

Association of Radio & Television Engineering Employees



Post Box no. 422, New Delhi-110001

Recognized by Govt. Of India and Prasar Bharati as per CCS(RSA) Rules 1993

Affiliated to Union Network International, Geneva

Affiliated to Confederation of Central Govt. Employees and Workers (CCGEW)

www.arteeindia.org

Largest Employee Welfare Association of Electronic Media in India

Ref :

ARTEE/P/301/10/2014

Affiliated to B.M.S

URGENT

Date

29.10.2014

**Zonal
Offices**

The Hon'ble Secretary, Information and Broadcasting,
6th Floor, Shastri Bhawan,
New Delhi – 110001

**East Zone
PO Box-2713
Kolkata
(W.B.)
700001**

Subject : Request to stop the action on communication of Hon'ble Ministry of I & B about ACP/MACP and Upgraded Scales.

Respected Sir,

With warm regards, we have come to know that Hon'ble Ministry Information & Broadcasting has written a letter to CEO, Prasar Bharati for treating the scales granted as per executive order dated 25.2.1999 as one upgradation. The Copy of letter by MIB are sent to various Pay and Account Offices and there is a fear among the staff that it may affect the staff, who is retiring. It is also learnt that the communication is based upon a note received from DOPT in reference of some cadres of CCW but surprisingly the DPC of MACP for the cadres of Asstt. Engineers is stopped by applying it on all Cadres.

We raised the issue in Prasar Bharati and come to know that PB has written a letter M-1/128/2014-PPC/PBRB (Part-I) Dated 22nd Oct, 2014, addressed to Smt. Haracharan Kaur to DG(AIR) with full justification of ACP and MACP over and above scales granted as per executive order dated 25.02.1999.

We want to bring following important points for your kind consideration on the issue :

[1]. The issue of grant of ACP has been discussed and debated from the level of CAT Patna to Hon'ble Supreme Court and afterword's ACP is implemented for Applicants and some other Members over and above scales granted as per executive order 25/2/1999 after the approval of DOPT. The current stand of DOPT is contradictory to its earlier stand and also not tenable.

[2]. For Subordinate Engg. Cadres the process of Upgradation of scales began from 1989 and it is implemented w.e.f. 01/01/1978 as per verdict of Hon'ble Supreme Court in RajShekharan Case. So for Sub ordinate Engg. Cadres 25/2/1999 order is a RESTORATION and not UPGRADATION.

[3]. The law Ministry has also clearly opined that Amendment in Section 11 of PB Act can not inact 25/2/1999.

[4]. The ACP and MACP Schemes were brought by Govt. of India to remove stagnation and has nothing to do with scales.

[5]. 25/2/1999 Order was issued with the approval of Cabinet and before the announcement of ACP Scheme so the question of considering 25/2/1999 scales as one Upgradation does not arise.

**South Zone
P.O.Box-176
Triplicane
Chennai
(TN)
600005**

**West Zone
PO Box
-11228
Mumbai
(Maharashtra)
400020**

d/c.

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**Zonal
Offices**

**East Zone
PO Box-2713
Kolkata
(W.B.)
700001**

**N.E.Zone
PO Box-83
Guwahati
(Assam)
781001**

**North Zone
P.O.Box-331
New Delhi
110001**

**South Zone
P.O.Box-176
Triplicane
Chennai
(TN)
600005**

**West Zone
PO Box
-11228
Mumbai
(Maharashtra)
400020**

[6]. It is pertinent to mention that as per Clarification No. 35 issued by DoP&T vide their O.M. No. 35034/1/97-Estt.(D)(Vol.IV) dated 18.07.2001 wherein it has been made clear that where all the posts are placed in a higher scale of pay, with or without a change in the designation; without requirement of any new qualification for holding the post in the higher graded, not specified in the RRs for the existing post, and without involving any change in responsibilities and duties, then placement of all the incumbents against such upgraded posts is not to be treated as promotion/ upgradation. As such, the employees granted upgraded pay scales vide Ministry's order dated 25.02.1999 are eligible for grant of ACP and consequently MACP over and above scales granted in 25/2/1999 order.

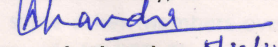
[7]. Attention in this context is also invited to Ministry of Information & Broadcasting ID Dy. No.F-122/06-BAE dated 12.12.2006 (copy enclosed) wherein it has categorically been clarified that the upgradation of the pay scale was continuation of the recommendations made by the 5th CPC and have been made in consultation with DOP&T and Ministry of Finance. As such the contention of the audit that the pay scales given to the employees vide OM dated 25.2.1999 are apart from the recommendations of 5th CPC is untenable.

[8]. We are entitled for benefit of ACP and MACP Schemes since we are Govt. Employees working in Prasar Bharati on deemed deputation. We were extended the benefit of 6th CPC also on the same ground.

Sensing the urgency of issue, your immediate intervention is required for immediate steps to stop the damages to the staff, particularly the who are Retiring. An urgent communication must be sent to Prasar Bharati and Pay and Account Offices.

Thanking you.

Yours faithfully,


Umesh Chandra, 5/11/14

President, ARTEE

09871765714

umsharma01@yahoo.com

CC for information to :

[1]. Sh. J.S.Mathur, AS(B)]

[2]. Chief Executive Officer, Prasar Bharati, New Delhi

[3]. Office copy.