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## Request to issue Order based on the stay granted in CP 371/2018 filed by ARTEE

1 message

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ARTEE ASSOCIATION <arteeindia@gmail.com>  
To: ceo@prasarbharati.gov.in  
Cc: dgair@air.org.in, adghrpb@prasarbharati.gov.in

Thu, Oct 15, 2020 at 12:22

### **ASSOCIATION OF RADIO AND TELEVISION ENGINEERING EMPLOYEES (ARTEE)**

**Largest Employees Welfare Association of Electronic Media**

**Affiliated to Bharatiya Mazdoor Sangh**

*Affiliated To Union Network International, Geneva*

[WWW.arteeindia@gmail.com](mailto:WWW.arteeindia@gmail.com)

ARTEE/PB/02/10/2020

Date:-15-10-2020

To,

**The Chief Executive Officer**

Prasar Bharati Secretariat

Prasar Bharati House, Copernicus Marg,

New Delhi – 110001.

SUB : Request to issue Order based on the stay granted in CP 371/2018 filed by ARTEE, to mitigate the confusion and panic created by an unrecognized association in its recent letter to PB-Reg.

Ref: Letter dated 12-10-2020 submitted by AADEE to Prasar Bharati.

Esteemed Sir,

With highest regards is to bring in your kind knowledge that as per the direction of Hon. High Court of Delhi, ARTEE filed CP371/2018 in OA 2479/2015 in Ld.CAT Principal Bench, against the DG-AIR order dated 26.06.2018 for pay re fixation and recovery. **In this case, Ld CAT while staying the impugned order of DG-AIR, restrained the Respondents from taking any further coercive steps against applicants. In the latest hearing of this case held on 06.03.2020, this stay is extended up to the next date of hearing.** (Copy of the stay order is annexed herewith.)

Later some individuals and other Associations also got a similar stay (six cases in all). A newly formed, unrecognized association also approached Ld. CAT Principal Bench, Delhi on the same issue but lost their case. This association later obtained a stay from the Honorable High Court of Delhi in WP(C) 9890/2019 against the Ld. CAT Order.

**In view of the stay obtained by ARTEE, ADTEA, this new Association and other individuals, Prasar Bharati secretariat, upon the directions of Ministry of I&B, has generalized the benefit of the STAY to all those employees who are similarly placed, vide order PB-4(4)(6)/2020-Admin.Misc.grievance/33 Dated 14/7/2020.**

**It is clear that the order to extend the benefits of stay to all the similarly placed employees was a carefully considered decision taken by the authorities after taking cognizance of the stay orders obtained by ARTEE and other associations/ individuals.**

**It may also be kindly noted that in this Order, the mention of a single court case was made only for the sake of brevity, to obviate the necessity of mentioning all the six cases each time such are referred to. This High Court case was taken as representing the other cases, because it was dependent on the Stay obtained by ARTEE in OA2479/2015 in July 2015, against the MIB Order of 08.09.2014. We understand that in the inter-office correspondence on this matter, DG-AIR, Prasar Bharati and Ministry consistently took cognizance of and referred to all the six cases.**

**As per Prasar bharati legal cell opinion the applicants in OA 2479/2015 (ARTEE&ors) who are now before CAT principal bench Delhi with CP 371/2018 are fully protected against recoveries and re fixation .**

**In fact, DG-AIR on this matter clearly opined:**

**”.....in view of the multiple court cases, we may request Prasar Bharati to take up the matter with MIB for issue of coherent directions for maintaining status quo in such a manner that each and every incumbent, who is beneficiary of scales by virtue of MIB OM dated 25/02/1999, should be covered until the matter attains finality in the Court of law. MIB may also be requested to address the issue of retiring officials also so that they may need not to run for the Court protection. To cut down on the number of court cases linked to MIB OM dated 25/2/1999, stringent efforts may be made to resolve the issue.**

**As a responsible staff welfare association, we unreservedly share this opinion. So, when Prasar Bharati duly issued Orders generalizing the Stay orders to all affected staff, we welcomed it, even though there was no specific mention of our stay in that Order, for the sake of employee benefit.**

**But we understand that as per the letter dated 12-10-2020 mentioned in the reference; this unrecognized entity has misrepresented the facts regarding the Prasar Bharati Stay order.**

**Through their hasty ill-considered letter they have tried to breed misconceptions, distrust and disharmony among the employees and also tried to create a wedge between the employer and employees.**

**Their letter to Prasar Bharati demands that the benefits of the PB order of 14.07.2020 should be extended only to its members. It has the deplorable audacity to tell Prasar Bharati not to extend it to ARTEE or ADTEA**

**members! This is ill-advised, unwise and short-sighted. They are trying to give the impression that this Order was a result of only their efforts, and dictating as to what to do and what not to do.**

**Sir, we, as a welfare association, believed that any effort, from any entity, in the interest of employees should be encouraged. We felt that, as long as employee interest is served, credit can be taken by anybody. But we realized with deep regret that this new unrecognized entity is marketing the mention of its High Court case in the Ministry and Prasar Bharati Orders for mischievous propaganda that only it is protecting the interest of employees. They have taken self-advertisement and self-promotion to a new level in this matter. This has led to enormous confusion, panic and unrest. This untenable claim must be contested and corrected.**

**Hence sir, to remove all confusion created among the subordinate engineering fraternity by this imprudent and misguided letter, we request you to kindly issue separate orders to comply with the Stay Order dated 29.06.2018 in CP 371/2018 of ARTEE. This would certainly go a long way in mitigating the panic generated by the letter referred above.**

**With highest Regards**

M.P.Chaudhari  
President

Manoj Kumar Gupta,  
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Copy for information and kind consideration:

- [1].Director General, All India Radio, Akasvani Bhawan New Delhi
- [2]. Ms. Mukta Goel, ADG (HR),PB