

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 3613/2016

New Delhi, this the 15th day of November, 2017

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MS. NITA CHOWDHURY, MEMBER (A)**

1. Narendra A. Solanki, Aged 28 years
S/o Sh. Atma Ram Solanki
Working as Helper
R/o 31/362A, Akashganga Apartments
Sola Road, Naranpura, Ahmedabad.
2. Bhanur Rathod, aged 27 years
S/o Sh. Ramji Bhim Rathod
R/o A/92, Vijay Kandor Society
Near Parbhakar Tent Saipur
Ahmedabad.
3. Jatin D Mehta, Aged 27 years
S/o Sh. Dinesh Chandra R Mehta
Working as Helper
R/ D/27, Babukakka Society Mehemedbad
Gujrate.
4. Gajendra B. Damade, aged 27 years
S/o Sh. Bhagwan Dass Damade
Working as Helper
R/o B/8, Akashwani Colony,
Near Residence Area, Indore (MP-452001).
5. Hasmukh D Solanki, Aged-28 years
S/o Sh. Dhanjibhatt Solanki
Working as Helper
R/o D/51, Arya Nagar Housing Society
Near Vad Mandir, Ahmedabad, Gujarat.
6. Ashok N. Rathod, Aged-28 years
S/o Sh. Narshibhai D. Rathod
Working as Helper
R/o 463/19, Gajanand Society, Girdhar Nagar

Ahmedabad, Gujarat.

7. Gautam Parmar, Aged-28 years
S/o Sh. Ambalal B Parmar
Working as Helper
R/o 861, Janta Nagar Chandkheda
Ahmedabad, Gujarat.
8. Girish M Parmar, Aged 28 years
S/o Sh. Muljibhai B Parmar
Working as Helper
R/o 60 Shividashan Row House
Near Geeta Bany Society, Vejalpur
Ahmedabad.
9. Narendra Gohel, Aged-28 years
S/o Ishwar Bhai D Gohel
Working as Helper
R/o 2/A/6 Haridarshan Apartment
Near Bhavin School, Thaltoj
Ahmedabad, Gujrat.
10. Priyakant B Patel, Aged-26 years
S/o Sh. Bhchubhair Patel
Working as Helper
R/o M/141, Varundavan Vihar, Flat Part I
Vasna, Ahmedabad, Gujrat.
11. Rajender D Shirk, Aged-52 years
S/o Sh. Dhondi Ram
Working as Helper
R/o 98/45, BDD Chawl, DNWA Krikar Marg
Worli, Mumbai-400018
12. Gunvantt Chauhan, Aged-55 years
S/o Sh. Trikambhai S Chauhan
Working as Helper
R/o 363, Sonarkui Vadiro Vas
Dhorka, Distt. Ahmedbad.

13. Narayan M Prajapati, Aged-56 years
S/o Sh. Mafatlal V Prajapati
Working as Helper
R/o 3 Madhvan Society Near Sun Pot Row House
Gurudwara Badak Dev, Ahmedabad.
14. Bharat C Acharya, Aged-55 years
S/o Sh. Chamanlal M Acharya
Working as Helper
R/o F-401 Panchshil Residency Vandematram
Char Rasta, Gota Ahmedabad, Gujrat.
15. Jashvant K Makwana, Aged-54 years
S/o Sh. Kachababhai K Makwana,
Working as Helper,
R/o B-40, Swastik Bunglows Raipur Mill,
Compound Rakhla, Ahmedabad.
16. Popat C. Chauhan, Aged 56 years,
S/o Sh. Chiman Bhai B Chauhan,
Working as Helper,
R/o Valmiki Vas Mem Nagar, Ahmedabad.
17. Pravin J Trivedi, Aged 57 years,
S/o Sh. Jayanti Lal Trivedi,
Working as Helper,
R/o E-4, Janakpuri Flat Behind Vishram Nagar,
Gurukul Road, Mem Nagar, Ahmedabad.
18. Natvar P. Hadiyal, Aged 55 years,
S/o Sh. Parsotam Bhai P. Hadiyal,
Working as Helper,
R/o Jugaldasni Chawl No.5,
Premdar Wajabhar Idgaj Road,
Ahmedabad, Gujrat.
19. Jayanti Bhai D Parmar, Aged 54 years,
S/o Sh. Dhanji Bhai D Parmar,

Working as Helper,
R/o Rami Ramanlalni, Chali Bhilvas
Bhudarpura, Ambawadi, Ahmedabad.

