

## **Minutes of the CWC meeting of ARTEE held from 25<sup>th</sup> to 27<sup>th</sup> July 2012 at Delhi**

Meeting of the Central Working Committee held on 25, 26 & 27 July 2012 at Delhi discussed the agenda points circulated earlier in detail. Since the CWC members working in DDK & AIR Delhi were busy with live coverage of oath taking ceremony of His Excellency the President of India, the meeting could begin only at 15:30 Hrs.

Meeting started with two minutes silence to pay homage to the members who lost their lives since we held our last CWC.

Shri. Umesh Chandra, President ARTEE while welcoming the members pointed out the hectic activities, turmoil and various developments during the last one year. He spoke about the meeting in Ministry on 28th July 2011, after the three days relay hunger strike of SSS and subsequent events in August & September 2011 after Prasar Bharati's order on Associations. He stressed that members should understand the importance of a strong employee platform and the consequences of the absence of such a platform. He called upon the members to avoid cadre-wise differences, remain united, while concentrating more on cadre related issues and not merely on transfers, trust the leadership and cautiously interpret the issues before taking them up, and learn to work with persons having difference of opinion etc. for a better future. He informed the house that while our Association is totally focused on Recognition process, the management is making efforts to cause maximum harm to our cadres through various steps like merger of EA&SEA as JE with GP of Rs.4200/- to overcome verdicts of Hon'ble Courts in Patna (ACP), One Cadre One Pay, MACP etc. He pointed out that though we have got the MACP with the efforts of Association, some efforts were also made to harm our interests but we succeeded in overcoming that. He cautioned the members on the individuals who became experts in stopping the promotions such as SEA to AE and AE to ASE through filing Court Cases.

He expressed gratitude on behalf of the house to the matchless efforts of Shri. Ashok Gupta, former Organising Secretary, Delhi State, who even after retirement from service worked sincerely for the Association and extended full support throughout the organising of this CWC meeting. The services of Shri. T.V. Reghunathan (Jt.Secy, Tech/Sr Tech- SZ) who retired recently from service were also remembered. CWC extended its gratitude with thumping applause to both of them for their services.

Shri Anilkumar S, General Secretary in his annual report came out with an account on the developments during last one year (after the last meeting of the CWC). He informed that the Central office is making all out efforts for the completion of recognition process at the earliest. He informed the house that as per our observation we have got a very good response from our members in the deduction of subscription towards the association but the reports from some DDO/HOO are still pending causing delay in the process. Further, the stations are not intimating PB on the details of total numbers of employees in the category defined for this purpose, without which they cannot calculate the percentage of representation as envisaged in the CCS (RSA) Rules 1993. He informed the house that even though the date granted by Hon'ble CAT Delhi for completion of the process was 29th June 2012, the department has already sought two months extension from the Hon'ble Court and the new time limit is 31st August 2012. He called upon members of the CWC to coordinate with the Unit secretaries & DMC Coordinators to ensure that the requisite information reaches from the DDO/HOO to PB Secretariat at the earliest.

He informed that the introduction and details on the agenda points are given in his report for which CWC has to take decision on further organisational and legal steps, to ensure due benefits to our members and cadres on all issues related to them. He stressed the need of the hour to ensure the unity of employees of AIR & DD in general and unity of members of the Association in particular for the wider interest of our cadres.

The balance sheet for the financial year 2011-2012 was provided to all members in the CWC meeting. The Balance sheet shows the expenditure of Rs. 7,54,662/- with the total assets of Rs.32,82,820.67. The balance sheet will be published on our website as well as in the next issue of FILAMENT. It was pointed by the VP(NZ) who was the Convener of the Delhi State Convention that the balance sheet is showing a payment of Rs.35000/- towards the Delhi state convention whereas this amount had been collected by members for funding of convention against advertisement, but the cheques issued in favour of ARTEE were deposited in ARTEE's HQ account, as there was no separate account for Convention committee. He requested for appropriate amendments. It was decided that a footnote will be given in the balance sheet, under the signature of President, GS and Treasurer in this regard.

Thereafter the Zonal VPs presented the report of their zone for the last one year.

Shri Bhaskar Basu, VP(EZ) informed that the zonal committee organised two meetings at Kolkata and Ranchi to collect the authorisation forms from members, which were grand success as they could collect a good numbers of forms in one go. Thereafter they followed it up with units to ensure the deduction of subscription towards ARTEE. He informed the house that the deduction of subscription is pending only from four stations after the payment of salary for the month of June and expecting the remaining stations to start deduction from the salary of July. He pointed out that the strong reluctance of the HOO, DMC Burdhan for deduction could be won over after the meeting of DMC Burdhan which was attended by more than 40 members from the LPTVs under the DMC, followed by a request to the HOO for necessary action. He informed that the zonal committee made its maximum efforts for political campaigning for the recognition matter and he appreciated all State secretaries for their efforts and the incomparable efforts of Shri. B.B.Das, State Secretary, Odisha in this matter. He pointed out that most of the stations especially DMCs are facing acute shortage of funds for clearing bills related to the welfare of employees.

Shri. Sanjay Acharjee, VP(NEZ) informed the house that 95% stations have completed sending the report of deduction of subscription to PB Secretariat and they are following up the matter with the remaining stations. He expressed his gratitude to all state secretaries in general & the State Secretary of Meghalaya in particular and Shri Dip Bordoloi, AGS for their tireless efforts in this regard. He called upon the members to keep faith on the leadership and requested the leadership for collective efforts for unity and keeping the ARTEE flag high in the sky.

Shri. M.P.Choudhary, VP(NZ) pointed out that there's a totally different situation between previous and present meetings of CWC. He pointed out that the Central office should have reacted through legal option earlier when the Ministry issued letters to the District Magistrates and the situation might have been different. He opined that the verdict of Hon'ble High Court Delhi shows that taking up of transfer cases in the Petition weakened the legal support and Management was successful in diverting the issue from Recognition to Transfers of office bearers. The issue of transfers should have been dealt separately. The confusion on collecting authorization forms, which was also directed only in the last week, put some trouble but NZ managed to get about 1600 members due to the hard work of zonal committee and state secretaries. The grievances of AE members regarding recommendation of their down gradation in cadre review should be clarified and they should be taken into confidence. He stated that the Zonal committee is making efforts to resolve issues like timely clearance of MACP, transfers etc. He called upon all to be united and concentrate on the work of recognition of Association.

Shri. M. Sheshagiri, VP(SZ) in his report stated that the zonal committee has been following up the matter of recognition with all State Secretaries and Unit Secretaries. He said, so far 95% of stations have completed formalities and following it up with the remaining stations. He appreciated the State Secretaries of the zone for their efforts in this regard. He opined that the zone is facing direct attack from the management; the latest example was the victimization of employees through unprecedented mass transfer orders issued on 28/3/2012. He informed the house that some of the cases were settled on medical grounds, and expressed gratitude to Central Office for the support in keeping the transfer order in abeyance and then in getting it modified. He added that the PAO, Chennai issued orders beyond its

jurisdiction by denying MACP on the basis of an RTI reply, which the zonal office fought out with the help of Central office. Thereafter the Inspector of Accounts from the O/O DG:AIR also issued confusing orders to AIR stations in the zone to stop MACP benefits and make the recoveries, which were also stopped by taking up the matter with Prasar Bharati. He highlighted the pathetic condition of the damaged residential buildings (Staff quarters) at Port Blair and requested to take it up with authorities for repair/reconstruction. Issue of the building of LPTV Koppam was also brought to the notice of the house. He informed the house that the en-masse relieving of staff from DDK Trivandrum was stopped due to the combined efforts of the Unit, Zonal & Central Committees. He stated that the Zonal committee has achieved a lot of things inspite of the opposition from some corners and called upon everybody for the unity.

