



PRASAR BHARATI
(INDIA'S PUBLIC SERVICE BROADCASTER)
PRASAR BHARTI SECRETARIAT
2ND Floor, PTI Building,
Sansad Marg, New Delhi

No. A-10/51/2014-PPC(3)

Dated: 28.05.2014

Sub: Note on Coverage of Prasar Bharati Employees on Deemed Deputation by the 7th Central Pay Commission- regarding.

Please find enclosed herewith this Secretariat I.D. of even No. dated 15.05.2014 on the above mentioned subject which has been forwarded to Ministry of I&B and copy endorsed to Chariman, Seventh CPC for information.

2. This issues with the approval of 'Competent Authority'.

O/C
Issued
28/5/14

Rupesh Kumar
(Rupesh Kumar)
Section Officer (PPC-II)
Tel: 23761831

To

President/ General Secretary of all the 10 recognized Associations of
Prasar Bharati.

PRASAR BHARATI
(INDIA'S PUBLIC SERVICE BROADCASTER)
PRASAR BHARATI SECRETARIAT

Subject: Coverage of Prasar Bharati employees on deemed deputation by the Seventh Central Pay Commission.

The Government of India have recently constituted the Seventh Central Pay Commission vide Ministry of Finance's resolution dated 28 February 2014. The decisions of this Commission will have a significant financial impact on Prasar Bharati for meeting the additional expenditure likely to be required for revision of the salaries and allowances of its employees (most of whom are on deemed deputation). The employees are also likely to be impacted by resultant changes in their pay grades and benefits which may also impact the relative parity between cadres and functions. The Fifth Central Pay Commission which submitted its report in January 1997 was the last pay Commission which made detailed recommendations on the cadres and posts in AIR and Doordarshan. This opportunity was denied to the employees of Prasar Bharati by the subsequent (Sixth) Central Pay Commission (CPC) which took the following view:

2. **"Employees of Prasar Bharati**

7.22.20 The Commission had received many demands from Central Government employees on deemed deputation to Prasar Bharati for restructuring of posts/cadres in Prasar Bharati. The Commission has not made any recommendation on the posts in Prasar Bharati, since it is an autonomous body and therefore, outside the Terms of Reference of the Commission. In any case, Central Government employees on deemed deputation to Prasar Bharati will be governed by the extant rules in this regard.

3. Thus for almost 20 years there has been no independent review of the structure, cadres and posts within Prasar Bharati and changes that may be required in terms of ratios within cadres, relativity between cadres/posts as well as pay and benefits. Such a review is extremely important considering the changed roles of cadres in the context of a competitive market driven media environment.

4. When the Sixth CPC refrained from making any recommendations for the cadres/posts in Prasar Bharati, the legal position of the employees on deemed deputation was not the same. Section 11 of the original Prasar Bharati (Broadcasting Corporation of India) Act, 1990 essentially prescribed the process, exceptions and conditions for the transfer of the Government employees to Prasar Bharati. Those who were to be transferred were to become employees of Prasar Bharati and were (subject to some conditions) to function under its regulations. The intention therefore was that all employees transferred were to become employees of Prasar Bharati.

5. This is not the case after the substitution of Section 11 by The Prasar Bharati (Broadcasting Corporation of India) Amendment Act, 2011 (Act 6 of 2012). As a result of this amendment, there are effectively only two categories of employees: those who became employees of Prasar Bharati (through continuation as employees of AIR or Doordarshan from before Prasar Bharati came into existence) or recruitment by Prasar Bharati on or before 5th October 2007 and those who are recruited after that date. Those recruited after 5th October 2007 are to be employees of Prasar Bharati and will be governed by its regulations.

6. Those recruited on or before 5th October 2007 are deemed to be on deputation to Prasar Bharati until their retirement and such employees shall be entitled to the pay and all other benefits as admissible to an employee of the Central Government.

7. Prasar Bharati has been given full supervisory and disciplinary authority over the employees on deemed deputation except the power to impose major penalties of compulsory retirement, removal or dismissal from service which is to be exercised by the Central Government. This means that the employees are effectively treated as employees of the Government.

8. In view of this it is essential that the Seventh Central Pay Commission gives the employees and associations of employees of Prasar Bharati on deemed deputation the same opportunities for making their submissions and being heard that are/will be given to any other category of Central Government employees. Denial of this would be unjust as the Government of India continues to be their

employer. Since the Seventh Central Pay Commission has only recently been constituted, it is requested that this matter be taken up with the Seventh CPC. Prasar Bharati Board has also approved the proposal in its 121st meeting held on 9.4.2014. A copy each of the Agenda and minutes is enclosed.


g/c


(Arvind Kumar)
Director

Ms. G.Jayanthi, Director, Ministry of I&B, Shastri Bhawan, New Delhi.

P B Secretariat I.D. No.A-10/51/2014 PPC(3) dated 15.5.2014

Copy with enclosures to the Chairman, Seventh CPC.

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16/5/14