

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/172/2021

HYDERABAD, this the 2nd day of March, 2021



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

T.V. Mallikarjuna Rao,
S/o. Late Sri T. Narasimham,
Aged about 64 years, Gr. 'C'
Occ: Rtd. Doordarshan Employee,
Employee No.596, Chaitanyapuri,
Dilsukh Nagar, Hyderabad – 500 060.

...Applicant

(By Advocate : Sri A.V. Gopal Rao)

Vs.

1. The Director General,
Doordarshan, Doordarshan Bhawan,
Copernicus Marg, New Delhi – 110 001.
2. The Director, Doordarshan Kendra,
Ramanthapur, Hyderabad.
3. The Pay and Accounts Officer,
Doordarshan (I&B),
Doordarshan Buildings, 3rd floor,
Swamy Sivananda Salai, Chepuak,
Chennai – 600005.
4. The CEO, Prasrabharathi,
2nd floor, PTI building,
Sansad Marg, New Delhi – 100 001.
4. The Union of India rep. by its
Principal Secretary,
Ministry of Information and Broadcasting,
Room No.655, A Wing Shastri Bhawan ,
New Delhi – 110 001.

....Respondents

(By Advocate : Sri A. Radha Krishna, Sr.P C for CG)

ORAL ORDER
(As per Hon'ble Mr. B.V. Sudhakar, Admn. Member)



2. The OA is filed aggrieved by withdrawal of the benefit of 2nd financial upgradation granted to the applicant and recovery of the amount already paid to him from the retirement benefits. He sought a consequential direction to refund the amount recovered; grant 2nd MACP w.e.f. 08.01.2013; fix his pay at substantive pay of Rs.82,600/- with GP of Rs.5,400/- and revise the pension and the pay the arrears of pension on refixation.

3. Brief facts of the case are that the applicant while working as Program Executive in the respondents organisation, the 2nd MACP granted was withdrawn on 15.12.2016. Applicant retired on 28.02.2017 and a sum of Rs.3.50 lakhs was withheld from the retiral benefits. The last pay drawn was Rs.78,800 instead of Rs.82,600. Applicant represented on 23.1.2021, to refix the pay and release the withheld amount and other benefits as per eligibility. There being no response the OA is filed.

4. The contentions of the applicant are that he joined as Production Assistant and was promoted as Programme Executive-I with the same pay scale. Denying the 2nd MACP for which he was eligible, is arbitrary and illegal. Any recovery at the time of retirement is contrary to law. Similarly situated persons were granted the benefit and denying the same to the applicant is irregular.

5. Heard both the counsel and perused the pleadings on record.

6. The dispute on hand is about the re-fixation of the pay and withholding of the retiral benefits on the eve of retirement of the applicant. Aggrieved over the decision of the respondents, applicant has represented on 23.1.2021. As seen from the material papers, the applicant was informed on 28.01.2021 by the PAO, Chennai to submit his representation to the Head of Office where he last served. However, the applicant appears to have not done so. Therefore, the applicant is directed to submit a afresh comprehensive representation to the appropriate authority stating the rules and law which support his cause, within 2 weeks of receipt of this order. On receipt of the said representation, the respondents are directed to dispose of the same, within 8 weeks from the date of receipt of this order by issuing a speaking and reasoned order, as per extant rules and in accordance with law.



With the above direction, the OA is disposed of, without going into the merits of the case. No costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/evr/