

**LOK SABHA SECRETARIAT**

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**(STANDING COMMITTEE ON LABOUR BRANCH)**

**No. 10/1(6)/CLB/2011**

**17<sup>th</sup> April 2012**

**From**

**Bharti S. Tuteja  
Deputy Secretary**

**To**

**Shri Anil Kumar S.  
General Secretary  
ARTEE  
Internet Unit, AIR  
Broadcasting House  
Parliament Street, New Delhi.**

**Subject: Representation received from the Recognised Associations' Forum of AIR & Doordarshan requesting for protection of just and fundamental rights of the employees and their Association in AIR & Doordarshan.**

Sir,

I am directed to refer to your letter dated 17th October 2011 on the above subject and to state that a copy of the communication received from the Ministry of Information and Broadcasting in the matter is being sent to you for your information.

Yours faithfully,

  
**(Bharti S. Tuteja)**  
**Deputy Secretary**

**TEL.NO. 23034091/4148**

**Encl: As above.**

**F.No. 44011/01/2012-(BA-P)**  
**Government of India**  
**Ministry of Information and Broadcasting**  
**'A' Wing, Shastri Bhawan**  
**BA-P Division**

**New Delhi, Dated: 10.4.2012**

**Subject:** Reference from the Standing Committee on Labour regarding representation of Recognised Associations' Forum of AIR & DD requesting for protection of just and fundamental rights of the employees and their association in AIR & Doordarshan.

The undersigned is directed to refer to Lok Sabha Secretariat U.O. No. 10/1(6)/CLB/2011, dated: 15.12.2011 and subsequent reminders dated: 01.02.2012, 17.02.2012, 22.03.2012 and 09.04.2012 on the subject cited above. As raised by the Recognised Associations' Forum of AIR & DD on the issues of de-recognition of their associations and related matters, a status note is enclosed.

2. On the other issue of filling up of 3452 posts as per the recommendations of the GoM, the Ministry is in the process of seeking approval of the Cabinet. However, a detailed note on this issue and outsourcing of work through casual employees is awaited from the Prasar Bharati which will be forwarded to the Secretariat immediately.

*G. Jayanthi*

G. Jayanthi  
Director (BAP)  
Tel: 23385016

**The Lok Sabha Secretariat,  
Standing Committee on Labour,  
(Kind Attn.: Sh. Ashok Sajwan, Additional Director)  
Parliament House, New Delhi.**

*Ashok Sajwan*  
2/4/12  
*Ashok*

**Detailed note indicating the action taken by the Ministry of Information and Broadcasting on the issues of recognition of association raised by Recognised Association Forum of AIR and Doordarshan in its representation to the Standing Committee**

- **Sanyukta Sangharsh Samiti (SSS)** consist the following three associations:-
  - (i) Radio & Television Engineering Employees (ARTEE),
  - (ii) Akashvani Doordarshan Technical Employees Association (ADTEA)
  - (iii) Programme Staff Association (PSA)
- Earlier in July 2011, SSS gave notice for boycott of duties w.e.f. 9/8/2011 with respect to their 8-point charter of demands.
- As a precautionary measure, the Ministry wrote letters to all the District Magistrates and Commissioners of Police advising them to take strict action against those who indulge in disruptive activities.
- In the same letter it was brought to the knowledge of the authorities that the SSS is an unrecognized association.
- The SSS has been sending several representations raising an objection to the reference made in the letters that SSS is an unrecognized association.
- Several VIP/PMO references have been received. Some of the District Magistrates have also forwarded the representations of the association wherein the association has claimed to be a recognized association. In support of their claim they have referred to various letters issued by DG: AIR/Prasar Bharati.
- The names of nine service associations have been mentioned as recognized unions/associations in the AIR Manual, as per the CCS (RSA) Rules, 1959 prevailing at that time.

