

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
(CIRCUIT BENCH AT SHIMLA)**

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**M.A.NO.063/00775/2018
IN ORIGINAL APPLICATION NO.767-HP-2009
DECIDED ON : 07.11.2019**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

...

Achhar Singh Parmar son of Shri Bali Ram,

Resident of Village Bhadrohi,

Tehsil Sarkaghat,

District Mandi, H.P.

Presently Ex-Announcer, All India Radio,

Shimla, H. P.

Petitioner

...

Versus

1. Union of India through Secretary,

Govt. of India, Ministry of Information and Broadcasting,

Akashwani Bhawan,

New Delhi.

2. Director General,

AIR Prasar Bharti Broadcasting Corporation of India,

Akashwani Bhawan, Sansad Marg, New Delhi.

3. Station Director,

All India Radio,

Shimla-4.

**(BY: MR. R.P. SINGH, ADVOCATE FOR THE PETITIONER.
MR. ANSHUL BANSAL, ADV. FOR RESPONDENTS)**

ORDER (ORAL)
SANJEEV KAUSHIK, MEMBER (J)

1. The learned counsel for the respondents submitted that in compliance to the directions of this Tribunal, as contained in O.A. No. 767-HP-2009, the respondents have passed order dated 2.11.2018 (Annexure R-2), as per which the Departmental Screening Committee in its meeting held on 31.10.2018 considered the claim of applicant and rejected it on the ground that in terms of Scheme dated 29.11.1991, the applicant had opted to remain out of the Scheme and remained as an Artist, on contractual terms and conditions of his contract. It is also mentioned in the order that certain category of employees is not eligible for grant of ACP Scheme. The applicant has never given his consent to become Central Govt. Employee. Thus, he is not entitled to the relief. He thus, further submits that order stands complied with and if applicant has any grievance against the order, Annexure R-2, he can challenge the same on original side.

2. In the wake of above, this MA is disposed of as having been rendered infructuous.

3. However, if the applicant so chooses, he may challenge the legality of rejection order, Annexure R-2, on original side, as per rules and law.

(MOHD. JAMSHED)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: SHIMLA
Dated: 07.11.2019

HC*