Shri. Yashwant Tahsildar, VP (WZ), while addressing the house, informed that the WZ committee is most affected zonal committee as most of their office bearers were transferred out in September 2011 and even relieved from duties while on official tours. They have accepted the transfers even though they were not the seniors and made maximum efforts for political campaigning in Mumbai, Nagpur and other places inspite of all difficulties. He informed that the hectic efforts have ensured submission of more than 1600 authorisation forms from the zone. He informed the house that the proposal for the amendments in the constitution in the light of the CCS(RSA) rules were submitted in time to the Central Office. He clarified that proposal for the inclusion of election matter in agenda points was in the light of conditions of CCS(RSA) rules which stipulates that the maximum period for extension is only 3 months. He also called for unity and expectation that the CWC meeting will be a grand success.

## **5. Organizational Matters:**

### **i. Present Status of Check off system as per RSA Act 1993**

General Secretary requested the house to go through the GS report in which an introduction to every agenda point has been given for the benefit of the CWC members. He pointed out that a detailed report on the history of CCS(RSA) Rules 1993, obstacles from time to time, decision of the Hon'ble Court and the actions taken by the Ministry of I&B and Prasar Bharati has been provided in detail in the report.

House discussed the issue in detail and observed that the technical delay from the side of the management on various excuses has been used as a tool to attack the employees' movement in the organisation. It is also observed that the matter is progressing at a good pace as compared to the time taken in other departments. All Zonal VPs reported about the progress in their respective zones as mentioned in their report. A good number of state secretaries also participated actively in the discussions.

***It is decided unanimously to extend renewed focus towards the completion of recognition process at the earliest, with a united face of ARTEE. It is also decided to continue the political campaign in the constituencies of Hon'ble MPs since Hon'ble Minister has assured in the Parliament in December 2011 that the Ministry is ready to accord recognition, if the Associations complete the formalities. It is decided that one common format will be made available on the website so that the office bearers/members can approach the Hon'ble MPs with that letter.***

### **ii. System of Distribution of subscription amount amongst committees at various levels.**

Presently, for the day-to-day activities we are basically depending upon the interest/dividend from our fixed deposits and this comes about Rs. 1 Lakh, whereas the expenditure is 4-5 lakh. We are managing the deficit from the contributions from our members and contributions from National Convention (Rs2.15 Lakhs received from Parbhani & Rs. 6 Lakhs from Thiruvananthapuram) committee etc. Due to this, the funds have been restricted as Rs.5000/- to Zonal offices and Rs.1000/- to State Committees whereas the Unit share from LM fee was done away with way back in the year 2000. There is no financial support provided to the DMC Coordinator. It is a fact that all committees need financial support for the smooth functioning in the era of competition and communication revolution.

In the light of the annual/ monthly subscription from the members, it is time to allocate funds for various committees to further strengthen their activities. This has to be exercised by keeping in mind that the major expenditures like publication of Filament, dealing with court cases, expenditure of meetings of CWC, CC meetings, agitational programmes, maintaining of website etc are to be shouldered by Central Office. So a balancing of fund as per the workload is necessary.

Accordingly the following structure of distribution on the basis of the percentage of the deduction of subscription from the members was proposed:

Central Committee:	70%
Zonal Committee:	10%
State Committee:	10%
DMC Coordinator:	10%

After detailed discussions on the functioning and workload of various committees, the following decisions were taken by the CWC:

1. The DMC Committee will be replaced by Area Committee comprising of present DMC Committee along with AIR stations with less than 20 members and situated under the geographical area of the DMC.
2. The major units of AIR & DD which are not covered by Area Coordinator also need to undertake lot of activities, hence these units also be given the share.
3. *After detailed discussion it was decided to distribute the amount of subscription, to be deducted from members, to the various committees with the following system with the condition that the respective committees will get the reimbursement of bills within the limit mentioned below, on raising bills of their expenditure. It is decided that, the amount, if not claimed through bills within the Financial year, will be considered as lapsed and will be considered as part of the account of Central Office. This system will be followed on experimental basis which can be reviewed in next CWC/ National Convention.*

<b>Central Committee:</b>	<b>55%</b>
<b>Zonal Committee:</b>	<b>15% of total amount of subscription which will be distributed equally @ 3% to each zone</b>
<b>State Committee:</b>	<b>15% of the subscription deducted from the members belongs to that State</b>
<b>Area Coordinator:</b>	<b>15% of the subscription deducted from the members of the units coming under the Area Committee</b>
<b>AIR or DD units (not covered by Area Coordinator):</b>	<b>15% of the subscription deducted from the members of the unit.</b>

### **iii. Functioning of Association as per CCS (RSA) Rules**

GS informed the house that the Central Office has given a call to Unit Secretaries some time back to ensure proper functioning of the Units as per the Constitution of the Association. We have advised the following matters in the call:

1. Section 6(i)(a) states that Unit Secretary, Asst Unit Secretary and Unit Treasurer shall be elected for a term of two years or till the new ones are elected, whichever is earlier.
2. 6(i)(b) says that No member can hold the same post for more than two successive terms
3. Section 6(iv): Unit Secretary shall convene meetings of the units at least once in a month.
4. Section 6(vi): He/She shall communicate the proceedings of the units to the State Committee.

Accordingly all unit secretaries were advised to ensure compliance of the above said sections and send regular and timely report to the State Secretary.

We advised the State Secretaries to furnish monthly report of the activities of the units in the state to General Secretary, with a copy to the Zonal Vice President.

All DMC coordinators were also advised to maintain proper coordination of the units under the DMC and report the activities to the respective State Secretary, with copies to Zonal Vice President & General Secretary.

Now in the light of the CCS(RSA) Rules we have to follow some of the Dos & Don'ts to maintain the recognition of Association. The conditions as per Section 6 of the CCS (RSA) Rules are:

Every Service Association recognized under these Rules shall comply with the following conditions, namely:-

- a. The Service Association shall not send any representation or deputation except in connection with a matter which is of common interest to members of the Service Association.
- b. The Service Association shall not espouse or support the cause of individual Government Servants relating to service matters;
- c. The Service Association shall not maintain any political fund or lend itself to the propagation of the views of any political party or a member of such party;
- d. All representations by the Service Association shall be submitted through proper channel and shall be addressed to the Secretary to the Government/Head of the Organisation or Head of the Department or office;
- e. A list of members and office bearers and up-to-date copy of the rules and an audited statement of accounts of the Service Association shall be furnished to the Government annually through proper channel after the general annual meeting so as to reach the Government before the 1<sup>st</sup> day of July each year.
- f. The Service Association shall abide by, and comply with all the provisions of its constitution/by-laws;
- g. Any amendment in the constitution/by-laws of the Service Associations, after its recognition under these Rules, shall be made only with the prior approval of the Government;
- h. The Service Association shall not start or publish any periodical, magazine or bulletin without the previous approval of the Government;
- i. The Service Association shall cease to publish any periodical, magazine or bulletin, if directed by the Government to do so, on the ground that the publication thereof is pre-judicial to the interests of the Central Government, the Government of any State or any Government authority, or to good relations between the Government of India and the Government of a foreign state;
- j. The Service Association shall not address any communication to, or enter into correspondence with, a foreign authority except through the Government which shall have the right to withhold it;
- k. The Service Association shall not do any act or assist in the doing of any act which, if done by a Government servant, would contravene any or the provisions of the Central Civil Services (Conduct) Rules, 1964; and
- l. Communications addressed by the Service Association or by any office-bearer on its behalf to the Government or a Government authority shall not contain any disrespectful or improper language.

