

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)

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Largest Employee Welfare Association of Electronic Media in India

ARTEE/P/043/04/2015

Date 30.04.2015

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✓ **The Hon'ble Secretary,**
Information & Broadcasting,
Shastri Bhawan,
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The Chief Executive Officer,
Prasar Bharati, PTI Building,
New Delhi-110001

The Director General,
All India Radio,
New Delhi - 110001

The Director General,
Doordarshan,
New Delhi - 110001

SUBJECT : (1). Representation against speaking order No. 8/1/2015-SIV(A)/102 Dated 25.02.2015 citing baseless reasons, concealing the facts in speaking order issued in OA 4424/2014 to restore Technicians/Sr.Tech pay parity with Lighting Assistants for the scale of (5000 - 8000) from 01/01/1996 and the Grade pay of 4200 from 01/01/2006.

(2). Representation for extending benefit of verdict delivered in OA 1861/2014 by Ashok Yadav & Ors to grant Pay Parity with Lighting Assistants in the to all eligible Technicians/Sr.Tech pay parity with Lighting Assistants for the scale of (5000 - 8000) from 01/01/1996 and the Grade pay of 4200 from 01/01/2006.

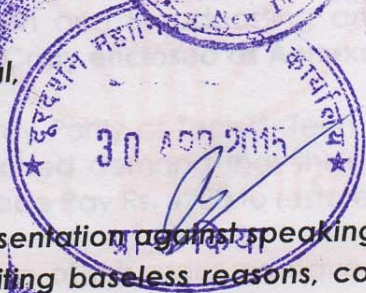
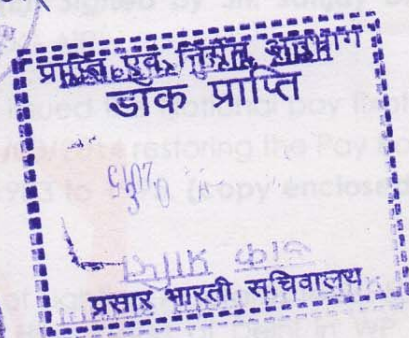
Respected Sir ,

With regards this is reference of speaking order 8/1/2015 - SIV(A)/102 Dated 25.02.2015 issued by DG(AIR) in OA 4424/2014 denying the Pay Parity to Technicians / Sr. Technicians in the Scale Rs. 5000-8000 in Pay Parity with Lighting Assistants.

In this context we want to mention following facts for your kind consideration :

[1].

dc



[1]. As per the Supreme Court judgment dated **10/01/2013 in SLP © No. 33048/2011**, it was once again established that there is parity between Technicians cadre and the Lighting Assistants. After this Judgment, as per the MIB's direction thru **{File No.515/09/2001-BA.(E)} Signed by Sh. Sanjay Dhar Under Secretary (BA-E) dated 07/03/2014 to DG AIR.**

Then the cadre controlling authority (DG AIR) issued the Notional pay fixation order No.8/8/2006-S IV(A) Part-1/107 dated 11/03/2014 restoring the Pay Parity of Tech/Sr.Tech with Lighting Assistants from 1983 to 1995. **(copy enclosed as Annexure I)**

[2]. However, the Department hiked the sale of Lighting Assistants to Rs. 5000-8000 in compliance of judgment of Honble High Court of Delhi in WP (C) No.6544/2007, which was the case filed by the Lighting Assistants, granted them the pay scale of Rs.5000-8000/- from 01.01.1996 with the approval of Ministry of Information and Broadcasting and Department of Expenditure, Ministry of Finance. **(Copy enclosed as Annexure II & III).**

[3]. There fore the Pay Parity of Tech/Sr.Tech working in AIR and DD is again disturbed and we raised demand that their pay scales should be hiked to Rs.5000-8000 i.e. Grade Pay Rs. 4200 to restore the Historic Pay Parity.

