

## **Update about EA-SEA Merger Case WPC No. 8712/2018**

As you are aware, ARTEE has taken over the OA 282/2018 filed by Sh. Vijay Haror and Nine others for merger of EA with SEA in G.P. Rs.4600/-. Through the Order dated 08.02.2018, hon'ble CAT had directed the respondent No.1, (The Secretary, Ministry of Information & Broadcasting,) to notify the modified recruitment rules for the merged cadre of EA with SEA, within a period of three months from the date of receipt of certified copy of the order.

After this Government filed RA 83/18 which was dismissed and then Contempt Petition CP 100/18 in OA 282/18 was filed by us in CAT Delhi. Meanwhile on (18.08.18), Government filed a Writ petition WPC 8712/18 to challenge the CAT Order in OA 282/18 which was again listed today (30.01.20) at Delhi high court in court no.38 at Serial no.20 .Our advocates Sh. Ashwani Bhardwaj ji and Sh. Manish Bisnoi ji were present in the Court and were ready for arguments.

But AADEE through Sh.Ashwani Dagar filed an Interim Application, requesting the Court to allow them to intervene in WPC No. 8712/2018. Unfortunately Honble Court allowed their demand despite strong opposition by our Advocates. But instead of arguing the case, advocate for Sh.Ashwani Dagar (AADEE) as intervener demanded for next date. It is to be mentioned that government advocate also was in favor of advocate of AADEE in demanding next date. Our advocate strongly opposed it and informed the Court that for the last ten years this merger is pending .Our advocates also said that ministry is delaying it but advocate of Sh.Ashwani Dagar (AADEE) insisted for next date. Our advocate opposed the demand of advocate of Sh.Ashwani Dagar and request to go for arguments .When repeatedly intervener advocate together with Government advocate requested for next date, our advocate requested for short date, if arguments not happening today. Court gave 28.04.2020 as next date of hearing.

Today again AADEE is exposed again as an anti employee Association, with the only motive to damage the efforts by ARTEE for employee welfare. It is pertinent to mention that today the advocate of AADEE spoiled the possibility of augment with the active support of Government advocate, when the case came up for hearing and both judges and when our Advocates were fully prepared for arguments. **ARTEE Central Office condemns this anti employee attitude and action of AADEE.**

Today there was a fair chance of the case to be decided positively, but AADEEs suspicious move spoiled this. Government always tried to delay the proceedings in

Court cases where employees are strong and had tried to link such cases to some other cases where we are weak.

Government advocate in a very clandestine manner already succeeded in clubbing WPC 9890/2019, a weak case of AADEE which AADEE lost in CAT Delhi with WPC 2034/2017 of Smt. Shyamli Biswas , a strong case which is allowed in her favor in CAT Delhi by her own efforts. Now it seems Government advocate is planning to demolish 25/02/99 issue by arguing on AADEE weak Case.

In the same manner Government advocate don't want EA/SEA Merger case to be decided before the decision on AADEE's weak case as explained above. The next date of that weak case is on 14/04/20. **It is to be noted that the main argument from government side against EA-SEA merger in GP. 4600/- was that Recruitment Rules (which are statutory in nature) of the merged cadre of EA and SEA, CAN NOT be finalized, till the finalization of Court Cases pending in the issue of 25.02.1999 Scales..** That's why today's development goes in favor of department. If the issue of 25/2/99 is decided against employees before decision in Merger case then Merger in GP Rs.4600/- may become difficult and if a favorable decision in Merger case had come from Court prior to the decision in 25.02.1999 issue, it might have become very helpful for employees in getting a favorable decision 25/2/99 Recovery and re-fixation issue also.

**Central Office**