

Report from General Secretary regarding the activities of ARTEE from June 2011 to July 2012

Dear Comrades,

I welcome you all to Delhi and wish you all a pleasant stay. This is perhaps the first time in the recent past that two consecutive meetings of CWC are taking place at Delhi. This CWC was supposed to take place on the sidelines of National Convention as a regular practice. Unfortunately we are not in a position to organize the National Convention due to time constraints, as the process of recognition of Associations in AIR&DD is yet to be completed.

ARTEE, the largest Association of electronic media workers, has achieved a lot for the members in particular and helped in protecting the interests of the employees of AIR&DD in general by its valuable role in the common platform of NFADE.

But unfortunately the developments since September 2011, after the de-recognition of associations and transfer of main office bearers of three major Associations out of their headquarters has posed a threat to the stability of the Association and the total employees welfare in the department.

Fortunately a good number of office bearers and members rose to the occasion to prove that anti democratic steps of the management cannot crush the strength of unity of employees. Once again we proved beyond doubt that the strength of Association depends on the members and its concrete structure of the Unit, DMC, State & Zonal Committees. The credit for whatever we achieved till today will go to all office bearers of Central, Zonal, State, DMC and Unit committees as it is a teamwork, and no Association/ Organisation can work without a good team and team spirit.

The Balance sheet of accounts of the year 2011-2012 and budget estimate for the year 2012-2013 will be presented by our Treasurer. Subscription of membership deducted from salary and being remitted to our account by the DDO/HOO came as a blessing in disguise to overcome the financial crunch we are facing every year. This house will decide the ratio of distribution of the fund to various necessities, as per the financial requirement and load, to ensure smooth functioning of different committees of the Association.

1. Organizational Matters :

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

May I recall that we discussed in the last two CWC meetings as well as in the National Convention held at Thiruvananthapuram, the necessity to follow CCS (RSA) Rules 1993 to maintain the recognition of Association and it was resolved that we will follow the system whenever the department directs us to do so.

The Associations of employees working under the government were granted recognition as per the Central Civil Service (Recognition of Service Associations) Rules 1959. Existing Associations as well as those formed later were recognised as per these rules. The nine recognised Associations of AIR & DD, including ARTEE, have been mentioned in AIR Manual published from time to time, and the JCM Scheme of grievance redressal was operative since 1964. The government came out with the revised rules in 1993 with the name CCS(RSA) Rules 1993 to streamline the functioning of Associations, perhaps to put a check on the activities of the Associations. The new rule which superseded the CCS(RSA) Rules 1959 proposed a check-off system to verify the membership of an Association on the basis of deduction of subscription from the pay-rolls.

Section 4 of the CCS (RSA) Rules says that a Service Association or a federation which has been recognized by the Government before the commencement of these rules and in respect of which the recognition is subsisting at such commencement, shall continue to be so recognized for a period of one year from such commencement or till the date on which the recognition is withdrawn, whichever is earlier. Later DOP&T extended this date upto 31st May 1997.

The complications within seems to have confused the government for the implementation of the same and as a result, as per our information, the first department to complete the process of the recognition under CCS(RSA) Rules 1993 was Income Tax department in June 2001.

Realising the seriousness of the matter, ARTEE, way back on 21.08.1998 itself wrote to DOP&T, seeking details on the process of recognition of our Association to which DOP&T vide their letter dated 27th August 1998, advised Ministry of I&B, being the administrative Ministry for our cadres, to process the case and inform us accordingly.

Meanwhile, after continuous pressure from Associations including ARTEE, O/O DG:AIR on 12th October 1998, submitted a detailed report stating the status of various Associations in following the RSA Rules. They have mentioned that **“Fresh Recognition is under consideration for six Associations, including ARTEE”**. For remaining 11 Associations existing at that time, O/O DG: AIR commented that some Associations not applied, for some Associations, the documents incomplete etc. ***In this letter they wrote that the process is held up due to notification of Prasar Bharati Act and verdict of Hon’ble Supreme Court (on particular issue) declaring AIR&DD as industry.***

Hon’ble Minister for I&B, in her written reply to Hon’ble members of Parliament states that “The Ministry kept the matter of recognition of Associations pending till a final decision on the service condition of Prasar Bharati employees is taken”

Again from 2007 onwards, DG:AIR, on demand of Associations, requested Ministry with nine remainders to start the process. It is clearly stated in almost all letters that the Associations are pressing hard for completion of the process.

