

Association of Radio & Television Engineering Employees

Post Box No. 422, New Delhi - 110 001



ARTEE
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Largest Employees Association of Electronic Media in India

RECOGNIZED AS PER
CCS (RSA) RULES 1998 अनुभाग

Date 25.03.2013.....

Sh. Jawhar Sircar,
Chief Executive Officer,
Prasar Bharati, PTI Building,
New Delhi-110001

डाक प्राप्ति

25 MAR 2013

प्रसार भारती इन्डियान

Subject : Request to grant a Meeting on Agenda as mentioned below to settle some of the core issues of Sub Ordinate Engineering Cadres from Helper to Assistant Engineers.

Respected Sir,

With regards, through this letter we once again want to thank for granting us Recognition and for transferring our Gen.Secy. Sh. Anilkumar S. We also welcome following of your statements given recently and are reproduced below in the topic "Recent initiatives in Prasar Bharati".

Clause 3. (vi) Merger of the posts of Sr. Engineering Assistants and Engineering Assistants ensuring protection of the interests of the existing incumbents in receipt of upgraded pay scale;
Clause 3. (v) Expediting DPCs, by setting up High Power Committee of Experts;
Clause 3. (vi) Giving Current Duty Charge of the higher posts and in situ promotions in various cadres.

Clause 6 : The organization has also been facing large number of court cases by employees relating to seniority, promotions, transfers etc. It is proposed to put in place a mechanism whereby the matter could be settled out of court through mutual consultations with the employees so that their grievances are removed to the extent possible and the number of court cases is reduced to a minimal level.

Your view point in clause above is certainly genuine but sir the situation spells otherwise because while you wish to settle matters out of court through mutual consultation the implementation of matters settled even by Hon'ble Supreme Court are delayed on one pretext or the other. In some of the issues the verdicts of courts are mis-interpreted as per convenience of Management. We are mentioning the details off few of such issues below :

[1]. Pay Parity to Technicians with Lighting Assistants. as per Hon'ble Sup. Court Verdict : This issue was in the court of law since decades and reached finality on 10th Jan 2013 as Hon'ble Sup.Court granted pay parity to Technicians with Lighting Assistants for the period 01-12-83 to 31-12-95. In its judgment Hon'ble Apex Court opined that any pay parity has to be in totality setting aside the Management's argument that the scales granted through an order on 29/02/1999 were granted as special arrangement for joining Prasar Bharati. We have submitted all the documents to Prasar Bharati to forward a proposal to Ministry of I & B but since last almost three months file is biting dust in Prasar Bharati. It is pertinent to mention that Lighting Assistants are presently working in the Grade of Rs. 4200 and as per verdict of Apex Court that the Pay Parity has to be totality, Technicians must be granted the Grade pay of Rs. 4200. It is requested that when this issue is settled to finality and all legal channels are exhausted, it should be implemented at the earliest.

o/c

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New Delhi
PIN-110001

North-East Zone
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Guwahati (Assam)
PIN-781001

South Zone
Post Box No-176
Triplicane, Chennai (TN)
PIN-600005

West Zone
Post Box No-11228
Mumbai (MS)
PIN-400020

The beneficiaries of 25th Feb 1999 i.e. incumbents are denied the benefit of ACP of Govt. of India announced in 1999 on the pretext of upgraded pay scales however the scales were granted since 01/01/1978 in pursuance of Hon'ble Supreme Court decision. Some Individuals filed an OA no. 514 in 2002 in CAT Patna for grant of ACP upheld by the order dated 25.08.2010 passed by Hon'ble Patna High Court in C.W.J.C. No. 6451/2010 and finally by the order dated 10.01.2011 of the Apex Court in SLP No. CC 20212/2010 filed by the Government for grant of ACP SCHEME.

We want to mention that since now the Hon'ble GOM decided that all employees working in Prasar Bharati upto 5th OCT 2007 will remain Central Govt. employees and PB act has been amended by Hon'ble Parliament, henceforth they all are similarly placed. We request you that since the issue has been settled by Apex Court it should be implemented all similarly placed employees. It has also reflected in recently delivered verdict by Hon'ble Supreme Court in Tech vs Lighting Assistant Pay Parity case and explained in previous point.

[3]. One Cadre One Pay issue : Pay Parity to Engg. Asstt. working in pre revised scale of Rs. 5000-8000 with incumbents in the scale Rs. 6500-10500 and Technicians working in pre-revised scale of Rs. 4000 with incumbent Technicians in Scale Rs. 4500-7000: (One Cadre One Pay) : The Engg. Asstts. And Technicians working joined after 25/02/1999 have been denied the benefit of scale granted to incumbents even when they are similarly placed and performing same duties and responsibilities in same designation. The issue is decided against Management by Hon'ble CAT Delhi, High Court Delhi and Supreme Court Delhi in M.S. Rana case and Lalit Pawar Case. In another case the issue is decided against Management in CAT Gwalior, High Court Gwalior and SLP filed by Govt. is due for final disposal in Hon'ble Supreme Court.

It can be said that the Management is defeated in two CATs, Two High Courts and in Sup. Court in two cases. Chances are bleak for Management in the SLP filed in another case. We request you to implement the verdict of Hon'ble Sup. Court and remove this Anomaly.

The similar is the case of Technicians. This anomaly must also been removed.

[4]. EA and SEA Merger working in Grade Pay 4600 (pre-revised scale of Rs. 6500-10500) in the light of Deptt. of Expenditure OM dated 13/11/2009.

This issue has been like a hot potato since last three years. Some EAs are in the scale of Rs. 4600 G.P. filed an OA to allow them to appear in Deptt. Examination for the post of promotion to AEs since their Grade Pay is equal to SEAs by virtue of the OM dated 13/11/2009. Department is advertently trying to downgrade all SEA and EAs in the Grade Pay 4200 with placing extra amount as Personal Pay. This is highly objectionable since these scales are granted in pursuance of Sup. Court decisions since 01/01/78 in pay parity with Sound Recordists. Sound Recordists are still protected. The most appropriate solution of the problem is to grant the scale of Rs. 6500-10500 to all EAs working upto 5th Oct 2011. We have submitted our view point on this issue with all the documents to Member(P) and in the Ministry of I & B.

Surprisingly department is also not conducting examination for the promotion to the post of Asstt. Engrs. Since last four years even when around 400 vacancies are laying vacant.

All these issues are settled by various Hon'ble CAT, High Courts and Hon'ble Supreme Court. Sir we request your high office to grant us a Meeting on above said issues and following Agenda.

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