***It is decided to take steps to ensure that all committees are following the Dos & Don'ts as per CCS(RSA) Rules 1993.***

Meanwhile some of the members pointed out some incidents from members/office bearers which may be considered as act of indiscipline and they demanded necessary action on such activities. The South Zone Committee pointed out that two members from Karnataka wrote letters making wild and unsubstantiated allegations against many Central and South Zone office bearers. After reading a letter in the house they demanded action against these members. President and VP(TV) also pointed out one incident in Delhi and demanded the disciplinary action. While the house did not appreciate such incidents, it was felt that need of the hour is to put up a united face in view of the ongoing issues related to recognition and hardships being faced by the common members. CWC authorized the President to issue warning letters to the individuals concerned in those three incidents.

During discussions SZ committee members protested on the comments of the State Secretary (Kerala) that present South Zone office bearers got elected through unfair means and demanded a reply from General Secretary. GS informed that he had received a copy of the complaint letter, addressed to the President with copy to RO & GS in this regard right after the election from the losing candidates in the posts of VP (SZ) & AGS(TV) with details of some disputed members. He informed that he advised the complainants not to pursue the complaint "in the interests of ARTEE". Accordingly no action was taken on this complaint. GS informed that now also he is informing about it only after he is asked to reply. VP(SZ) deeply regretted this and told GS that a full 18 months have passed since the election, one CWC and two CC meetings have taken place during the period, but never was this issue raised by any party nor did the GS ever disclosed the existence of such a letter. He wondered why its existence is being disclosed now. If the GS had taken VP(SZ) into confidence and informed him about it then itself, SZ committee would have made an attempt to ascertain the truth immediately and a lot of misconceptions could have been removed. By not informing, GS has given scope for whispering, vicious mud-slinging and non-cooperation by interested quarters. VP(SZ) and other SZ committee members vociferously demanded an impartial enquiry into the allegations so that all facts can emerge. GS informed that now there is no scope for such an issue since as per the RSA Rules the person will become member of the Association only after deduction of his subscription from the salary. Then only he will have the voting rights.

When the President informed the house that he does not have the password of the website, it is decided that the website administrator will give the password to President and when it was discussed on the lack of coordination in website uploading, GS offered that in future the materials from GS, for uploading will be mailed to President who, being the publisher, in turn can direct the website administrator to upload the same.

Some of the members asked about the decision of the last CWC in which it was decided to take the details of accounts from former VP (SZ) and documents including counterfoils from the former VP (EZ). It was informed by the GS that a statement of Accounts through email was received from former VP(SZ) (as the communications were through email) and he was also advised to send a signed statement; No such information has been received from the former VP(EZ). It is decided to remind both of them on this matter.

VP(SZ) pointed out the sufferings of Shri. S.S.Jaffania, AGS(TV), SZ, who is relieved from DDK Hyderabad in September 2011 along with other office bearers of Central, WZ & NEZ committees and could not join due to the reluctance of CE(SZ) in granting the change of posting. It was also pointed that Smt. Ashalatha, his wife, an SEA and a committed worker of the Association, has also been transferred out of Hyderabad even violating the protection under medical grounds. He requested that as both husband and wife are relieved from duties for the last one year, Association has to make all out efforts to help them on transfer issue. Sh. Jaffania explained his case and said that lot of transfer adjustments are done after keeping the transfer order in Abeyance recently but Management is adamant in their case. Both of them are not getting salary for the last 10 months. They are the only one's left out office bearers whose cases are not settled since last year. He said that he has made lot of efforts and also appraised the efforts made by President. He pointed out the victimization done with him and his wife. CWC opined that Shri. Jaffania

should get the change of posting and the transfer order of his wife should be cancelled on medical grounds as the normal justice to any other employee. President informed the house that he has been taking up the matter with higher authorities with all seriousness and the house decided to continue efforts to seek justice to Shri. Jaffania. CWC expressed its solidarity to Shri. Jaffania.

#### **iv. Amendments in constitution and Election byelaws of ARTEE.**

It was informed to the house that Prasar Bharati, vide its letter dated 16.5.2012 has pointed out some discrepancies in the Constitution/ Bye Laws of applicant Associations and directed us to rectify the discrepancies and re-submit the corrected documents by 31<sup>st</sup> May 2012. Since it is mandatory as per the CCS(RSA) Rules 1993, we made necessary amendments in consultation with the Central Council and submitted to Prasar Bharati on 31.5.2012. But still some amendments in the constitution of Association are necessary to make it in tune with CCS(RSA) Rules 1993. Shri. Yashwant Tahsildar, VP(WZ) & the secretary of committee constituted to prepare the amendments in the constitution to incorporate/modify necessary sections to accommodate the provisions of CCS(RSA) Rules 1993 has already submitted his proposal. This proposal along with the amended constitution submitted to PB, were circulated to the CWC members through mail.

It is informed that the amendments, after getting the approval from the Government, can be submitted to the Registrar of Societies. It was informed to the house that the Central Council in its meeting on 24th July 2012 decided that since we are not in a position to organize the National Convention (General Body) this time due to time restraints, this CWC can take a decision on behalf of National Convention as per Section 36 (viii) of our constitution.

CWC had elaborate debate on the amendments needed in various sections. Accordingly CWC proposed following amendments: (additions - bold, underline & Italic). These amendments will be submitted only after the recognition is accorded by the Ministry since we have already submitted amended constitution as per the directive of PB for recognition process.

Article 5 ii) ii) At each unit, members shall elect, **within 3 months of taking over of new CWC**, one Unit Secretary, one Assistant Unit Secretary and one Unit Treasurer. At units where numbers of members are more than 20 they will elect one more representative, Assistant Unit Secretary. After being elected they should communicate their names to the General Secretary. They shall hold office for a period of two years.

Article 6 i) a) Unit Secretary, Assistant Unit Secretary and Unit Treasurer shall be elected, **within 3 months of taking over of new CWC**, by the members of the Unit for a term of two years or till the new Unit Secretary, Assistant Unit Secretary and Treasurer are elected, whichever is earlier.

Article 6 iii) Unit Secretary of the LPTV/HPTV/**AIR(with less than 20 members)** unit under **the geographical area covered by** the Doordarshan Maintenance Centre (DMC) shall be the member of the **Area** (DMC deleted) Committee.

#### **7. AREA (DMC deleted) Committee:**

i) There shall be an **AREA** [DMC (Doordarshan Maintenance Centre)- deleted] Committee under the chairmanship of **Area** [DMC - deleted] Coordinator.

ii) All Unit Secretaries of LPTV/HPTV **with the AIR stations with less than 20 members and situated under the geographical area of the DMC** shall be the members of the **AREA** [DMC - deleted] Committee and the Unit Secretary or in his absence the Assistant Unit Secretary or any other member of the Unit authorised by the unit shall represent their respective units at the meeting of the **AREA** [DMC - deleted] Committee.

#### **8. Election, Duties and Power of AREA [DMC - deleted] Coordinator:**

i) Zonal Vice-President, after consulting all unit secretaries in the DMC and the State Secretary of the state, will recommend to President for the nomination of DMC Coordinator. (old article). This will be replaced as per the following:

**i) Zonal Vice President in consultation with the State Secretary concerned will announce the date of the General Body meeting of the Area Committee within three months from the date of taking over of charge by the new CWC. State Secretary will chair the meeting and convey the nomination of the Area Coordinator as decided by the Area committee, to the Zonal VP who in turn will recommend the same to the President.**

iii) **AREA** [DMC - deleted] Coordinator shall convene meetings of the **AREA** [DMC - deleted] committee at least once in every six months.

iv) **AREA** [DMC - deleted] Coordinator shall be the member of Central Committee.

v) **AREA** [DMC - deleted] Coordinator shall call meetings of the **AREA** [DMC - deleted] Committee on the representation to do so by one third of the unit secretaries.

vi) The **AREA** [DMC - deleted] Coordinator shall communicate the proceedings of the committee to the respective State Secretary with copies to the Zonal Vice President and General Secretary.

vii) He/She shall be responsible for funds and documents of the **AREA** [DMC - deleted] Committee and shall hand over the same to his/her successor.