The nine recognized Associations, including ARTEE, wrote to the Ministry requesting to settle the issue of recognition, by highlighting the above facts.

Ultimately, in reply to repeated letters, Ministry of I&B intimated ARTEE on 18.11.2009 that the matter of recognition to all service Associations under the new CCS (RSA) rules 1993 is under process

The DG, AIR issued an order on 22nd February 2010, stating that since the matter regarding recognition of Associations/Unions of AIR is under process with Ministry of I&B, it has been decided to maintain status quo in this regard and interact with those Associations/Unions which are figuring in AIR manual, pending finalization of the case,.

Whenever we, the Associations approached Ministry, Prasar Bharati & DG: AIR all authorities used to entertain the Associations as recognised ones.

The management might have felt irritated with the united strength of Associations and always on the lookout for any opportunities to destroy the strength of employees. Ultimately the management succeeded in issuing the order dated 08/09/2011 stating that “no Associations in AIR & DD are recognised.” It was also stated that no office bearer of these Associations will be given any special privileges.” Accordingly transfer orders were issued for 26 senior office bearers of three major Associations. We immediately approached Ministry, DG:AIR & Prasar Bharati pointing out the above said facts.

Immediately we called the meeting of all the nine recognized Associations reflected in the AIR Manual and constituted a common platform “Recognised Associations’ Forum of AIR & Doordarshan (RAFAD)”. Six Associations took active part in this platform and we took up the matter of recognition of Associations with all leaders of major political parties.

Various print media have published reports on the attack of Association and Mail Today News paper has given full page report on this subject.

When the repeated requests were ignored by the authorities, we, ARTEE, ADTEA & PSA filed a case in the High Court at Delhi with the following prayer:

- a. Stay the impugned Office order no. 120/2011-PPC dated 08.09.2011, And
- b. Stay the impugned office orders no. 112/2010-PPC dated 19.08.2011, Office order no. 116/2011-PPC dated 02.09.2011, Office order no. 117/2011-PPC dated 02.09.2011, Office order no. 121/2011-PPC dated 08.09.2011, Transfer order no. 36/2011, 37/2011 and 38/2011 dated 12.09.2011, Order no. CEW/EA-TRANSFER/2011/PCELL dated 14.09.2011, Office order no. 40/2011 dated 15.09.2011 and Office order no. 70/2011-SI(B) dated 12.09.2011, Office orders no. 32015/3/P.CELL/CEW/2011 dated 13.09.2011, order no. CEW/EA-TRANSFER/2011/PCELL dated 14.09.2011 issued by western zone office of Respondent no. 2., Office Orders no. 28/2011-12 and 30/2011-12 dated 14.09.2011 passed by South Zone office of respondent no. 2, Office order no. CE(NEZ)/1(27)/2011-S/SEA dated 14.09.2011 for the posts of Engineering Assistants and Senior Engineering Assistants issued by North East zone office of Respondent no. 2. And/or
- c. Restore the status quo as existed prior to passing of the impugned orders. And/or
- d. Any other or further orders as this Hon'ble Court may deem fit and proper under the facts and circumstances of the present case.

We approached the Hon'ble High Court since Hon'ble CAT Lucknow some time back in case of recognition of Postal employees directed the applicants to approach High Court since it is linked with the constitutional rights.

While on argument, the counsel for the Govt & Prasar Bharati pointed that after the decision of Hon'ble GOM, & Cabinet, the employees joined upto 05.10.2007 are Central Govt employees and they are thereby covered under CCS Rules so the case should be considered as service matter. Hence the case was referred to Hon'ble CAT.

We informed Hon'ble CAT that we are basically demanding for the time bound completion of the process of recognition of Associations to restore the staff redressal system in the department. Accordingly we filed OA in Hon'ble CAT Delhi in which we changed the third prayer as follows:

This Hon'ble Tribunal may be further pleased to grant any other relief which it may deem fit and proper under the circumstances of the case.

The case was disposed off on 6th January directing the Govt & PB to complete the recognition process before 29th June 2012 (within four months from 29th February 2012).

