

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/000874/2019

DATED THIS THE 31ST DAY OF JANUARY, 2020

**HON'BLE DR.K.B.SURSH
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)
...MEMBER(A)**

D.M. Vijaya Kumar (Retd.)
Aged about 71 years,
Programme Executive,
S/o Munishamappa
Residing at No.13/3-I,
Ramakrishnappa Road,
Cox Town,
Bengaluru-560005.

..Applicant.

(By Advocate Shri N. Obalappa)

Vs.

1.The Union of India,
Rep. by its Secretary,
Ministry of Information and Broadcasting,
'A' Wing, Shastry Bhavan,
New Delhi – 110 001.

2.The Chief Executive Officer
Prasar Bharati, I "C" Tower,
Doordarshan Bhavan, Copernicus Marg,
Mandi House,
New Delhi – 110 001.

3.The Director General,
All India Radio, Akashvani Bhavan,
Parliament Street,
New Delhi – 110 001. (Cadre Controlling Authority)

4.The Dy. Director General(E) /HOO,
All India Radio,
Bengaluru-560001.

5.Chief Controller of Accounts,
O/o The Pay & Accounts Officer,
IRLA, Min. of I & B, Soochana Bhavan,
CGO Complex, Lodhi Road,
New Delhi-110003.

...Respondents

(By Shri M. V.Rao, Standing Counsel for the Respondents)

O R D E R (ORAL)

HON'BLE DR.K.B.SURESH ...**MEMBER(J)**

It appears that the applicant had joined service on 20.05.1988. In accordance with the pronouncement of the Hon'ble Apex Court, he ought to have got his first ACP on 20.05.2000, which has not been granted to him. Therefore, there will be a mandate to the respondents to grant it to him and accommodate all consequences in accordance with law at a later point of time. But within the time frame of next 3 months.

2. OA allowed to this extent. No order as to costs.

(C.V. SANKAR)
MEMBER(A)

(DR.K.B.SURESH)
MEMBER(J)

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Annexures referred to by the Applicant in OA No.170/00874/2019

Annexure A1: Copy of Pay scales of 4th CPC from 01.01.1986 to 6th CPC 01.01.2006.

Annexure A2: Copy of Appointment order dated 12.05.1988.

Annexure A3: Copy of OM dated 25.02.1999.

Annexure A4: Copy of DOPT OM dated 09.8.1999.

Annexure A5: Copy of DOPT clarifications OM dated 18.7.2001

Annexure A6: Copy of Revised PPO dated 14.01.2013.

Annexure A7: Copy of DOPT OM dated 19.5.2009 MACP .

Annexure A8: Copy of Min. of Finance OM dated 13.11.2009.

Annexure A9: Copy of DOPT clarifications OM dated 09.9.2010.

Annexure A10: Copy of DG, AIR, New Delhi order dated 08.01.2015.

Annexure A11: Copy of CAT, Bangalore order dated 10.02.2017 in OA.836/2016.

Annexure A12: Copy of High Court Delhi order dated 13.07.2017 in WP (c) 4151/2003 & DG, AIR New Delhi order dated 12.10.21017.

Annexure A13: Copy of Applicant's representation dated 03.11.2017 for 2nd ACP.

Annexure A14: Copy of Hon'ble Apex Court order dated 08.12.2017 in civil Appeal dairy No.3744/2016.

Annexure A15: Copy of RA.2/2018 in OA.253/2017 dated 24.7.2018 and OA.253/2017 dated 18.8.2017 before CAT, Bangalore .

Annexure A16: Copy of CAT, Bangalore order dated 17.09.2018 in OA.54/2018.

Annexure A17: Copy of High Court of Karnataka order dated 18.01.2019 in WP. 50820/2018