Article 9 i) There shall be a 'State Committee' under the chairmanship of State Secretary. It will consist of State Secretary, Organising Secretary, Publicity Secretary, **AREA** [DMC - deleted] Coordinators and all Unit secretaries of the State.

Article 10 ii) A member working in any unit of AIR/ Doordarshan at the headquarter of the particular state (at the time of filing nomination for election) **(other than North East Zone) but having more than two years of service for retirement on superannuation can contest for the post of State Secretary. He/ She shall continue to perform the duties of the State Secretary even if transferred out of the State Headquarter but posted within the state. In the case of the State Secretary transferred out of the State, President on the recommendation of the Central Executive and in consultation with the outgoing State Secretary & the concerned Zonal Committee, shall nominate a new State Secretary from among the members working in any unit of the State Headquarter, for the remaining term. For the post of State Secretaries for the states in North East Zone the candidate can contest from any station within the respective state in the zone**

Article 15 i) Zonal Vice-President shall be the member of the Association and member of the Central Committee, Central Working Committee and Central Council. **He/ She shall be the Chief Executive of the respective Zonal Committee of the Association and shall coordinate with the Cadre Controlling authority of the respective zone and shall take all such actions for the welfare of the members of his zone but in accordance with the aims and objects of the Association.**

Article 15 ii) He/ She shall be posted in any office at the respective **four** Zonal headquarters (Delhi/ Mumbai/ Chennai/ Kolkata) at the time of filing of nomination. **He/ She shall continue to perform the duties of the Vice President of the Zone even if transferred out of the Zonal Headquarter but posted within the Zone. In the case of the Zonal Vice President being transferred out of the Zone, President on the recommendation of the Central Executive and in consultation with the outgoing VP(Zone)& concerned Zonal Committee shall nominate any elected member of the Zonal Committee, for the remaining term. For the post of Vice President (North East Zone) the candidate can contest from any station in the zone. In all these cases, he/she should have more than two years of service for retirement on superannuation at the time of filing of nomination**

Article 17 vi) Candidates for the post of Joint Secretary (SEA/EA, Sr.Tech /Tech and Helper) should be posted at any office at the Zonal headquarter at the time of filing nomination. **He/ She shall continue to perform the duties of the Joint Secretary of the Zone even if transferred out of the Zonal Headquarter**



**but posted within the Zone. In the case of the Joint Secretary being transferred out of the Zone, President on the recommendation of the respective Zonal Committee shall nominate a new Joint Secretary from among the members of the respective cadre, posted at any office at the Zonal Headquarter, for the remaining term. In case the post of Joint Secretary lying vacant after the election, President can nominate any person working in any station in the zone but belonging to the respective cadre, on the recommendation of the Zonal committee. In all these cases, he/she should have more than two years of service for retirement on superannuation at the time of filing of nomination**

Article 17 vii) **The Joint Secretary (Sr.Tech/ Tech) in addition to his present duties will look after the issues related to the cadres of Mast Technician, Diesel Technician & Diesel Engine Driver also in the respective zone.**

Article 21 v) h) **AREA** [DMC - deleted] Coordinators [Article 8(i)]

Article 36 i. There shall be a Central Committee, the General Body of the Association, under the chairmanship of President. This will consists of members of the Central Working Committee, Assistant Secretaries of Zonal Committees, Organising & Publicity Secretaries of the States, **AREA** [DMC - deleted] Coordinators and **Unit Secretaries of AIR & DDK units which are not covered by the Area Committee.** [deleted the following part - 92 representatives from AIR & TV (DDK/PGF/PPC ) stations recommended by the respective State Secretaries. (Out of this 92, One each from the states of Andman & Nicobar, Arunachal Pradesh, Goa, Haryana, Himachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim & Tripura. Three each from the states of Assam, Chhattisgarh, Delhi, Jammu & Kashmir, Jharkhand, Punjab & Chandigarh and Uttaranchal. Five each from the states of Andhra Pradesh, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamilnadu & Pondicherry, Uttar Pradesh and West Bengal)].

Article 40 iii) The allocation for various level committees are as follows: (New Article) Zonal Committee: Rs.5000/-per annum State Committee: Rs.1000/-per annum. It will be decided by Central Council as per the amount of annual collection through check off system. (this shall be replaced by the following)

**40 iii) The allocation of funds for various level committees shall be as follows:**

**The amount of subscription, to be deducted from members, shall be distributed to the various committees with the following system with the condition that the respective committees will get the reimbursement of bill within the limit mentioned below, on raising bill of their expenditure. The amount if not claimed through bills within the Financial year will be considered as lapsed and it will be considered as part of the account of Central Office.**

**Central Committee: 55% of total amount of subscription towards ARTEE**

**Zonal Committee: 15% of total amount of subscription which will be distributed equally @ 3% to each zone**

**State Committee: 15% of the subscription deducted from the members belongs to that State**

**Area Coordinator: 15% of the subscription deducted from the members of the units coming under the Area Committee**

**AIR or DD units (not covered by Area Coordinator): 15% of the subscription deducted from the members of the unit.**

Different Committees & their Strength

Post	Central Ex.	Central Council	CWC	Central Committee
President	1	1	1	1
V P (AIR)	1	1	1	1
V P (TV)	1	1	1	1
Genl.Secy	1	1	1	1
Addl.GS	1	1	1	1
Treasurer	1	1	1	1
Secretaries	4	4	4	4
V P (Zone)	0	5	5	5
AGS (AIR)	0	0	5	5
AGS (TV)	0	0	5	5
Joint Secy(SEA/EA)	0	0	5	5
J S (S.Tech/ Tech)	0	0	5	5
JS ( Helper)	0	0	5	5
Asst.Secy(Org)	0	0	0	5
Asst.Secy(Pub)	0	0	0	5
State Secretary	0	0	30	30
Organising Secy	0	0	0	30
Publicity Secy	0	0	0	30
<u>AREA</u> [DMC - deleted] Coordinator	0	0	0	111
Rep.from AIR/DDK	0	0	0	<u>150(approx.)</u> (92)
NC Member	0	0	1	1
DC Member	0	0	3	3
DG C Member	0	0	2	2
Editor (Filament)	0	0	1	1
Web Administrator	0	0	1	1
Returning Officer	0	0	1	1
Ex.President	0	0	1	1
Ex.GS	0	0	1	1
<b>Total</b>	<b>10</b>	<b>15</b>	<b>81</b>	<b><u>412(approx.)</u></b> (354)

AREA [DMC - deleted] Coordinators will be as many as DMCs are there.

**Amendments in Election Bye Laws:**

Article 2. All members, **who have more than two years of service left for retirement on superannuation and,** desirous of contesting the election to any of the posts notified in the election notification shall apply to Returning officer on the prescribed nomination form (Appendix – III).

Article 16. a) The R.O shall send the ballots to unit secretaries with his ink signatures **along with addressed envelop and Rs.5 Rupee stamp per member** and in turn, at the time of distributing the ballots the unit secretary shall also sign on each ballot paper with ink pen and put his rubber stamp **and handover the ballot, envelop & Rs.5 stamp to the members. The member can send the ballot directly to the RO or hand over in sealed envelop to the Unit Secretary for further sending to the R.O.**

b) If ballot papers have not reached any unit 3 weeks before the last date for receiving ballot papers by R.O, the unit secretary will inform (deleted - telephonically/telegraphically) or **in writing with signature** by fax **or through email by attaching the scanned copy of signed letter** to the R.O immediately.

c) Accordingly R.O. will send the ballots immediately to the respective unit through speed post/ courier.

Article [17] C. (i) All Unit Secretaries will send Membership (M) form containing the details of the paid up members posted in their station, along with official record of deduction of subscription from the salary. These M forms will essentially have Residential Address of Unit Secretary. Ballots will be sent on this address. Voter list shall be finalized by the General Secretary 7 days before the last date of submission of nomination.

