

# Association of Radio & Television Engineering Employees

Post Box No.422, New Delhi – 110001.

Regn No.923/1967

Largest Employees Association of Electronic Media in India

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Ref. No. :- ARTEE/GS/SIB/2012/06

Date: 06-06-2012

**Shri. Uday Verma IAS**

**Secretary, Ministry of Information & Broadcasting**

**Shastri Bhawan, New Delhi.**

**Sub: Request to maintain the pay scale of merged cadre of EA & SEA as PB II with GP 4600.**

Ref: 1a). Letter vide F.No.501/02/2011-BA (E) dated 13.04.2012 from Ministry of I&B to DG: AIR

b). Letter vide F.No.501/02/2011-BA (E) dated 07.05.2012 from Ministry of I&B to DG: AIR

- 2.a) Judgments regarding the pay scales of Engineering Assistants (dated 29.6.1990 in OA No.654/1989, of CAT Chennai Bench, dated 07/01/1991, 16/07/1991, 25/11/1994 & 14.1.2011 of Hon'ble Supreme Court)
- b) Judgment regarding the pay scales of Senior Engineering Assistant. (dated 07/12/2001 by Hon'ble Supreme Court in SLP(C) No. CC 5902- 5908/ 2001 out of WP(c) 28528/2000 of High Court of Karnataka,
- c). Orders issued by Ministry of I&B, revising pay scale of EA (Order No. 310/15/93-B(D) dated 15.05.1995).
- d) Order issued by Ministry of I&B revising pay scales of SEA (No.310/50/99-B(D)/BA(E) dated 10.06.2002)
- e). Letter vide D.O.No.2/24/97-PIC dated 22 July 1997 issued by Secretary DOP&T to Secretary, Ministry of I&B intimating that the pay revision of EA & Technician is referred to the Fast Track Committee of Secretaries.
- f). Order issued by Ministry of I&B regarding the decision of Union Cabinet on 06.11.1997 to grant the higher pay scales to subordinate engineering cadres No.301/1/97-B(D) dated 31<sup>st</sup> March 1998.
- g). Letter vide diary No. F - 112/06, BA(E) dated 22-12-2006 issued by Ministry of I&B to DG: AIR.

Respected Sir,

We are shocked to see the letters in reference 1 a) & b) above through which the Ministry conveyed its decision to merge the cadres of EA (pre-revised pay scale of Rs.6500-10500) with SEA (pre-revised pay scale of Rs. 7450-11500) to create a new cadre of Junior Engineer in the PB-II with the Grade pay of Rs.4200. It may kindly be noted that the 6<sup>th</sup> CPC recommended to grant Rs.4600/- Grade Pay to the cadre in the pre revised pay scale Rs.6500-10500 and to merge that cadre with the cadre in the pay scale Rs.7450-11500 if any such cadre exists. The department has already extended the benefit of the GP of Rs.4600/- to the cadres of EA & SEA and only the formality for merging of the cadres was pending.

DG:AIR constituted a committee under the chairmanship of CE(D) to recommend the process of merger, who in turn recommended to merge the cadres of EA & SEA with a nomenclature of "Broadcasting Engineer" with the Grade Pay of Rs.4600/- and with qualification for future intake as Bachelor in Engineering / Technology.

Further, it may kindly be noted that the functions & duties of the cadres of Engineering Assistant (very old name Shift Assistant) is totally different from the cadre of Junior Engineer. While JE is a nomenclature for civil & mechanical engineers, the cadres of EA & SEA are taking care of the Broadcasting/ Telecasting of the National Broadcaster.

#### Zonal Offices

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North Zone  
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New Delhi - 110 001

North East Zone  
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Guwahati (Assam) – 781 001

South Zone  
Post Box No.176  
Tirupur, Chennai (TN) – 600 005

West Zone  
Post Box No.11228  
Mumbai (MS) – 400 020

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But the decision of the Ministry, bypassing the existing system, overruling the recommendation of the Cadre Controlling authority, i.e., DG:AIR will help only in creating unrest amongst the employees, since such decision has been taken with least regard to the realities and will have large scale impact on thousands of employees.

I request your kind attention to the following few lines before taking a final decision on imposing the cadre of JE in place of Broadcast Engineer:

1. The pay scale of Engineering Assistant of AIR&DD were revised in parity with Sound Recordist of Doordarshan by the Ministry of I&B, vide its order dated 15.5.1995 after the decision of Hon'ble Supreme Court under Article 14 & 16, on 25.11.1994. The pay was revised w.e.f.1.1.1978 and the staff members received retrospective arrears as well on the basis of this verdict.
2. The 5th Central Pay Commission in its report recommended downgrading the pay scale of Sound Recordist and subsequently that of Engineering Assistant.
3. When this Association approached the Ministry to remove this anomaly, they referred the matter of pay revision of Engineering Assistant, Technician Grade I & Grade II to Anomaly committee of Secretaries which was constituted to recommend suggestions to remove anomaly in the pay scales.
4. The order in serial No.2 (f) referred above shows that the Union Cabinet in its meeting held on 06 November 1997 considered the report of the Fast Track Committee (Committee of Secretaries) and directed a committee of Three Ministers to take appropriate decision (kindly see para.3 & 4 in page No.2 of the order).
5. The same order conveyed the decision for an interim arrangement for grant of better pay package to the employees within the four tier (Technician- Senior Technician – Engineering Assistant – Senior Engineering Assistant) cadre structure existing before the cadre restructuring exercise done in 1994 and the necessary order in this regard was issued on 05.12.1997. It was also agreed that the pay package would be subject to the condition that the posts abolished as matching saving for cadre restructuring shall not be revived.
6. It may kindly be noted that the order dated 05.12.1997, issued by Ministry of I&B decided that 90% of the difference to be extended to the higher scale, and “the decision relating to either payment of balance 10% or adjustment of adhoc payment shall be settled depending upon the decisions of Prasar Bharati.” This order was issued with the concurrence of Ministry of Finance.
7. Ministry of I&B, vide its order dated 25.2.1999 finalised the pay scales of subordinate engineering & programme cadres, including the cadres of Engineering Assistant & Senior Engineering Assistant by granting the remaining 10% of the difference to the higher scale.
8. Meanwhile some of the Senior Engineering Assistants & Assistant Engineers approached Hon'ble CAT Bangalore for revision of pay scales of SEA & AE in which the Hon'ble CAT directed Secretary, Ministry of I&B to revise the pay scales of SEA consequent to the revision of the pay scale of EA with effect from 1.1.1978, 1.1.1986 and upto 31.12.1995 (OA No.203, 310-324 of 1996, OA No.983 of 1998 & 22 of 1999).
9. It is quoted in the verdicts of Hon'ble CAT Bangalore & Hon'ble High Court of Karnataka that the OA No.203 of 1996 was disposed off in favour of employees when the respondents (Ministry of I&B and DG:AIR - Govt of India) filed a memo before the Hon'ble CAT on 11.10.1996 enclosing a copy of the letter No. 8/7/96-SIV(B) 298 dated 19.09.1996 issued by DG:AIR in which it is stated that the Ministry of I&B have sent a proposal to the ministry of Finance, proposing higher pay scales for the posts of SEA & AE and that this proposal is under consideration in the Ministry of Finance.
10. Hon'ble High Court of Karnataka, in its verdict dated 14<sup>th</sup> February 2001 dismissed the writ petition filed by Government (WP (C) 28528-529/2000 & 32866-870/2000).

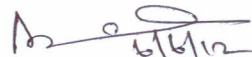


11. Hon'ble Supreme Court in its verdict dated 07.12.2001 dismissed the SLP (No. CC 5902-5908/2001) filed by the Government.
12. Ministry of I&B, vide its orders revised the pay scales of Senior Engineering Assistant Rs.550-25-750-EB-30-930 w.e.f. 1.1.1978 & Rs.2000-60-2300-EB-75-3275 w.e.f. 1.1.1986 (Order No. 310/50/99-B(D)/BA(E) dated 10.06.2002 & 03.09.2002.
13. Ministry of I&B in a communication on audit objections, vide its Dy.No.F 122/06-BA(E) dated 22/12/2006 informed the O/o DG:AIR that "The up gradation of the pay scales was in continuation of the recommendations made by the Vth Pay Commission. These communications were made only after consultation with DOP&T and Ministry of Finance. As such, the contention of the audit that the pay scales given to the employees vide OM dated 25.02.1999 are apart from the recommendations of the Vth Pay Commission is untenable." (para 3 of the letter) It is further stated that "We may accordingly clarify to Prasar Bharati that the upgraded pay scales have to be considered in the light of the Vth Pay Commission's recommendations only as the pay scales recommended and accepted by the Government vide resolution dated 30.09.1997 stand amended in the light of the O.M. dated 25.02.1999 in respect of the employees of Prasar Bharati. Accordingly, the revised pay granted to the employees in accordance with O.M. dated 25.02.1999 has to be fixed as provided in CC (RP) Rules 1997 as indicated in the above stated O.M." (Para 4 of the letter).
14. Since the Government & Parliament amended the PB Act to ensure that the employees working on deemed deputation in Prasar Bharati and joined upto 05.10.2007 will continue as Central Government employees with all the facilities as Central Government employees, the pay scales granted as per the CCS(RP) Rules 1997 amended in the light of OM dated 25.2.1999 (as mentioned in above said letter) stands automatically converted to revised pay scales as per CCS(RP) Rules 2008.
15. Hence it is very clear from the above said facts that the scales granted as per the OM dated 25.2.1999 are the restoration of the pay scales of these cadres and accordingly the pay scale of Engineering Assistants who are on deemed deputation in Prasar Bharati is Rs.6500-10500 & the pay scale of Senior Engineering Assistant is Rs.7450 - 11500.

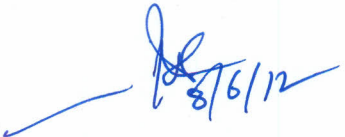
Under these circumstances I request your good self to kindly take necessary steps to implement the merger of cadres of EA & SEA to the pay band of Rs.9300-34800 with Grade Pay of Rs 4600/-to the Broadcast Engineer as recommended by the committee headed by CE(D) and thereafter approved by the DG:AIR, the cadre controlling authority.

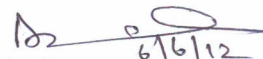
We are confident that your direct involvement will make the difference.

With warm regards,

  
Anilkumar S.  
General Secretary  
Ph: 9818759192

Copy for kind information to:

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1. **Shri. Jawhar Sircar, CEO, Prasar Bharati, New Delhi.**  
2. **Brig.(Retd) V.A.M.Hussain, Member (Personnel), , Prasar Bharati**  
3. **Shri. L. D. Mondloi IBPS, Director General, All India Radio, New Delhi.**  
4. **Shri. R.K.Jain, Engineer – in – Chief, All India Radio, New Delhi**

  
Anilkumar S.