20. Rajesh J Christie, Aged 56 years,
S/o Sh. Jash Bhai Christie,
Working as Helper,
R/o TV Reley Kendra,
Near Sarkari High School Station Road, Botad.
21. Mayur R. Chauhan, Aged 52 years,
S/o Sh. Ramanik Bhai R Chauhan,
Working as Helper,
R/o 8, Bhomeshwar Society, Behind Radio Colony,
Jam Nagar Road, Rajkot.
22. Shailesh K Dave, Aged 54 years,
S/o Sh. Kantilal K Dave,
Working as Helper,
R/o Shubham New Ambian,
Park Street No.1, Rajkot.
23. Haresh M Teraiya, Aged 53 years,
S/o Sh. Manishankar N Teraiya,
Working as Helper,
R/o D-55 Shastri Nagar, Nana Mava Road,
Rajkot.
24. Manhar Lal M Kanjariya, Aged 52 years,
S/o Sh. Mohan Lal M Kanjariya,
Working as Helper,
R/o Matru Krupa Dharma Nagar Street No.4,
150 Feet Ring Road, Rajkot.
25. R H Kuthde, Aged 53 years,
S/o Sh. Hari Kuthde,
Working as Helper,
R/o 860/3E-20B, Rajgad Park Line Bazar,
Kasha Bavada, Kolhapur, Mumbai.

26. Baban Ajit Surtar, Aged 54 years,
S/o Sh. Ajij Surtar,
Working as Helper,
R/o Post Khodashi, Tehsil Karad,
Distt. Satara.
27. Shamuveed Sadanand Kurne, Aged 53 years,
S/o Sh. Sadanand Kurne,
Working as Helper,
R/o B/3, Bala Nagar, Unchagaon, Kolhapur,
Distt. Kolhapur.
28. Anand Krishna Satam, Aged 52 years,
S/o Sh. Krishna Satam,
Working as Helper,
R/o Room No.7, Mahadev Niwas, Chawl No.2,
Bhagat Wadi Diva Thane.
29. Ram Kishor Meena, Aged 43 years,
S/o Sh. Serven Lal Meena,
Working as Helper,
R/o LPT Gangapur City DMC, Kota.
30. Kanhaya Lal Janawal, Aged 52 years,
S/o Sh. Prema Ram Jonawal,
Working as Helper,
R/o Doordarshan Relay Kendra Sirohi.
31. Laxman Lal Shri Mali, Aged 56 years,
S/o Sh. Ambadat Mali,
Working as Helper,
R/o Doordarshan Udaypur, Reley Kendra,
Udaypur.
32. Chander Shekhar Chobisha, Aged 51 years,
S/o Sh. Kanhaya Lal Chobisha,
Working as Helper,
R/o Pragati Nagar, Gali No.3,

Nawalji Khatik Ke Samney,
Distt. Dumarpur, LPT. ... Applicants

(By Advocate: Shri Yogesh Sharma)

Versus

1. Union of India through the Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan, New Delhi.
2. The CEO,
Prasar Bharti,
PTI Building,
New Delhi.
3. The Director General,
All India Radio,
Akashwani Bhawan, Sansad Marg,
New Delhi.
4. The Director General,
Doordarshan,
Doordarshan Kendra, Doordarshan Bhawan,
Mandi House, New Delhi.

... Respondents

(By Advocate: Shri Rajat Krishna for Shri Rajeev Sharma)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard both the sides.

2. Inspite of availing substantial time, the respondents failed to file their reply.

3. The applicants, who are working as Helpers under the respondents, filed the O.A. seeking the following relief(s):

“(i) That the Hon’ble Tribunal may graciously be pleased to pass an order directing the respondents to grant the 1st and 2nd financial up-gradation to the applicants, those who are working on the post of Helper in Doordarshan in the promotional hierarchy of technical cadre by granting the pay scale meant for the post of Technician etc., by way of extending the benefit of judgment dated 02.04.2014 in OA No. 1949/2012 to the applicants with all consequential benefits including the arrears of pay and allowances from due date.

(ii) Any other relief which the Hon’ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of litigation.”

4. It is submitted that the applicants represented through their Association made representation ventilating their grievances. However, no orders have been passed thereon by the respondents till date.

5. It is seen that the relief claimed by the applicants is granting of financial upgradation under the ACP/MACP Schemes and the same is mainly dependent on the individual particulars of the applicants and personal to an employee.

4. In the circumstances, the O.A. is disposed of, without going into the merits of the case, by permitting the applicants to make appropriate individual representations to the respondents ventilating their grievances within two weeks from the date of receipt of a copy of this order and on receipt of such representations

from the applicants, the respondents shall consider the same and pass appropriate speaking and reasoned orders thereon, in accordance with law, within 90 days therefrom. No order as to costs.

Let a copy of the O.A. be enclosed to this order.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

/Jyoti /