Article 21. Once the result of the election for any post is declared by R.O. further request for re-counting should be addressed to the President, within three days. President along with General Secretary, (and - deleted) R.O. and the ZARO concerned will make the arrangement for recounting within next three days or on the same day, if need arises.

Article 25. A scanned copy of Nomination/Withdrawal may be sent simultaneously through email on the email ID provided by RO. But Nomination/Withdrawal will be valid only after receiving the hard copy but before the declaration of final list.

#### **v. Decision on process of Election for the next term**

It was stated in the house that normally we used to have a National Convention preferably in the middle of the term or at least well before the elections are due. But we could not organize National Convention for this term due to the recognition related issues.

Further, as per the CCS(RSA) Rules the term of the Association should be 2 years which cannot be extended for more than three months. Accordingly we have made this amendment in our constitution also which is mandatory. The term of the present CWC is coming to an end on 31.1.2013, which can be extended upto 30.04.2013. That means we have to handover to the new CWC latest by 01.05.2013. We need 5-6 months for the election process – the elections should be declared in October – November. Meanwhile we have to get the amendments in constitution, with prior approval from the department, passed from the Registrar of Societies.

VP(WZ) also clarified that his interest to include this point in the agenda was only due to this technical reason.

After detailed discussions, in which almost all members participated, *it is decided that the term of the present CWC be extended for another three months i.e. upto 30.04.2013 and elections be conducted in time so as to handover to the new body latest by 01.05.2013. It is also decided that all units will be advised to conduct their elections within three months from the taking over of the new CWC so as to make all committees from Unit to Central in tandem with their tenure.*

#### **vi. Role of ARTEE in NFADE, Confederation & other joint platforms.**

While participating in the deliberations on the issue of joint platforms, members pointed out that some of the Associations seem to get more benefits from Federation and other common platforms whereas ARTEE is taking pain for the majority of work towards strengthening the platform. It was stated that the representatives of ARTEE at all levels such as Unit, DMC, State, Zonal & Central shouldered their responsibility along with their counterparts in other Associations for the success of various steps of agitation, esp. the 48 hours boycott of duties. Our representatives took initiative for political campaigning at various places, leading to the 'Prasar Bharati Amendment Bill 2011' which is passed by the Hon'ble Rajya Sabha on 8<sup>th</sup> December and Lok Sabha on 20<sup>th</sup> December 2011 retaining the employees joined upto 05.10.2007 as Central Government Employees till their retirement. *It is proved beyond doubt that we are surviving today with all facilities of Central Govt Employees due to the unity & tireless efforts of NFADE.* Everybody agreed to the fact that in future also two types of employees will not be a healthy sign for the organization and the present amendments are only a protection for the time being. House accepted the reality that NFADE has a big job to start political campaign to convince the policy makers of the country to Repeal PB Act 1990 or at least to retain all employees of AIR & DD irrespective of their date of joining (by removing the present cutoff date) as Central Government employees, after completion of recognition

process. *Movement of NFADE has always shown its strength which in turn gives us more confidence for the future activities as well. Hence it is a necessity to keep the Federation strong enough for future.* It was also pointed out that the platform of NFADE has its own impact in political campaign.

It was also opined that we should learn from the past experiences and if ARTEE has to take more pain for the interest of all employees, then ARTEE should get its due and proper discipline should be ensured so that constituent Associations will not take any activities against the interest of the members of fellow constituent Association. *It is also decided that ARTEE should always keep its interest on top priority while working for common platforms.*

**vii). Opening Membership for entire engineering fraternity of AIR & DD in the light of CCS(RSA) Rules.**

The matter dropped from the agenda point.

**6. Review of implementation of allied recommendations of 6<sup>th</sup> CPC.**

**a). Implementation of MACP.**

Members participating in the discussion pointed out that eventhough the department has agreed to extend the benefit of MACP to our cadres after continuous efforts of SSS, the process is slow in some zones. Meanwhile the order issued by the Inspector of Accounts, O/O DG:AIR to individual AIR Stations to withdraw the MACP and make the recoveries from the employees, quoting the decision of the CEO, Prasar Bharati, on the recommendations of a private auditing firm created some panic in the department. It was informed to the house that on receiving reports from stations, the Central Office took up the matter immediately with Prasar Bharati secretariat and Prasar Bharati issued orders to keep the order for recoveries in abeyance till a final decision in consultation with Ministry of I&B and DOP&T is taken. We once again requested Member (F), Prasar Bharati to settle the matter forever since the decision taken by former CEO was accepted by the Three Member Committee (TMC) while sanctioning the funds for the payment of arrears of MACP to engineering and programme cadres. Since it was a conscious decision in the light of government's decision to retain all employees of AIR & DD recruited upto 05.10.2007 as Central Government employees and extending the benefit of pay scales as recommended by 6<sup>th</sup> CPC. Matter is pending in PB for a final decision. *House decided to follow up the matter at all levels for timely implementation of MACP benefits to our cadres.*

**b). Merger of EA with SEA**

Almost all CWC members pointed out the feeling of restlessness amongst our members throughout the country after hearing about the proposal by the Ministry to down grade the merged cadre of EA&SEA by making it as JE with the GP of Rs.4200/-

It was informed by the Central Office that the committee under the chairmanship of CE(D), AIR after consultation with us, proposed a new cadre of Broadcast Engineer merging EA & SEA with the GP of Rs.4600/-. Though the proposal was sent to Ministry, it was pending there inspite of regular follow-up from the Association. Meanwhile one individual filed an application in the Principal Bench of Hon'ble CAT Delhi. Ministry of I&B subsequently filed an affidavit in the contempt petition in which they assured to finalise the merger of EA with SEA and they attached the approval of DOP&T & Ministry of Finance but with designation of JE with GP 4200/-.

Meanwhile DG:AIR sent objections to this directive of Ministry stating that as per the proposal recommended by the committee and sent with the approval of DG:AIR the cadre was to be named Broadcasting Engineer with GP 4600/-. But the Ministry directed O/O DG:AIR to prepare the RR only for JE with GP of 4200/- as decided by the Ministry. We have requested the authorities in DG:AIR/DG:DD/PB to stick to the earlier proposal since it will have serious impact on all cadres as basically this decision will take all cadres back to the scales of pre 25-2-1999. Meanwhile we have already

initiated work for challenging this decision legally. After detailed discussion **CWC directed Central office to wait for the order on merger of EA&SEA from the Ministry before filing the case. It is decided to start the legal procedure if the order is issued against the interest of our member cadres. Meanwhile Central Office will continue its all around efforts to stop this merger in the wrong way.**

**c). Rs. 5400/- for AE after completion of four years.**

CWC discussed in detail about the developments on this issue after the proposal was turned down by Ministry of Finance and thereafter the legal decision on the case filed by 4 individuals. Though it is beneficial for our cadres, the house expressed its concern for the impact on the demand of ACP as per the Patna verdict, which if implemented in its true spirit will ensure more benefits compared to this proposal. **After discussing it threadbare, it was decided to first concentrate on the implementation of the decision of Patna CAT on ACP, and the GP of Rs.5400/- after 4 years of service can be taken up if it is not possible to get the benefit of Patna decision on ACP.**

**7. Court Cases :**

**a) Case on CCS RSA Recognition:** House discussed the implementation of the verdict of Principle Bench Delhi on CCS RSA Recognition. As per Court verdict the Process had to be completed in four months which has ended on 30<sup>th</sup> June 2012. As per information, PB has submitted a Progress Report in CAT and asked for two months more time to complete the process. House debated on the issue of filing Contempt Petition and after discussion **it was decided that Central Office in consultation with Zonal VPs will take decision on it, as and when the contempt petition is required to be filed.**

