

# ASSOCIATION OF RADIO & TELEVISION ENGINEERING EMPLOYEES



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

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Ref. No. ....ARTEE/2025/06

Date...27/02/2025

To,

The Chief Executive Officer,  
Prasar Bharati,  
Tower C, Doordarshan Bhawan  
Copernicus Marg, Mandi House,  
New Delhi - 110001

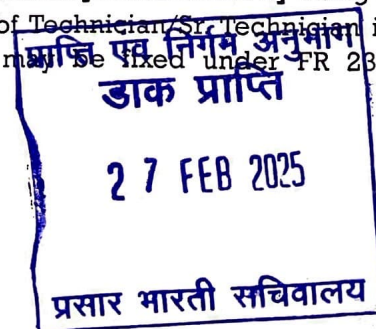
**Subject: Extending benefit of bunching increments under V-CPC regime in the pay fixation of Technician/ Senior Technician - Request for issuance of clear instructions /clarifications to Cluster offices & PAOs.**

Respected Sir,

We seek your kind attention to the grave injustice done to some Technicians and Senior Technicians in certain Cluster offices by down-fixing their pay removing the bunching increments extended earlier under the V-CPC regime through misinterpretation of CCS (RP) rules 1997 and by quoting a FR 23(6) which does not exist in the FR & SR as on date.

2. As an example of such flawed fixation of a retiring employee, we are attaching a copy of the latest pay fixation of Shri Felix P Mathew, Sr. Technician, AIR Kochi who has retired in October 2024 [ANNEXURE-1]. Shri Felix P Mathew has joined as Technician on 16-08-1989 and his pay was fixed in the pay scale of Rs.1400-2300 in 4th CPC. He was drawing a basic pay of Rs. 1640/- in the pay scale of Rs.1400-2300 in 4<sup>th</sup> CPC as on 31-12-1995 and he is eligible to get 2 bunching increments in accordance with CCS(RP) Rules, 1997 as the benefit of bunching has nexus with the stage at which a Government servant has reached in the existing scale. He was allowed such bunching increments as per his original pay fixation. However, AIR Kochi Cluster decided to remove the bunching increments by just quoting that bunching is not admissible in the Rs. 5000-8000 scale as the pay scale was not a Pay Commission recommended scale.

3. Another example is of Sh. K Sasi, Sr. Tech, Akashvani, Kannur falling under Akashvani, Kochi Cluster. He has submitted representation on 31.07.2024 [ANNEXURE-2] against the withdrawal of bunching benefit vide 'Pay Fixation Statement' dated 16.02.2023 issued by HoO Akashvani, Kannur in modification to earlier 'Revised Statement of Pay Fixation' dated 21.08.2017. The representation submitted by Sh. K. Sasi was turned down by Kochi Cluster vide memorandum dated 23.07.2024 [ANNEXURE-3] citing that the pay scale of Rs. 5000-8000 extended to the cadre of Technician/Sr. Technician is not a pay commission recommended scale and hence may be fixed under FR 23(6), without





allowing the benefit of bunching. As per the RTI reply [ANNEXURE-4] obtained by an employee, DoP&T has categorically stated that there are no sub clauses/ sub rules to FR 23 and as such FR 23(6) does not exist.

4. It is imperative that an employee is eligible to get all the benefits including the bunching benefit which is integral part of CCS (RP) Rules, 1997 while extending the benefit of fixation from 01-01-1996 unless and otherwise specified by the Competent Authority that the pay has to be fixed under FR. There is no such direction from the Ministry or the CCA in the orders issued by the Ministry, PB and DG: AIR extending the scales of 425-700/ 1400-2300/ 5000-8000 to the cadres of Technician and Sr. Technician in parity with Lighting Assistant as per the judgment of Hon'ble High Court of Madras. Having decided to extend the pay scale of Rs. 425-700 from 01-07-1983 to 31-12-1985, Rs. 1400-2300 from 1-1-1986 to 31-12-1995 and Rs. 5000-8000 from 01-01-1996, the Cluster heads cannot deny bunching benefit citing that this is not a Pay Commission recommended scale. These scales are the standard pay scales of the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> CPCs respectively and were extended as an improvement on the earlier recommended pay scales by virtue of Court orders. The said pay scales have been revised by the Hon'ble Courts in parity with Lighting Assistants and therefore, the fixation was done by all the Kendras in terms of respective the CCS (RP) Rules as no specific instruction was incorporated in the orders issued for the implementation of Court orders to extend the fixation benefit, as per FR, in the pay scales revised by the Courts.

