

MINUTES OF THE CWC MEETING HELD AT LUCKNOW,

30 JAN 2014

Introduction of CWC members: All members introduced themselves to the house.

Homage to the departed members: House paid Homage to Late Sh. Harcharan Lal Secretary (Tec/Sr.Tec)(NZ), Late Sh.Sanjiv D Rathore Ex State Secretary Gujarat and other members who passed away since last CWC.Two minute silence was observed.

Sh. Umesh Chandra, President addressed the CWC. [Annexure. 1](#)

Sh. Dinesh Chand, Returning Officer ARTEE election 2013-15 presented his report before the house .House approved the Report. [Annexure.2](#)

General Secretary's Report was presented by **Sh. Rajesh Kr. Gautam, Additional Gen. Secretary, as Sh. Anil. Kumar S, Gen. Secretary** was not present in the house. [Annexure 3](#)

Sh. Paritosh Kaushik, Treasurer, presented the report on the accounts of association. [Annexure 4](#)

Zonal VP reports:

(A)**Shri. Dip Bordoloi, VP North East Zone,** presented his report before the house.[Annexure.5](#)

(B) **Shri. Abhijit Roy, AGS (AIR) East Zone, on behalf of VP-EZ,** presented the report before the house. [Annexure.6](#)

(C)**Shri. L.R.Gupta,VP, North Zone,** presented his report before the house . [Annexure.7](#)

(D) **Shri. M.Seshagiri, VP South Zone,** presented his report before the house. [Annexure.8](#)

(E) **Shri. Deepak.S, VP, West Zone,** presented his report before the house. [Annexure.9](#)

DEPARTMENT / CADRE RELATED MATTERS:

SAM PITRODA Committee:

President informed the house regarding the report of SAM PITRODA Committee on restructuring of Prasar Bharati. President also intimated that HR Contents of the report are harmful for the employees.

After detailed discussion, the house resolved to constitute a three member committee under the Chairmanship of Shri A.K.Singhal Secretary AE, to study the report. The committee consists of:

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| (1) Shri A.K.Singhal, Secretary (AE) | Chairman |
| (2) Shri R.K.Dwivedi, Editor, Filament | Member |
| (3) Shri C.J. Joseph Martin, Website Administrator | Member |

Committee will submit its report to the Central office within one month from the date of issuance of minutes. Based on the Report, ARTEE's response to the Sam Pitroda Report will be finalized by the Central Executive.

It was also resolved unanimously to express our apprehensions about HR Contents of the Sam Pitroda Report to the authority.

Threat to Terrestrial Network:

The house was informed about the survey on Terrestrial Network undertaken by BARCC (Private Agency). Apprehensions were expressed about the real motive behind such exercise. Many felt that it was only a pretext for winding up the LPTs and reducing the staff strength. Members admitted the fact that

present terrestrial viewership is much less than what it was in earlier days but felt that the remedy lies in improving programme quality and content both in Akashvani and Doordarshan rather than shutting down the network. **After detailed discussion house resolved that the matter should be taken up on a priority and the authorities should be clearly made aware of our fears and resentment in this issue.** House was also informed that PB is planning to use the existing LPT infrastructure for installing FM transmitters.

Funding problems at AIR/DD stations:

House discussed the pathetic condition of funding at stations. The Matter is being raised at all levels. In the recent meeting of the office council of Doordarshan, also it was discussed. By the efforts of Central Office MACP Arrears of many areas of States like Bihar have been cleared.

President asked the Zonal VPs for compiling station wise data about fund shortage and requested to send it to the central office for pursuing the matter in DG AIR, DG DD and in Prasar Bharati Sectt.

Helper, D Tech, M Tech, DED Issues:

House appreciated the work done by Central team in getting the recent PB clarification that up gradation based on seniority as per 1999 agreement and MACP can be given concurrently. VPs requested Central team to take up the matter in PB to issue clear guidelines to stations and zonal heads for its practical interpretation as it is found that Zonal Offices are confused about interpreting the order and its implications. The recent positive developments in One Cadre One Pay and the benefit it will give to these deprived cadres were also discussed. House permitted two Helper comrades (one from South Zone and one from West Zone) to participate in the discussions and express their feelings. They requested that:

- a) Seniority -cum - Fitness quota for promotion to Tech cadre must be opened up to get the full benefit of MACP etc.
- b) One - time promotion scheme to the cadre of Technician can be pursued as hundreds of technician posts are vacant all over the department and there are many well-qualified Helpers in the department.

They were assured that the entire house was sharing their feelings of deprivation and ARTEE will sincerely work for the better career prospects not only for Helpers but also for D Techs, M Techs and DEDs by their merger into Sr.Tech. and Tech. cadres.

