byelaws from Registrar of Societies, Allahabad.

(2). Sh. Ashwani Dagar, filed a Civil Suit CS(OS) 2052/2015 in Hon'ble High Court of Delhi Challenging the Amendments, praying for stay on Election and Permanent injunction on present CWC.

(3). In hearing of this suite on 11.09.2015, Hon'ble High Court , Delhi has directed that the amendments in the ARTEE Election Byelaw should be approved by General Board Meeting (GBM) of ARTEE as per clause 50 the constitution of ARTEE with the prior Approval of bylaws by Department (copy enclosed). **Till the next date of hearing the Election Process was stayed.** Hon'ble High Court has rejected the prayer of Plaintiff to put a permanent injunction on the functioning of present CWC.

(4). Prasar Bharati approved Amendments through the letter Misc.1/68/2013-PPC Dated 19.11.2015. The Amendments with prior approval as per clause 50 were placed before General Body Meeting/National Convention on 20.11.2015 in Allahabad. General Body unanimously passed the Amendments as per Prasar Bharati instructions. An Affidavit was submitted in Hon'ble High Court about compliance of its order dated 11.09.2015. The intimation of the Approval is given to Prasar Bharati through letter no. ARTEE/GS/135/12/15 dated 22.12.15.

(5). The hearing of the Civil Suite took place on 11.12.2015 in Hon'ble High Court Delhi. Due to new evaluation of System of Litigations the Civil Suite 2015 is transferred to Patiala House and the next date of hearing was 1st Feb 2015. (Copy of Court order enclosed). The next date of Civil Suit was on 20.02.2016 and next date is 7th April 2016.

(6). Information to the office through letter No. ARTEE/P/01/01/2016 dated 11.01.2016 is given that in current scenario elections can not be conducted till the pendency of the present suite or till any further direction from the Hon'ble Court as the election process is stayed. So till then present body will continue since there is no stay of functioning of present body

(7). There is no injunction on functioning of present body and the CCS(RSA) Rules 1993 can not over rule the Stay imposed by Hon'ble Delhi High Court.

(8). Sh. Paritosh Kaushik has been putting hurdles in welfare works by refusing to release funds for various works which are mentioned below:

Following Proposals were sent to Sh. Paritosh Kaushik by Addl.Gen.Secy. duly approved by President on 13th Jan 2016 however efforts were on from way back for release of funds.

[1]. Renewal Charges of ARTEE website www.arteeindia.org. These Charges are due from October 2015 and Treasurer was informed well in advance to release the funds.

[2]. Afflation fee for Bharatiya Mazdoor Sangh for year 2015-16.

[3]. Affiliation fee for Union Network International, Geneva, for year 2014-15 as the cheqe is returned due to time bar.

[4]. Funds for Challenging the Speaking Order in ACP PATNA case of ARTEE (OA 4249/2014) in High Court Delhi or to file fresh OA in CAT Delhi.

[5]. Funds to support some Individual Cases in ACP PATNA which are having substance.

[6]. Funds for Clearing TA/DA bill of delegates, who attended the General Body Meeting and balance expenditure in Allahabad which was conducted on the direction of Hon'ble High Court.

[7]. Funds for Renewal of Registration of ARTEE in Allahabad.

(9). All above works are pending and in the interest of welfare it is essential that works are carried out immediately. He has been working against the welfare of Members as he has refused to release funds for the above works which are pending since last five or more months. These are Anti Association Activities.

(10). After the verbal persuasion many times these mails were sent on 13.01.2016, In reply he has agreed that above mentioned expenditures are welfare oriented and should be funded by Association funds but refused to release the money.

It is pertinent to mention that no injunction is imposed on working of present body. Hon'ble High Court rejected the prayer of Plaintiff of permanent injunction of present body.

So it is ascertained that till the finalization of this civil suit, present body will continue since there is no stay of functioning of present body as in all such cases status quo is always maintained.

After sending the proposals, a reminder was sent to Treasurer by Add. G.S.

(11). President also sent a Mail to him on 17th Jan'2016 and assured him that in case if anybody challenges the release of funds, the present body will be responsible and he will be fully backed in any legal action whatsoever.

(12). Zonal VPs also persuaded and asked Sh. Paritosh Kaushik for release of funds but even then he refused.

In these circumstances, an emergent Central Executive Meeting was called in this matter

It is adjudged by Central Executive that Treasurer, Sh. Paritosh Kaushik is working against the welfare of Members and thus he is doing Anti Association Activities.

