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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. NO. 767 OF 2013
Cuttack, this the 20th day of November, 2013

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

.....

Goutam Ballv Mohanty,
aged about 43 years,
Son of Sri Janaki Ballav Mohanty,
Residing at Shaikh Bazar,
PO: Tulasipur, Dist: Cuttack
Now working as Casual Lighting Assistant
(now designated as Camera Asst.),
Cameraman Section Doordarshan Kendra,
Bhubaneswar.

.....Applicant

Advocate(s)..... Mr. D.K.Mohanty

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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-110 001.
3. The Director General,
Prasar Bharati Broadcasting Corporation of India,
Doordarshan, Doordarshan Bhavan,
Mandi House, Copernicus Marg,
New Delhi - 1.
4. The Deputy Director General (Programme),
Prasar Bharati Broadcasting Corporation of India,
Doordarshan Kendra,
Chandrasekharapur,
Bhubaneswar - 751005.

..... Respondents

Advocate(s)..... Mr. S. Barik



ORDER (ORAL)

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

Heard Mr. D.K.Mohanty, Ld. Counsel for the applicant, and Mr. S. Barik, Ld. Addl. Central Govt. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. The applicant has filed this instant O.A. under Section 19 of the Administrative Tribunals Act, 1985 challenging the action of the Respondents for non-payment of enhanced rate of Rs. 750/- per day and payment at old rates of Rs. 389/- per day for casual assignment as Lighting Assistant now designated as Camera Assistant in the DDK, Bhubaneswar despite the order NO. DDN/RNU/Revised Rates/ 2012-S1903 dt. 12.12.2012, which has been annexed under Annexure-A/3. Claiming the said benefit, Mr. Mohanty submitted that the applicant has already made a representation to Director General, Prasar Bharati, (Respondent No.3) on 06.09.2013.

3. Mr. Barik, Ld. ACGSC, has no immediate instruction if any such representation has been preferred and status of the same.

4. Section 19 of the Administrative Tribunals Act, 1985, inter alia, provides as under:

“19. Applications to Tribunals – (1) Subject to other provisions of this Act, a person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievances.

EXPLANATION – For the purpose of this sub section “order” means an order made –

(a) By the Government or a local or other authority within the territory of India or under the control of the Government of India or by any corporation (or society) owned or controlled by the Government; or

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(b)By an officer, committee or other body or agency of the Government or a local or other authority or Corporation (or Society) referred to in Clause (a)."

5. Redressal of grievance, at the hands of the Authority, at the first instance, besides being sine qua non, would minimize the expenses of the Department and would save the valuable time of the Court/Tribunal. In view of the above, especially, keeping in mind the specific provisions of the A.T. Act, 1985 this OA would not have been entertained and would have been dismissed at this admission stage. However, the Hon'ble Apex Court in the case of **S.S.Rathore -Vrs-State of Madhya Pradesh**, 1990 SCC (L&S) 50 (in paragraph 17) it has been observed as under:

"17.Redressal of grievances in the hands of the departmental authorities take an unduly long time. That is so on account of the fact that no attention is ordinarily bestowed over these matters and they are not considered to be governmental business of substance. This approach has to be deprecated and authorities, on whom power is vested to dispose of the appeals and revisions under the Service Rules must dispose of such matters as expeditiously as possible. Ordinarily, a period of three to six months should be the outer limit. That would discipline the system and keep the public servant away from a protracted period of litigation."

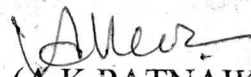
Keeping in mind the facts and aforesaid dicta of the Hon'ble Apex Court when the applicant made a representation on 06.09.2013, he has a right to know the result thereof. Hence, as agreed to by the Ld. Counsel for the applicant, without expressing any opinion on the merit of the matter, this OA is disposed of at this admission stage with direction to Respondent No. 3 to consider the said representation dated 06.09.2013 (if any such representation has

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been preferred and the same is still pending) and communicate the result thereof to the applicant with a reasoned and speaking order within a period of two months from the date of receipt of copy of this order. If, in the meantime, the representation so preferred has already been disposed of, the result thereof shall be communicated to the applicant within a period of two week from the date of receipt of copy of this order.

6. With the aforesaid observation and direction, this O.A. stands disposed of. There shall be no order as to costs.

7. Copy of this order be handed over to Ld. Counsel for both the sides. Copy of this order be also communicated to Respondent No. 3 by the Registry through Speed Post at the cost of the applicant for which Mr. Mohanty undertakes to file the postal requisites by tomorrow.


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

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