

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

Largest Employee Welfare Association of Electronic Media in India

Affiliated to Bhartiye Majdoor Sangh (B.M.S.)

Affiliated to Union Network International, Geneva

www.arteeindia.org

Ref : ARTEE/P/61/03/2016

AFFILIATED TO B.M.S.

18/03/2016

Date

Hon'ble Secretary for Information and Broadcasting,
5th Floor, Shastri Bhawan,
New Delhi – 110001.

Subject : [1]. Representation against gross injustice to Subordinate Engg. Employees of Akashwani and Doordarshan working in PB on Deemed Deputation.
[2]. Request to grant a Meeting urgently to address the grievance of employees.

Respected Sir,

With warm regards, we request you to grant us a Meeting on following Agenda points. We are giving a brief synopsis of the issues:

Agenda item I - To grant the benefit of ACP as per CAT verdict, Patna Bench and upheld by Hon'ble Supreme Court of India : The Assured Career Progression Scheme (ACPS) notified by DOP&T on 09.08.1999 for Central Govt. employees has not been implemented for the CGE of AIR and DD working in Prasar Bharati on deemed deputation, on the wrong pretext that they have availed upgraded scales in form of incentive as per MIB order dated 25/02/1999 for working in Prasar Bharati. A case was filed before CAT, Patna Bench through OA 514/2002 which attained finality from the apex court and implemented for the applicants. It is pertinent to mention here that applicants of said OA had also enjoyed above mentioned scales and are similarly placed like others. However, the DG: AIR denied the benefit of ACP to majority of engineering employees by creating categories among the same category of employees who have been recruited through same R/Rs, with same designation and working together in same office delivering same work output.

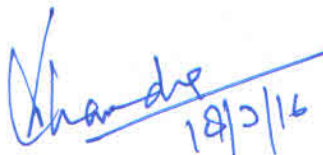
Section-11 of PB(Amendment) Act, 2012 clearly mentioned that there are only two categories of employees :

(1). Pre 05/10/2007 Employees who are Govt. Employees, working in PB on deemed deputation till their retirement and are eligible for all benefits available to CGE (which includes ACP, MACP etc.)

(2) Post 05/10/2007 Employees who are purely Prasar Bharati Employees.

Recently by court pressure, DG AIR, formed Screening Committee which met on dated 12.10.2015 to grant the benefit of ACP to EA, SEA and AE on grounds of being similar to applicants of OA 514/2002.

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The Screening Committee under the Chairmanship of E-in-C denied the ACP benefits to EA, SEA and AE working in AIR & Doordarshan by issuing a speaking order (full of contradictions) fabricating hypothetically a third category of EA, SEA and AE in this department consisting of applicants of OA 514/2002 and submitted before the Hon'ble Court the speaking order as a bunch of lie thereby denying the right of ACP benefits by misleading the Hon'ble Court which has been lawfully granted to EA, SEA and AE working in All India Radio and Doordarshan.

It is earnestly requested to restore the Rule of law by granting the benefit of ACP as per OA 514/2002 upheld by Hon'ble Supreme Court to all EAs/SEA/AEs.

Agenda item 2 - Recovery due to treating fee scales of MIB's order dated 25/02/1999 as upgraded scales while granting MACP :

This Association has filed an OA 2479/2015 and Hon'ble CAT has imposed absolute stay on the recoveries on account of withdrawal of MACP. Nevertheless, the deptt. is going ahead with huge recoveries from employees particularly the retiring persons. This is also a gross injustice and is violation of verdict of Hon'ble Supreme Court in RafiqMasih Case. These scales were granted w.e.f. 01/01/1978 when Prasar Bharati was no where. Even the order dated 25/2/1999 has also granted w.e.f 01/01/1996 when Prasar Bharati was not constituted.

Prasar Bharati has also instructed many times to stop these recoveries from salary of retiring employees with immediate effect but no respite to employees. We request you to issue instructions not to treat the scales given by MIB order dated 25/02/1999 as an upgradation while granting MACP and to stop recoveries thereof as per clause 35 of ACP Clarification issued in 2011.

Agenda item [3]. Merger of EA/SEA and Tech/Sr.Tech :

[3] a. **EA/SEA** : The issue of EA and SEA Merger started with Deptt. of Expenditure OM dated 13.11.2009 . As per this O.M. the staff working in the scale of Rs. 6500-10500 and Rs. 7450-11500 (if the scale exists in the deptt.) had to be merge and to be given Grade Pay 4600. (copy enclosed as Annexure I, Pl. see last line Para 1).

On the persuasion of ARTEE this clause was executed and all incumbent EAs working in the scale Rs. 6500-10500 were granted GP 4600 at par with SEAs working in scale of Rs. 7450-11500. DG(AIR) and DG(DD) issued orders subsequently for this purpose. (Copy enclosed as Annexure III,IV & V).

All Engineering Assistants Working in Grade Pay Rs. 4200 (Pre revised Scale Rs. 6500-10500) Granted Grade Pay Rs. 4600 (Pre Revised Rs. 7450-11500) as per DOE OM dated 13.11.2009 and MACP is granted accordingly.


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[3] b Tech/Sr.Tech :

Request to Merge Tech with Sr.Tech in the light of DG(AIR) Order dated 14/03/2014 for grant of Notional Fixation from 1983-1995 to Technicians :

DG(AIR) has issued order no. 8/8/2006-SIV(A)/Part-II/107 Dated 11th March 2014 (copy enclosed) to grant pay parity to Technicians/Sr. Technicians the scale of Rs. 425-700 from 01-07-1983 to 31.12.1985 and the scale of Rs. 1400-2300 from 01.01.1986 to 31.12.1995.

It is pertinent to mention that the Pay Parity which was granted by Hon'ble Supreme Court verdict and restored by DG(AIR) as per order dated 11/03/2014 and mentioned above was disturbed again as Lighting Assistants were granted the scale of Rs. 5000-8000 w.e.f 01/01/1996 with all consequential benefits.

From 01.01.1996 Technicians are working in the scale of Rs. 4500-7000 and as recent verdict in OA 1861/2014 by Sh. Ashok Yadav & Ors and OA 4424/2014 by ARTEE for its Members to grant Pay Parity with Lighting Assistants in the scale of Rs. 5000-8000.

It is clear that DG(AIR) has itself accepted that w.e.f. 01-07-1983 Tech and Sr. Tech post stands merged since both the posts are granted same scale.

It is requested to merge the post of Technicians and Sr. Technicians in the scale of Rs. 5000-8000.

We request to take immediate action as the issue is pending since last six years and people are facing recoveries also due to this.

Agenda item [4]. ACP to Helpers as per OA 3607/2014 filed by this Association : The Helper which is the lowest cadre has also deprived from ACP since 1999. Now Hon'ble CAT gave a verdict in OA 3607/2014 for all Members of ARTEE to extend the benefit of OA 1949/2012 Rishi Raj & Others which is already implemented for Applicants.

We request you to extend the benefit so that Helpers who are working in this department for more than 35 years without any promotion whatsoever may get some relief atleast financially.

We earnestly request you to grant us a Meeting on the Agenda Points above.

Yours faithfully,


Umesh Chandra, 18/3/16
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