

**Central Administrative Tribunal  
Principal Bench, New Delhi**

OA No.1858/2015

New Delhi, this the 24th day of May, 2016

**Hon'ble Mr. P.K. Basu, Member (A)**

**Hon'ble Dr. Brahm Avtar Agrawal, Member (J)**

1. Sh. Gyanandra Muni Tyagi, aged 45 years - Technician  
S/o Sh. R.S. Tyagi  
R/o C-11/7 Radkio Colony, Kingsway Camp  
Delhi -110009.
2. Rampal Meena, aged 52 years - Technician  
S/o sh. Ramilal Meena  
R/o B-II, 112, Madangir,  
New Delhi 93
3. Nisha Bali, aged 49 years - Technician  
D/o Sh. N.P. Datta  
Flat No. 46, Swaran Appttt.  
Madhuban Chowk  
New Delhi.
4. Kulbir singh, aged 46 years - Technician  
S/o Late sh.S.Jeet singh  
80/24-B, Malviya Nagar  
New Delhi -110017.
5. Sushil Kumar Bhatnagar, aged 46 years - Technician  
S/o Late Sh.B.S. Batnagar  
R/o A-224-A Mahavir Enclave Part-II  
Gali No.-7 Near 40'Road, New Delhi -110059
6. Sh. Perveen Kumar, aged 49 years – Sr. Technician  
Sh. Late Sh Leak Raj  
R/o C-8/7 Radio Colony Kingsway Camp  
Delhi-9
7. Sh. Ravinder Kumar Madan, aged 50 years – Sr.Technician  
S/o I.J. Madan  
R/o GH-13/103 Paschim Vihar, New Delhi -110087.

8. Ms. Urmilla, , aged 44 years - Technician  
W/o Birender Singh Chauhan  
Flat No.305, Bhaghirathi Appt.  
B-9/14, Sector 62, Noida
9. Jitender Kumar Gupta, aged 50 years – Sr.Technician  
S/o Sh. Balraj  
134-C Pockt.I  
Mayur Vihar Phase-I  
Delhi-110092
10. Sh. Vipin Kumar Sharma, aged 46 years - Technician  
S/o Sh. Ramesh Chandra Sharma  
R/o Guru Ramdas Nagar, Sai Vihar,  
G.T. Road Aligah UP-202001.
11. Sh. Bishan Singh Koli , aged 50 years - Technician  
S/o sh. Bachan Singh  
R/o X-314 Sarojini Nagar New Delhi-23
12. Venkatratna, aged 53 years - Technician  
S/o Sh.Pallappa Venkatesha  
AIR Staff Qtr. C-12, JPS Colony,  
Bhadrwati-577302 Karnataka
13. Irfanddin , aged 46 years - Technician  
S/o Late Mohd. Shoaib  
Shershan Colony, Samanpura  
Patna 800014.
14. Brij Nandan Sing , aged 48 years - Technician  
S/o sh. Ram Bhagwan sinha  
Radio colony, Phase –I, C-31  
Chhajjugarh , Patna 800001
15. Sh.Funni Lal Chaudhary, aged 52 years - Technician  
S/o Late Sh. Punit Lal Chaudhary  
R/o Control Room Chhaju bag – Patna-800001.
16. Sh. Sbindra Kumar, aged 44 years - Technician  
S/o Late Sh. Rajdeo Prasad  
R/o House No. -94 East Ashok Nagar,  
Road No. 14 Gali No. -2(West) Kankarbag Patna-800020

17. Sh. Girja Nandan Singh, aged 55 years - Technician  
S/o Sh. Ram Bhagwan Sinha  
R/o I.O.C. Road Sipara Patna PO Dhelwan -800020
18. Sh. Manoj Kumar, aged 44 years - Technician  
S/o Lat sh.B. Padmanabha  
R/o C-2/3 Air Staff Quarters  
Ashok Nagar, Manglore
19. Manoj Kumar Bora , aged 45 years - Technician  
S/o sh.Roop singh Boara  
R/o C-14 Phase-2AIR Colony  
Almora Uttarkhan
20. Sh. Mahesh Chandra Pandey, aged 49 years - Technician  
S/o Sh. Gopal Dutt Pandey  
R/o Mohalla Talla Thapaily,  
Almora Uttarkhand
21. Sh. Rajesh Kumar, aged 43 years - Technician  
S/o Late Sh. Chhatrabil Singh  
Q No. C/1 All India Radio Colony, Ratu Road,  
Ratu Raod, Jharkhand 824001.
22. Sh.Sameer Kumar, aged 42 years - Technician  
S/o Sh. Sigason Choudhary  
Q. No. C/11, Doordarshan Quarter  
Ratu Road, Jhrkhand 824001.
23. Sh.M.V. Kadam , aged 45 years - Technician  
S/o sh. Vitthalrao Tukramji Kadam  
R/o B/10 Akashvani Hadapsar Colony,  
Hadapsar Pune-28 Maharashtra
24. Sh. P.K. Parichha , aged 45 years – Sr.Technician  
S/o sh. Ram Krishna Parichha  
R/o Flat No.18, Pocket-I Sector A-9  
Narela Delhi -110040.
25. Sh. Santosh Kumar Padhy, aged 47 years – Sr.Technician  
S/o sh.Radha Mohan Pandey  
R/o Brunda Bati Nagar, Barhampur  
Ditt. Gantam Orissa -760001.

