

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



Regd. & Recognised by Govt. of India

Ref. No. ARTEE/P/02/2020-21/80

Date 23-09-2021

Shri Anurag Singh Thakur,
Hon'ble Minister of Information and Broadcasting,
Hon'ble Minister of Youth Affairs & Sports
5th Floor, Shastri Bhawan, New
Delhi - 110001.

Subject: Request to

(i) Withdraw Ministry of I&B order bearing F.NO: 11013/20/2018-BAE dated 18.08.2021 regarding granting Provisional Pension and Provisional gratuity as per Pension Rule 64 of CCS(Pension)

[Ref : F.NO: 11013/20/2018-BAE dated 18.08.2021 by Min. of I & B
&

G-11502/Pr.AO/I &B/Court case/2021-22/632 dated 19.08.2021 by O/o Chief
Controller of Accounts, Principal Account Office, Min of I & B, New Delhi]

(ii) Grant the Recognition of Associations as per Service Association (RSA) Rules, 1993.

Respected Sir,

ARTEE, an affiliate of BHARATIYA MAZDOOR SANGH (BMS), the largest employee association in AIR & Doordarshan congratulate you once again as the Honourable Minister for I & B and sincerely hope that under your able administration the Public Broadcaster would attain new heights. As a responsible & sensitive Association ARTEE always encouraged our members to work hard following "Standard Covid Appropriate Behaviour" throughout this ongoing pandemic period. We have unflinchingly responded to the government's call for continuous and uninterrupted service during the pandemic, unmindful of any personal risk. We have been working round the clock throughout the width and breadth of the nation, disseminating authentic information through several languages so that the efforts of the government under our Honourable Prime Minister Shri Narendra Modi Ji, reach the entire population.

Firstly we want to introduce the huge exasperation of subordinate engineering staff which has been triggered by an order issued by Min. of I & B (F.NO: 11013/20/2018-BAE dated 18.08.2021) & order by O/o Chief Controller of Accounts, Principal Account Office, Min of I & B, New Delhi (G-11502/Pr.AO/I &B/Court case/2021-22/632 dated 19.08.2021) subsequently.


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Sir, it is necessary to recall the flashback of this issue here. our Association (ARTEE), filed a case bearing OA No.2479/2015 in Ld. CAT Principal Bench, New Delhi with a prayer to quash the MIB Order of 08.09.2014 and subsequent Orders which were issued to down fix the Pay of subordinate engineering employees of AIR&DD arbitrarily and to issue instruction for restoration of pay and refund of recovered amounts to the affected subordinate engineering employees of AIR & DD.

This OA was allowed by the Ld. Tribunal vide its Order dated 01.12.2017. This Order has become final and binding upon both the parties as it has not been challenged in the Hon. High Court or any other court so far.

But the Order pronounced by Hon'ble CAT Delhi dated 01.12.2017 was violated by the department vide MIB Letter dated 31.01.2018 and subsequent DG-AIR Circular dated 26.06.2018. Such arbitrarily defined orders forced ARTEE to file Contempt Petition in CAT Delhi with CP No.371/2018, in which the Ld. Tribunal passed a very strict Order on date 29.06.2018 directing that the department shall not take any further coercive action against applicants. This Order is still in force today.

Therefore it is pertinent to mention here that the pay of our retiring members cannot be down-fixed or reduced in any way as per last order pronounced by Hon'ble CAT Delhi dated 29.06.2018. Any down-fixation or recovery may be subject to the contempt of court decision of Hon'ble CAT Delhi.

Recently Ministry of I&B Vide issued an order dated 18.08.2021 regarding Provisional Pension under Pension Rule 64, and directed the office of Chief controller of accounts, Ministry of I&B to issue instruction to all PAO to grant provisional pension and provisional retirement gratuity as per Rule 64 of CCS(Pension) to all retiring government employees of Akhasvani and Doordarshan .

Sir , such order may not be implemented uniformly as a blanket rule to all employees of AIR & DD and it is a gross violation of rules as per the subject of Provisional Pension Rule 64, CCS (Pension) Rules is concerned. The applicability of Provisional Pension Rule 64, CCS (Pension) may be subject to limitation of few rare and isolated case only where as it may not be feasible also for the Head of Office to forward the pension papers of retiring employees to Account Officer within the period prescribed in sub rule (4).