Hon'ble CAT observed in its verdict that "Even though it is clear from the records that applicant Associations had applied for recognition way back and their applications were pending for consideration but the fact remains that till date no order has been passed by the respondents recognizing them as an association. Now that respondents have issued notice dated 22.11.2011, it gives right to other group of employees also to form an association and seek recognition. Since applications have been called vide notice dated 22.11.2011 and the last date for receiving applications is stated to be 29.02.2012 naturally respondents have to wait till 29.2.2012. Simply because applicants had given their applications in 1993, it does not mean that other groups would have no right to give applications and form association or seek recognition. Processing of applications, including those of the applicants would take place only after 29.2.2012 by following due process as mentioned in the rules. We cannot give any finding whether the requirements as mentioned in the rules has been fulfilled by the applicant associations or not. These facts would have to be ascertained by the respondents after scrutinizing each and every application.

We, therefore, dispose of this OA with a direction to the respondents to scrutinize the applications received by them either already or fresh applications which are received pursuant to the notice dated 22.11.2011 and pass appropriate orders in those applications within a period of 4 months from the last date of receiving the applications i.e. after 29.02.2012. In case, official respondents find the applications submitted by the applicants associations are deficient to some extent or they are required to fulfill some more conditions as mentioned in the rules, they should point out those deficiencies to the applicant associations within a reasonable time so that they may fulfill those

requirements before the last date of receiving the applications, i.e. by 29.02.2012. Once final orders are passed by the respondents with regard to the recognition of Association, law will take its own course. No costs." Verdict is already available on our website.

Hunting of office bearers scaled newer heights when one DDG(Engineering) from the O/O CE(WZ) conducted an enquiry on the explicit orders of CEO to trap the General Secretary at AIR Rewa. Otherwise how can we explain the detailed inquiries about the duties of the GS at AIR Rewa and even enquiring about trivial issues like why the staff went to the Rewa railway station to receive the General Secretary? It is pertinent to note here that the enquiry was held within a month of my joining at AIR Rewa. It is another matter that despite all their 'sincere' efforts the inquiry officials could not find a single instance of negligence on my part, which ended up reducing their mission to bitter failure.

Meanwhile the matter of recognition of Associations was raised by Hon'ble Members of Parliament and senior leaders of various political parties inside and outside the Parliament. Various senior trade union leaders including Dr. Sanjeeva Reddy, Hon'ble MP & President, Indian National Trade Union Congress (INTUC), Shri. Rudra Narayan Pani, Hon'ble MP & General Secretary Bharatiya Mazdoor Sangh (BMS), Shri. Tapan Kumar Sen, hon'ble MP & General Secretary, Centre for Indian Trade Unions (CITU) took up the matter seriously with the Ministry. Dr. Sanjeeva Reddy also had meetings with Hon'ble Minister for I&B in this regard. Proceedings of Rajya Sabha, broadcast live on 08th December 2011 and Lok Sabha on 20th December 2011 were a testimony to the efforts put in by a number of our members in taking up the matter with political establishment. Hon'ble Members of Parliament, cutting across political affiliations, raised their voice for the democratic and constitutional rights of the employees of AIR & Doordarshan. We are particularly grateful to Hon'ble MPs - Shri. Tathagatha Satpaty, Shri. Ram Chandra Khuntia & Shri. Rudra Narayan Pani of Odisha, Shri. Pralhad Joshi of Karnataka, Shri. Saidul Haque, Shri. Prasanta Banerjee & Shri. Prasanta Chatterjee from West Bengal, Shri. E.T.Mohammed Basheer from Kerala for raising the issue of recognition of Association. More than 50 Hon'ble MPs wrote letters to Hon'ble Minister to settle the issue of recognition of Associations at the earliest.

In response to the unstarred question on 05/12/2011, Hon'ble Minister of State for I&B stated that:

(b) The CCS (Recognition of Service Association) Rules are applicable to government servants. In Prasar Bharati, it would be applicable to those employees who were regularly recruited upto 05.10.2007.

(c) Department of Personnel and Training on 31.7.2003 clarified that CCS(RSA) Rules 1993 apply to all employees to whom CCS (Conduct) Rules apply.

(d) In pursuance of Department of Personnel and Training's clarifications referred to in reply to part (c) of the Question, Prasar Bharati was directed to initiate the process of recognition of employees associations as per specified procedure.

