

Central Administrative Tribunal
Principal Bench

O.A.No.429/2002

Hon'ble Shri Shanker Raju, Member(J)

New Delhi, this the 4th day of June, 2002

Shri Anil Kumar S.
s/o Shri P.R.Sukumara Pillai
Engineering Assistant
All India Radio
Broadcasting House
Parliament Street
New Delhi. .. Applicant

(By Advocate: Shri B.S.Mainee, through Shri
B.L.Madhok)

Vs.

1. Union of India through
The Secretary
Ministry of Information and Broadcasting
Shastri Bhawan
New Delhi.
2. The Secretary
Ministry of Finance
Department of Expenditure
North Block
New Delhi.
3. The Director General
All India Radio
Parliament Street
New Delhi. .. Respondents

(By Advocate: Shri A.K.Bhardwaj)

O R D E R (Oral)

By Shanker Raju, M(J):

Heard the learned counsel on either side.

2. The grievance of applicant, who was earlier employed with Government of India and after coming into force of Prasar Bharati, ^{he} has been deputed to Prasar Bharati as deemed deputed. The grievance is that he has applied for House Building Advance and an amount of Rs.1,97,500/- has been

disbursed to him as first instalment, however, the remaining instalments have not been paid to him by the respondents.

6

3. On the other hand, the respondents in their reply contended that the second instalment could not be released to the applicant as the same was not provided by the Ministry of Finance on the ground that the Prasar Bharati is no longer a Government department and its employees cannot get the advance from the Consolidated Fund of India. It is also stated that the service conditions of Prasar Bharati are yet to be finalised. It is also stated that non-release of instalment is not an intentional omission on the part of the respondents but it is on account of non-allocation of funds to the Director General of All India Radio. It is stated that unless the service conditions, in respect of the employees of Prasar Bharati, are not finalised, it will not be possible to pay further instalments of the HBA for want of funds.

4. I have carefully considered the rival contentions of both the parties and perused the material on record. I find that applicant has impleaded Ministry of Finance, Ministry of I & B as well as Director General, AIR as array of respondents in the present case. In this view of the matter and the fact that applicant is legally entitled for being paid the further instalments of HBA by the respondents, I deem it proper, in the facts and circumstances of the case, to dispose of the OA with a direction to the respondents to release the further

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instalments of HBA to the applicant, in consultation with Ministry of Finance within a period of three months from the date of receipt of a copy of this order. It is however made clear that in that process all the respondents should co-ordinate to release the aforesaid funds within the stipulated period.

5. The OA is disposed of at the admission stage itself. No costs.

S. Raju
(Shanker Raju)
Member(J)

/rao/