[4]. After the issuance of this order we have approached all the authorities from DG AIR, Prasar Bharati, and MIB. In the meantime CEO, Prasar Bharati gave a meeting on 22/04/2014 with the office bearer's of ARTEE and discussed this issue as point no. 3 along with other issues. In that meeting, PB assured to settle this issue amicably. For settling this issue DG AIR prepared a proposal for giving Technicians the 5000-8000 scale from 01/01/1996 onwards **(copy enclosed as Annexure IV)**

[5]. The decision taken by CEO in the Meeting dated 22/4/2014 were approved by Prasar Bharati Board in its 122nd Meeting on 8th July 2014 and in 123rd Meeting on 18/9/2014 Minutes of PB Board approved. **(Copy of Minutes enclosed as Annexure V).**

[6]. As per Minutes proposal for the same was prepared and sent to Hon'ble Ministry of I & B, where it is under consideration. In the letter there was a mention about Case filed by Sh. Ashok Yadav and Ors. OA 1861/2014 in Individual capacity. The issue was termed as subjudice due to pendency of this case.

[7] It was also mentioned that the scale of Rs. 5000-8000 (GP 4200) was granted to Lighting Assistants only who approached Court of Law. This information is contradictory to the information supplied by DG Doordarshan under RTI that there are 90+ Lighting Assistants and their scale is Rs. 5000-8000. It is pertinent to mention As per the Supreme Court judgment dated **10/01/2013 in SLP © No. 33048/2011, Pay Parity of Tech is restored with Lighting Assistants**, if higher scale is given even to one Lighting Assistants the Pay Parity is disturbed. **(Copy of RTI Reply enclosed as Annexure VI)**

[8]. As there was no response, we again had to approach CAT Principal Bench and file another O.A No.4424 of 2014 and M.A. No.3894 of 2014. **"The Hon'ble CAT had disposed of the O.A No.4424 at the admission stage itself on 15/12/2014 with direction to the respondents to consider the case of the applicants in the light of the aforesaid order/judgments.**

If the cases are squarely covered by them, they shall also be extended the same benefits. In any case, the respondents shall pass appropriate orders under the intimation to the applicants within a period of two months from the date of receipt of a copy of this order. (Copy of verdict enclosed as Annexure VII)

[9]. After this, we again started waiting for a positive response from the Authorities eagerly with lots of expectations. But on 25/02/2015, an order no.8/1/2015-SIV(A)/102 was issued by Deputy Director (Admin) Shri. Ajayakumar K.P. on behalf of Director General AIR **(Copy enclosed as VIII).**

[10]. Meanwhile in case filed by Ashok Yadav & others OA 1861/2014 for the same Prayer, Department filed same reply but Hon'ble CAT gave a favorable verdict on **NOTIONAL BASIS** over ruling the submission by the Deptt. **(copy of verdict enclosed as Annexure IX).**

We were very much surprised as well as shocked to see the Order, because:

1. The same Cadre Controlling Authority i.e. DG(AIR) himself had prepared the proposal for implementing the 5000-8000 scale along with the financial implications few months back and sent it to PB for further action.
2. It is clear that arguments given by deptt. are overruled by Hon'ble CAT Delhi while delivering verdict in Ashok Yadav Ors. in 1861/2014.

3. Please note that some of the points mentioned in the order no.8/1/2015-SIV(A)/102 dated 25/02/2015, were not related to this issue and seemed like a reason to delay the justice to the Technicians/Sr.Tech. Please note that points ii), iii) v) of Point no. 3 mentioned in the order has no connection or relevance with the OA No. 4424 of 2014 and MA No. 3894 of 2014. It clearly means that Speaking issued by DG(AIR) is illegal and discriminatory.

Sir, we strongly believe that your kind intervention required to restore Rule of Law in this matter to extend justice to Technicians in resolving this long pending issue of the pay parity of technicians at par with lighting assistants i.e, from 01/01/1996 onwards for the pay scale of Rs.5000-8000 & from 01/01/2006, the Grade pay of 4200 to technicians/Sr.Tech of AIR & DD through extending the verdict of OA 1861/2014 for all eligible Technicians/Sr. Technicians. By this the technician working in AIR & DD across the country may get the much delayed justice once for all. If this anomaly is not removed at the earliest it shall enhance number of litigations through out the country.

Yours faithfully,

Umesh Chandra
Umesh Chandra, 30/4/15

President,

09871765714,

umsahrma01@gmail.com

Encloses as above

Umesh Chandra
Umesh Chandra, 30/4/15

CC or information to

- [1]. The Chief Executive Officer,
- [2]. Director General, All India Radio
- [3]. Director General, Doordarshan
- [4]. Office Copy.