The house resolved to study the above demands in light of the reconstitution of cadre review committee and make practical proposals to the committee.

Pay Parity Of Technicians With Lighting Assistants:

President narrated the chronology of events right from 1983, when as a result of Hon. SC judgment, LA pay was stepped up from Rs.330/- to Rs.425/- w.e.f. 1983 and how ARTEE has successfully fought for parity (i.e. upgradation from Rs.1200/- to Rs.1400/- scale) since 1996. In the meanwhile, in 2011, Lighting Assistants again went to Court and got Rs.5000/- scale with retrospective effect.

Now there are two distinct parts to our demand:

- (1). Notional Fixation in Rs.425/- scale from 1983 to 1995, which obtained finality by virtue of the recent Supreme Court Verdict.
- (2). The demand of Rs.5000-8000 in Pay Parity with Lighting Assistants w.e.f. 01/01/96.

House stressed the point that we got the support of Hon.SC judgment only for notional fixation and the second part of our demand is being negotiated as collective bargaining. Even during derecognition we successfully lobbied at Prasar Bharati level and obtained a positive recommendation. We pursued it without let-up and supplied all the necessary data that the Ministry repeatedly asked. Presently the proposal is in Dept of Expenditure, Min. of Finance. As on date the concerned officer was on training and likely to join on 4th February.

President asked the CWC members to tell each and every Tech & Sr. Tech member that ARTEE will leave no stone unturned for getting what is their just due.

One Pay One Cadre:

The house was updated on the issue that, after the dismissal of SLP filed by the Govt. in EA (5K) Gwalior Case and after the dismissal of the Review Petition in M.S.Rana / Lalit Pawar Case (Review Petition (Civil) 2623/2011 and 2624/2011) ARTEE requested Prasar Bharati to prepare a comprehensive proposal to grant the scale of Rs. 9300-34800 ,Grade Pay 4600 (Rs. 6500-10500 pre-revised) to EAs who joined after 25th Feb 1999, on the basis of court verdicts in favor of our members. It was pointed out that this new EA case is the basis of the demand for justice in all other cadres, deprived of higher scales as a result of 25 February 1999 Order, be it New Technicians, Helpers, DTechs, MTechs or DEDs. It was opined that a strategy should be formulated for first getting it implemented for new EAs and then immediately getting it extended to all other cadres. After detailed discussion house resolved that:

- 1 Contempt Petition shall be reopened immediately in main OA 1742/2004, in Principal Bench of, Delhi CAT ARTEE will engage the services best lawyers for this case.
- 2 **DG-AIR's comprehensive proposal to the Ministry dated 17.02.2011 for all deprived cadres working in different scales, shall be pursued organizationally.**

Generalization Of Patna ACP:

The house was informed that on the persuasion of Central team, MIB asked DG: AIR for sending their proposal towards formulation of screening committee for implementation of ACP to the applicants of Delhi CAT OA 757/2013 and other similar OA as per verdict of CAT Patna OA 514/2002. DG: AIR sent all related documents (APAR, Service record, Vigilance reports) of applicants to MIB for further necessary action. Meanwhile a number of OAs were filed in various CAT branches by approx. 200 odd individuals **in spite of appeals by ARTEE not to continue with individual litigation as there is a risk of adverse judgment in any single case which can be used as a pretext by the department for denying Patna ACP for all.** Central team was trying to get the Patna ACP implemented to those applicants in **OA 757/2013** in CAT Principal Bench, Delhi, who are similarly placed as Patna applicants, so that by showing one example, the verdict can be generalized for the entire cadre. But now the matter is held up in the MIB due to filing of multiple OAs.

President informed that DG:AIR/MIB are thinking of filing fresh writ against the CCPA 22/2011 verdict dated 08.12.2011 i.r.o CAT Patna OA 514/2002. ARTEE Central Office is pursuing the matter in PrasarBharati/DG:AIR regularly and persuading the dept not to go for fresh Writ in Patna case. Draft note for generalization of Patna ACP to also being prepared in Prasar Bharati on the lobbying of ARTEE. After detailed discussion house resolved that

- 1 If anybody files a court case against the direction of Central office which can **cause negative impact on the cause or welfare of Members**, disciplinary action shall be contemplated on the member.
- 2 If required, Contempt petition shall be filed in OA 757/2012 with the funding from ARTEE.
- 3 Call for sending representation towards generalization of Patna ACP shall again be initiated, as it is putting pressure on the authority.
- 4 If any member collects money in the name of filing Cases, against the directive of Central Office he has to submit an account of the money collected. If Central Office considers accounts are not proper they may ask to refund the money to the members.

