



**PRASAR BHARATI
(INDIA'S PUBLIC SERVICE BROADCASTER)
DIRECTORATE GENERAL : ALL INDIA RADIO**

No. 8/10/2017-S-IV(A) 876

New Delhi, dated 20.09.2017

SPEAKING ORDER

**Subject: OA No.1379/2017 filed by ARTEE & Ors before Hon'ble CAT,
PB, New Delhi.**

WHEREAS the applicants have filed OA No.1379/2017 before the CAT,PB, New Delhi claiming that they are similarly situated with the applicants of O.A. No.1742/1743 of 2004 to whom similar pay scales have been granted as per the order/direction dated of the PB of CAT, Delhi.

2. WHEREAS the Hon'ble Tribunal disposed off the OA at the admission stage itself without issuing notice to the respondents and without going into the merits of this case, with a direction to the respondents to:-*"decide the pending representation of the applicants in the light of the judgment of this Tribunal passed in O.A.No.1742/2004. In case the applicants are found to be similarly placed then they may be extended the same benefits. In any case the disposal of the representation may be communicated by the respondents by means of a reasoned and speaking order within a period of Eight weeks from the date of receipt of a certified copy of this order"*.

3. This contention of the applicant has not been found to be true and found that while applicants of O.A. No.1742 & 1743/2004 are all central govt. employees on deemed deputation to Prasar Bharati, the applicants of O.A. No. 1379/2017 have been recruited as Engineering Assistant after 05.10.2007 as per Prasar Bharati Rules and Regulations and hence are Prasar Bharati employees and not the Central Govt. Employees. They have been appointed to the posts in the pay band PB2 with grade pay Rs.4200 and this has been clearly mentioned in their appointment orders.

4. WHEREAS the Ministry of Information & Broadcasting, vide its order dated 25.02.1999, had upgraded the pay scales of incumbents Engineering Assistants to Rs.6500-10500 with effect from 01.01.1996. This order dated 25.02.1999 is applicable to only those Govt. servants specified in the said order dated 25.02.1999 who were Govt. servant on deemed deputation in Prasar Bharati on or before the issue of the said order. Further the benefit of upgraded scale was extended to the applicants of O.A.No. 1742/1743 of 2004 because as per amendment in P.B. Act, 2011, all employees who joined

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Prasar Bharati upto 05.10.2007 have been declared as Government Servants on deemed deputation to Prasar Bharati.

5. WHEREAS as per amendment of P.B. Act all those who joined Prasar Bharati on or before 05.10.2007 enjoy the status of central govt. employees on deemed deputation to Prasar Bharati, they are governed by the Rules and Regulations of the Government of India for all service matters including pay scales. Those who were recruited by Prasar Bharati and joined after 05.10.2007 are not central government employees but are employees of the Corporation. Therefore, they do not have any claim or parity to the pay and allowances of Central Government Employees. The applicants of OA No. 1379/2017 have been recruited by Prasar Bharati as Engineering Assistant after 05.10.2007. They are entitled for the pay scale as applicable to Prasar Bharati employees. The appointment orders issued to the applicants of O.A. No. 1379/2017 clearly mentions that their pay scale/ pay band is PB-2 with GP Rs.4200. The applicants in OA No.1379/2017 cannot be said to be similarly placed as that of applicants in O.A. No.1742/1743 of 2004.

6. In view of the above and taking into consideration that the applicants of O.A.No.1379/2017 are purely employees of Prasar Bharati Corporation, the Competent Authority has come to the conclusion that they are not entitled for the scale Rs.6500-10500/- (pre-revised) (PB-2 with GP 4600/-), which the undersigned hereby accordingly communicate to all the applicants of O.A. No.1379/2017.


(D.P. Shukla) 20/9/2017

Dy. Director Admn.(E)

To,

1. All the applicants of OA No. through their respective Head of Offices.
2. All Zonal Heads.

Copy to:

1. Shri Sanjay Dhar, Under Secretary BA(E), Ministry of I&B, Shastri Bhawan, New Delhi.
2. The Addl. Director General (E&A), Prasar Bharati Secretariat, New Delhi.