5. The pay of Technicians & Senior Technicians of AIR & Doordarshan was revised by virtue of the verdict of Hon'ble Madras High Court dated 24-11-2010 in the pay scale of Rs.425-700 w.e.f. 01-07-1983 (IV-CPC) and in Rs.1400-2300 (V-CPC) as per DG:AIR order dated 11.03.2014 [ANNEXURE-5]. The pay of Senior Technicians were further revised to Rs.1600-2660 from 01-01-1986 vide DG:AIR order dated 07.04.2023 [ANNEXURE-6] implementing the verdict of Hon'ble Madras High Court in CP 664/2015 arising out of WP 27155/2009.

Therefore, it is an undisputed fact that the Technicians were in the scale of Rs.425-700/ 1400-2300 w.e.f. 01.07.1983 and Sr. Technicians were in the scale of Rs.1600-2660 when the CCS (Revised Pay) Rules 1997 came into effect w.e.f.01-01-1996.

6. As per the CCS (RP) Rules, 1997, for all the employees who opt for the Revised Pay from 01-01-1996 or at a later date, if their DNI falls on a later date, their pay fixation should be done under sub-rule 7 of the CCS (RP) Rules, 1997. Further, Note 3 to Sub-rule Rule 7 (1) (A) of CCS (RP) Rules, 1997 stipulates that ***the fixation of pay thus made shall ensure that every employee will get at least one increment in the revised scale of pay for every three increments [inclusive of stagnation increment(s), if any] in the existing scale of pay.***

7. For brevity we are reproducing the entire RULE 7 of CCS (RP) Rules, 1997 hereunder:

*"7. Fixation of initial pay in the revised scale: (1) The initial pay of a Government servant who elects, or is deemed to have elected under sub-rule (3) of rule 6 to be governed by the revised scale on and from the 1st day of January, 1996, shall, unless in any case the President by special order otherwise directs, be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him, in the following manner, namely:-*



(A) in the case of all employees-

(i) an amount representing 40 per cent of the basic pay in the existing scale shall be added to the 'existing emoluments' of the employee; (ii) after the existing emoluments have been so increased, the pay shall thereafter be fixed in the revised scale at the stage next above the amount thus computed. Provided that - (a) if the minimum of the revised scale is more than the amount so arrived at, the pay shall be fixed at the minimum of the revised scale; (b) if the amount so arrived at is more than the maximum of the revised scale, the pay shall be fixed at the maximum of that scale

**2<sup>nd</sup> Proviso:** Provided further that where in the fixation of pay, the pay of Government servants drawing pay at more than four consecutive stages in an existing scale gets bunched, that is to say, gets fixed in the revised scale at the same stage, the pay in the revised scale of such of these Government servants who are drawing pay beyond the first four consecutive stages in the existing scale shall be stepped up to the stage where such bunching occurs, as under, by the grant of increment(s) in the revised scale in the following manner, namely: (a) for Govt. servants drawing pay from the 5th upto the 8th stage in the existing scale - by one increment

(b) for Govt. servants drawing pay from the 9th upto the 12th stage in the existing scale, if there is bunching beyond the 8th stage - by two increments

(c) for Govt. servants drawing pay from the 13th upto the 16th stage in the existing scale, if there is bunching beyond the 12th stage - by three increments If by stepping up of the pay as above, the pay of the Government servant gets fixed at a stage in the revised scale which is higher than the stage in the revised scale at which the pay of a Government servant who was drawing pay at the next higher stage or stages in the same existing scale is fixed, the pay of the latter shall also be stepped up only to the extent by which it falls short of that of the former.

**3<sup>rd</sup> Proviso:** Provided also that - The fixation thus made shall ensure that every employee will get atleast one increment in the revised scale of pay for every three increments [inclusive of stagnation increment(s), if any] in the existing scale of pay."

8. The underlying object of extending the benefit of bunching as provided in Note 3 under Rule 7 of CCS (RP) Rules, 1997 is to avoid heartburning on the part of senior Government Servants who have put in certain years of service by treating them at par with junior Government servants. The object can only be said to be logical and reasonable.

9. The benefit of bunching is available to a Government servant because he has reached a particular stage in the existing scale. The benefit of bunching has no relevance to fixation in time scale rather the benefit of bunching has nexus with the stage at which a Government servant has reached in the existing scale. Further, bunching of increments is purely dependent upon number of increments earned by the employee in the existing scale. If a Government servant has crossed four stages, he is entitled to the benefit of bunching by getting one increment. Similarly, if he has crossed eight stages, he will be entitled to two increments and if he has crossed twelve stages, he will be entitled to three increments.