It was assured in the Hon'ble Rajya Sabha on 05.12.2011 that **"As and when Associations are recognized in terms of the notification, constitution of JCM will be considered."**

Hon'ble Minister for I&B replied in Rajya Sbha on 08/12/2011 and in Lok Sabha on 20/12/2011 that Ministry is ready to accord recognition, if the Associations complete the formalities.

Meanwhile Ministry advised Prasar Bharati and DG:AIR, vide their letter No.B-12017/1/99 – Admin III (Vol.IV) dated 14/11/2011, to obtain applications for recognition of their service Associations along with the following requisite documents:

- (a) Memorandum of Association,*
- (b) Constitution/ Bye- Laws of the Association,*
- (c) Names of the Office bearers of the Association,*
- (d) List of members of the Association*
- (e) Copies of written declaration addressed to DDOs concerned, by members of the Association for deductions of subscriptions in favour of the Association.*

It was also advised to PB to confirm the fulfillments of the conditions under Rule 5, 6 & 7 of the notification No.2/10/80—JCA (Vol.IV) dated 05.9.1993 issued by DOP&T. It was also directed to PB that on receipt of the details from the concerned Associations, the case of recognition of their Associations may be processed.

Accordingly, PB issued circular dated 22/11/2011 directing the Associations to submit the details and the Head of offices to display in notice board for starting of the recognition process. The cut off dates for reporting back to PB on display in notice boards was 01.12.2011 and for submitting applications complete in all respects in accordance with DOPT's OM dated 05/11/1993 was specified as 29th February 2012. The counsel on behalf of Prasar Bharati & Ministry re asserted it in the Hon'ble CAT and the Hon'ble Court took it into record as well.

Meanwhile Prasar Bharati issued another circular on 21/12/2011 directing subordinate offices that PB's letter dated 22 Nov 2011 has to be acted upon seriously. It further stated that "those offices that have still not taken any action on the instructions given therein, have to comply with the directions given immediately, failing which heads of any such defaulting office will be held personally responsible for the delay in implementing the directions conveyed therein".

On the demand of ARTEE to speed up the process of Recognition, Ministry of I&B directed DG:AIR & DG:Doordarshan, with a copy to ARTEE to expedite the matter of recognition at the earliest as per their letter dated 14.11.2011. They further directed that the recognition process may be initiated only for the Associations representing the employees who are recruited upto 05.10.2007 i.e. the cut off date specified in the PB Amendment Act 2011 and who are being conferred the status of Govt employees on deputation till retirement.

Meanwhile the Standing Committee of Hon'ble Parliament, on 17/4/2012, forwarded the detailed report they received from Ministry of I&B to us in which while narrating their logic for declaring that no Associations in AIR & DD are recognized, the Ministry stated that **"The Ministry kept the matter of recognition of associations pending till a final decision on the service conditions of Prasar Bharati employees was taken in the form of enactment of the Prasar Bharati (Broadcasting Corporation of India) Amendment Act 2011"**. They further stated that "Hon'ble CAT directed the Ministry to pass appropriate orders within 4 months from the last date of receiving applications (from Associations), i.e.,29/2/2012."

PB issued orders dated 26/4/2012 & 27/4/2012 declaring the names of 14 applicant Associations (later made it to 17) in distinct categories as per the CCS(RSA) Rules 1993, on the basis of the applications received from the Associations and directed the HOO/DD to make the deductions towards subscriptions from the employees from the salary of the month of May 2012.

Since it was reported from some units that the DDO/HOO are not clear about the remittance of amount in Association's account, we requested Prasar Bharati Secretariat vide our letter dated 11.5.2012 to issue necessary instructions to DDO/HOO to remit the amount deducted towards subscription of the Association in the account of the Central office of the respective Association, as per the order dated 02/12/1993 issued by the Controller General of Accounts. Accordingly the PB Secretariat issued necessary orders on 16.5.2012.

Prasar Bharati, vide its letter dated 16.5.2012 pointed out some discrepancies in the Constitution/ Bye Laws of applicant Associations and directed to rectify the discrepancies and re - submit the corrected documents by 31st May 2012. Since it is mandatory as per the CCS(RSA) Rules 1993, we have made necessary amendments in consultation with the Central Council and submitted to Prasar Bharati on 31.5.2012.

