

Association of Radio & Television Engineering Employees

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ARTEE
www.arteeindia.org

Regd. & Recognised by Govt. of India

(Affiliated to U.N.I. Geneva)

Largest Employees Association of Electronic Media in India

Ref.

Dated.

ARTEE/P/270/08/2014

12.08.2014

The Hon'ble Secretary, (Information & Broadcasting),
6th Floor, Shastri Bhawan,
New Delhi-110001



Subject : Representation for grant of pre revised scale of Rs.6500-10500 to all EAs recruited between 25/2/1999 to 05/10/2007 by extending benefit of Court Verdict in OA no. 1742/2004 and 1743/2004, upheld by Hon'ble High Court Delhi in WPC 2094/2007 and 2095/2007 and upheld by Hon'ble Supreme Court in SLP 19/2011, 77/2011, 99/2011 and 1387/2011.

Respected Sir,

With warm regards, It is requested to grant of pre revised scale of Rs.6500-10500 to all EAs recruited between 25/2/1999 to 05/10/2007 by extending benefit of Court Verdict in OA no. 1742/2004 and 1743/2004 upheld by Hon'ble Supreme Court.

We are receiving this information that Hon'ble Ministry of I & B has sent a proposal to expenditure Ministry to implement the verdict for Applicants only. This is highly unjustified and it is a violation of Article 14 and 16 of Constitution. We request your high office to implement the verdict for all eligible Engg. Asstts. In this reference we want to mention following facts :

[1]. Considering this representation favorably, shall end possibility of filing so many litigations in various Courts throughout the country since All the EAs recruited between 25/2/1999 to 05/7/2014 are similar with the applicants of OA 1742/2004 and 1743/2004 and having Same Recruitment Rules, Service Conditions , Seniority list and same duties/Responsibilities etc

[2]. Hon'ble High Court in WPC 2071/2007 Sanjay Kumar & Ors, 2094/2007 M.S.Rana, 2095/2007 Lalit Kumar and Ors , 3410/2010 filed by Govt. of India, Hon'ble Hgh Court has totally refuted concept of discrimination in Pay on the basis of date of Appointment not only for applicants but for all eligible EAs. (Copy enclosed as Annexure I).

[3]. It is an established law that benefit of judgment is to be extended to all similarly placed persons as per verdicts mentioned below :

1. Inder Pal Yadav Union of India & Ors.
2. Raj pal Versus State of Haryana 1996(I) SC SLJ 92.
3. R.K.Sharma Versus UOI & Ors.

(Five judges Bench of Hon'ble Supreme Court) 1998(I) SLJ SC 35

o/c

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[4]. As per the copy of Affidavit submitted in a case in Hon'ble High Court of Delhi Madam Rita Menon, Special Secretary, Deptt. of Expenditure, on 24th of Sept 2009 Page 2, Para 3, She conveyed the commitment of Govt. to extend benefit of Court Judgments to all similarly placed persons. **(Copy enclosed as Annexure – II).**

[5]. All the EAs recruited between 25/2/1999 to 05/7/2014 are similarly placed with Applicants of OA 1742/2007 and 1743/2007, by the decision of Hon'ble GOM constituted for Prasar Bharati that all employees upto the date of 5th Oct 2007 will remain Govt. employees working in Prasar Bharati on deemed deputation till their Retirement. The Prasar Bharati Act has been amended for this purpose and Gazette Notification in this regard is also issued after passing the bill by Hon'ble Parliament.

(Annexure – III, copy of Gazette Notification of Prasar Bharati Amendment is enclosed)

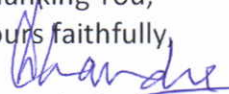
[6]. In a Meeting with representatives of this Association, Chief Executive Officer, Prasar Bharati has taken a decision to implement the One Cadre One Pay decision for All the EAs recruited between 25/2/1999 to 05/7/2014. **(Minutes of the Meeting are enclosed as Annexure IV)** . DG AIR has prepared proposal with financial implications both One time and Annual for this purpose and being sent to Prasar Bharati with the approval of DG(AIR) (the cadre controlling Authority) from there it shall be sent to Hon'ble Ministry I & B.

[7]. As per our information , In its meeting dated 08/7/2014 Prasar Bharati Board has approved decision taken in the Meeting of CEO with this Association on 22/4/2014 (Minutes of the Board Meeting are awaited).

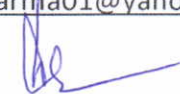
From all above mentioned facts it is established that All EAs recruited between 25/2/1999 to 05/7/2014 are similarly placed and eligible for scale of Rs. 6500-10500. Denying them the scale of Rs. 6500-10500 will be gross injustice. We request that the verdict of OA 1742/2004 and 1743/2004 upheld by Hon'ble Supreme Court is should be implemented for All EAs recruited between 25/2/1999 to 05/7/2014.

We expect a positive decision as these EAs are deprived from justice since last fifteen years.

Thanking You,
Yours faithfully,


(Umesh Chandra), 12/8/14
President, ARTEE
0-9871765714,
umsharma01@yahoo.com

Enclosed as above


(Umesh Chandra)