10. Therefore, it is evident that the pay of an employee who opts for the revised pay scale has to be fixed under RULE 7 of CCS (RP) RULES, 1997 and he/she is eligible for at least one bunching increment for the every three increments he has earned in existing



scale if his pay is so fixed under RULE 7 in V-CPC regime. That means Fundamental Rule 23 has no applicability in such cases.

11. As answer to a RTI Question filed by an employee on the reasons not to extend the bunching increments, Kochi Cluster had informed vide reply dated 04.12.2023 [ANNEXURE-7] that the bunching cannot be given to the employee as he is drawing higher pay scale of Rs. 5000-8000. This runs per-contrary to the objective underlying the provision of granting bunching increments and also contrary to the Clarification dated 04/08/2017 [ANNEXURE-8] issued by DG AIR where it was clarified that Rs. 5000-8000 is not an upgraded scale.

12. If bunching benefit as per Note 3 to Rule 7 is denied, a senior employee who is for example at the 5th stage in existing scale will be placed at the same stage in the revised time scale compared with an employee who is in the 1st stage and as such the object underlying the provision of granting benefit of bunching will completely be frustrated and will become nugatory.

13. Having said that, we bring to your kind notice that the pay of all the Technicians and Senior Technicians were initially fixed under Rule 7 of CCS (RP) Rules, 1997 which is evident from the fixation copies of all of them. Even in the revised pay fixation, it can be seen that the office has fixed the pay as per the formula given in Rule 7 (1) (A) by adding 40% of the basic pay and Interim Relief 1&2 to the existing emoluments. If the fixation is done as per the Fundamental Rule, the applicable FR should have been specified in the pay fixation order itself and such fixation giving the weight-age of 40% of basic pay and the Interim Reliefs without extending bunching benefit tantamount to selective implementation of Rule 7 of CCS(RP) Rules, 1997. This is yet another point to show that the Kochi Cluster office cleverly avoided extending the benefit the bunching increment without specifying any rule for such partial implementation of pay rules.

14. The cadre of Technician as on 31-12-1995 was drawing pay in the scale of Rs. 1400-2300 by virtue of the parity with the Lighting Assistant and as per the DG: AIR order they were in 5000-8000 pay scale on 01-01-1996 which is not an upgraded scale according to the clarifications issued by the DG AIR on 04-08-2017. Therefore, their pay has to be fixed under Rule 7 of CCS (RP) Rules, 1997 and not under the Fundamental Rule. Further, as per order dated 07/04/2023 extending Rs. 1600-2600 pay scale to the Sr. Technicians, DG: AIR had indisputably used the phrase 'pre-revised pay scale'. Once the pay is fixed under Rule 7, these cadres ought to be extended the benefit of bunching which is an inherent feature of Rule 7 and denying such eligible benefit is harassment to the employee and leads to unnecessary legal fights. Already a few employees have obtained a stay on the removal of bunching increment from their salary. However, the Kochi Cluster is continuing in their efforts to deny bunching increments.

15. Further, the pay scale of Rs. 1400-2300 extended to the cadre of Technician notionally w.e.f. 01.07.1983 and pay scale of Rs. 1600-2600 extended notionally to the cadre of Sr. Technician w.e.f. 01.01.1986 is not an upgraded scale but a revised pay scale extended by virtue of Hon'ble Supreme Court/ High Court orders in parity with Lighting Assistants and this parity has to be maintained in letter and spirit. The notional fixation of pay was done in terms of relevant CCS (RP) Rules of 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> CPCs. The underlying object of extending the benefit of bunching has been consistent through all the CPCs. The unbecoming action of Cluster heads in removing the bunching increments granted earlier tantamount to disregard this parity extended by the Courts.

Therefore, in view of the above facts and extant rules, we request you to intervene immediately and to issue a clear instruction / clarification that pay scale extended to the Technicians/ Sr. Technicians by virtue of Court orders is the 'Revised Pay Scale' for all purposes and they are eligible for all the benefits extended by the V-CPC including the bunching increments in terms of 2<sup>nd</sup> and 3<sup>rd</sup> proviso to Rule 7 (1) (A) of CCS (RP) Rules, 1997.

Yours Sincerely

*Joginder Singh*  
27/02/2025

(Joginder Singh)  
President, ARTEE  
Mob:9810642700

Encl: Annexure 1-8 as above

Copy To:

- (i) Director General: Akashvani, Akashvani Bhawan, Parliament Street, New Delhi.
- (ii) ADG (HR), Prasar Bharati Secretariat, PB House, Copernicus Marg, New Delhi.
- (iii) DDG (E-HR), Akashvani Bhawan, Parliament Street, New Delhi.