

Association of Radio & Television Engineering Employees

Post Box No. 422, New Delhi - 110 001



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(Under process)

Largest Employees Association of Electronic Media in India

ARTEE

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Ref. ARTEE/GS/SIB/2013/01

Dated. 29/01/2013

Shri. Uday Verma, IAS
Secretary to Govt of India
Ministry of Information & Broadcasting
New Delhi.

324
30/1/13
Subject : Request for Pay revision of Technician in parity with Lighting Assistant w.e.f. 01.12.1983 and also from 1.1.1996

- Ref:
1. Verdict dated 10/01/2013 of Hon'ble Supreme Court in SLP (C) No.33048 of 2011
 2. Letter No. ARTEE/GS/DG(AIR)/2012/10, dated 16-10-12, submitted to DG:AIR
 3. Letter No. ARTEE/GS/DG(AIR)/2011/05 dated 16-05-11, submitted to DG:AIR
 4. Order No.301/1/97-B(D) dated 31st March 1998 regarding decision of Union Cabinet on 06/11/1997 to revise the pay scale of subordinate engineering cadres, including the pay parity of Technician with Lighting Assistant
 5. Order No.310/173/97-B(D) dated 05.12.1997 issued by Ministry of I&B declaring pay parity of Technician with Lighting Assistant
 6. Directive issued by Ministry of I&B vide F No.503/03/2011- BA(E) dated 19/4/2012 addressed to Sr.GM(P), Prasar Bharati with copy to ADG(A), Doordarshan.
 7. Order No.2/18/2005-SI A dated 26/4/2012 issued by DG: Doordarshan with the approval of Ministry of I&B.
 8. Representations from some Technicians/ Sr. Technicians requesting to maintain the declared parity

Sir,

I request your kind attention to the letters and representations referred above through which we have requested the DG:AIR being the cadre controlling authority, for the cadre of Technician, to take necessary steps to grant the pay scale of Rs.5000-8000 to the Technicians of All India Radio & Doordarshan and thereby to maintain the already accepted and declared parity of these cadres w.e.f.1.1.1996.

We have pointed out in the letters that that there is parity in pay scales between the cadres of Technician of AIR & Doordarshan and the Lighting Assistant of Doordarshan, which is proved beyond doubt by the judgments of various courts as well as the administrative orders issued by the Govt of India. Copies of some such documents were attached with that letter.

Ministry of I&B itself declared parity of these cadres vide Orders No.310/173/97-B(D) dated 05.12.1997 & 25.02.1999 by granting the pay scale of Rs. 1400-2300 and Rs.4500 - 7000 to the cadre of Technician w.e.f. 01/01/1996, in parity with Lighting Assistant of Doordarshan.

Meanwhile the Govt revised the pay scale of Assistant Cameraman to Rs.5000- 8000 as per CCS(Revised Pay) Rules 1997 notified on the recommendations of 5TH Central Pay Commission.

Lighting Assistants of Doordarshan got their pay scale revised to Rs. 5000-8000 w.e.f. 01.01.1996 vide the order issued by DG: Doordarshan on the directive of Ministry of I&B in pursuance of the Hon'ble High Court Delhi.

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Comparative study of these three cadres mentioned above is given below:

Commissions	Asst. Cameraman	Lighting Asst.	Technician	Our Demand for Technician
3 rd CPC	425-700	330 – 480 425-700 w.e.f. 1.12.1983 after Apex Court order dt. 26.8.1988 & 12.4.90)	330 – 480	425-700 w.e.f. 1.12.1983 after High Court Chennai Order upheld by Apex court
4 th CPC	1400-2300	1400-2300	1200-1800	1400-2300 (Chennai HC decision upheld by the Apex Court)
5 th CPC	5000-8000	4500-7000 5000-8000 [vide Ministry of I&B order No. F.No. 501/03/2011-BA(E) dated 19-04-2012, in parity with Asstt Cameraman]	4500-7000 (after the order of 05-12-1997, in parity with Lighting Assistant)	5000-8000 (in parity with Lighting Assistant)
6 th CPC	PB-2, GP-4200	PB-1, GP-2800 PB – 2, GP-4200 [vide Ministry of I&B order No. F.No. 501/03/2011-BA(E) dt. 19-04-2012, in parity with Asstt Cameraman]	PB-1, GP-2800	PB – 2, GP-4200 (in parity with Lighting Assistant)

It may kindly be noted that the O/O DG:AIR has replied to some of the individual representations that since the matter is pending before hon'ble Supreme Court in SLP (C) No.33048 of 2011 , it will be considered in due course. Copy of the representation from Shri. Deepak S & communication from the O/o DG:AIR to the O/O ADG(E), West Zone, Mumbai is attached for your kind reference.

It may kindly be noted that Hon'ble Supreme Court in the verdict dated 10.01.2013 in SLP (C) No. 33048 of 2011, while upholding the decision of Hon'ble High Court Chennai stated that **"In the absence of any cogent explanation for differentiating the two cadres in the matter of revision of pay scales, it is not possible to find any fault with the direction given by the Division Bench of the High Court. Rather, it must be held that by ordering revision of pay scales of the Technicians at par with the Lighting Assistants, the High Court has acted in consonance with the spirit of Articles 14 and 16 of the Constitution."**

In view of the categorical finding of the Hon'ble Supreme Court that the Technicians are to be treated at par with the Lighting Assistants in the matters of pay scale fixation & in the light of further pay revision of Lighting Assistant of Doordarshan w.e.f.1.1.1996, we request you to immediately implement the judgment of the Hon'ble Supreme Court and ***grant benefits of notional pay fixation to the Technicians and Sr. Technicians for the period starting from 1.7.1983 to 31.12.1995 at par with the Lighting Assistants; And from 1.1.1996, the Technicians and Sr. Technicians should be granted complete pay parity with the Lighting Assistants on the basis of the further revision of pay scale of Lighting Assistants along with arrears of pay and other consequential benefits. Further it is learnt that DG: AIR has already recommended for this parity to PB.***

We hope and request that urgent steps be taken at your end to implement the judgment of the Hon'ble Supreme Court at the earliest since the Technicians and Sr. Technicians have suffered this discrimination for a very long time and have expended great deal of time and efforts to vindicate their stand.

With deep regards,

(Anilkumar S)
General Secretary

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Copy for kind information to:

1. Shri. Jawhar Sircar, CEO, Prasar Bharati, New Delhi

2. Shri. L.D. Mondloi, IBPS, Director General, All India Radio, New Delhi