EA/SEA Merger:

House was informed that EA/SEA merger is being initiated in MIB with pay protection in 4600GP instead of grade protection and MIB have asked DG:AIR regarding financial implication for the difference of GP 4200 to GP 4600 (i.e. keeping the difference amount of Rs.400/- as personal pay). DG:AIR have forwarded the data to MIB. ARTEE has highlighted the fact that such a move would be against the interests of the EAs and SEAs and would damage Patna ACP, EA 5K, LA-Techpension and retirement benefits.

It was resolved that first all the EA (5000) should be granted the scale of Rs. 6500-10500 (pre revised) and Rs. 9300-34800 (6th CPC) and then all EAs should be merged with SEAs in the Grade Pay of Rs.4600/- as clearly mandated by the 6th Pay Commission, irrespective of their date of joining.

Cadre Review Committee:

House was informed that meetings of cadre review committee will begin from 2nd week of Feb 2014. Draft proposal shall be uploaded on ARTEE Web site and 7 days will be given for comments from Zonal teams for finalization of the proposal before submitting the same to the authority.

In Situ Promotion:

House informed that In-Situ promotion at the present scenario may damage our demands like Patna ACP etc. After detailed discussion the house resolved that we may be silent on the issue for the time being and study its implications.

Centralization of GPF/CPF accounts: Detailed discussions with Prasar Bharati, officials have already taken place and ARTEE is seriously pursuing the matter.

Insurance cover or staff working in Naxal affected areas: ARTEE demands that an insurance cover of Rs.10 lakhs be provided for all such staff. It has been estimated that Rs.200 crores is needed for such a scheme.

Compassionate Appointments: 900 Helper posts are vacant all over the department and around 135 compassionate cases are pending. 5% of DR posts can be given for such appointments. In the Meeting with Associations by CEO on 26/12/13 held ARTEE proposed that vacant helper posts may be filled by giving appointments on compassionate ground in Helper cadre. It will clear all compassionate cases as well department will get staff in Helper cadre. Management agreed to consider it with the approval of the Prasar Bharati Board . It is also informed that in its recent Board Meeting it is decided to clear all cases.

Extra Duty Allowance: Efforts are on to get at least Rs.50/- per hour. We expect a positive decision in the coming PB Board Meetings. House also expressed apprehension that accepting any special allowance by Prasar Bharati may cause adverse impact on our status of Govt. Employee since we have expressed the same view in case of PB proposal of six weeks and amendments on Transfer Policy.

ORGANIZATIONAL MATTERS:

Review of Election process and amendments in bye-laws of the ARTEE Constitution:

After detailed discussion house resolved to constitute a Committee under the Chairmanship of Shri Yashwant.Tahsildar, AGS (TV), West Zone for suggesting amendments. Members of the committee are:

(1) Shri Y. Tahsildar, AGS(TV), West Zone,	Chairman
(2) Shri Manjit Singh, Ex. SS Punjab	Member
(3) Shri Manas Dutta, Member,DG Council (DD)	Member
(4) Shri S.S.Jaffania, Ex. AGS(TV) SZ	Member
(5) Shri Bhuvan Patgiri, AGS(TV), NEZ	Member

Committee will submit its report to Central office within three months, from the date of issuance of minutes of the CWC meeting.Report will be placed in Central Council and discussed in next CWC.

Inquiry on ARTEE Elections :

Matter was discussed in the house in detail. It was informed that a few contestants and some members from a handful of units directly complained to Prasar Bharati and MIB about the alleged irregularities in the recently concluded ARTEE election, totally bypassing ARTEE forum (without making use of the provisions for grievance redressal available as per clause 22 of ARTEE constitution). **This move was adjudged as against the by-laws of our association as per the Resolutions adopted by Central Council held on 30 and 31st Aug 2013.** House discussed the seriousness of the issue which could have even lead to the de-recognition of our Association. House expressed its satisfaction on taking up the issue, logically and forcefully at various levels of management by the central office, which saved the association from the damage which these complaints might have caused.