26. Madan Mohan Vashist, aged 48 years - Technician  
S/o Late sh.Kailash Chand Vashist  
WZ-42 Village Choukhandi  
Tilak Nagar  
New Delhi-110018.
27. Sh.Balasahen Prabhu Waghmare, aged 52 years - Technician  
S/o Prabhu Vitthal Waghmare  
Akashvani Colony Qtr. No. C-3 Olad Pedgaon Road  
Parbhani 43401, Maharashtra
28. Sh. N. L. Deshmukh , aged 46 years - Technician  
S/o sh. Laxmikanthro Gopairao Deshmukh  
35 Gokul Bhagya Lami Nagar,  
Parbhani 431401, Maharashtra
29. Sh. Santuk Babaro Jadhav , aged 47 years - Technician  
S/o sh.Bbarao Govindrao Jadhav  
Fl No. 03, Vishwnath Apartment Sonai Nagar  
Nanded 431605, Maharashtra
30. K.Dharmlingam , aged 51 years - Technician  
S/o Late Sh. Kandasamy  
WZ-256, II Floor Gali No.16  
Sant Garh, Tilak Nagar  
New Delhi 110018
31. Narender Kujmar , aged 44 years - Technician  
S/ o sh.Rameshwar Dass  
B-28, Nand Ram Park  
Post Office Uttam Nagar  
New Delhi-110059.
32. Onkar Singh , aged 52 years – Sr,Technician  
S/o Sh. Phool Singh  
U-207, 2<sup>nd</sup> Floor  
Shakarpur, Delhi
33. Prakash Moses James, aged 49 years – Sr.Technician  
S/o Lat Sh. Mark James  
57 H Block, Stree 416  
Fes-6 Aya Nagar,  
New Delhi
34. Ramsingh , aged 50 years – Sr.Technician  
S/o sh. Parmodh Singh

I-239, Srojini Nagaar  
New Deljhi -110023

35. Satyavir , aged 50 years - Technician  
S/o sh. Jhamman Lal  
A-249, Weavers Colony  
Phase -4, Askok Vihar  
Delhi-110052.
36. Sh. Rajesh Yadav , aged 50 years – Sr.Technician  
S/o Shri Ramprakash Yadav  
R/o Baruli Ahee, Shamshabad Road, Agra
37. Sudesh Lohia , aged 44 years - Technician  
D/o Raishal Singh  
Block-C H. No. 1553  
Palam Vihar , Gurgaon  
Haryana 122017.
38. Sh. Anil Kumar, aged 55 years – Sr.Technician  
S/o Late Sh.S.r. Kawalia  
D-325, Sarojini Nagar New Delhi 110023.
39. Sudesh Kumar , aged 48 years – Sr.Technician  
S/o Late Shj.Khari Lal  
H No. 502, Near Sindhi Dharamshala  
Aligarh UP
40. Bhanwar Pal singh , aged 56 years – Sr.Technician  
S/o Late Sh. Drung Pal  
Add. III/14 Radio Colony Jamalpur  
Aligarh
41. Rajeev Gupta, aged 49 years - Technician  
S/o sh. Kanti Swaroop Bhandu  
III/18, Radio Colony  
Jamalpur Aligarh
42. Tajinder singh , aged 49 years – Sr.Technician  
S/o sh. Niranjana Singh  
1466/103 Tri Nagar  
Delhi -35
43. Sh. St Narain , aged 53 years – Sr.Technician  
`S/o Sh. Late sh. Lakshman singh