**b) One Pay One Cadre**

**i) New EA (joining after 25.2.1999)**

House was informed that the cases filed by Shri Mahender Singh Rana and Shri Lalit Kumar Pawar & others (**Both the cases are supported by ARTEE**) have established the principle of natural justice i.e. 'one pay scale for one cadre', through the verdict of Hon'ble Supreme Court, Delhi High court and Delhi CAT. Accordingly we placed the matter in the meeting of Prasar Bharati dated 19-01-2011, for immediate implementation of the judgment. Administration pointed out that the financial implication may be calculated before implementing the necessary orders. Sensing the time delay in the process of calculation we have demanded an administrative order to grant the pay scales for Engg. Asstt w.e.f. their 'date of joining'. We further demanded to grant a similar benefit to Technicians who joined after 25-02-1999. It was also demanded to extend the higher pay scales of order dated 25-2-1999 to Helpers, Diesel Technicians, Diesel Engine Drivers, and Mast Technicians under the criteria as directed by Hon'ble Supreme Court. On the directions of Member (Personnel), O/o DG:AIR has recommended to the Min. of I&B that the highest pay scales given to one part of the cadre may be extended to all employees of same cadre, for the above mentioned cadres. Simultaneously the O/o DG:AIR sought financial implications and calculation of benefits including arrears from the stations. They started receiving calculations from a good number of stations. But immediately after declaring non recognition of Associations, Ministry took a different stand and they appealed in the Supreme Court in a similar case filed by two individuals. The applicants without the knowledge of this Association got a verdict on 25.11.2008 from Hon'ble CAT Jabalpur which directed the Govt to grant the pay scales from 2006. Later they got further relief from Gwalior Bench of Hon'ble High Court of Madhya Pradesh which directed vide its orders dated 18.8.2010 & 03.12.2010 to grant the benefit from 2003. (it is worthwhile to note that we got the benefit from the date of joining of all EAs vide the verdicts dated 31.5.2006 & 25.1.2007 of Hon'ble CAT Delhi, 11<sup>th</sup> August, 7<sup>th</sup> September & 24<sup>th</sup> September 2010 of Hon'ble High Court Delhi and ultimately on 14<sup>th</sup> January 2011 of Hon'ble Supreme Court. Thereafter we filed a contempt petition (CP 494/2011 of OA 1742/2004) on 18<sup>th</sup> May 2011 and the Govt filed a Review Petition in Hon'ble Supreme Court on 16/9/2011 on our case). Once the applicant filed contempt petition in Gwalior, the Ministry of I&B used it as an opportunity and filed SLP in Supreme Court. The review petition got linked with the decision of this SLP and the Hon'ble CAT disposed off the Contempt petition since the matter is pending before Hon'ble Supreme Court in the

Review Petition. Hence all these cases now depend upon the SLP filed in the Gwalior case. ARTEE is extending its support including full financial expenses for the applicant EAs in Hon'ble Supreme Court. ***CWC directed the Central Office to follow up the cases till getting to a logical conclusion.***

**ii) New Technician (joined after 25.2.1999)**

It was pointed that this case is now depending upon the outcome of the above said case as it also relates to the principle of 'one pay scale for one cadre'. It was also pointed that while seeking financial implication from stations on the basis of the New EA case the O/o DG:AIR sought the same for New Technicians and even old persons like DED, DTech, Mast tech & Helper. ***Hence it is decided to concentrate on the New EA case which will be benefitting all cadres.***

**c) Pay Revision of Technician in parity with Lighting Assistant (from 1.7.1983 to 31.12.1995)**

ARTEE filed the case vide OA No. 164/96, In the Principal bench of CAT, New Delhi on 19/1/1996 seeking the parity in the pay scale of Technician with Lighting Assistant, as recommended by National Productivity Council (NPC). When the government agreed for the parity w.e.f. 01.01.1996 vide order dated 05.12.1997 and 25.02.1999, we requested the Hon'ble CAT to extend the benefit from 01.07.1983, as was in the case of Lighting Assistant. Agreeing to the genuineness of the request, the Hon'ble CAT stated that they don't want to intervene in the decision taken by the executive (Government of India) since the decision was taken after Govt. of India reached an agreement with Sanyut Sangarsh Samity (SSS) a joint platform of ARTEE and ADTEA. ARTEE filed an appeal in the Hon'ble High Court of Delhi, pointing out that we have never agreed to the restriction of the benefit from 01.01.1996 and on the contrary it was the stand of Govt. of India that the benefit will be granted w.e.f. the date of 5<sup>th</sup> Pay Commission. After number of hearing with arguments and counter arguments, the Hon'ble High Court in its verdict on 08/7/2011, upheld the decision of Hon'ble CAT. Meanwhile other Association got a verdict from Hon'ble High Court, Chennai to grant Notional fixation for this period. Hence we were thinking to approach Hon'ble Supreme Court after the implementation of Notional Fixation. But unfortunately it was told that the Ministry, in the SLP filed against the verdict of Chennai High Court, pointed out that ARTEE has not challenged the decision of Hon'ble High Court Delhi. Though we filed an SLP in the Hon'ble Supreme Court, the Apex court dismissed the SLP. Hearing on Notional Fixation is in progress in the Hon'ble Supreme Court. ***CWC decided to wait for the verdict in the case of Notional Fixation for further course of action.***

**d) Pay Revision of Technician in parity with Lighting Assistant-Asst Cameraman from 1.1.1996**

It was informed to the house that the Govt of India vide its order dated 05/12/1997 & 25.2.1999 granted the parity for Technician w.e.f.1.1.1996 compared to Lighting Assistant of Doordarshan, who got pay parity with Asst Cameraman of Films Division. When the Lighting Assistant got the parity with the Asst Cameraman through the verdict of Hon'ble Supreme Court in 1990 it was directed that the Lighting Assistants *will also be entitled to the substituted scales* of pay and consequential benefits. While granting the pay scale of Rs.4500-7000 as the replacement scale of Rs.1400-2300 which was extended to the lighting assistant and Technician, the pay scale of Asst cameraman was revised to Rs.5000-8000. Recently only it was brought to the notice of Central Office by some of our members and CWC members. Accordingly now we have requested DG:AIR to revise the pay scales of Technician from Rs.4500 – 7000 to Rs.5000 – 8000 w.e.f. 1.1.1996. Though the last meeting of CWC decided to file case on behalf of Association along with Zonal Joint Secretaries and we circulated the format of representations to all zonal committees, we could not go ahead since we received representations from two zones only. Out of which, Shri. Deepak , JS(Sr.Tech/Tech), WZ has got a reply from the O/o DG:AIR stating that the matter is pending in the court for final decision. It seems that the O/o DG:AIR got confused with the case prior to 1.1.1996 whereas in this case our demand is after 1.1.1996. After discussions it was decided that Shri. Deepak will represent again to DG:AIR stating the difference in the matter and thereafter Central Office can go ahead with filing of the court case.

(Note: now we demanded the pay scale on the basis of the order issued by DG on 27/4/2012 granting the pay scale of rs.5000 - 8000 to 27 Lighting Assistants as per the court verdict)

#### **e) Pay Scale of Diesel Engine Driver**

As per the AIR Manual which defines the Recruitment Rules and Service Conditions of the employees working in All India Radio & Doordarshan, the pay scale of Diesel Engine Driver is Rs. 330-8-370-10-400-EB-10-480 as per the recommendations of 3<sup>rd</sup> Pay commission and Rs.1200-30-1440-EB-30-1800 as per the recommendations of 4<sup>th</sup> Pay Commission. Some stations like AIR Rajkot followed the AIR manual in letter and spirit and appointed DED with the pay scale as per AIR manual which is again revised as Rs.4000 – 6000 after the recommendations of 5<sup>th</sup> CPC, But some stations appointed with the pay scale of Rs.950 – 1500. In various orders the department has been mentioning the pay scale of Rs.950 – 1500 to this cadre.