Prasar Bharati vide its order dated 05.06.2012 once again directed the HOO/DDO to make deductions and submit the report in the format latest by 13/6/2012. DG:AIR & DG:DD also circulated the order. Though a good number of stations sent their report after making deductions, some stations did not send the report even after this warning and many of the stations sent reports without giving the strength of staff in the category as sought in column 3 of the order dated 05.6.2012.

Meanwhile PB filed an affidavit in Hon'ble CAT, Delhi, seeking two more months time, upto 31st August 2012 to complete the process of recognition.

PB issued another circular along with the list of 184 defaulting DDO/HOO with a stern warning for fixing the responsibility of respective DDOs/HOOs for delay in the process.

We have been regularly sending messages to all CWC members and unit secretaries requesting for following it up with the HOO/DD for sending the details at the earliest.

We are grateful to our members and office bearers for the positive response which once again is undoubtedly going to prove the number one position of ARTEE in the department.

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

Presently for funding 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 3-4 lakh. We are managing the deficit from the contributions from our members and contributions from National Convention committee etc. Due to this financial condition 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 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, agitaional programmes, maintaining of website etc are to be shouldered by Central Office. So a balancing of fund as per the workload is necessary.

Accordingly we propose the following structure on the basis of the percentage of the deduction of subscription from the members:

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

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

We have been working for the interest of our members & cadres upto the maximum possible extent at every level. We have already 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.
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 strict following 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 will 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 1st 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.

Hence now it is our responsibility to take care of these conditions for maintaining the recognition, once it is granted.

iv) Amendments in constitution and Election byelaws of ARTEE.

Amendments in Constitution, as per the experiences of its functioning, from time to time are necessary for any organisation to progress. As mentioned earlier, 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 31st 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 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, are already circulated to you through mail. So, let this CWC decide on the necessary amendments which, after getting the approval from the Government, can be submitted to the Registrar of Societies. Since we are not in a position to organize the National Convention (General Body) this time due to the time restraints, this CWC can take a decision as per Section 36 (viii) of our constitution (viii). If on any particular occasion Central Council resolves that it is not possible to convene the bi-Annual

Conference (National Convention), it shall proceed to convene Central Working Committee Meeting by giving one month's clear notice directly to all Central Working Committee members of the Association. Within 14 days of holding the bi-Annual Conference or the Central Working Committee Meeting, as the case may be, a list of proceedings as required in clause 4 of the Societies Registration Act, of 1860 shall be filed with Registrar.)

v) Decision on process of election for the next term:

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 declaration by PB that no Association is recognized and we have been concentrating for the completion of the process of recognition.

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 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 passed from the Registrar of Societies. Hence CWC may discuss & decide about the process.

vi) Role of ARTEE in NFADE & other joint platforms.

NFADE:

ARTEE took charge of the leadership of the NFADE once again after the decision of the last National Convention. The representatives of ARTEE at all levels such as Unit, DMC, State, Zonal & Central shouldered their responsibility along with their counterparts in other Associations to make various steps of agitation grand success, esp. the 48 hours boycott of duties. Our representatives took initiative for political campaigning at various places. As you are aware the Prasar Bharati Amendment Bill 2011 was passed in the Hon'ble Rajya Sabha on 08th December and Hon'ble Lok Sabha on 20th Decemebr 2011. Since the PB has already issued orders declaring no Associations are recognized and the main office bearers were transferred out of Delhi, perhaps there was a concept that NFADE will not be in a position to approach Hon'ble MPs to bring the facts for their kind notice. But we were fortunate for having been granted hearing by a good number of Hon'ble MPs on this bill & ultimately both houses of Hon'ble Parliament approved this Bill to retain 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 tireless efforts NFADE.* We have pointed out earlier also that two types of employees will not be healthy for any organization and the present amendments are only a protection for the time being. Now 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 cut off 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.

