

ACP as per verdict of CAT and High Court Patna

20.11.13

It has been informed that Central Team comprising of President, VP(AIR) and Secy.(SEA/EA) visited Patna after dismissal of Review Petition 141/2012. ARTEE has provided all kinds of support including financial in dismissal of the Review Petition. After this Central Office is pursuing the issue vigorously. The file of OA filed by 11 applicants including six CWC members on individual basis is being pursued as any positive development will set aside all negative arguments. Central Office is keen on generalizing the benefit but keeping in view the sensitivity of the issue and as per legal advice by Advocates during recent visit to Patna who handled the issue from CAT to Patna High Court, we are appealing again and again to everyone not to approach court of law on individual basis.

It is once again reiterated that considering the sensitiveness of the issue restrain from filing cases. We have seen in the past that ultimately when issue gets complicated, people approach us and in the interest of members we have to take load of such complicity created by individual enthusiasm. Just imagine can any individual afford to hire eminent lawyer of top level. Just imagine no case filed by Individuals can grant it instantly. People approaching court of law now are likely to get the same verdict which 11 Individuals already (which includes six CWC Members also). Any case filed after this can not get more momentum so that it can surpass the execution of this OA. In such case what is the utility of filing any case further on Individual basis. It can not generalize the benefit.

But on the other hand this over enthusiasm can create multiple complications. Some people are trying to encash and exploit the sentiments of Members without understanding pros and cons. Just see the case filed by two Individuals in Gwalior have delayed the EA(5K) cause for two years and an amount of more than Rs. 4 lakhs was spent to save the situation. It had become our compulsion as the Gwalior case could damage the EA(5K). Just think that enthusiasm of two Individuals has caused a dent of more than Rs. four lakhs to ARTEE funds. It is very easy to collect a small amount from Members but can anybody spent such a large amount as ARTEE spent in Gwalior Case ?

We will go to generalize it as per advice of legal experts. We have discussed with eminent lawyers including those who fought this cause in Patna. ***Just think why ACP is not granted to all applicants of PATNA Case ? Why it is not generalized for all Members of that Association ? ??? Just think why.*** But some people think they are more intelligent than the Patna Applicants who fought the cause.

We have to take every step with utmost precaution as if there is anything silly happens, Govt. will stretch it upto Sup. Court and ACP will be a distant dream for many years to come. Govt. always look such lacunas. There are enemies of ACP Patna all around and many segments are deadly against it. We have faced it in the past.

No Individual case can generalize it. **Central Office is working on an strategy which can not be disclosed publically.**

Think maturely and have faith in leadership. Patna ACP is one of the top priority for all of us.

Central Office.