

Dated

To,
The Director General,
All India Radio,
New Delhi 110 001

(THROUGH PROPER CHANNEL)

Subject: **Request to withdraw the DG-AIR Order No. 8/8/2006-S-IV(A)/Part.III/63 dated 07.02.2019 - reg**

Respected sir,

With reference to the above-cited subject, **I wish to humbly submit that this Order has created confusion and scope for misinterpretation. It has given ample opportunity to field offices to prejudicially withdraw / modify my already fixed payscales.** It is flawed, and designed to undermine the historically unbroken pay parity with Lighting Assistants established by the highest court of the land, achieved after much struggle and litigation.

This Order totally negates the spirit of the DG-AIR Order No. 8/8/2006-S-IV(A)/Pt.I/107 dated 11.03.2014. By changing the date of refixation from 01.07.1983 to 23. 01. 2011, it runs contempt to the Hon. Supreme Court Judgment dated 10.01.2014 in SLP 33048/2011 (arising out of Hon. Madras High Court judgment in WPC 27155/2009) on the Technician Pay Revision issue. Hon. Madras HC judgment dated 24/11/2010 **clearly settled the date of refixation(i.e. coming-into-effect date of the pay revision)**. It instructed the respondents to:

- a) **refix** the Tech / Sr Tech scale **w.e.f. 01.07.1983** and
- b) **comply** with the judgment within 8 weeks from judgment date, i.e. **before 23.01.2011**.

The DG-AIR Order of 11.03.2014 correctly interpreted this judgment and revised/refixed the scales w.e.f. 01.07.1983. But, because it was implemented 40 months after the Hon. HC judgment, the beneficiaries were deprived of monetary benefits for those months. One of the prayers in the Contempt Petition CP 664/2015 in Hon. Madras High Court was to grant those 40 month arrears of salary.

However, the DG-AIR Order of 7th February **totally misinterpreted** the whole proceedings as meaning that refixation itself should be done w.e.f. 23.01.2011. This is **wrong and runs counter** to the spirit of the Govt's Speaking Order No. 8/8/2006-S-IV(A)/Vol.III dated 09.04.2018 in the Contempt Case, in which government agreed to grant arrears w.e.f. 23.01. 2011.

I once again submit that this interpretation is flawed and illogical. It is designed to undermine the concept of historically unbroken pay parity of technicians with lighting assistants, established by Hon. Supreme Court. It gives ample scope for field offices to even tinker with the Rs.5000-8000 payscale granted vide DG-AIR Orders no. 8/20/2015- S-IV (A) of 12.05.2017 and no. 8/20/2015-S-IV(A)/778 dated 18.12.2017.

Hence, I request your kind self to :

- A) withdraw** the Order dated 07.02.2019 and
- B) modify** the Order dated 11.03.2014 only to the extent that back arrears of the Rs, 4500 /- salary would be paid w.e.f. 23.01.2011, clearly stating that this modification would be **WITHOUT ANY PREJUDICE TO THE Rs. 5000-8000/- SCALE GRANTED W.E.F. 01.01.1996 VIDE DG-AIR ORDERS DATED 12.05.2017 AND 18.12.2017.**

Thanking you sir,

Yours faithfully

(Applicant Name, post & station)