

The Issue of Pay parity to Technicians with Lighting Assistants

The Lighting Assistant was having Pay Parity with Asstt. Cameraman which was disturbed on 01-07-1983 and restored w.e.f. 01-12-1983 as per Supreme Court Verdict. The Pay Scale of Lighting Assistants revised from 330-480 to 425-700 as per w.e.f. 01-12.1983 through order no. A-1401/1/80-SI/TV(A) Dated 21.12.88 of Ministry of I & B in pursuance of Supreme Court order dated 26/8/1988.

Due to continuous fight by ARTEE and ADTEA under the banner of Sanyuka Sangarsh Samiti the Pay parity to Technician was granted as per MIB Order 310/173/97-B(D) Dated 05-12-97 It is accepted by Hon'ble Sup. Court in recent verdict of 10th Jan 2013.

Case filed by ARTEE

A case Individually filed with a prayer to grant Pay parity to Technicians for the Period from 01-12-1983 to 31-12-1995 in Hyderabad CAT 1996 with Arrears. Hon'ble CAT asked Department to take a decision on the representation in a period of three months time which deptt. obviously decided against us.

ARTEE filed an OA in CAT Delhi for the same cause in 1999 and Hon'ble CAT gave a verdict that since Sayukta Sangharsh Samiti has accepted the Parity from 01-01-1996 the claim from back can not be accepted.

ARTEE filed Writ Petition in Hon'ble High Court Delhi against the decision of CAT Delhi. Hon'ble HC Delhi dismissed the claim on the ground that Court has been approached late however opined the genuineness of the Prayer.

ARTEE filed an SLP in Hon'be Supreme Court which was also rejected. We were considering to file a Review Petition.

Case filed by ADTEA

ADTEA filed a parity Case in 1994 in Delhi CAT but Court Rejected the Same due to Strike by Advocates and the case was decided one sided. The review Petition filed but same was also rejected.

In 2006 OA 390 was filed by Mr. T.Vijaykumar in Chennai CAT who also rejected the claim

Again in 2009, ADTEA filed a writ petition no 27155 in Chennai High Court. On 24.11.2010, the Hon'ble High Court granted the Notional Fixation to Technician and Sr.Technician while accepting their Parity with Lighting Assistant w.e.f. 01/07/1983. However the Arrears between 01.12.83 to 31.12.1995 shall not be given and Arrears from 01.01.1996 shall be given on Notionally fixed increased Salary.

Govt. filed SLP in Supreme Court against verdict of High Court Chennai. It was on the verge to rejection but on the strong Arguments by our Advocates it is transferred to same bench who earlier heard SLP in ARTEE Case.

COMMON ACTIONS FOR COMMON CAUSE

On the legal Advice of Sh. Jayant Bhushan , ARTEE filed a Review Petition against its earlier Rejected SLP to support the SLP in ADTEA case and to keep the cause alive.

On 29/11/2012 Hon'ble Supreme Court clubbed both SLP in ADTEA case and Review Petition in ARTEE Case on the strong arguments of Sh. Jayant Bhushan.

On 10/01/2013 Hon'ble Supreme Court gave verdict to reject Govt. SLP and granted Pay parity and upheld Verdict of Chennai High Court dated 24.10.2010. Hon'ble Court observed that High Court acted in consonance with spirit of Article 14 and 16 of Indian Constitution.

Notional Fixation will be done for the period of 01-12-1983 to 31-12-1995 and from 01-01-1996 as consequential fixation we are eligible for Arrears also. The Emoluments after Fixation will depend upon Fitment Tables, Fixation Procedures & Joining Date etc of Individuals. We have to be careful for any misinterpretation by Management but we are committed to get maximum benefit for our Members.

It is made possible by hectic efforts and Unity of Both the Associations

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