R/o T-352/A Baljeet Nagar  
New Delhi 110008

44. Sh. Digambar Pandey, aged 47 years – Sr.Technician  
S/o sh. Hanumant Pandey  
R/o 7/8 Sharda Nagar, Jaytala road Nagpur
45. Sh.Dushyant Kumar Upmanyu, aged 47 years - Technician  
S/o Late Shri M.P. Sharma  
R/o III/6 K.V. No.1, Delhi Cantt New Delhi
46. Sh. Vinod Kumar , aged 47 years – Sr.Technician  
S/o sh. Late Sh. T.N. Bhat  
R/o 241 B- Jain Nagar Karala Delhi-81
47. Ashok Kumar , aged 49 years - Technician  
S/o Sh.Kartar Singh  
Main Surakhpur Road, Nagali Garh,  
New Delhi
48. Sh. B.K. Mohana , aged 54 years – Sr.Technician  
S/o Sh Late Sh. M.C. Krishna  
R/o Dutta Kutira , New JK Petrol Pump  
Darbe, Putiar, Karnataka 5764202
49. Sh. Raj Sharma, , aged 45 years – Sr.Technician  
S/o Sh.Kailash Sharma  
R/o Cajjubah Patna 800001
50. Sh.Jangbir singh , aged 58 years - Technician  
S/o Lat Sh.Khushal singh  
R/o No. 26/B-4, Dishad Garden, Delhi 110095.
51. Sh.Umashankar Prasad, aged 46 years - Technician  
S/o sjh.Keshav Prasad  
R/o B-2/7 Bharat Vihar Kakrola New Delhi-110078
52. Shriiram , aged 50 years – Sr.Technician  
S/o Sh.Puddan  
R/o 240 Secto 3 Type-3  
Sadiq Nagar New Dlehi-49
53. Sunil Kumar Sharma, aged 48 years - Technician  
S/o Sh.S.P.Sharma  
C-1/113A Keshav Puram  
Delhi-11—35.

54. Shallendra Kuimar Rastogi , aged 50 years - SrTechnician  
S/o Late Sh.Ramsaran  
WZ-24A/2 S.P. Mukharjee Park  
New delh -110018
55. Rajeev Kumar Sehagal, aged 52 years – Sr.Technician  
S/o Late Sh.R.P.Sehal  
B-42 Janpura, Double Story  
Quarter First Floor,  
New Delhi-110014.
56. Sh. Pradeep Kumar , aged 54 years - SrTechnician  
S/o sh. Jai Singh  
R/o H.No. E-26 Gali No. 10  
Brahampuri, Delhi -53
57. Sh. Pramdjeet Singh , aged 49 years – Sr.Technician  
S/o sh. Surjit singh  
R/o E-169, Vijay Vihar , Ph. –II  
Near Sec.4 Rohini Delhi-85.
58. Sh.Suresn Kumar, , aged 49 years – Sr.Technician  
S/o sh. Maha Singh  
R/o B 6 -174 Sector5  
Rohini Delhi-85.
59. Sh.Ravinder Kumar, aged 44 years – Sr.Technician  
S/o sh. Banshi Lal  
R/o A/304 D.D.A. Flats Kalkaji,  
New Delhi-110019.
60. Sh.Surender Kumar, aged 47 years – Sr.Technician  
S/o Late Sh. Umed Singh Rawat,  
R/o F-41, Road No.4 Andraws Ganj,  
New Delhi-110049.
61. Sh.Narender Singh, aged 51 years – Sr.Technician  
S/o Sh. Chand Singh,  
H.No. 330, Natan Pana, V&PO Mungesh Pur  
New Delhi-110039.
62. Sh.P.S.Kharai, aged 49 years – Sr.Technician  
S/o Sh. Ram Singh Kharai,  
R/o Bansbhera Chinakhan,  
Almora Uttrakhand.

63. Sh.D.Williams, aged 50 years – Sr.Technician  
S/o Sh. S.C.Dass,  
No.30. Buddha Road, Jai Bharat Nagar,  
MS Post, Bangalore 560033.
64. Sh.Neelayya, aged 52 years – Sr.Technician  
S/o Late Sh.Para Mesthry,  
R/o D.No.3-28, Near Kankanady Rly.Station,  
Alape Mangalore.
65. P.Pavan Kumar, aged 42 years – Sr.Technician  
S/o Sh. R.R.Prasad,  
R/o 3-13-94/2/72, Madhura Nagar,  
Ramanthapur, Hyderabad-13.
66. Shivkumar Vishvanathanaro Bukke, aged 47 years–  
S/o Sh. Vishwananthrao Mahadeorao Bukke, Sr.Technician  
R/o Shivalaya, 1.6.782, Besides M.G. Bank  
Pawdewadi Naka Road,  
Nanded, Maharashtra,
67. Sh.Sunil Anantari Phutane, aged 47 years – Sr.Technician  
S/o Antrao Eknathrao Phutane  
Somnath Nagar Opp. Ughda Mahadev Mandir  
Karegoan Road, Parbhani 431401, Maharashtra
68. Sh. Randhir Singh , aged 49 years – Sr.Technician  
S/o Late Sh. Karta Ram  
R/o RZ-G-150 Gali No. 4/5, Sita Puri, Part-II  
New Delhi -45
69. Sh. Gurulingaiah, , aged 50years – Sr.Technician  
S/o Late B. Siddaiah  
R/o 98/J Sukruthi, 3 th Main 7 th crass  
Lalithamahalingara , Mysuru 570028
70. Sh. Manoj Kumar, aged 48 years – Sr.Technician  
S/o sh. Uday Veer Sharma  
R/o H.No. 11-A/1 New Layal Pur,  
Near Kushal Nagar Delhi-110051.
71. Sh. Guprit Singh , aged 48 years – E.A.  
S/o sh. Gucharan Singh  
R/o A-26 Fist Flour, Asha Park,  
Jail Road, New Delhii



