

# Association of Radio & Television Engineering Employees

Post Box No. 422, New Delhi - 110 001



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Largest Employees Association of Electronic Media in India

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Ref. ....ARTEE/GS/DG(AIR)/2011/05

Dated. ....16-05-11.....

Shri. L.D.Mondloi  
Director General  
All India Radio  
Akashvani Bhawan, New Delhi

Subject : Pay revision of Technician in parity with Lighting Assistant & Assistant Cameraman

- Ref: 1. Judgment, dated 26.08.1988, by Hon'ble Supreme Court in the Case of Shri. Y.K. Mehta and Ors Vs Union of India & Anr
2. Judgment dated 12/04/1990 by Hon'ble Supreme Court in the case of Doordarshan Cameramen's Welfare Association (Regd.) vs Union Of India and Others on 12/4/1990
3. Order No.2 (7)/89-S.1(Vol. II)/TV(A) dated 17/7/1990 forwarded by DG: Doordarshan vide Order No2/7/89-SI(Vol. II).
4. Order No.301/1/97-B(D) dated 31<sup>st</sup> March 1998 regarding decision of Union Cabinet on 06/11/1997 to revise the pay scale of subordinate engineering cadres, including Technician
5. Order No.310/173/97-B(D) dated 05.12.1997 issued by Ministry of I&B
6. Order No.310/173/97-B(D) dated 25.02.1999 issued by Ministry of I&B
7. Judgment dated 14/12/1999 by Principal Bench of CAT, Delhi in OA No. 164/96
8. Judgment dated 24.11.2010 by Hon'ble High Court Chennai in WP(C) 27155 of 2009.
9. CCS (Revised Pay) Rules, 1997 regarding notification of pay revision of Central Govt employees on the recommendation of 4<sup>th</sup> CPC.

Sir,

I request your kind attention to the following few lines:

1. It is proved beyond doubt by the judgments of various courts as well as the administrative orders issued by the Govt of India that there is parity in pay scales between the cadres of Technician of AIR& Doordarshan and the Lighting Assistant of Doordarshan. Copies of some such documents referred to as serial numbers 3,4,5 & 6 above.
2. The parity in pay scale between the cadres of Lighting Assistant of Doordarshan and Assistant Cameraman of Film Division is also established with the judgments referred in No.1 & 2 above.
3. The pay scale, of Technician of All India Radio & Doordarshan, recommended by various Pay Commissions are: Rs. 330 - 480 in 3<sup>rd</sup> CPC, Rs.1200 - 1800 as per the recommendations of 4<sup>th</sup> CPC, Rs.4000 - 6000 as per 5<sup>th</sup> CPC and department granted PB 2 with GP of Rs.2800 as per 6<sup>th</sup> CPC.
4. Lighting Assistants, Sound Recordist & Cameraman Gr.II of Doordarshan approached, the court of law for same pay scales of their counterparts in Film Division, when the government decided to increase the pay scales of the cadres of Assistant cameraman, Recordist and Cameraman, w.e.f. 1.1.1973, vide the order dated 9<sup>th</sup> March 1997 on the recommendations of 3<sup>rd</sup> Pay commission.
5. Hon'ble Supreme Court, while pronouncing judgment in the case referred as no.1 above, that, the Lighting Assistants/ Lightmen, who are the petitioners in Writ Petition ( C ) No.1756 of 1986 shall be given the scale of pay of Assistant cameraman in the Films Division, i.e., Rs 425 - 700 with effect from December 1,1983. it was also directed that the petitioners in all these writ petitions **will also be entitled to the substituted scales** of pay and consequential benefits. - Copy of the judgment annexure - 1
6. Judgment dated 12/04/1990 in the case of Doordarshan Cameramen'S Welfare Association (Regd.) vs Union Of India And others on 12/4/1990, Hon'ble Supreme Court directed the government that there shall not be any difference in the pay drawn while giving benefit of the respective pay scales to persons having the same length of service as their counterparts in the Films Division. To do otherwise, would be discriminatory. The respondent shall work out the formula by placing the petitioners in the proper grade in the pay scale allowed to them. - Copy of the judgment attached as annexure - 2

