

ASSOCIATION OF RADIO & TELEVISION ENGINEERING EMPLOYEES



ARTEE

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



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CCS(RSA) Re verification under process

Ref. No.ARTEE/P/17/02/2019

Date.....28/02/19.....

The Chief Executive Officer,
Prasar Bharati,
Copernicus Marg,
New Delhi - 110001

[Kind Attention Sh. Rajiv Singh, Member(F)]

28/2/19

Subject : Reminder 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.

Reference : This Association's letter ARTEE/P/130/11/2018 dated 22/11/18 to Hon'ble Secretary (I&B).

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 but two cases OA 1118/2015 (copy enclosed as Annexure I) 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, not to treat 25/2/99 scales as an Upgradation while granting MACP. 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). The similar thing is mentioned in WPC 5168/2018 by this Association filed in Hon'ble High Court Delhi to challenge the impugned order dated 31/1/18 by DG(AIR). (copy enclosed as Annexure III)

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 the order of hearing of Hon'ble High Court.

The interim order in WPC 2034/2017 which stayed the implementation of verdict of learned tribunal in OA 1118/2015 by Shyamli Biswas is modified to the extent that her dues to be paid with 9% interest to Madam Shaymli Biswas in 15 days 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 - IV)).

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 employees Retired who are incumbents of 25/2/99 Members after 2014 in the light OA 2479/2015.

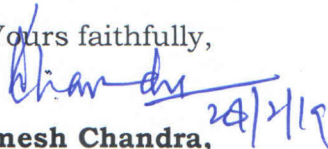
It is pertinent to mention that by not releasing the Payment shall cause the loss of interest @ 9% to the exchequer.

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,


Umesh Chandra,
President, ARTEE
9871765714

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Umesh Chandra,

Enclosed as Above.

Cc for information to

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