72. Sh.Gobind Ram Sharma, aged 47 years – E.A.  
S/o Late Sh. Dali Singh  
R/o Flat No.202, Himagar apartment 2 A/9  
Kishangar, Vasant Kunj New Delhi-70
73. Sh. Om Prakash , aged 52 years – E.A.  
S/o Late Sh.Umrow Singh  
R/o 247, Road No.3 Andrews Gunj  
Delhi-110049.
74. Deepak Kumar, aged 46 years – E.A.  
S/o Late Bisheshwar Sahani  
R/o Radio Colony, Quarter No.C-22 PH-II  
Chajjubagh, Patna -800001. .... Applicants
- (By Advocate : Mr. Manish K.Bishnoi)

**Versus**

1. Union of India  
Through the Secretary  
Ministry of Information & Broadcasting  
6<sup>th</sup> Floor, Shastri Bhawan, New Delhi-110001.
2. Prasar Bharti Broadcasting Corporation,  
Through its Chief Executive Officer  
PTI Building, Sansad Marg,  
New Delhi-110001.
3. Director General  
All India Radio,  
Parliament Street,  
New Delhi.
4. Director General  
Doordarshan  
Doordarshan Bhawan  
Mandi House, New Delhi. .... Respondents

(By Advocate: Ms.Eshita Bhurwa, proxy for Mr. Gaurang Kanth)

## **ORDER (ORAL)**

**Hon'ble Mr. P.K. Basu, Member (A)**

Heard the learned counsel for the applicants as well as learned counsel for the respondents.

2. Learned counsel for the respondents states that this matter is identical to OA 1861/2014, which was disposed of by this Tribunal vide its order dated 01.04.2015, wherein the applicants, who were Technicians and Sr. Technicians were treated at par with Lighting Assistants as far as their pay scales are concerned, and the respondents were directed to grant the benefits of higher scale of Rs.5000-8000/- w.e.f. 01.01.1996, on notional basis to the applicants. It is argued that this matter should be disposed of in the light of the aforesaid judgment.

3. Learned counsel for the applicants vehemently opposed and argued that against the earlier order they had filed a review petition which was dismissed by this Tribunal vide order dated 15.02.2016 but the Tribunal had only held that this would not be a matter of review and no view was taken on the applicants claim of actual benefits from 1.1.1996 and not on notional basis. This position stated by the learned counsel for the applicants is incorrect as RA No. 148/2015 was dismissed vide our order dated

15.02.2015, in which, in para 6 & 7 the following has been observed:-

6. Clearly the issue being raised by the applicants in the RA will not come in the category of error apparent on the face of the record. The decision of the Tribunal is after taking into view all facts and circumstances and previous orders of the Hon'ble Madras High Court and the Hon'ble Supreme Court."

7. While the applicants may differ with our conclusion, clearly the remedy does not lie in review in the light of the judgments cited above. The RA is, therefore, dismissed."

4. This clarifies that the RA was dismissed as there was no error apparent on the face of the record and also that regarding fixing of pay of the applicants on notional basis, we had given the finding in view of the order of the Madras High Court and the order of the Hon'ble Supreme Court.

5. In our opinion, since the issue had been raised in the OA in which the Tribunal has given a finding, regarding fixing of the pay on notional basis and the RA had been also dismissed giving specific reasons as mentioned above, this OA is also squarely covered by our order dated 01.04.2015. Therefore, this OA is also

disposed of with a specific direction to the respondents to grant the benefits of higher scale of Rs.5000-8000 on notional basis w.e.f. 1.1.96 to the applicants in this OA, if they are similarly placed as the applicants in OA No.1861/2014.

**(Dr. Brahm Avtar Agrawal)**  
**Member (J)**

**(P.K. Basu)**  
**Member A)**

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