

ASSOCIATION OF RADIO & TELEVISION ENGINEERING EMPLOYEES



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Largest Employee Welfare Association of Electronic Media in India

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Golden Jubilee Year

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ARTEE/P/127/08/2017

21.08.17

Ref. No.

Date.....

The Director General, All India Radio,

[Kind Attention : Sh. N.P.Joshi, Director (A-II)]

Akashwani Bhawan, Sansad Marg,

New Delhi - 110001

21/8/17

Subject : Representation to grant ACP/MACP to Sr. Technicians placed in dis advantageous situation after DG(AIR) order 8/20/2015-SIV dated 12.05.17 to grant Pay Parity to Technicians with Lighting Assistants in comparison of ACP/MACP to Technicians who are junior to Sr. Technicians by grant of MACP.

Respected Sir,

With warm regards we convey our sincere thanks for settling the issue of Pay Parity of Technicians with Lighting Assistants w.e.f. 01/01/1996 and subsequent issuance of Clarification dated 04/8/17. After this the implementation through out the country expedited.

While thanking you for above, I want to inform you that it has created another anomaly for Senior Technicians who got promotion before 01/01/1996. When the above mentioned order is implemented Technicians and Sr. Technicians who are promoted after 01/01/1996 are getting Grade Pay 4800 through MACP while the Senior Technicians who got promotion before 01/01/1996 are placed in lower Grade Pay Rs. 4600/-. In Clarification dated 04/8/2017 also it is clarified that Sr.Tech fixation will be done in 5000-8000 scale with FR-22 benefit. So as a result person who is promoted is placed in disadvantageous position. We agree that ACP and MACP Scheme has no protection for such anomalies where a Junior is getting higher GP then the Senior One.

In this reference, I want to mention following facts for your kind consideration.

(1).The issue of Pay Parity of Technicians is attained finality and settled by Apex Court on 10/01/2013 in SLP(C) 33048/2011 filed by Govt. of India.

(2). The subsequent release of order no. 8/8/2006-SIV(A)/Part-I/107 datd 11/03/2014 by DG(AIR) with the Approval of nodal ministries DoLA, DoPT and DoXP both Tech and Sr.Tech placed in the identical scales w.e.f, 1983 (copy enclosed). It clearly means that scales of both the posts are merged.

(3). When this problem of low pay of Senior then Junior by virtue of ACP surfaced on a large scale in all Govt. Departments, in 2000, DOPT issued detailed clarifications dated 10.02.2000 for this and many other doubts about ACP. The Clause 1 of this Clarification is reproduced below for ready reference :

Reference - Office Memorandum No. 35034/1/97-Estt(D)(Vol.IV) Dated 10.2.2000.

1.	Point of doubt	Clarification
	<i>Two posts carrying different pay scales constituting two rungs in a hierarchy have now been placed in the</i>	<i>Since the benefits of upgradation under ACP Scheme (ACPS) are to be allowed in the existing hierarchy,</i>

<p><i>same pay-scale as a result of rationalisation of pay-scales. This has resulted into change in the hierarchy in as much as two posts which constituted feeder and promotion grades in the pre-merged scenario have become one grade. The position may be clarified further by way of the following illustration: prior to the implementation of the Fifth Central Pay Commission recommendation, two categories of posts were in the pay-scales of Rs.1200-1800 and Rs.1320-2040 respectively; the latter being promotion post for the former. Both the posts have now been placed in the pay-scale of Rs.4000-6000. How the benefits of the ACP Scheme is to be allowed in such cases?</i></p>	<p><i>the mobility under ACPS shall be in the hierarchy existing after merger of pay-scales by ignoring the promotion. An employee who got promoted from lower pay-scale to higher pay-scale as a result of promotion before merger of pay-scales shall be entitled for upgradation under ACPS ignoring the said promotion as otherwise he would be placed in a disadvantageous position vis-à-vis the fresh entrant in the merged grade.</i></p>
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Sir, above mentioned Clarification clearly applicable in case of Tech/Sr.Tech. This is an identical case of two rungs as Tech and Sr.Tech as mentioned. The remedy for such anomaly is only to grant ACP/MACP to Technicians ignoring the Promotion to the post of Sr. Technician. Pl. note that this Clarification is valid for MACP also.

So in the light of this Clarification, we request you for the following :

- [1]. To grant ACP/MACP to Sr. Technicians promoted prior to 01/01/1996 ignoring the promotions from Technician to Sr. Technicians as per above mentioned clarification.**
- [2]. To Amend the Recruitment Rules to merge the post of Technician and Sr. Technician in pre revised scale of Rs. 5000-8000 and Grade Pay 4200.**

An early and prompt action is requested

Yours faithfully,

Umesh Chandra
UMESH CHANDRA
 President, ARTEE
 0-9871765714,
umsharma01@gmail.com

Umesh Chandra
UMESH CHANDRA
 2/8/77

Enclosed as above

cc for information to :

- [1]. Hon'ble Secy. (I&B), Shastri Bhawan, New Delhi
- [2]. The Chief Executive Officer, Prasar Bharati, New Delhi.
- [3]. Director General, Doordarshan, New Delhi.
- [4]. Office Copy.

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**[Reference:-Office
Memorandum
No.35034/1/97-
Estt(D)(Vol.IV) dated
10.2.2000] S.No.**

1.

Point of doubt

Two posts carrying different pay scales constituting two rungs in a hierarchy have now been placed in the same pay-scale as a result of rationalisation of pay-scales. This has resulted into change in the hierarchy in as much as two posts which constituted feeder and promotion grades in the pre-merged scenario have become one grade. The position may be clarified further by way of the following illustration: prior to the implementation of the Fifth Central Pay Commission recommendation, two categories of posts were in the pay-scales of Rs.1200-1800 and Rs.1320-2040 respectively; the latter being promotion post for the former. Both the posts have now been placed in the pay-scale of Rs.4000-6000. How the benefits of the ACP Scheme is to be allowed in such cases?

Clarification

Since the benefits of upgradation under ACP Scheme (ACPS) are to be allowed in the existing hierarchy, the mobility under ACPS shall be in the hierarchy existing after merger of pay-scales by ignoring the promotion. An employee who got promoted from lower pay-scale to higher pay-scale as a result of promotion before merger of pay-scales shall be entitled for upgradation under ACPS ignoring the said promotion as otherwise he would be placed in a disadvantageous position vis-à-vis the fresh entrant in the merged grade.