

ASSOCIATION OF DOORDARSHAN PROGRAMME PRODUCTION PERSONNEL[®]

(Registered & Recognized by Govt. of India)

Registered Office : Doordarshan Kendra Kolkata
18/3 Uday Shankar Sarani, Golf Green, Kolkata 700 095, W.B.

National Executive Committee

President

Umesh Mishra, DDK Lucknow
(09415515351)

Vice President

Subhash Kumar, DDK Ranchi

Executive Vice President

Sanjeev Soni, CPC New Delhi
(09818092363)

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DDK Kolkata,
(09932086336)

Treasurer

Anup Sen, DDK Kolkata

National Coordinator

A. V. Krishna Mohan,
DDK Hyderabad

National Advisor

Rakesh Tyagi, DDK Delhi

South Zone

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DDK Bangalore, (09448045869)

North Zone

Triochan Singh,
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North-East Zone

Bipul Deori,
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East Zone

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Ram Khakkal,
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Amit Tyagi,
DDK Bhopal, (09425029988)

Leh, Ladak, Jammu,

Srinagar, Simla

R. K. Verma,
DDK Delhi

ADPPP/06/01/2015

06.01.2015



Hon'ble Minister of Information and Broadcasting,
[Kind Attention: Sh. Rajyavardhan Singh Rathore, MOS, I & B]
Shastri Bhawan,
New Delhi – 110001

Subject: Notice for Gate Meetings on 16th Jan 2015 against Recoveries of Employees being done due to treating 25/2/1999 as an upgradation while granting MACP and other related demands.

Respected Sir,

With warm regards this is to inform that Sub ordinate Engg. And Program Cadres of AIR and DD are restive on Anti Employee development on staff welfare related issues. Such decisions are causing huge recoveries of employees belonging to 11 categories which were granted so called upgraded scales as per executive order dated 25/2/1999.

The scales granted as per order 25/2/1999 have a long history which starts from 01/01/1978. It is very unfortunate that despite explaining facts again and again, deptt. often try to either downgrade or initiate steps which are detrimental to staff of 11 categories and causing huge Recoveries to the staff.

It is settled by law that while granting ACP, these scales are not be treated as upgradation as the verdict of Hon'ble High Court Patna has settled this in the favour of employees. ACP as per CAT PATNA upheld by Hon'ble Supreme Court is already implemented ignoring the scales granted in 25/2/1999 order.



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Surprisingly Hon'ble Ministry suddenly taken a stand that the scales are to be treated as an upgradation in MACP when we expressed our strong resentment, Prasar Bharati wrote a letter **M-1/128/2014-PPC/PBRB (Part-I) dated 22/10/2014** with all the supporting facts. It is pertinent to mention that in MACP Scheme and in any clarification issued later, it is nowhere mentioned that any upgradation granted as per court verdict has to be treated as an upgradation while granting MACP as the scales were granted to us w.e.f. 01/01/1978. As per our information the file is referred to DOPT for advice.

We also expressed our strong resentment that we are the employees of Ministry of I & B (Govt. Employees) joined up to 05/10/2007 as per Amendment in PB ACT and fully entitled to get all benefits admissible to Govt. Employees, **but we are facing extreme discrimination in most of our issues in Hon'ble Ministry of I & B.** Any issue when it reaches M.I.B. either it gets stuck up or it is being dealt with negative intentions. **This is demoralizing for all 15000 employees of sub ordinate Engineering and Programme cadres as Employees deserve a positive and sympathetic Attitude from the Employer i.e. Hon'ble Ministry of I & B.**

Employees are also disappointed that MACP which was applicable to all Govt. Employees and thus granted to us also, is still to be ratified by Hon'ble Ministry of I & B.

As an effect of above mentioned facts all 15000 employees belonging to Sub Ordinate Engg. And Programme Cadres are on the verge of huge recoveries and already recovery is being done every month for people who are retiring which are very painful that huge amount is being recovered from an employee on Retirement after serving the deptt for decades.



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The latest verdict by Hon'ble Supreme Court about Recovery from Employees

On 18.12.2014 Hon'ble Supreme Court in its verdict in 242 Civil Appeals about Recovery of excess payment to employees, clearly settled this issue in favour of Employees. In verdict delivered in case State of Punjab others vs Rafiq. Masih (White Washer) etc. In civil Appeal No. 11527 of 2014 arising out of SLP No. 11684 of 2012.

The Apex Court has clearly laid down the circumstances where the Recovery from employees shall be impermissible which are given below (Refer to Para 12):

(a). Recovery from Employees belonging to Class III and Class IV services. (Class 3 and class 4 employees)

(b). Recovery from employees retired or retiring within one year from the date of Recovery.

(c). Recovery for excess payment done more than five years prior to order of Recovery.

(d). Recovery where Employee performed duties equitable to higher post but paid for lower.

(e). In any other case when Court arrives at the conclusion that recovery if made from employees would be iniquitous or harsh or arbitrary to such an extent as would far outweigh the equitable balance of the employer's right to recover.

It is pertinent to mention that judgements passed by Hon'ble Apex Court are law of the land and settles the issue to finality.

Representatives of Employees are regularly visiting Ministry of I & B but are facing a very negative and callous Attitude. Finding no solace and respite we have no option but to go for Agitation Measures on following demands.



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(1). Ignoring scales granted as per 25/2/1999 as an upgradation for all purposes.

(2). Immediate Ratification/Approval of MACP to granted to Govt. Employees working in Prasar Bharati on deemed deputation.

(3). Merger of EAs and SEAs in Grade Pay Rs. 4600.

(4). Funding problem due to confusion between Hon'ble Ministry of I & B and Prasar Bharati.

(5). Delay in implementation of Court Verdicts favourable to Employees.

As first step A Gate is being organized in Akashwani Bhawan as per Schedule given below:

Schedule of Gate Meeting

Date : 16th Jan 2015

Venue : Akashwani Bhawan, New Delhi

Time : 13:00 Hrs.

Further Agitation Programme, if required shall be finalized after the Gate Meeting and will be intimated accordingly. We expect that employee's concern should be addressed by fulfilling their legitimate demands.

Thanking You,

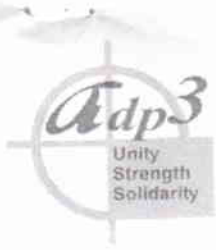
Yours faithfully,


(Umesh Mishra)

President

Enclosed as above


Umesh Mishra



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Cc for information and necessary action to :

- [1]. Hon'ble Secretary of I & B, Shastri Bhawan, New Delhi
- [2]. Chief Executive Officer, Prasar Bharati, PTI Building, New Delhi
- [3]. Director General, All India Radio, New Delhi
- [4]. Director General, Doordarshan, New Delhi
- [5]. Sh. Pawan Kumar, Sangathan Mantri, Bhartiye Majdoor Sangh / Sh. Nagendra Pal Singh , Gen.Secy., Delhi State, Bhartiye Majdoor Sangh, New Delhi.
- [6]. Office Copy.