

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**Original Application No.180/00463/2020**

Thursday this the 8<sup>th</sup> day of October, 2020

**C O R A M :**

**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER**

**HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER**

P.K.Manoharan

S/o.P.P.Karunakaran, aged 65 years

Pathiyamkattu House

Aroor P.O, Pin – 688 534

Alappuzha District, Retired 'Tampura' Artist

All India Radio, Thrissur, Phone No.999527919

...Applicant

(By Advocate Mr.R.Muraleedharan)

**v e r s u s**

1. Union of India

Represented by the Secretary to Government

Ministry of Information and Broadcasting

New Delhi, Pin 110 001

2. The Chief Executive Officer

Prasar Bharathi Broadcasting Corporation of India

New Delhi, Pin – 110 001

3. The Director General

All India Radio, Akashwani Bhavan

Parliament Street, New Delhi

Pin – 110 001

4. The Station Director

All India Radio

Ramavarmapuram, Thrissur , Pin 680 631

....Respondents

(By Advocate : Mr.S.R.K.Prathap,ACGSC)

This application having been heard through video conference on 8<sup>th</sup> October, 2020, this Tribunal on the same day delivered the following :

**ORDER (ORAL)**

**HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER**

The applicant is a pensioner, retired from service on superannuation on 31.8.2014 when he was working as Grade-I Music Composer, B-High Grade Classical Vocal Artist and B-High Grade light music vocal artist at All India Radio, Thrissur. The applicant is aggrieved by the non-grant of Multi Grade Pay Structure to him as recommended by the Central Pay Commission in the year 1996. He contends that the same was granted to many Artists who approached Appellate Tribunals and obtained orders in their favour. Hence, he approached this Tribunal praying for the following reliefs:

*"(a) Call for the records relating to recommendations made by the 3<sup>rd</sup> respondent for approval to grant of Multi Grade Pay Structure as applicable to Instrumentalists in All India Radio, and other monetary and consequential benefits relating thereto, to the applicant.*

*(b) Direct the respondents to implement the recommendations of the 5<sup>th</sup> Central Pay Commission with effect from 1.1.1996 and grant Multi Grade Pay Structure as applicable to Instrumentalists in All India Radio to the applicant and other monetary and consequential benefits relating thereto forthwith;*

*(c) Award cost and incidental to this application. "*

2. When the matter came up for consideration, it has come out that the representation at Annexure A-10 praying for the same reliefs is pending before the respondent no.3 and the 3<sup>rd</sup> respondent has not taken any decision on the same so far. Counsel for the applicant submits that the applicant will be satisfied if the representation submitted by the applicant is decided by the respondents on the basis of various decisions of this Tribunal, Courts and orders passed by the department within a stipulated period of time.

3. Adv.Mr.S.R.K.Prathap,ACGSC takes notice on behalf of the respondents and submits that the respondents have no objection for considering the representation in the light of relevant rules.

**4. In view of the limited reliefs sought for, without going into the merits of the matter, we hereby direct the Competent Authority to consider Annexure A-10 representation in the light of relevant rules, regulations and various decisions on the subject and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.**

5. The Original Application is disposed of as above. No costs.

**(K.V.EAPEN)**  
**ADMINISTRATIVE MEMBER**

**(P.MADHAVAN)**  
**JUDICIAL MEMBER**

### **List of Annexures**

- Annexure A1 - True copy of the intimation received by the applicant from the Programme Executive dated 4.12.1987
- Annexure A2 - True copy of the communication received by the applicant intimating the upgradation of the applicant to Grade-1 Artist.
- Annexure A3 - True copy of the order of the Hon'ble Administrative Tribunal, Madras Bench, in O.A No.862 to 865/2004 & 883/2004 dated 20.4.2005
- Annexure A4 - True copy of the application submitted by the applicant to the Director and Zonal Head of All India Radio, Thiruvananthapuram, dated 16.5.2011
- Annexure A5 - True copy of the application submitted to the 3<sup>rd</sup> respondent dated 27.7.2016
- Annexure A6 - True copy of the communication received by the applicant dated 13.10.2016
- Annexure A7 - True copy of the communication received by the applicant dated 28.11.2017
- Annexure A8 - True copy of the application submitted to the 3<sup>rd</sup> respondent dated 17.5.2018
- Annexure A9 - True copy of the proposal forwarded by the 3<sup>rd</sup> respondent to the Ministry of Information and Broadcasting for approval dated 7.2.2019
- Annexure A10 - True copy of the application submitted to the 3<sup>rd</sup> respondent dated 8.6.2020

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