

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

ARTEE/P/198/01/2014

21.01.2014

Ref :

Date

Zonal
Offices

The Chief Executive Officer,
Prasar Bharati,
PTI Building
New Delhi-110001

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

Subject : (1). Merger of EA and SEA in G.P. 4600 after dismissal of Govt. Rev. In EA(5k) issue.
(2). Issue of Grant of pre revised scale of Rs. 6500-10500 to EAs joined after 25/02/1999
by Hon'ble Supreme through dismissal of Rev.Petition no. 2622 of Govt. in SLP 19 of 2011
& Review Petition 2624 in SLP 77 of 2011 on 9th Jan 2014.

Respected Sir,

With regards this is to bring in your kind information some facts about Merger of EA and SEAs. Ministry of Information and Broadcasting is in the process of doing the merger of Engg. Asstts working in the Rs 6500-10500 have been merged in Grade Pay 4600 with SEA in as per Deptt of Expenditure order dated 13/11/2009 and have been granted benefit of MACP accordingly.

After this some Individuals approached Hon'ble Principle Bench CAT Delhi to allow them to appear in SEA to AE examination. Hon'ble CAT directed Govt. to merge the Cadres of EA and SEA and as per this directive process of Merger is going on.

It is worthy to mention that in 2012 Prasar Bharati has proposed this merger in grade pay 4200 placing extra amount in Personal Pay. It has resulted country wide resentment through sending bulk emails to Hon'ble Minister and CEO, Prasar Bharati as it was derogatory and would have harmed our all career prospects, pension and retirement benefits. After widespread resentment from these cadres, Hon'ble Ministry of I & B sent the proposal for re consideration.

Prasar Bharati sent a new proposal dated A-10/66/2010-PPC 15th March 2013 (copy enclosed) and as per option 3 C of this proposal which is reproduced below

MIB to issue orders in respect of incumbents who are in receipt of upgraded pay scales as per order dated 25/02/1999, that there scale of pay alongwith grade pay of Rs. 4600 will be protected on personal basis to them and they will continue to be in the scale of 9400-34800 4600 Grade Pay personal to them for all purposes as was done in the case of Sound Recordists.

In the same proposal clause 4 clearly says "It is however requested that order to protect scale and Grade Pay has to be issued first to remove any apprehension in the minds of employees".

The proposal from PB is very clear. However we maintain our stand that the scale of 6500-10500 (pre revised) and grade Pay should be granted to all EAs joined after 25/02/1999 to solve this problem and comprehensive proposal as per the verdict of Hon'ble Supreme Court must be prepared by PB and should be approved by Prasar Bharti.

.... Contd. on next Page

West Zone
PO Box
-11228
Mumbai
(Maharashtra)
400020

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

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

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

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

Ref : But while going through the letter sent by Ministry of I&B to Prasar Bharati and Prasar Bharati to DG AIR we feel very disappointed and cheated that in place of Protection of ~~scale~~ ^{Rate} and Grade Pay the financial implication of Protection of Pay in the Grade Pay 4600 is mentioned (copy enclosed),

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

It means that scale of will be 4200 but present pay will be protected. Ministry of I & B is inclined downgrade all EAs and SEAs who were granted this pay scale since 01/01/1978 as per verdict of Hon'ble Supreme Court and we have already shown resentment for this derogatory step. Any such move by MIB will again lead to widespread resentment and so many litigations as it is injustice in the eye of law. It is highly objectionable as this is also not as per the proposal sent by Prasar Bharati.

The issue of grant of pre revised scale of Rs. 6500-10500 for EAs joined after 25/2/1999 was in the court of law and this issues has been decided to finality by Hon'ble Supreme Court. Details of litigations are given below :

Litigation 1 : In one of the litigations OA 1742/2004 (M.S.Rana vs Union of India) & OA 1743/2004 (Lalit Pawar and Ors vs Union of India) filed to grant justice to these EAs, Hon'ble CAT Delhi gave a favourable verdict which is upheld by Hon'ble High Court Delhi WPC NO. 2094/2007 and 2095/2007 Delhi and Hon'ble Supreme Court SLP Civil 77/2011. Govt.'s Review Petition is also dismissed on 9th Jan 2014.