It was unanimously resolved to condemn this act which gave the authorities a dangerous tool to emasculate ARTEE and reduce its collective bargaining power. **The house unanimously passed a resolution noting that the above said activity was against the byelaws and extremely harmful to the interests and unity of ARTEE. House resolved that:**

- (a) **A warning shall be issued to the ordinary members among the complainants** pointing out the danger in which they placed the association by their act and asking them not to repeat such acts in future.
- (b) **Show cause notices will be issued to the election contestants among the complainants,** as to why they should not be de-barred from contesting in the next one election for their unlawful and divisive act which gave a weapon to the authorities to act against the interests of ARTEE. **The replies from the individual's to these show cause notices will be taken up in Next Central Council Meeting and a final decision will be taken in this matter.**

In this regard the House was informed that some of the members who signed the complaints later confessed that they were unaware of the contents of the letter and some even offered to withdraw their letters. There was evidence that some of the signatures were even forged. **President also informed that the association has not yet received any communication from the management about its final decision about the inquiry committee report and in this scenario, it will be highly inappropriate to take any action at this point of time in this regard. The President further added that as and when any formal communication received by the association from the management, ARTEE will take necessary action as per the existing provisions in its Constitution.**

General Secretary who was present at the time, presented in the house, the communication by Prasar Bharati to DOPT regarding the conclusions of inquiry committee by DG (AIR) / Prasar Bharati, **(which is not available in the public domain)** which was unofficially available with the General Secretary and the General Secretary advised that corrective measures should be taken immediately.

When President asked him to propose the corrective measures; General Secretary proposed fresh elections as the corrective measure and vociferously demanded immediate re-election.

The proposal was placed before the house for voting **by the President. The House unanimously and out rightly rejected the demand of the General Secretary for re-election.**

Proper functioning of Units as per Bye-Laws: In many stations elections are not being held every two years. Earlier also General Secretary appealed to all units to hold elections as per bye-laws. House resolved to ask all units to strictly hold elections and function as per Constitution.

Letters/communications to authorities by President/General Secretary:In the Central Executive Meeting held on 10.10.2013, it had been decided that communications to authorities will be made after discussion between President and GS. President informed the CWC that after that resolution came into effect, General Secretary wrote letters to the authorities on important issues without discussion with him. One letter addressed to MIB on Patna ACP referred to the Verdict of CAT Kolkata which contradicts Patna verdict.

Another letter on same subject was addressed to DG: AIR for generalization, DG: AIR initiated for filing fresh writ petition in Patna case and clubbed the GS letter with the proposal. These letters, became

contentious and unwittingly weakened the efforts of the Central Office to solve these issues early. Meanwhile President also wrote two letters one for EA(5K) and one for Helper's issue on the basis of which upgradation/MACP eligibility clarification was issued. House agreed that this practice is creating a conflicting picture in the mind of Management.

After detailed discussion house resolved that both letters of President and GS shall be vetted by VP (AIR) or VP (TV) in the absence of VP(AIR) so that unnecessary controversies can be avoided.

Computer and Internet connection to President: President requested the house to sanction a low cost Lap Top Computer with Internet Connection for him. House discussed the issue. It was told that Gen.Secy. is already having a Desk Top and Broadband connection which was donated by Millennium Convention Lucknow in 2000. It is also upgraded several times and it was with him even when he was President. After discussion House accepted the request and resolved that computer (20,000/- to 25,000/-) and internet connection (economical plan) may be provided to the President for day to day working.

Funding for Patna applicants: President informed the house that Patna applicants (Diploma Engineers Association) have requested for more funding to the tune of Rs. 40,000/- They have already been provided an amount of Rs. 50,000/- for review petition by the approval of Central Executive. House resolved that requisite fund may be transferred into the account of Diploma Engineers Association for the cause.

Revocation of Suspension/Expulsion of former ARTEE Member: The issue of revocation of Suspension/Expulsion of former ARTEE Members was discussed. After detailed discussion house resolved to issue a general appeal that if any Member who is suspended or expelled in **the** past is willing to join ARTEE, he can apply for Membership of the association. Any such application will be considered and decision of revocation of Suspension/Expulsion may be done subject to provision in bye- Laws of the ARTEE.

Developments and happenings in South Zone: House discussed the recent developments and happenings in South Zone. The House was informed that State Secretary of Kerala Sh. Saji K. Varma has so far not made nominations for either State Org./Publicity Secretary Posts or DMC Co-ordinator posts. As a result ARTEE is left with no voice in LISCC meetings at DMC level as the DMC Heads are refusing to entertain ARTEE even for the most pressing problems. On two separate occasions he violated the byelaws of ARTEE constitution by conducting Meetings of Unit Secys/State Committee (known as State Convention as per Bye-laws 9-(i), 9-(ii) and 9-(iii)) after the new body took charge but without prior approval of the Zonal Committee and Central Executive , which is needed (as per Bye-Law 10-(vii)). He did not inform the fact that General Secretary was also participating in the meeting. When President asked him to organize the meeting at a later date allowing zonal office-bearers also to participate, he defied and even questioned the authority of Central Office for calling of CWC Meeting in Lucknow. The first meeting at Kochi and the local meetings at DDK Trivandrum were used to provoke the members to file complaints directly to CEO against the election process and for abusing the leadership. When South Zone Committee proposed an organizational tour of Kerala for bringing unity after the bitterly fought elections, he refused to co-operate and actively tried to make the tour a failure. When South Zone VP invited him for Zonal Council Meeting he did not participate but encouraged and participated in a parallel meeting conducted by Sh. Ramana (AGS-TV-SZ) to bypass the VP. President informed the house that Sh. Saji K Varma has been sending him mails condemning decisions of Central Executive and him. He is openly circulating these mails purely with a purpose of maligning Central Executive and association.

