

ASSOCIATION OF RADIO & TELEVISION ENGINEERING EMPLOYEES



Office : Room No. 134, Tower-B, Doordarshan Bhawan,
Copernicus Marg, Mandi House, New Delhi - 110001

Largest Employee Welfare Association of Electronic Media in India

Web Site : www.arteeindia.org



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RSA Re Verification under Process

Ref. No.ARTEE/P./43/05/2019

Date.....21.5.19.....
18.6.19

Madam Mukta Goel ji,
Add. Director General (HR),
Prasar Bharati,
New Delhi - 110001

Subject : **A detailed information and sequence of events of 25/2/1999 scales.**

Respected Madam,

With regards, I hereby submit a detailed sequence of events about 25/2/1999 scales as discussed your meeting with this Association on 02/5/19.

Issue of treating 25/2/1999 scales as an Upgradation while granting MACP and subsequent Re Fixation / Downgradation/ Recovery from Employees.

FACTS ABOUT SCALES AND CURRENT SCENARIO

- (1). The scale of Engineering Assistants as on 01-01-1978 was Rs. 425-750. 4th Pay Commission granted Normal Replacement Scale of Rs. 1400-2600.
- (2). There is a Cadre Sound Recordist in Films Division which was granted higher Scale of Rs. 2000-3200 in 4th Pay Commission in Pay Parity with Cameraman. Sound Recordist in Doordarshan demanded Pay Parity and granted were also given Pay Parity with Sound Recordists of Films Division. (Y.K.Mehta vs Union of India) by Hon'ble Supreme Court of India, W.P. (Civil) Nos. 1239/1979, 974/1978 and 1756/86 Decided on 26-8-1988.
- (3). Some Engg. Asstt. Of Doordarshan Filed a case in Chennai CAT on the basis that Sound Recordist is doing only Sound Recording while Engg. Asstt. of is doing Sound Recording, Camera Operations, Studio and Transmitter operation and maintenance, Outdoor broadcasts etc. Hon'ble Chennai CAT accepted the Prayer and granted Pay Parity to Engg.Asstts. with Sound Recordists in the scale of Rs. 2000-3200. It was upheld upto Hon'ble Sup.Court (The famous Raj Shekharan Case vs Union of India). . Through Order no. 310/15/93-B(D), Ministry of Information and Broadcasting Dated 15/05/1995. The Pay Parity was implemented for all EA,SEA,AEs, ASE since 01-01-1978 and Arrears were paid. **(copy enclosed as Annexure I).**
- (4). 5th CPC has brought down the scale of Sound Recordists to Rs. 5000-8000 in place of Rs. 6500-10500 which was normal replacement scale of Rs. 2000-3200. But Protection was granted to incumbent Sound Recordist. It has subsequently brought down the scale of Engg.Asstt. When Associations approached the Ministry to remove this anomaly, they referred the matter of pay revision of Engineering Assistant, Technician Grade I & Grade II to Anomaly committee of Secretaries which was constituted to recommend suggestions


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to remove anomaly in the pay scales. Union Cabinet in on 06 November 1997 considered the report of the Fast Track Committee (Committee of Secretaries) and directed a Ref. Committee...of...Three Ministers to take appropriate decision. In ~~the order dated~~ 05.12.1997, issued by Ministry of I&B (**copy enclosed as Annexure II**) decided that 90% of the difference to be extended to the higher scale, and "the decision relating to either payment of balance 10% or adjustment of adhoc payment shall be settled depending upon the decisions of Prasar Bharati." This order was issued with the concurrence of Ministry of Finance. Prasar Bharati came into existence on 23/11/1997. Govt. left balance 10% of Pay scales to be decided by Prasar Bharati. Authority which came in to existence in 23/11/97 is vested responsibility to decide about Pay Scales which is implemented w.e.f. 01.01.1996.

(5). Ministry of I&B, vide its order dated 25.2.1999 finalized the pay scales of subordinate Engineering & programme cadres, including the cadres of Engineering Assistant & Senior Engineering Assistant by granting the remaining 10% of the difference to the higher scale with the Approval of Central Cabinet. (**copy enclosed as Annexure III**).

(6). Transmission Executives and Production Assistants were also granted Pay Parity with Engineering Assistants in the scale of Rs. 6500-10500 and Programme Executive with Assistant Engineer in the scale of Rs. 7500-12500.

(7). In Addition to 11 Categories which were granted these Pay Scales, PB granted the same to some more cadres on 9th March 1999 in AIR & DD. The Recovery will adversely effect 11+16= 27 Cadres i.e. more than 18000 employees.

(8). Some EA, SEA and AEs who refused to be part of 05/12/1997 and 25/2/1999, approached Court law through OA 1867/1998 and their Pay Scale is protected and it is clearly mentioned that scale of **Rs. 6500-10500** is replacement scale and not upgradation. They have been granted ACP also as per CAT PATNA verdict OA 514/2002. DEWA case upheld by Apex Court, benefit is extended to SEA/AE vide CAT Patna case no. OA 85/1998 & 662/1998 and granted Pay Scale 6500-200-10500 as normal replacement of 2000-3200 scale of 4th pay commission.

(9). In 2004 on employees demand a High level Group of Ministers (GOM) was formed to review the functioning of Prasar Bharati including funding. The GOM took the decision that Employees joined upto 05/10/2007 shall remain Govt. Employees working in Prasar Bharai till their Retirement with all the benefits admissible to Govt. Employees. Section 11 of Prasar Bharai Act was amended accordingly. The pay scales granted as per the CCS(RP) Rules 1997 amended in the light of OM dated 25.2.1999 (as mentioned in above said letter) stands automatically converted to revised pay scales as per CCS(RP) Rules 2008. (**copy of Gazette Notification enclosed as Annexure - III-1**).

(10). Employees working on deemed deputation in PB got 6th CPC and MACP since their status was cleared by the recommendations of Hon'ble G.O.M.

(11). MACP is granted by the Approval of PB Board in its 113th Meeting. (**Copy enclosed as Annexure IV**).

Shamsher
28/6/19