Litigation 2 : In another litigation OA 171/2006 CAT Jabalpur (Vimal Kr. Sharma and J.S.Tomar vs Union of India) also gave a favourable verdict, which is upheld by Hon'ble High Court WPC 1867/2009 and SLP no 31958-59/2011 filed by Govt. is disposed on 29th Oct 2013 by Hon'ble Sup.Court.

So in brief the cause of these EAs has been won by two CATs, Two High Courts and in Hon'ble Sup. Court in both cases. Govt. Review Petition is also dismissed on 9th Jan 2014.

Solution EA(5000-8000) recruited after 25/2/1999.

The legal channel is fully exhausted and the issue is settled to finality. Now as per verdict of Hon'ble Supreme Court pre revised scale of Rs. 6500-10500 to EAs joined after 25/2/199 has to be granted.

In the light of above mentioned verdicts, it is perfectly justified to grant the scale of Rs. 6500-10500 (pre revised) and Rs. 9300-34800, with Grade Pay 4600 Pay Band II as per 6th CPC to all EAs recruited after 25th Feb 1999. We want to reiterate our stand that the best solution of solving the problem is **granting the scale of Rs. 6500-10500 (pre revised) / 4600 Grade Pay to the Engineering Assistants recruited after 25th Feb 1999 as all these EAs are similarly placed with incumbents Govt. Employees as per Amendment made in Prasar Bharati Act on the recommendation of Hon'ble G.O.M.**

We request Prasar Bharati Management that in the light of statement of our respected CEO mentioned above his willingness to settle issues out of court, A new and **comprehensive proposal** towards implementation of one cadre one pay issue should be prepared, approved by Prasar Bharati and send to Hon'ble Ministry of Information and Broadcasting for further approval as done in the issue of Tech vs Lighting Pay Parity.

As per instructions of Prasar Bharati, matter has already been raised at the level of both Directorates of AIR and DD.

.... Contd. on next Page

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

Ref :

Date

Solution about EA and SEA Merger

**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**

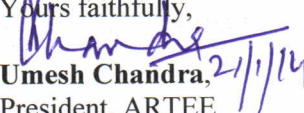
**West Zone
PO Box
-11228
Mumbai
(Maharashtra)
400020**

After the grant of Rs. 6500-10500 scale and Rs 4600 Grade Pay there will no EAs working in the Grade pay of Rs. 4200 and since it has been settled by Hon'ble Supreme court to finality as mentioned above it has to be implemented.

Since there will no EA working in Grade Pay of Rs. 4200, so the proposal of Merger in Rs. 4200 with last pay protection etc should be stopped immediately and there is no need of any protection so all EAs and SEAs should be merged in Grade Pay of Rs. 4600.

We request your high office to stop this injustice. We want to remind you that such type of derogatory steps lead to insecurity among employees and result steps like sending bulk emails as we don't find any other way to convey our resentment.

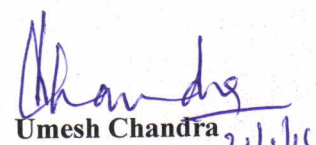
Thanking you,
Yours faithfully,


Umesh Chandra,
President, ARTEE
0-9871765714

umsharma01@yahoo.com

Enclosed :

- (1). Web copy of Supreme Court Judgement in Review Petition.
- (2). Copy of ARTEE Letter ARTEE/P/130/08/2013 Dated 27.08.2013
- (3). Copy of ARTEE Letter ARTEE/P/171/11/2013 Dated 22.11.2013
- (4). Chronology of EA(5000) issue.


Umesh Chandra 21/1/14