After detailed discussion, house resolved to constitute a two members committee under the Chairmanship of Shri Sh. Deepak S, VP (WZ) * , and Sh. Arun Sinha, Member Departmental Council ,for studying the case. The committee shall submit a report to Central office within one month, from the date of issuance of minutes of the CWC meeting. Central Executive will initiate action based on the report. Further activities of Kerala State Secretary shall be suspended till the decision of central executive on the report, during this period VP (SZ) shall look after the issues of members of Kerala state.

Later Sh. Deepak S. expressed his inability to carry out the Job. President accepted his request and have given the responsibility to Sh. Gajendra Sharma, VP (AIR).

Sh. Ramana (AGS-TV-SZ) and Smt. Jeyaseely (Jt Sec-EA/SEA-SZ) accused Sh.Seshagiri (VP-SZ) that he gave a letter to ADG-SZ saying he (or AGS-AIR in his absence) only will represent ARTEE and ADG

should not entertain other office-bearers. Sh.Seshagiri denied the allegation and regretted that these office-bearers were trying to bypass him. They conducted a zonal meeting without his approval and met the ADG directly in his absence. Sh.Seshagiri (VP-SZ) expressed his strong view that, today he may be the VP and tomorrow somebody else may be VP but the authority vested in each post should be honoured. The letter submitted to ADG-SZ was read out in the House and submitted for scrutiny. Quoting the Constitution, VP-SZ pointed out that he had written the letter, strictly in accordance with the Bye-Laws 15-(ix) and 16-(v) of ARTEE. Contrary to what Sh. Ramana and Smt. Jeyaseely were accusing, he is in fact encouraged the ARTEE office-bearers to meet higher officials when the officials visited their offices, subject to ARTEE rules and practices.

House appreciated Sh. Ramana's efforts to meet the Political leaders and Deptt. Officers to take up issues of ARTEE members but the house opined that he should not have conducted the meeting and should have meet Authorities along with VP to give a signal of Unity. Adjudging these developments against the interest of Unity and ARTEE, House advised all South Zone office-bearers to work unitedly.

Handling Socializing Networks: The issue came up for discussion and some of the office bearers expressed their concern about the inaccurate, untrue, damaging and viciously personal postings by some individuals on Socializing websites. President opined that we should utilize the power of Social Media positively to strengthen ARTEE. House discussed and debated on the issue and resolved to form a committee to regulate the usage of Social Media by ARTEE Members. Members of the Committee.

- (1).Sh. Rajesh Gautam , Addl. G.S.,
- (2).Sh. Joseph Martin CJ, Web Administrator.
- (3) Sh. Subomay Majumdar.

Communication between the President and Gen.Secy. : President informed the house that there have been unhealthy row between President and Gen.Secy. on petty issues like Stamps and Broadband connection etc. Both have accused each other but unfortunately Gen.Secy. used derogatory remarks.

After debate House resolved that Gen.Secy. can not issue any explanation call to President and if there is any issue, it has to be brought to the knowledge of Central Executive and should be solved amicably.

Such exchanges are not in the interest of organization.

Membership to Staff Joined after 5th Oct 2007: The issue came up for discussion as some the Members who joined the deptt. after 5th Oct 2007 after the cut off date for being Govt. Employees are approaching ARTEE for providing protection. It is also reported that subscription is being deducted from the salary of some Members. House discussed the issue as ARTEE has been granted Recognition to represent staff joined up to the cut off date i.e. 05/10/2007.

House resolved to advise Unit Secretaries not to deduct the RSA subscription of staff joined after 5th Oct 2007. The discussion was inconclusive. The issue is left for further deliberations.

CWC Meeting ended with thanks to the Chair, who conveyed his gratitude to Office bearers for fruitful discussion and healthy debate. House adjourned till next meeting with a resolve to work for Unity, to strengthen organization and to dedicate ourselves for the welfare of our Members.

**Rajesh Kr. Gautam,
Addl. Gen. Secy. ARTEE**