- Among the nine associations, the names of Programme Staff Association, AIR Engineers Association and AIR Technical Employees Association also figured.
- DOPT has issued fresh CCS (Recognition of Service Association) Rules, 1993 in supersession of the rules notified by it 1959.
- As per these rules, an association which has been recognized prior to commencing of the rules shall continue to retain the status upto a period of one year i.e. upto 1994.
- In view of this notification of DOPT, even if the associations are taken as recognized at the time of issue of this notification i.e. 1993, they lost their status after lapse of one year, that is in 1994.
- Till November 2011, the Prasar Bharati had not forwarded any application from these associations for recognition as per the prescribed procedure notified by DOPT in its instructions issued in 1993-94.
- In a reply furnished by the Ministry (Admn.-III Section, letter dated 18.11.2009) to the President ARTEE, which is a member of SSS, the Ministry has categorically stated that all the associations which have been recognized by the government before the issue of notification in 1993 are required to be recognized afresh.
- The circular issued by DG:AIR to all the associations conveying the decision taken in DG:AIR to maintain status quo in view of the matter pending with the Ministry, has created a confusion/ambiguity in the status of recognition of the associations.
- In view of the notification of DOP&T, the status quo would mean that associations are not recognized as this is the position after 1994.
- The Ministry has also replied to the Parliament Question stating that no association in AIR and Doordarshan is recognized.

- The associations filed an application in the High Court praying for cancellation of the transfer orders issued by AIR/DD/ Prasar Bharati and also for the retention of the status of recognized association. The High Court disposed off the petition by directing them to approach CAT as the issue involved was a service matter.
- The association filed an application in CAT. After hearing the application, CAT has not granted any stay on the transfer orders issued by AIR/DD/ Prasar Bharati or any other interim relief.
- The office bearers have been enjoying privileges more than what is permitted as per DOP&T instructions. The DOPT guidelines provide that Chief Executive/ Gen. Secretary of a recognized Association may be retained at the HQs. However, in Prasar Bharati the benefit of retention at the Headquarters had been extended to the officer bearers of even local units whose number is in hundreds. Besides this, selected illegal benefits not allowed in any Government Department had also been enjoyed by these unrecognized association in the form of membership of inter zonal transfer committees set up to decide individual cases of transfers of employees. This directly led to allegations of victimization of employees not willing to join hands with selected bodies.
- They also have been enjoying Special Casual Leave for attending Conferences, Seminars etc. for periods varying from 5 days to 20 days.
- It is placed on record that PB/AIR/DD have a host of such groups of employees functioning under different names like Akashvani & Doordarshan Administrative Staff (ADASA), AIR News Caster's Association, Union of Akashvani& Doordarshan Engineering Employees (UADEE), Association of UPSC Recruited Programme Officers of AIR & Doordarshan (AUPO), Akashvani& Doordarshan Employees (AIFADE), Akashvani Announcers Association etc. None of them are recognized and all are to be treated at par. The demands of these groups are very often in conflict with each other.

- A copy of the Office Order dated 8.9.2011 regarding this issue is enclosed. (Encl.). It may be noted that the Office Order only refers to the legal position and status as follows:

*“...as no association of employees of AIR and Doordarshan falls in the category of recognized associations, no so called officer bearer of any of these employees associations is to be extended any preferential treatment.*

*All employees of Prasar Bharati are to be treated in a fair and transparent manner and the same principles as relates to service conditions, transfer, posting, opportunities etc should apply to each employee equally”.*

- In so far as Prasar Bharati is concerned, the status of employees of Prasar Bharati remained un-decided since its creation in the year 1997.
- An issue arose whether the Central Civil Services (Recognition of Service Associations) Rules, 1993 are applicable to the employee associations of Prasar Bharati. A view has been taken by the ministry in consultation with DOPT that the rules notified by DOPT shall apply to those who are covered under the CCS Conduct Rules. The Ministry kept the matter of recognition of associations pending till a final decision on the service condition of Prasar Bharati employees was taken in the form of enactment of the Prasar Bharati (Broadcasting Corporation of India) Amendment, Act, 2011.
- The Ministry has written to the Prasar Bharati Sectt. to forward proposals of interested associations towards considering their recognition as per the DOP&T's Central Civil Services (Recognition of Service Associations) Rules, 1993.
- The application filed by some of the unrecognized Associations in the CAT with the prayer to complete and expedite the process of recognition of associations has finally been disposed off by the CAT with the directions to the Ministry to pass appropriate orders within a period of 4 months from the last date of receiving the applications i.e. 29.02.2012. The CAT has further directed that following passing of order by the Ministry with regard to the recognition of Associations, law will take its own course.