

Association of Radio & Television Engineering Employees

Post Box no. 422, New Delhi-110001



Recognized by Govt. Of India and Prasar Bharati as per CCS(RSA) Rules 1993
Affiliated to Union Network International, Geneva
Affiliated to Confederation of Central Govt. Employees and Workers (CCGEW)

www.arteeindia.org

ARTEE/P/149/09/2013

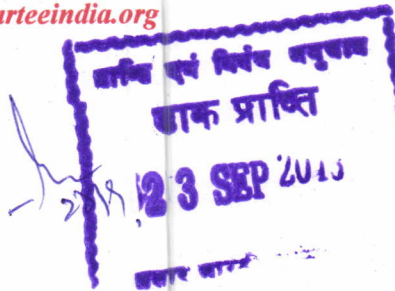
23.09.2013

Ref :

Date

Zonal
Offices

The Chief Executive Officer,
Prasar Bharati, PTI Building,
New Delhi-110001



East Zone
PO Box-2713
Kolkata
(W.B.)
700001

N.E.Zone
PO Box-83
Guwahati
(Assam)
781001

North Zone
P.O.Box-331
New Delhi
110001

South Zone
P.O.Box-176
Triplicane
Chennai
(TN)
600005

West Zone
PO Box
-11228
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(Maharashtra)
400020

Subject: Seeking your immediate intervention to restore the 'Rules of Law' by complying with the byelaws/constitutional provisions of lawfully registered & recognized service associations/unions including DOPT's guidelines under CCS (RSA) Rules, 1993 in the matter of organizational election- Regarding.

Reference : 1) Letter issued by Prasar Bharati Sectt. refusing to grant introductory meeting with newly elected office bearers of ARTEE vide its letter no. Misc-1/68/2013-PPC dated 06.09.2013 (Copy enclosed).
2) Letter of resentment submitted by ARTEE vide no. ARTEE/P/144/2013, dated 13-09-2013 (Copy enclosed as Annexure I).

Respected Sir,

With reference to the above, I am directed to draw your kind and urgent attention to the following few facts for restoration of natural justice keeping in view employees' welfare.

That sir, this association has completed its' democratic election process on 28th July 2013 as prescribed in the byelaws and association's constitution, which was also informed to all concerned authorities including registrar of society, a quasi-judicial authority. This was the first ever organizational election of ARTEE held in accordance with the provision of CCS (RSA) Rules, 1993 after the recognition is granted in the recent past by the Govt. of India, Ministry of I & B for engaging ARTEE in the collective bargaining mechanism with the management of Prasar Bharati and the union Govt. as and when required to maintain industrial peace.

But in our utter dismay, Prasar Bharati management suddenly issued a letter on 06-09-2013 to this association (Copy enclosed herewith as annexure-II) that an enquiry committee has been constituted on the basis of written complaint of alleged rigging in recently concluded ARTEE election for the term 2013-15. As a result, no introductory meeting with newly elected office bearers would be granted by the management till further decision is taken after the verification of the facts by the enquiry committee. On being enquired, it was learnt that around 150 out of 7000+ members lodged complaint directly to the Prasar Bharati Sectt. without exhausting the remedies available in ARTEE's constitution. Ironically, Prasar Bharati management instead of advising them to avail constitutional remedies as per clause 21 and 22 of the Election byelaws first, directly entertained all the complaints in a haste **without its' veracity contravening both byelaws/constitution of ARTEE and DOPT's instructions regarding election of recognized service associations/unions as mentioned in its' O.M. No.2/5/94-JCA, dated 28.7.1994 that Government department should not associate in any manner with the election process.**

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Surprisingly, Prasar Bharati Management vide its' letter no. 12018/2/2013/248, dated 12th June, 2013 (Copy enclosed herewith as annexure-III), though applied this yardstick on the request of another recognized association namely Akashvani & Doordarshan Technical Employees' Association (ADTEA), but on the other hand, they have applied different yardstick in gross violation of 'Rules of Law' by interfering in the election process of our association after the election result is declared by the returning officer (R.O). The association has expressed its' resentment on this issue earlier and urged to look into the matter urgently for restoration of principles of natural justice (Copy enclosed herewith as annexure-III).

It is also not out of place to mention here that election dispute if any is to be normally dealt within the frameworks of the constitution and election byelaws of concerned service association/union. However, in case of non-settlement of election disputes by any registered association, the complainants have the liberty to seek legal remedies. But under no circumstances, management is entitled to intervene in the election process on the basis of complaint received from members of any service association, unless it is directed by the court of law. The Prasar Bharati is also equally duty bound to abide by these norms.

Sir, The members of our association have taken strong exception to this unwarranted move of Prasar Bharati management, which has created a situation of confrontation and lawlessness in the organization due to lack of its' administrative acumen, may invite more chaos and unrest among the 7000+ members of this association spread across the country whose constitutional rights and welfare are put under question mark on flimsy ground due to mere complaint lodged by a handful of disgruntled members of this association in violation of established norms and convention as is evident from the letter of Prasar Bharati Sectt. dated 06-09-2013. Meanwhile, we have also sensed that an unholy nexus has been developed between few of our members who lost the ARTEE election 2013-15 and a handful of their followers to subvert the welfare and the noble causes of the Govt. employees working on 'deemed deputation' in Prasar Bharati.

Under such circumstances, I have no other option left except to seek your immediate intervention. So, the need of the hour is to restore 'Rules of Law' by strict compliance of both DOPT's guidelines dated 28-07-1994 and constitutional provisions of ARTEE as mentioned in clause 21, 22 of its' Election byelaws, copy of which was also submitted earlier to Prasar Bharati Sectt. and Ministry of I & B as one of the precondition for granting us recognition by the Govt. under CCS (RSA) Rules, 1993 following the directive of Central Administrative Tribunal (CAT), Delhi.

As per information being received, many of the complaints are fake and member's names are misused for filing complaint with their name and forged signatures without their knowledge. Henceforth the genuineness of these complaints is not established despite the fact all of these complaints are filed in violation of clause 22 of election byelaws of the Association. Therefore we demand that first of all genuineness of these complaints should be established, if any forged signatures are found an enquiry should be conducted against this conspiracy and the culprits should be punished.

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Sir, I remain in anticipation for your urgent and positive action in this matter to maintain industrial peace in Prasar Bharati, so that the aims and objectives of public service broadcasting as envisaged in Prasar Bharati Act, 1990 can be achieved in the larger interest. ARTEE as a responsible service association assures you once again that the members of this largest association spread across different AIR & Doordarshan installation throughout the country, will leave no stone unturned to uphold the values and dignity of national broadcaster.

Enclosed as above

With warm regards,

Yours faithfully,


Umesh Chandra, 23/9/13

President, ARTEE

Tel. Ph. 09871765714

e-mail : umsharma01@yahoo.com

Copies forwarding for kind information & urgent necessary action to :

- [1]. The Secretary, Ministry of I & B, New Delhi – 110001
- [2]. The Member(P), Prasar BHarati
- [3]. Dr. Sanjay Dubey, ADG(A), AIR, Chairman enquiry committee.
- [4]. Office Copy.

Umesh Chandra,
President, ARTEE

