

Tech vs Lighting Assistant Case for 5000-8000 scale wef. 01.01.1996 ... An Update 22.03.17

After the issuance of Order for 5000-8000 scale w.e.f 01.01.1996 by Hon'ble MIB on 08.03.17, the efforts are on to get the order issued by DG(AIR).

As usual some elements, who are always in search of issues for blaming on ARTEE for each and everything while they themselves are responsible for big loss of Arrears to Technicians, started confusing Tech and Sr. Tech Brothers.

Question: Who is responsible for the loss of Arrears?

First there are some basic things which we have to consider. All of these cases are in the lines of Ashok Yadav Case which is granted the scale notionally.

Just go through the last Para of Ashok Yadav Verdict below

12. It is clear that matter has been settled at the level of the Hon'ble Supreme Court that Technicians and Sr. Technicians be treated at par with Lighting Assistants as far as their pay scales are concerned. Once this matter is settled, in our opinion, whether or not the applicants were or were not before the Hon'ble High Court in Writ Petition No.6544/2007 is not relevant. The Hon'ble High Court had enhanced the scale of Lighting Assistant to Rs.5000/- to 8000/- and, therefore, following the judgment of the Hon'ble Supreme Court and Madras High Court this scale of Rs.5000-8000 cannot be denied to Technicians/Sr. Technicians. The OA is, therefore, allowed and the respondents are directed to grant the benefits of higher scale of Rs.5000-8000/- w.e.f. 01.01.1996 on notional basis to the applicants.

So this was the cause of loss of Arrears.

Question: What is the difference in the order in Ashok Yadav and our Case?

Answer: If we analyze the Orders issued by Hon'ble MIB in Ashok Yadav and our case, we can see that in our case the mention of SLP(C) 33048/2011 is given and it is said that Payment of Arrears will be as per the Order this SLP. It may be interpreted either way. This was not the case in Ashok Yadav's Order by MIB.

Question: Why SLP(C) 33048/2011 was not mentioned in the MIB order in Ashok Yadav case and why it is mentioned now?

Answer: Because at that time our sister Association has not filed the contempt in Hon'ble High Court Chennai about Payment of Arrears. The issue was settled at the level of Apex Court so this was not quoted. Please note that the mention of this clause may be interpreted either way.

Question: Is there any threat to Notional Fixation Order?

Answer: No. We don't sense any such possibility.

All Technician and Sr.Tech brothers are cautioned from such ill intended efforts of some people who are always there to take advantage to spread lies. Please recall that when we filed case they said that ARTEE should not file the case and all ARTEE Members are going to get this benefit due to that case itself.

Are these not dual standards of the same people who are trying to establish that Tech and Sr.Tech who will leave ARTEE will also be eligible to avail this benefit ? .Earlier same people told that the decision of filing case was wrong, now telling that even if Member leave ARTEE they will get benefit of Court Order. Actually they want fruits of ARTEE's Case but at the same time wants provoke our Members against ARTEE.

Now a clarification is being sought from Hon'ble MIB about Mention of SLP(C) 33048/2011 in the MIB order and after getting clarification from MIB, the order will be issued from DG AIR. This is a delay of short duration but there is no denial that we will get it. Above all the Department has already submitted an Affidavit in Hon'ble CAT that they are going to implement it. Our MA 2096/2015 (Contempt) is also pending and next date is ON 15.05.17.

We want to assure our Members that we are doing everything that all our Tech/Sr.Tech member's get this benefits as early as possible. Don't go by misinformation being spread by rumor mongers and by enemies of Unity of ARTEE. They are not friends or well-wishers of any one.

Central Office