Confederation of Central Government Employees & Workers (CCGEW):

Confederation of Central Government Employees & Workers is the common platform of about 12 lakh Central Government employees representing almost all CG employees (other than Railways & Defence) since 1964. ARTEE is the first and only one Association from AIR&DD affiliated to the Confederation. Confederation has extended their active support in the activities of ARTEE & NFADE for the last 2-3 years. Confederation always makes movements for the common interest of the Central Government employees and takes up the common issues in the National Council of the JCM Scheme. Now Confederation has already declared Nationwide agitation on 14 point charter of demands and in the first phase they are organizing a Parliament March on 26th July 2012 in which we, through this CWC, will also participate actively. Further, they have announced one day strike and the date will be announced during the Parliament March. Tentatively it is expected in December 2012. Though we have agreed to extend

full support in the Parliament March, in the National Executive held at Kolkata, we informed them that we have to discuss about the strike in our CWC meeting especially when we are still struggling for completion of Recognition process.

It is a fact that we got the affiliation only after the decision retaining the status of employees of AIR & DD as Central Government employees on deemed deputation in Prasar Bharati, since the confederation does not represent employees outside the purview of Central government.

UNI:

Though ARTEE is affiliated with Union Network International since 1999 and always received support from them in our activities, now once the order for recognition is issued, we will have to approach the Government for permission for affiliation with UNI as per the CCS (RSA) Rules.

SSS:

SSS of ARTEE & ADTEA has a very long history of achievements for the subordinate Engineering cadres since 1993. PSA of AIR&DD also joined hands with us in the year 2009, when we started agitation on the issue pertaining to subordinate Engineering & Programme cadres. Some of the issues were settled at that time and other issues were pending including some issues in various courts. We restarted the agitation after the verdicts from various courts, but in August 2011, the Ministry issued letters to DM declaring these Associations as unrecognized and again in September 2011 PB issued the order as mentioned earlier. Ministry pointed out these things in a reply to Parliamentary Standing Committee on Labour. CWC can discuss & decide on this issue further.

vi). Opening Membership for entire engineering fraternity.

As per the section 3 i) of the constitution of our Association, since its inception, "***All Engineering Employees belonging to All India Radio and Doordarshan are eligible for the membership of the Association.***" However it has been followed as an unwritten rule that we entertain the members from Helper to Assistant Engineer.

It was proposed in last two National conventions and CWC meetings, on the request of some ASE/SE's, that membership may be extended to all engineering cadres. A number of Life members of ARTEE who have been promoted to these posts are also of the view that membership of ARTEE may be opened for all. But it was turned down in last CWC due to various reasons like the workload we are facing due to the issues of existing 9 cadres, possibility of adversities associated with dual membership etc.

But now since CCS(RSA) Rules are made applicable, the concept of dual membership cannot be followed. Further, only two Associations will be recognized in one category and if the entire engineering fraternity is considered as single category still ARTEE is having more than the required strength of 35%. CWC may discuss and decide the issue in the changed scenario.

6. Review of implementation of allied recommendations of 6th CPC.

a). Implementation of MACP.

Department has agreed to extend the benefit of MACP to our cadres only after continuous efforts by SSS. Process for zonal cadres were started by the O/O CE:WZ in coordination with our West Zone Committee and after Dharna by central Office at DG:AIR and North Zone Committee at the O/O CE(NZ). MACP order for about 1200 AEs were issued and for others is in the process. Zonal committees are regularly pressurizing the authorities in respective zones

Meanwhile the Inspector of Accounts, O/O DG:AIR issued orders 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. At a station like AIR Mangalore the office issued orders for recovery of huge amount not only from the MACP but also the linked benefits like difference in DA, Transport Allowance, and even the 'by air' facility availed during LTC of one employee. We appreciate timely and coordinated action of ARTEE and PSA units of AIR Managalore led by Shri. Chandra Shekhar Shetty, NFADE Cordinator which compelled the HOO to withdraw the orders of recovery with a condition that the matter will once again be referred to DG:AIR

Immediately on getting the details from AIR Mangalore, we took up the matter 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 especially when the government has taken a decision to retain all employees of AIR & DD recruited upto 05.10.2007 as Central Government employees and extended the benefit of pay scales as recommended by 6th CPC. Matter is pending in PB for a final decision.

b). Merger of EA with SEA

After we took up the matter with DG:AIR and Prasar Bharati, one committee was constituted under the chairmanship of CE(D), AIR and the committee, after consultation with us, proposed a new cadre of Broadcast Engineer merging EA & SEA. 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.