AIR Rajkot, vide its order dated 06.09.1999 made efforts to withdraw the pay scales of DED and revise it to Rs. 950- 1500 which was quashed by Hon'ble CAT, Ahmedabad, in its verdict dated 05.09.2000 and directed the CE, WZ and Sg Engineer, AIR Rajkot to issue an appropriate order only after issuing a show cause notice and its examination.

When AIR Rajkot started the process of revising pay scales to Rs. 950 – 1500 and issued orders for the recovery of the amount already paid to its employees, the Diesel Engine Drivers of AIR Rajkot once again approached Hon'ble CAT Ahmedabad vide OA No. 791 of 2000. Hon'ble CAT Ahmedabad, in its verdict dated 31.12.2003 quashed & set aside the order of recovery and directed to refund the recovery made, if any.

While challenging the verdict of Hon'ble CAT in the Hon'ble High Court of Ahmedabad, the DG:AIR & the SD, AIR Rajkot demanded to stay implementation & execution of the order of Hon'ble CAT, till final disposal of the case. Hon'ble High Court Ahmedabad, in its order dated 10/8/2004 stayed the recovery of the excess amount paid to the respondents. Case is still pending for a final decision.

O/o DG:AIR replied on 13/5/2010 in RTI application that the Pay scale of Diesel Engine Driver as per the recommendations of 4<sup>th</sup> Central Pay Commission is Rs. 1200 – 1800.

The Diesel Engine Drivers of various stations like AIR Calicut; HPT, AIR Kingsway Delhi; AIR Ratnagiri; AIR Hyderabad etc have been repeatedly requesting the department to extend justice to them by granting the Pay scale of Rs. 1200-1800 (as per 4<sup>th</sup> CPC) as assured in the AIR Manual.

Due to the indifferent attitude of the department to repeated requests Shri. Subhekshanan, Diesel Engineer Driver of AIR Calicut approached Hon'ble CAT Ernakulam, vide OA No.234 of 2011 seeking the pay scales as assured in the AIR Manual.

Hon'ble CAT Ernakulam vide its verdict dated 22.03.2011 directed the department to consider the applications and pass appropriate orders within a period of two months from the date of receipt of the order. We requested the Prasar Bharati & O/O DG: AIR to take immediate steps for the implementation of the verdicts of various courts, including the Hon'ble CAT Ernakulam and to extend the pay scales as envisaged in the AIR manual to the Diesel Engine Drivers of AIR & DD and to implement the pay scale of Rs. 1200-1800 (as per 4<sup>th</sup> CPC), Rs.4000 – 6000 (as per 5<sup>th</sup> CPC) & PB 2 with GP of Rs.2400/- (as per 6<sup>th</sup> CPC).

We have demanded that as per the order for granting ACP, the benefit should be granted as per the pay scale of the promotional cadre if they are eligible for regular promotion. Since the post of Diesel Engine Driver is the feeder cadre for Diesel Technician, the DEDs are eligible for the pay scale of Diesel Technician as the 1<sup>st</sup> pay upgradation under ACP scheme. Moreover the order issued by Ministry of I&B, dated 25.2.1999 ensures that the departmental candidates on promotion will be granted the revised (mentioned as upgraded in the order) scales of the promotional cadre.

But the O/o DG:AIR issued speaking order attaching the recruitment rules of Engineering cadres which were amended long back, in which the scales of DED is shown as Rs.950-1500 and thereby turned

down the demand. State Secretary, Kerala assured in the last CWC that they will take care of the expenditure if it is decided to go for a legal battle. ***Shri. Sukumaran, State Secretary, Kerala reiterated that the applicant was already informed about this support. CWC decided to leave it to the applicants for the final decision about their case.***

**f) ACP case - Patna**

Twelve numbers of the EA, SEA and AEs of AIR & DDK Patna, led by Shri B.K. Roy, jointly filed a case in Hon'ble CAT at Patna vide O.A.No.514/2002, in which Hon'ble CAT vide its order dated 07.09.2009 directed the Govt. of India that the applicants who have not opted for the pay scales of Prasar Bharati (25.02.1999), may be granted the pay scales Rs. 8000-Rs.13500 as and when they have completed 12yrs of service in the pay scale of Rs 6500 – Rs.10500 under the ACP scheme. The department challenged the order in the Hon'ble High Court which was dismissed in favour of employees. Subsequently SLP was also filed in the Hon'ble Supreme Court which has also been dismissed on 10.01.2011. Accordingly ARTEE has taken up the matter with various authorities for immediate implementation. Member (personnel) Prasar Bharati, in the meeting held with ARTEE on 19.01.2011 directed DG:AIR to propose the implementation of above said order to the Min. of I&B. Consequently O/o DG:AIR vide its letter dated 03.02.2011, proposed to the Min. of I&B to grant the said pay scale of Rs.8000-Rs.13500 under ACP scheme to those applicants who are presently in the Central Govt pay scale of Rs.6500-10500 and have not opted for Prasar Bharati Pay Scale. But the Ministry has implemented it only partially, thereby compelling the applicants to approach the court again. We are eagerly waiting for its implementation for the applicants which will bring possibility of implementation of the same to all employees, if we can make our efforts. ***CWC decided to take up the issue immediately after the implementation of the scheme to the applicants.***

**g) MACP**

Three administrative staff members of AIR Jabalpur approached Hon'ble CAT Jabalpur challenging the order of MACP for subordinate Engg. and Programme cadres. The Hon'ble CAT had proposed to pass ex-prate decision on 20-5-2010, since the head of office of Jabalpur was not defending it properly. After an SOS from the unit secy. AIR Jabalpur, AIR & DDK Bhopal and west zone committee, the central office took the matter with DG:AIR and provided all the supporting documents to defend the case. Thereafter Hon'ble CAT started regular hearings. Now the next date of hearing is 01.08.2012. ***CWC decided to closely monitor the case.***

**h) Rs. 5400/- for AE after completion of four years**

Already reported in Section 6 (C ).

**8. ACP & MACP on the basis of One Pay scale for One cadre (including the cadres of Mast Technician, Diesel Technician, Diesel Engine Driver & Helper, who are divided into grades)**

The cadres of Helper, DED, DTech & Mast Tech were deprived of full benefits of ACP due to various pay scales in the cadre on the basis of percentage-wise division. Now Hon'ble High Court, Delhi, in the case of pay revision of EAs, by quoting the verdicts of Hon'ble Supreme Court, has ruled that there should be 'one pay scale in one cadre'. Hon'ble Supreme Court also upheld the verdict. With these supporting developments we have requested the department to extend the benefit of one pay scale for these cadres also by granting the highest scale of that cadre in 25.2.1999 order and the ACP may also be granted on the basis of these scales. Though the O/o DG:AIR started calculating financial implications, they have dropped it after the Ministry filed the Review petition & the SLP in Gwalior case. ***CWC decided to follow up the matter after the decision on Gwalior case.***

**9. Decrease in eligibility service for Helper to appear Departmental Exam in the light of MACP in 10 years.**

We have been repeatedly requesting for a change in recruitment rules to grant promotion on seniority cum fitness basis with reduced eligibility period for appearing in exam for the post of Technician, from the



present 11 years. When it was sent to Ministry, it returned the proposal, advising the DG:AIR to include all such proposals in the cadre review. In the light of recommendation of 6<sup>th</sup> CPC, granting of MACP after 10 years of service we demanded to reduce eligibility service from 11 years to 8 years. ***CWC decided to take up the matter once again with the authorities.***

#### **10. Opening Promotion channel on seniority cum fitness for the cadre of Helper**

We have been repeatedly requesting to open the promotional channel for Helper to Technician on seniority cum fitness especially in the light of the ACP scheme through which they were not granted the pay scale of Technician due to non eligibility for promotion on seniority cum fitness. Sometime back the Ministry advised DG:AIR to incorporate this in Cadre review proposal. Though this demand was inbuilt in the proposal submitted by the committee headed by Shri. R.K.Singh, the then CE(D) & E-in-C(DD), we are not clear about the present committee. ***Hence it is decided to take up the matter with the officers concerned.***