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7. Accordingly the Ministry of I&B and Director General Doordarshan issued the orders in reference No.3 to grant the benefit of the judgment to the cadres including the Lighting Assistant of Doordarshan.  
- Copies of the orders attached as annexure - 3
8. Since then the Engineering Assistants and Technicians of AIR & Doordarshan were demanding same pay scales of Sound Recordist & Lighting Assistant on the same principle of equal pay for equal work under Section 14 & 16(A) of Constitution.
9. When the 4<sup>th</sup> Pay Commission placed the pay scale of Assistant Cameraman & Light Assistant as Rs.1400- 2300 while recommending the pay scale Rs. 1200- 1800 only to the Technicians, the employees approached the government for justice.
10. Accordingly govt referred the cases of pay revision of subordinate engineering cadres including that of Technician to the committee of Secretaries (Fast Track Committee) constituted to reconsider the issues related to the pay commission recommendations.
11. Union cabinet, in its meeting held on 06/11/1997 agreed with the recommendations of the Secretaries committee regarding the revision of pay scales of subordinate engineering cadres of AIR&DD, including the cadre of Technician and accordingly directed the Minister of I&B to take appropriate action in consultation with Ministry of Finance and Ministry of Personnel, Public Grievances and Pensions.  
- Copy of the Order No.301/1/97-B(D) dated 31<sup>st</sup> March 1998 attached as annexure - 4
12. Ministry of I&B issued Order No.310/173/97-B(D) dated 05.12.1997 granting the pay scale of Rs. 1400 - 2300 to the cadre of Technician w.e.f. 1/11/1997, in parity with Lighting Assistant of Doordarshan.  
- Copy of the order attached as annexure - 5
13. Ministry of I&B, vide its Order No.310/173/97-B(D) dated 25.02.1999, extended the full benefits of these pay scales (including the parity of pay scale of Technician with Lighting Assistant) with effect from 1.1.1996.  
- Copy of the order attached as annexure - 6
14. When the Govt admitted in the Hon'ble CAT Delhi in OA No.164/1995, that the benefit of same pay scale of Lighting Assistant has been granted to Technician but only from 1.1.1996 instead of 1.12.1983, the Hon'ble CAT observed that once the Govt removed the discrimination, it is upto the executive to decide the date of implementation, for which hearing is in progress in the appeal filed in Hon'ble High Court, Delhi for the benefit from 1.12.1983. - Copy of the verdict of Hon'ble CAT Delhi - annexure - 7
15. Meanwhile, in another case in the same demand but for notional fixation, Hon'ble High Court, Chennai directed the Government to extend the benefit of parity of pay scale Technician with Lighting Assistant w.e.f. 1.7.1983 by granting Notional Fixation. - Copy of the verdict attached as annexure - 8
16. But 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 4<sup>th</sup> Central Pay Commission.  
- Copy of the particular section of the notification is attached as annexure - 9

17. A comparative study of these three cadres mentioned above are given below:

Pay Commissions	Asst. Cameraman	Lighting Asst.	Technician
3 <sup>rd</sup> CPC	425-700	330 - 480 (425-700 w.e.f. 1.12.1983 after Apex Court order dtd 26.8.1988 & 12.4.90)	330 - 480 (425-700 w.e.f. 1.12.1983 after High Court Chennai Order - still to be implemented)
4 <sup>th</sup> CPC	1400-2300	1400-2300 (as above)	1400-2300 (after 1/11/97)
5 <sup>th</sup> CPC	5000-8000	Post abolished	4500- 7000 (after 1/11/97 & )
6 <sup>th</sup> CPC	PB - 2, GP- 4200	Post abolished	PB-1, GP 2800+

All the details and data provided above shows very clearly that when there is a parity of scale between Assistant Cameraman- Lighting Assistant - Technician, the parity of the pay scales should have been maintained all times.

**Accordingly under the circumstances narrated above with the supporting documents, since this scale is granted to the Assistant Cameraman, we request your goodself to kindly take necessary steps to ensure the revision of pay scale of Technician of All India Radio & Doordarshan to Rs. 5000- 8000, w.e.f. 1.1.1996 with notional fixation from 1.7.1983 (pending the outcome of WP(C) 3787/2000 in Hon'ble High Court, Delhi).** Looking for an early solution in this regard.

Thanking You,

Yours sincerely,

16/5/2011  
[Anilkumar S.]  
General Secretary  
Ph: 9818759192