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

Govt of India, in the notification on the recommendations of the 6th Central Pay Commission, recommended granting the Grade Pay of Rs. 5400/- to the Group B cadre with the pre-revised pay scale of Rs.7500 – 12000, after completion of 4 years service in the cadre. We have approached senior officials of the Ministry vide our letters dated 12/1/2009, 21/1/2009, 02/02/2009, 31/3/2009, 22/4/2009, 15/6/2009, 21/7/2009, 20/8/2009, 29/9/2009 in addition to various meetings such as with Smt. Ambika Soni, Hon'ble Minister for I&B on 23/7/2009, Sh. Reghu Menon, Secretary, Min.of I&B on 21/7/2009 and with Joint Secretary (Broadcasting) 06/3/2009 etc. We had a series of meetings and communications with senior officials of Prasar Bharati and the Directorate also. But unfortunately Ministry of Finance has turned down the proposal twice irrespective of the fact that the internal finance of Ministry of I&B was also convinced with our demands, after we brought all realities, including the supporting documents of the pay revision granted as per the order dated 25/2/1999.

It is learnt that the first objection was on the pay revision as per the order dated 25/2/1999 and the second was by claiming that the reply given under the RTI Act is not an order and they cannot extend the facility to the AEs of AIR&DD.

Thereafter some AE members approached Hon'ble CAT Delhi and got verdict in favour of the employees. Accordingly, it is told that these applicants got the benefits as per the verdict.

You are aware that some of the applicants in Patna got a historical verdict in their favour, from Hon'ble CAT Patna which is upheld by the Hon'ble High Court of Bihar and the Supreme Court, in which it is directed to grant the pay scale of Rs. 8000-13500 of Assistant Executive Engineer, as first ACP to EA, SEA, & AE having the pay scale of Rs.6500-10500. Though the department is yet to implement it properly, we have been making efforts for extending the benefit to all employees in these cadres. On our demand way back in February & March 2011 the Ministry initiated two separate files one for the applicants and the other for 'all others' on the same ground but they have taken a "U" turn afterwards. We are waiting for the final implementation to all applicants for further steps. With these grounds we fear that if the Association demands 5400/- after four years it should not adversely affect our demand for ACP benefits as per Patna case. Hence CWC may discuss and take a wise decision for the future benefits of our cadres.

7. Court Cases :

a) One Pay One Cadre

i) New EA (joining after 25.2.1999)

The cases filed by Shri Mahender Singh Rana and Shri Lalit Kumar Pawar & others (**Both the cases are supported by ARTEE**) have established the natural justice that one pay scale for one cadre, through the verdict of Hon'ble High court Delhi and Hon'ble CAT Delhi. Though we have succeeded in convincing DG:AIR, Prasar Bharati and Min. of I&B to implement the verdict of Hon'ble High Court, the office of SD:DDK Delhi with the approval of DG:DD filed an SLP challenging the decision in the High Court. It was in contravention of the recommendation, dated 12-10-2010, of DG:AIR to implement the rule of one pay scale for one cadre in subordinate Engg. cadres.

Hon'ble Supreme Court dismissed the SLP on 14-01-2011, at admission stage, directing the Department to implement the decision of Hon'ble High Court Delhi and Hon'ble CAT Delhi. Accordingly we placed the matter in the meeting of Prasar Bharati dated 19-01-2011, for immediate implementation of the judgment. The administration pointed out in meeting 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 Technician's 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 direction 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 Hon'ble 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, 11th August, 7th September & 24th September 2010 of Hon'ble High Court Delhi and ultimately on 14th January 2011 of Hon'ble Supreme Court. Thereafter we filed a contempt petition (CP 494/2011 of OA 1742/2004) on 18th 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 used it as an opportunity and file 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 Revised 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. Next date of hearing is 14th August 2012.

ii) New Technician (joined after 25.2.1999)

b) 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. Even after agree genuineness of the request, the Hon'ble CAT has stated that they don't want to intervene in the decision taken by the executive (Government of India) since the decision was taken after the agreement Govt. of India reached 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 5th 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 opposed the decision of

Hon'ble High Court Delhi. Though we filed an SLP vide Diary No..... 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. This CWC may decide if necessary to file the Review Petition now or to wait for the decision on Notional Fixation.