The provisions of Rule 69, CCS (Pension) deals with the Provisional Pension where Departmental or Judicial Proceedings may be pending against any individual whereas Rule 69 GID (1) states that it is mandatory to grant Provisional pension if any Departmental or Judicial Proceedings are continued for grave misconduct or negligence of any individual. Hence Rule 64 & 69 of CCS(Pension) should not be forced applicable for all retiring government employees of Akashvani and Doordarshan homogeneously.

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Sir, the present pending MACP litigations where status quo orders are continued against any re-fixation and recoveries as per Contempt Petition No.371/2018 in the OA 2479 Filed By ARTEE, in which the Ld. Tribunal passed the Order dated 29.06.2018 with a clear direction that the department shall not take any further coercive action against the applicants. This Order is still in force today.

Sir, it is very reasonable to mention here that the pay scale of Engineering Assistant cadre and Technician cadre are not upgraded scale and this fact has been ignored on purpose since decades. Intact Hon'ble Supreme Court had granted Sound Recordist parity to the cadre of Engineering Assistant from 1978 and Lighting Assistant parity to the cadre of Tech./Sr. Tech. from 1983 as Replacement Scales for both the cadres correspondingly but Min. of I & B hadn't quoted those parities in the Id note dated 11.02.2016 unfortunately. It is also necessary to mention here that Union Cabinet had also considered the Pay Scale Protection of Engineering Assistant from 01.01.1996 in the Cabinet meeting dated 06.11.1997 and asked to implement as per the implementation schedule enclosed with the Cabinet decision.

The Central Government employees of AIR & Doordarshan are governed by DoPT's Recognition of Service Association (RSA) Rules, 1993. Under these Rules, recognition was granted to some associations in the department (including ARTEE) in 2013. However, after four years, a process for re-verification of members was initiated but astonishingly; the recognition granted in 2013 was withdrawn.

This has created an acrimonious situation where the employees do not have a mechanism for expressing their grievances. Major policy decisions profoundly affecting the public broadcaster like closure of ATT installations created by the Govt. of India without trying to replace them with modern DTT technologies, removal of difficult/ tenure station status of installations where administration is finding it difficult to do the broadcasting operations due to the inaccessible terrain, lack of communication and amenities etc, have been initiated by PB arbitrarily without consulting the stakeholders.

Last year, a private consulting company made a secret man-power audit, keeping staff members in total darkness. Also, there are media reports about a VRS scheme for AIR / DD staff. The silence and the secretive nature of Prasar Bharati is creating suspicion about its real intentions.

We suspect that the failure of Prasar Bharati management on all fronts is being shifted to employees. The government, being a model employer, should give a platform for its employees to express their grievances. Right now the consultative mechanism is totally bypassed by the PB.

We wish to reiterate that, as employees of this public broadcaster, we have a stake in its well-being. We can prosper only if our organization prospers. We, as a staff welfare association, are eager to discuss thread-bare all aspects of its present state and ways to improve it.

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In fact, in many earlier communications to the authorities, we submitted a number of suggestions and ideas to improve the performance of AIR/ Doordarshan and generate revenue. Instead of viewing the Employee Associations as stumbling blocks, a wise and sagacious human-resource manager would see them as a source of ideas, experience and wisdom and attempt to use these qualities

for betterment of the organization. But department has been issuing orders adamantly of sudden closure of 412 ATT DD Transmitters in just next few months vide order No 3(2)1/Doordarshan ATTs/2020/E-II-Part(1) dated 20.09.2021 and more orders like this are likely to be issued also.

The issue of grant of recognition to Association of CG Employees was placed in the Agenda items provided by the Dy Secretary (JCA & RES II) DOPT, Govt of India for the discussions to be held on 26th June 2021 bearing letter no. 3/4/2021-JCA dated 16.06.2021 and item no- NC/48/14/21 to restore functioning of departmental and office councils in terms of JCM scheme (Copy enclosed herewith). Minutes of 48th meeting of National Council(JCM) held on 26.06.2021 is also attached herewith for your kind perusal.

AIR & DD have been very effective in creating awareness about COVID19 and keeping the morale of the people up during the lockdown. But, our department has scrupulously ignored and lynched many issues related to Subordinate Engineering Cadre in the name of the pandemic. This is creating huge disappointment & unrest among the staff members. Therefore, considering the gravity of the apathy meted out to the staff and the agony of the employees, we earnestly request you to confer your precious time to intervene on above important issues of employees of AIR & DD and issue directions for appropriate action.

Thanking you in great anticipation.

Sincerely yours

(M.P. Chaudhari)
President, ARTEE

DDK-Lucknow

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