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Agenda Point No. 8

admissibility of MACP to some categories of staff (Programme & Engineering Cadres) granted upgraded pay scales in pursuance of Ministry of I&B dated 25/02/1999

- a. That is, DG AIR has taken the most unfortunate decision on 26.06.2018, in line with MOIB, to withdraw the scale granted to subordinate engineering employees by the executive order dated 25.02.1999, by ignoring various favourable judgements of Apex Court with respect to Tech./Sr. Tech. EA/SEA, that, the scale granted to them, by 25.02.1999 order, are actually the parities with Lighting Assistants and Sound Recordists respectively.
- b. That is, here we are quoting some crucial directions given by Hon'ble courts, which are well known to the MOIB and DG AIR.
 1. **Interim Stay Granted to ADTEA in OA/200/932/2017 MA/388/2018 by Hon'ble CAT Jabalpur Bench against MOIB –**

In the interim relief granted by Hon'ble CAT Jabalpur Bench, in MA/388/2018 in OA/932/2017, ADTEA Vs MOIB, on dated 01.05.2018, accepted the prayer for interim relief, which is as under-

" It is therefore prayed that the action of the respondents in snatching the benefits of first MACP up-gradation be stayed during the pendency of the original application and the respondents be restrained to reduce the applicants' grade pay or gross salary and further restrain them to initiate any recovery against the applicants, during the pendency of the present OA, in the interest of justice."

Hence Hon'ble CAT Jabalpur allowed MA and direct the respondents that no recovery shall be made from the applicants till the next date of hearing i.e. 16.07.2018. (Annexure 01)

This, is the very well known fact in the knowledge of the department, which is wilfully ignored and may lead to the contempt of court.

- c. That is, Status quo order has also be granted to this association for all employees on OA/2655/2018 by Hon'ble PB CAT Delhi. (Annexure 02)
- d. That is DG AIR also communicated to Prasar Bharti by office order dated 07.02.2019, but the same was not included by Prasar Bharti Communication dated 13.02.2019, to MOIB due to unknown reason.

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Hence, In light of above submission, we request you to kindly stop the derogatory decisions of adjustment of scales, granted by 25.02.1999 order, against one ACP/MACP and save us, as we are deprived for 25+ years in the name of "up-gradation" and on the door of heavy recoveries.

SWS