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

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 from 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 have circulated the format of representations to all zonal committees, we have received representations from two zones only. CWC may take a decision in this regard.

d) 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 3rd Pay commission and Rs.1200-30-1440-EB-30-1800 as per the recommendations of 4th Pay Commission. Some stations like AIR Rajkot followed the AIR manual in letter and spirit and appoint DED with the pay scale as per AIR manual which is again revised as Rs.4000 – 6000 after the recommendations of 5th 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 to revise the 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 & sat 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 till 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 4th 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 4th CPC) as assured in the AIR Manual.

Due to the ignorance of the department to the 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.

As per the data available with the department, the total sanctioned posts in Diesel Engine Driver is 131 and 71 Nos of posts are lying vacant. Further the department has already declared the cadre of Diesel Engine Driver as a Dying cadre. Accordingly no recruitments is taking place in the cadre for more than last 10 years.

Therefore 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 4th CPC), Rs.4000 - 6000(as per 5th CPC) & PB 2 with GP of Rs.2400/- (as per 6th 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 DED are eligible for the pay scale of Diesel Technician as the 1st pay upgradation under ACP scheme. More over 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 very 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 fight further legally. CWC may take a decision.

e) ACP

Twelve numbers of the E.A., Sr.E.A. and A.E.of AIR & DDK Patna, led by Shri B.K. Roy (former SS ARTEE), 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.

f) MACP

Three administrative 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 Jabalpur was not defending properly the case. After the SOS from the unit secy. AIR Jabalpur, AIR & DDK Bhopal and west zone committee, the central office took the matter with DG:AIR 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

g) 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 total benefit of ACP due to the 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 now 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 the calculations of financial implications, they have dropped it after the Ministry filed the Review petition & the SLP 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 the change in recruitment rules to grant promotion on seniority cum fitness quota with reduced eligibility period for appearing 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 6th CPC, granting of MACP after 10 years of service we demanded to reduce eligibility service from 11 years to 8 years.

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 has advised DG:AIR to incorporate this in Cadre review proposal.

11. Cadre Review – Present status and progress.

The submitted cadre review report has been sent back for amendments by Prasar Bharati to accommodate modifications in the light of 6th 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 6th 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. But in the light of PB 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.

12. Categorization of Stations

After the continuous persuasion of this Association, Prasar Bharati used to constitute committees for categorization from time to time to categorise & de-categorise the stations for tenure of transfer postings. Unfortunately this committee is not functioning for some time. We can demand the reconstitution of the committee to consider the pending cases.

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

Commissioning of small stations like LPTV & LRS at various places without minimum required infrastructure and adequate staff has created a lot of trouble for our employees. Whenever we approach the management they term it as a temporary arrangement as it is to be converted to HPT. Still there can be some issues which we can take up with the authorities to settle in a time bound manner, after the completion of recognition process. Since it is assured by the Hon'ble Minister in Parliament that the JCM system will be restarted after the recognition, we have to identify the issues by that time.

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 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. So we should discuss and decide about the future strategy to protect our members.

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. The CEO, in the beginning was taking initiative for filling these posts through regular recruitment by constituting Prasar Bharati Recruitment Board. But now it is learnt that he is planning that only 75% of these vacancies be filled up through regular recruitment whereas the remaining 25% be outsourced on contract basis. 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. The CWC may discuss & decide the issue with all seriousness.

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

The OTA rates granted by the 4th 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.

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

We have requested again and again to kindly take serious view on the severe workload on the subordinate engineering employees without any compensation for the extra duty performed. It is a fact that the subordinate engineering employees just don't work for extra hours, rather they perform full duties against which persons have not been appointed. This, we have repeatedly brought to the notice of the former CEO & former Member (P) Prasar Bharati who in turn accepted that PB has to do something to compensate for the extra work performed by employees for the interest of the Prasar Bharati. Since the OTA rate has 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 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 IEER (the revenue earned by PB). But, by the time the proposal reached upto the sub committee on Personnel Matters, PB declared us 'unrecognised' and all proposals regarding staff welfare came to a standstill. Once recognition is completed it should be one of the major issues before us.

18. GPF/CPF Related Problems

We have repeatedly brought it to the notice of CEO & Member (P) regarding the casual attitude of transfer of GPF accounts by the PAO offices of various places and demanded for a fool proof system to ensure timely transfer of accounts. Eventhough it was assured in some of the meetings to make it like banking finance system, matter is still pending for settlement.

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 for getting these benefit to some needy persons.

(Anilkumar S)
General Secretary