In the meeting of Central Executive dated 04.02.2016 following Resolution is adopted:

After the detailed discussion, House resolved that activities of Sh. Paritosh Kaushik are against the welfare of Members, he is not fulfilling the duties of treasurer and involved in Anti Association Activities due to Reasons explained above. So it is decided to remove him from the post of Treasurer by suspending him from the post of Treasurer as per Clause 21(VI), 28(ii), 28(iii) and 37(b).

For this purpose the opinion of Vice Presidents of North , South, East, West and North East is obtained through telephone and mails.

House also resolved to handover charge of Treasurer to Sh. Yogesh Kumar, VP(TV) as done in 2006, when erstwhile Treasurer Sh. Ram Shankar was expelled and charge was handover to Sh. Sunil Thapliyal, the then VP(TV).

The intimation of this decision was conveyed to Sh. Paritosh Kaushik on 04.02.2016 itself through Courier and ordinary Post. His conduct has been placed under observation for a period of six months. In case any further Anti Association Activity, further disciplinary action may be contemplated against him as per byelaws

Sh. Paritish Kaushik has also been conveyed that he is not authorized to use letter head of this Association.

Sh. Paritosh Kaushik has been removed from the post and he is not one of the Authorized Signatories so he has no locus standi to say anything on behalf of this Association.

As per the Resolution Authorized Signatories are changed in Banks on 12/02./2016. All previous cheques were cancelled. New Cheque book got issued

Meanwhile, the Relay Hunger Strike which was being launched by some contribution form Members and on the completion of Relay Hunger Strike an Amount of Rs. 25,000 of Tents , Sound System and other expenditure had to be paid, so an Amount of Rs. 40,000 was withdrawn from Punjab National Bank Account.

We want to remind that same kind of situation has emerged in 2006, when Sh. Ram Shanker has asked banks to freeze the Account. We know that in such case bank immediately freez the Account. In 2006 a new Account was opened in Bank of India and the balance amount of 13th National Convention Chennai which was paid by Sh. R.Raman, VP (SZ) at that time and donations received from Members were deposited in that Account. The Other Accounts were remained frozen for some months and expenses of the Association were met out from this New Account.

Central body was aware that Sh. Paritosh Kaushik may approach the Bank with the request to freez the Account., (From the experience of 2006.)

It is pertinent to mention that following expenses are urgently required:

[1].Pending Expenses of payment of TA/DA to delegates and pending expenses of National Convention Allahabad which was organized on the direction of Hon'ble High Court, Delhi. approximately around 2.5 Lakhs. = -- Rs. 2,50,000/-

[2]. Affiliation fee of BMS 2015-16 - Rs. 18,000/- for

[3]. Affiliation fee of UNI for (two years) 36,000/- (due from April 2015) - Rs. 18000x2 = Rs.

[3]. Funds required to challenge speaking order in Hon'ble High Court Delhi issued in ARTEE Case OA 4249/2014 in ACP PATNA. - Rs. 1,00,000

(As asked by Sh, Manish Bishnoi, Advocate)

[4]. Charges of hiring Sh. Jayant Bhushan

For ACP PATNA in High Court (As per decision of Core Committee) -- Rs. 1,25,000
(per hearing)

[4]. Website Renewal Charges (Paid by President). – Rs. 6475.00

[5]. Funds required for Renewal of Registration (most urgent). – Rs. 25,000/-

Total Expensed Rs. 5,60,475

So sensing the emergent situation which happened in 2006 when ARTEE Accounts were freezed, this time a new Account on the name of ARTEE was opened and to meet expenditures mentioned above and day to day running expenditures of Association, A cheques of Rs. 500000 was deposited in New Account.

Our Apprehension has proved right. When Central body was busy in Relay Hunger Strike, Sh. Paritosh Kaushik approached Punjab National Bank and State Bank of India and submitted a letter on 24.02.2016 and asked banks to stop operations of Bank Accounts. As a Result BANK ACCOUNTS OF ARTEE ARE FREEZED for Withdrawal.

Punjab National Bank immediately freezed our Account for withdrawal and issued us a letter attaching the copy of letter submitted by Sh. Paritosh Kaushik.

This Cheque of Rs. 5,00,000 lakhs could not be cleared as Bank has freezed our Account for withdrawal.

Now this is an emergent situation and all above mentioned work are urgent including Renewal of Registration. We have asked him to stop use of letter heads in any capacity as done in 2006 for Sh. Ram Shanker. We have informed Bank also that Sh. Kaushik is not authorized to use the Association letter head.

We have submitted our reply to Banks with all the Papers & trying to save the situation. Due to confidentiality all papers are not uploaded on Website.

This is for information to all ARTEEians. We shall soon decide an alternate plan and will inform the ARTEEians.

[Click here for Letter of Suspension to Sh. Paritosh Kaushik, Treasurer.](#)

Central Office.