

ASSOCIATION OF RADIO & TELEVISION ENGINEERING EMPLOYEES



Office : Room No. 134, Tower-B, Doordarshan Bhawan,
Copernicus Marg, Mandi House, New Delhi - 110001

Largest Employee Welfare Association of Electronic Media in India

Web Site : www.arteeindia.org



RSA Re-verification under process Regd. & Recognised by Govt. of India

Ref. No. ARTEE/P/130/11/2018

Date 22/11/18

The Hon'ble Secretary,
Information and Broadcasting,
6th Floor Shastri Bhawan,
New Delhi - 110001

Subject : Request to generalize the benefit of Interim Order dated 12/11/18 by Hon'ble High Court in Shaymali Biswas case by releasing the deducted amount with 9% interest from Retired Staff who are beneficiaries of 25/2/99 Members after 2014 in the light OA 1118/2015 and OA 2479/2015 by ARTEE.

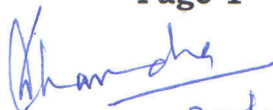
Respected Sir,

With warm regards, we want to inform that whole staff retired after 2014 and beneficiary of 25/2/99 is troubled by Hon'ble MIB decision of treating these scales as an Upgradation while granting MACP. Almost all staff Members are paid their terminal benefits after deducting the amount after treating these scale as an Upgradation and henceforth on an average an Amount to the tune of Rs. 5 Lakh to 10 lakh or more is deducted from their terminal benefits.

There have been several litigations on the issue and two cases OA 1118/2015 by Madam Shyamli Biswas and OA 2479/2015 by this Association ARTEE are allowed by learned tribunal PB CAT Delhi with clear directions to Respondents for not to treat 25/2/99 scales as an Upgradation while granting MACP. (Verdict of OA 1118/2015 is enclosed as Annexure I). The case OA 1118/2015 Shyamli Biswas is challenged by department in Hon'ble High Court Delhi through WPC 2034/2017. The Case OA 2479/2015 is also allowed in terms of OA 1118/2015 and clubbed with WPC 2034/2017 by Shaymli Biswas Case and it is clearly mentioned in the verdict that the outcome of WPC 2034/2017 will be applicable on the Applicants of OA 2479/2015. (Verdict of OA 2479/2015 as Annexure-II).

Meanwhile Madam Shyamli Biswas filed another WPC 11639/2018 with the prayer to release her deducted Amount of Rs. 6,90,104/- with 18% interest. The WPC 2034/2017 and WPC 11639/2017 came up for hearing on 12/11/2018. From the m the order of hearing of Hon'ble High Court.

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The interim order in WPC 2024/2017 which stayed the implementation of verdict of learned tribunal in OA 1118/2015 by Shyamli Biswas is modified to the extent that her dues of Rs. 6,90,104/- to be paid with 9% interest to Madam Shaymli Biswas in two weeks as the issue is squarely covered by Rafiq Massiah Case. (Copy of Interim order of WPC 2034/2017 and WPC 11639/2017 is enclosed as Annexure - III).

As mentioned above that the case filed by ARTEE OA 2479/2015 is clubbed with this case and any verdict in this case will be implemented for all ARTEE Members we request your high office to generalize the benefit of Interim Order dated 12/11/18 in Shaymali Biswas case by releasing the deducted amount with 9% interest from Retired Staff who are beneficiaries of 25/2/99 Members after 2014 in the light OA 2479/2015.

We also request you to issue clear guidelines to Pay and Account offices not to deduct any Amount from the terminal benefits of staff retiring every month as any recovery now will be the violation of order of Hon'ble High Court dated 12/11/18 in WPC 11639/2017.

We pray your urgent intervention as these retired employees have already suffered a lot since last 3 yrs.

Thanking you in Anticipation.

Yours faithfully,


22/11/18

Umesh Chandra,

President, ARTEE

9871765714

umsharma01@gmail.com

Enclosed as Above.


22/11/18
Umesh Chandra,

Cc for information to

- [1]. CEO, Prasar Bharati, New Delhi - 110001
- [2]. Director General, All India Radio, Akashwani Bhawan, New Delhi - 110001
- [3]. Office Copy.

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Umesh C Sharma <umsharma01@gmail.com>

2:37 PM (4
minutes ago)

to Bimal, ceo.pbi, Fayyaz

Respected Sir,

With regards, we Request you to generalize the benefit of Interim Order dated 12/11/18 by Hon'ble High Court Delhi in Shaymali Biswas case by releasing the deducted amount with 9% interest from Retired Staff after 2014 who are beneficiaries of 25/2/99 Members after 2014 in the light OA 1118/2015 and OA 2479/2015 by ARTEE.

Regards.

Umesh C Sharma,
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Unity is Strength
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