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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00187 of 2015
Cuttack, this the 16th day of April, 2015

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)

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1. Goutam Ballav Mohanty,
aged about 45 years,
S/o Sri Janaki Ballav Mohanty,
Residing At- Shaikh Bazar, PO- Tulasipur, Dist- Cuttack.
2. Khirendranath Bisoi,
aged about 48 years,
S/o Loknath Bisoi,
At- Subhdrapur, PO- Uttamapur, Dist- Cuttack.

Both are working as Casual Lighting Assistant (Now designated as Camera Asst.), Cameraman, Section Doordarshan Kendra, Bhubaneswar.

...Applicants

(Advocates: Mr. D.K.Mohanty)

VERSUS

Union of India Represented through

1. Secretary, Govt. of India,
Ministry of Information and Broadcasting,
Shastri Bhawan, New Delhi.
2. Prasar Bharati Broadcasting Corporation of India represented through
Chief Executive Officer, Doordarshan,
Doordarshan Bhavan, Mandi House,
Copernicus Marg, New Delhi, PIN-110001.
3. Director General,
Prasar Bharati Broadcasting Corporation of India Doordarshan,
Doordarshan Bhavan, Mandi House,
Copernicus Marg, New Delhi, PIN-110001.
4. Deputy Director General (Programme),
Prasar Bharati Broadcasting Corporation of India,
Doordarshan Kendra, Chandrasekharapur,
Bhubaneswar.

... Respondents

(Advocate: Mr. S. Behera)

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. D.K.Mohanty, Ld. Counsel for the Applicant, and Mr. S.Behera, Ld. Sr. Central Govt. Panel Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. M.A.No. 313/15 filed by the applicants to prosecute this case jointly is allowed. M.A. is, accordingly, disposed of.

3. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 challenging the inaction of the Respondents for non-payment of the enhanced rate of Rs. 750/850 per day for casual assignment as Lighting Assistant/Camera Assistant in the DDK, Bhubaneswar despite the order No. DDN/RNU/Revised Rates/2012-S 1903 dt. 12.12.2012/22.03.2013 under Annexure-A/3 and A/4 respectively. The grievances of the applicants are that in view of the aforesaid orders though the similarly situated persons are being paid with the enhanced rate, they are being discriminated and paid at the old rates of Rs. 389/- per day for their assignment. In view of the earlier direction of this Tribunal in O.A. No. 767/13 filed by applicant No.1, the Deputy Director (Admn.) issued Annexure-A/11 rejecting his claim. In this O.A. applicants have prayed to quash Annexure-A/11 and extend the benefit of Memorandum under Annexure-A/3 and A/4 to the applicants and pay differential arrear. I find from the record that the applicants have made an exhaustive representation to Respondent No. 3, i.e. Director General vide Annexure-A/12 dated 11.09.2014, which is stated to be pending. Mr. Mohanty, Ld. Counsel for the applicant, submitted that the grievance of the applicants may be redressed if a direction is given to Respondent No.3 to



consider their pending representation dated 11.09.2014.

4. Taking into account the submission made by Mr. Mohanty, Ld. Counsel for the applicants, without expressing any opinion on the merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 3 to consider and dispose of the representation dated 11.09.2014, if the same has been filed and is still pending consideration, with a well reasoned order and communicate the same to the applicants within a period of 60 days from the date of receipt of a copy of this order. It is further made clear that if after such consideration the applicants are found to be entitled to the relief claimed by them in their representation then expeditious steps be taken within a further period of one month from the date of such consideration to grant the same to the applicants. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicants within a period of two weeks from the date of receipt of a copy of this order.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Mohanty, Learned Counsel appearing for the applicants, copy of this order along with paper book, be sent to Respondent No. 3 by Speed Post for which he undertakes to file the postal requisites by 20.04.2015. Free copy of this order be made over to Mr. S. Behera, Ld. Sr.CGPC.


(A.K.PATNAIK)
MEMBER(Judl.)