#### **11. Cadre Review – Present status and progress.**

It was reported in the house that the submitted cadre review report has been sent back for amendments by Prasar Bharati to accommodate modifications in the light of 6<sup>th</sup> Pay commission recommendations. Though in the meeting held with Member (P), it was agreed to start the meetings under the chairmanship of Shri. R.K.Sinha, it could not start since he could not take charge. Thereafter the committee was reconstituted with Shri. R.K.Jain CE(D) (Now E-in-C, AIR) as the Chairman. PB has since issued orders to withdraw all such committees where Association representatives were members. Meanwhile the decisions are being taken in the O/o DG:AIR to drop the cadre review for Subordinate Cadres and to prepare the Cadre review only for the organized cadres with a logic that Cadre Review is meant only for organized cadres and with another excuse that the Associations are not in a position to present the revised proposal in the light of 6<sup>th</sup> CPC recommendations since there is no consensus. We, after discussing with the Central Council, submitted a modified report recommending the merger of EA, SEA & AE with a nomenclature “Senior Broadcast Engineer” and next promotion as Deputy Director Engineering. The proposal was published on our website. But in the light of PB’s missive for abolition of all committees with Association representatives, we raised the issue through subsequent representations. After our repeated demands for including the cadre review of subordinate cadres, they constituted a committee, under the chairmanship of CE(D) AIR, for recommending cadre review for subordinate cadres. Some members have raised the grievances of the AE members that their scale has been downgraded in the proposals by ARTEE in which it is clarified that we have submitted the revised proposal in the light of decision of Patna ACP case. It was further clarified that the Pay scales demanded for the cadres including the Senior Broadcaster Engineer is for the persons on joining in the post. However the employees in the cadre of EA/SEA/AE having completed 12 years of service before August 2008 (since the ACP was effective from August 1999 to August 2008 and MACP thereafter) will be eligible for ACP as per the verdict in Patna case and whoever completed 20 years or 30 years will get the benefit of 2<sup>nd</sup> & 3<sup>rd</sup> MACP. ***After discussions in detail, CWC decided to follow up the matter with authorities concerned.***

#### **12. Categorization of Stations**

It was informed to the house that Prasar Bharati used to constitute committees for categorization from time to time to categorise & de-categorise the stations for tenure of transfer postings, only after the continuous persuasion of this Association. Unfortunately this committee is not functioning for some time. ***CWC decided to demand the reconstitution of the committee to consider the pending cases.***

#### **13. Problems of LPT / LRS and other Stations and its solutions**

It was discussed that commissioning of small stations like LPTV & LRS at various places without minimum required infrastructure and adequate staff has created lot of trouble for our employees. Whenever we approach the management they used to term the LPTV as a temporary arrangement as it is to be converted to HPT. ***It is decided that we should demand for ensuring the minimum facilities at LPTVs/LRS and take up the matter with all possible platforms once the recognition process is completed.***

#### **14. Out Sourcing and threat of staff retrenchment.**

It is the policy of the governments worldwide to do away with regular employees and to implement hire & fire system. The Fifth Central pay Commission and thereafter almost all committees constituted regarding the working of Central Govt employees recommended the same system. In AIR & DD also the management of PB made efforts many a times to start outsourcing in all fields. But due to strong protest from ARTEE they could not implement it in Engineering Cadres. But the risk still follows us especially when we are not strong enough to fight it out today. On the other side, they are always looking for some excuse to retrench the staff as it has already happened in various departments. *After deliberations in detail, the CWC decided to be careful about the threat of outsourcing in the engineering cadres.*

#### **15. Staff Shortage in AIR & DD establishments & Recruitments by Prasar Bharati**

As per the official reports submitted to Hon'ble GoM and other agencies, Prasar Bharati is facing an acute staff shortage owing to about 12000 vacancies out of 52000 sanctioned posts in AIR&DD. Accordingly after the matter was repeatedly taken up by NFADE with GoM & Ministry, the GoM has granted permission for filling of 3452 posts. Out of this, about 1200 posts are for EA and about 400 for Technicians. Though the regular recruitment will create two types of employees in the department, there may be a possibility that they may also join with us if we continue our efforts through NFADE to remove the cut-off date or even in case we succeed in getting the PB Act repealed. But in any situation, the contractual employees in engineering cadres will be a permanent threat to the existence of regular employees. *Hence CWC decided to demand recruitments and oppose the contractual system.*

#### **16. OTA Revision in rates, Hours, Its eligibility – from Govt of India**

The OTA rates granted by the 4<sup>th</sup> Pay Commission were very attractive at that time. But unfortunately the government has not revised the rates even after the change in pay scales recommended by two more pay commissions. The issue was taken up by the Confederation in the National Council of JCM scheme long back and arbitration was also granted since there was no consensus between the Government and the staff side. But the government is yet to finalise the rate for Central Government Employees. We are still coordinating with the Confederation leadership on this issue. *CWC decided to coordinate with the Confederation for an early decision on the revised rates and eligibility of OTA.*

#### **17. Extra Duty Allowance from the IEBR of Prasar Bharati, till revision in OTA scheme by Govt:**

It was brought to the notice of the house that after repeated demands and follow up from ARTEE, the PB has agreed to compensate for the extra work performed by employees for the interest of the Prasar Bharati. Since the OTA rate is to be revised by the DOP&T they agreed in Principle to our demand for granting Extra Duty allowance to all shift duty employees irrespective of the cadre. Accordingly, one committee, including the representative of ARTEE, was constituted and the committee submitted its report also. The committee was told to keep the additional expenditure within the limit of Rs.20 crores per annum. The committee recommended for a flat rate of Rs.50/- per hour irrespective of the cadre performing extra duty. It was supposed to be approved by PB Board since the amount was to be released from IEBR (the revenue earned by PB). But, by the time the proposal reached upto the sub committee on Personnel Matters, PB declared all Associations 'unrecognised' and all proposals regarding staff welfare came to a standstill. *CWC directed the Central Office to take up the matter with PB immediately after the process of recognition.*

#### **18. GPF/CPF Related Problems**

Though it was assured by PB Management in some of the meetings to make GPF system like banking finance system, matter is still pending for settlement. *CWC decided to follow up with PB for further smoothening the system, once the recognition process is completed.*

#### **19. Compassionate Ground Appointments.**

As per the DOP&T rules the case for compassionate appointments says the cases cannot be considered after completion of 3 years from death. We are making our sincere efforts to secure these benefits for some needy persons. We have demanded in the last meeting with Member (P) that PB Board may take a decision to offer compassionate appointment to all pending cases as a one time measure. But we could not follow up the matter due to the subsequent developments. ***CWC decided to take up the matter once again with Prasar Bharati management after the process of recognition.***

The CWC honoured Shri. Ashok Gupta, former Organising Secretary, Delhi, who inspite of retirement from the service one year back has devoted his efforts for better organizing of the CWC meeting and even stayed with us for the entire period to ensure smooth arrangements. Shri. GM Tyagi, Secretary (Sr.Tech/ Tech) and Shri. Ginesh Aggarwal of AIR, HPT Kingsway Camp unit were also honoured with mementos for their services. House appreciated Shri. Ashwani Dagar, Secretary (SEA/EA) for booking of the meeting arrangements and for coordination of the Association activities especially for the last one year when most of the senior office bearers are transferred out of Delhi. Special mementos were presented to all Zonal committees on behalf of the Central Office.

***CWC decided to make united efforts to complete the recognition process at the earliest and to keep the Association united above any other interest.***

Meeting ended with vote of thanks to the chair.

(Anilkumar S)  
General Secretary

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