

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/09/01/2016

AFFILIATED TO B.M.S.

18/01/2016

Date

Sh. Arun Jaitley,
Hon'ble Minister 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]. Agitation Notice for Relay Hunger Strike for one Week from 22/2/16 to 26/2/16 to express anger over arbitrary denial by authorities to lawfully justified demands.

Respected Sir,

With warm regards, we wish to convey our disappointment and resentment over the gross injustice being done by the management on our lawfully justified demands which have attained finality even from Hon'ble Supreme court of India. The members of this Association are restive over the partial implementation of this order for the select group of subordinate engineering employees from our cadre keeping aloof willfully the majority of engineering employees from the benefits that have been granted to them by the various courts in India inflicting gross discrimination among the employees. The issues have already attained finality but the authorities, inspite of assurances to implement the Court order in best interest of subordinate engineering employees, are adopting to hostile approach instead of welfare oriented approach, whenever the issues were dealt for extension of such benefits to subordinate engineering cadre and they are not finding any respite from any corner.

We are giving a brief synopsis of the issues:

[1]. 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.

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O/c.

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.

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.

[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.

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The issue of MACP Recovery is sent to Deptt. of Legal Affairs and a positive advise has been received from DOLA. As per our information the Advise clearly establishes that Recoveries are impermissible and we are entitled for MACP as well as ACP as per verdict of CAT PATNA upheld by Hon'ble Supreme Court since we are similar to the Applicants.

[3]. Pay Parity of Technician with Lighting Assistants in the revised scale of 5th CPC (Rs. 5000-8000) w.e.f. 01/01/1996. :

Technicians of AIR and DD have historic Pay Parity with Lighting Assistants of Doordarshan who have parity with Assistant Cameramen of Films Division as established by Hon'ble Supreme Court.

The Technicians and the LA were put in the pay scale of Rs 4500-7000 w.e.f. 01/01/1996.

This Parity was disturbed when Lighting Assistants were put in the scale of Rs. 5000-8000 w.e.f. 01/01/1996 equal to that of Assistant Cameramen of Films Division by court's order. Hon'ble CAT, Delhi has ordered to grant pay scale of Rs. 5000-8000 to Tech. on par with the LA and, as per information we have, the Deptt. of Legal Affairs has also recommended to grant the pay scale of Rs. 5000-8000 to Technicians albeit on 'notional basis'.

We request to restore the Pay Parity of Technicians with the LA in the scale of Rs. 5000-8000 w.e.f. 01/01/1996 as per judgment of CAT in OA 4424/2014 filed by Deepak Sudhakaran and this Association for all of its members who are fully eligible.

[4]. Grant of scale of Rs. 4500-7000 to Technicians Joined between 25/2/1999 to 05/10/2007.

These Tech who joined in the period mentioned above are working in lower scale and Recently the Engineering Assistants joined in the same period and working in the scale of Rs. 5000-8000 have been granted the scale of Rs. 6500-10500 with the concurrence of Nodal Ministries like DOPT, DOLA and DOEXP, after the cases M.S.Rana and LalitPawar attained finality.

We have also filed an OA 1575/2015 and demand that the scale of Rs. 4500-7000 to Technicians Joined between 25/2/1999 to 05/10/2007.

[5]. 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.

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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.

On the issues mentioned above, around 15,000 Employees belonging cadres from Helper to AEs are aggrieved and restive. Finding no solace we are compelled to go for Agitational Steps.

We have done several Agitational steps and Protest Marches planned earlier have been postponed also on positive Assurances but we are disappointed to say that still the Recoveries from Retiring Employees are done every month.

Finding no solution we are compelled to announced following steps :

Relay Hunger Strike

From 22/2/16 to 26/2/16

in Doordarshan Bhawan, Mandi House, Copernicus Marg, New Delhi.

All Members will sit on Hunger Strike for 12 hrs.

(List Members participating in Hunger Strike will be submitted later)

We are the disciplined employees of this deptt., gave decades of our lives but striving for a single promotion even after 30 yrs of service. We also assure that **our agitation shall be totally peaceful and it will not affect functioning of office.**

We request your high office to resolve the above mentioned issues and give some solace to employees.

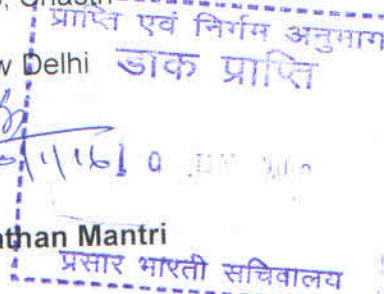
Yours faithfully,


Umesh Chandra,
President, ARTEE

09871765714

umsharma01@gmail.com

- [1]. Col.(Retd.) Sh. Rajyavardhan Singh Rathore, Hon'ble MOS, MIB, Shastri Bhawan, New Delhi
- [2]. Sh. Sunil Arora, I.A.S., Hon'ble Secy.(I&B), Shastri Bhawan, New Delhi
- [3]. The Chief Executive Officer, Prasar Bharati, New Delhi
- [4]. Member(P), Prasar Bharati, New Delhi
- [5]. Director General, All India Radio, Sansad Marg, New Delhi
- [6]. Director General, Doordarshan, Copernicus Marg, New Delhi
- [7]. Sh. Virjesh Kumar, Gen.Secy. B.M.S. / Sh. Pawan Kr. (Sangathan Mantri Delhi, UP & UK), B.M.S.
- [8]. Office Copy.



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