

ASSOCIATION OF RADIO & TELEVISION ENGINEERING EMPLOYEES



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Largest Employee Welfare Association of Electronic Media in India

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ARTEE/P/168/11/2017

23.11.17

Ref. No.

Date.....

To,

✓ The Hon'ble Secretary,
Ministry of I & B, Shastri Bhawan,
New Delhi - 110001

Subject: Preparation of fresh Eligibility List of Assistant Engineers as on 01.01.2008
And onward for promotion from AE to JTS of IB (E)S.

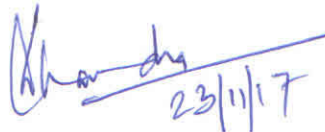
Ref. No.: Eligibility List of Assistant Engineers working in AIR & DD as on 01.01.2008
circulated by DG:AIR and the procedure being adopted for consideration of only
Degree holder AEs for promotion to the post of JTS for the vacancies from 2008-
2012.

Respected Sir,

With warm , It is brought to your kind notice that the above referred eligibility list of Assistant Engineers has been prepared on entirely mistaken criteria *ab initio* and therefore, it should be prepared afresh in accordance with the provisions of extant IB(E)S recruitment rules in force and instructions of Government of India (DOP&T) in the matter. I hereby submit the following for your kind attention and intervention: -

- The IBES Rules were notified in 1981 and these rules had no mention of any qualification bar therefore around 150 Diploma Engineers were promoted as ADE for the vacancies for the period from 1982 to 1989.
- In 1989, IBES Rules were arbitrarily amended and a qualification bar was imposed by the department (MIB) for promotion to ADE (JTS) for 50 % departmental candidate's quota. For incorporating a note for protection of interests of existing departmental employees in IBES Rules 1989, two D.O. letters dated 14.06.1999 and dated 16.09.1999 were written by Sh. Harinder Singh, JS of DOPT to the then AS of Ministry of I & B, Sh. R.R. Shah, advising him to refer the proposal of amendment to DOPT. Even this was ignored by Ministry of I & B for reasons best known to them.
- The aggrieved Diploma Engineers approached the Court for the redressal of their grievance. The Hon'ble Supreme Court of India, in its judgment dated 05.12.2003, in SLP No.21643/2003 titled Romesh Chander Nadir & ors v/s UOI, made the following observations :-

"Though the grievances may seem to be genuine but the remedy, if any, would lie with the department since they pertain to matter of policy and it is for the department to consider such claims appropriately. We leave with the petitioners or their representative bodies to pursue the matter before the appropriate authorities."


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- On pursuation by the Staff Associations, the Department constituted a number of High Level committees for opening of promotional channel for Diploma AEs. These committees were headed by the then E-in-Cs/ Chief Engineers like Sh. S.P. Bhatikar, Sh. U.C. Aggarwal, Sh. H.S. jolly, Sh. A.B. Mathur, Sh. P.K. Bansal and Sh. K.M. Paul. All the committees recommended opening of promotional channel dor Diploma AEs, some had recommended qualifying exams, whereas some had recommended promotion of AEs to directly DDE(STS).
- Ministry of I & B by considering the Supreme Court Judgment dated 24.10.2003, recommendations of six High Powered Committees and after negotiations with the Staff associations, amended the IBES Rules in 2008 which were notified on 18.03.2008 vide which Ministry of I & B removed the qualification bar for promotion from Assistant Engineer to ADE (JTS) reproducing the Schedule III Sr. No. 6 as was there in the original IBES 1981 Rules, by changing only the regular service required as AE from earlier 3 years to 5 years.
- Directorate General, All India Radio vide OM No. 1/2/2017-S III has circulated a final Seniority list of the officers of Senior Time Scale of IB(E)S officers as on 01.01.2013 (List is available of AIR official website AIRNET). At column 5 of the list, date of joining in STS Grade is given for each officer. A close look at this column gives the detail of number of ADE (JTS) promoted to the post of DDE (STS), thereby vacating the post of JTS on that date/ year.
- On counting the number of JTS Promoted for the years 2007 to 2012, the following are the number of vacancies created (on promotion of JTS to STS) for the period from 18.03.2008 to 31.12.2012 (the period during which the IBES 2008 Rules were applicable: -

a) For the year 2008-	110
b) For the year 2009-	77
c) For the year 2010-	55
d) For the year 2011-	NIL
e) For the year 2012-	47

Total for the period from 18.03.2008 to 31.12.2012 = 289

It may be noted that DPC from JTS to STS for the year 2006 has already been done long back and vacancies created for the year 2007 is only ONE. Therefore all the vacancies except one are to be filled by the IBES Rules 2008, where there was no qualification bar.

- The Department without filling any vacancy in the IBES Rules 2008 and without constituting any High Level Committee, only to favour the Engineering Degree Holders, as was done in 1989, again introduced a qualification bar, vide amendment No. viii, of IBES Rules 2013.
- This was again against the prevailing DOPT Guidelines of keeping a protection clause for the existing Diploma/ BSc Assistant Engineers inspite of the fact that there are clear guidelines of DOPT on protection note as well as a number of Courts have given verdict in favour of keeping a protection note in the amended Rules for the existing employees.


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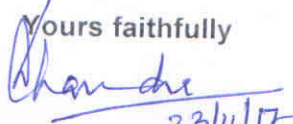
- The protection note is clearly followed in the recently notified amendment of Engineering Service Rules of CPWD Notified in Oct 2012.

In view of the above facts, it is therefore requested that: -

1. To consider only the seniority list for promotion to the post of JTS for the vacancies for the year 2008, 2009, 2010, 2011 & 2012.
2. To consider inserting a protection note in the IBES Rules 2013.

Thanking You

Yours faithfully


23/11/17

Umesh Chandra,
President, ARTEE
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Copy for necessary information and action to: -

- (i) The Chief Executive Officer, Prasar Bharati, PTI Building, New Delhi-110 001.
- (ii) The Director General, AIR ,Akashvani Bhawan, Sansad Marg, New Delhi- 110 001
- (iii) The Director General, Doordarshan , Copernicus Marg, New Delhi – 110001
- (iv) Office Copy.

Representation for considering Diploma AEs for promotions to A.D.E. for vacancies of 2088-2012



Umesh C Sharma <umsharma01@gmail.com>

11:57 AM (1 minute ago)

to Bimal, ceo.pbi, Shehryar, LAL, einc

Respected Sir,

24.11.2017

With warm regards, we are submitting a representation for requesting to consider Diploma Holder AEs for promotions to the Asstt. Dir. Engg. for vacancies of 2008-2012.

It is pertinent to mention that as per prevailing Recruitment Rules during this period, there was no qualification bar and henceforth these AEs are eligible for the Promotion.

We request you to allow these Diploma AEs who are stagnating from decades.

Regards.

Umesh C Sharma,
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