



# National Federation

of

## Akashvani and Doordarshan Employees (NFADE)

Room No. 333, Akashvani Bhawan, New Delhi - 110001

Website : [www.nfade.org](http://www.nfade.org)

NFADE/ PBAA/ RLC/2010/02

26/11/10

Ref. No. :-  
Chairman

Anilkumar S.  
9818759192

Sh. B.B. Bhatnagar  
Regional Labour Commissioner (Central)  
New Delhi

Date : .....  
Secretary General  
Kulbhusan Bhatia  
9968272157

Sub: Repeal Prasar Bharati Act 1990

Ref: Letter No. ND. 8(17)2010- PA, dated  
Rep vide letter No. NFADE/ PBAA/ RLC/2010/01, dated 25/11/10  
Meeting with your goodself at 11AM on 25/11/2010  
Minutes of meeting sent by your office dated 25.11.2010

- 1 ARTEE
- 2 PSA OF AIR&DD
- 3 ADTEA
- 4 ADEA
- 5 Akhil Bharatiya  
Akashvani Gr.D  
Karamchari Sangh
- 6 AIR&DD Motor Drivers  
Association
- 7 AIR&DD Stenographers  
Association
- 8 DD Group D Union
- 9 Akashvani Announcers  
Association
- 10 DPPA
- 11 DPPU
- 12 AIR CCW Employees  
Union
- 13 JE Association CCW, AIR
- 14 AEs(E) of CCW
- 15 Audience Research  
Employees Association
- 16 DDNP Forum
- 17 ARSA
- 18 ADLSA
- 19 DCWA
- 20 Broadcasting Musician  
Association of AIR
- 21 CPEA of AIR&DD

Respected Sir,

We are thankful to your high office for inviting this Federation to know our problems regarding Prasar Bharati.

Kindly recall that we had already formally informed your office regarding the decision taken by Government of India that the employees of AIR & Doordarshan shall be Government employees on deemed deputation till retirement with all facilities of Central Government employees and thereby shall continue under the CCS rules, and repeat not by the rules of IDA. We wish to once again reiterate respectfully that we are central government employees dealt with under articles 309,310 and 311 of the Constitution. We would like to humbly submit that our redressal of grievance mechanism comes under the wide JCM scheme, passed by the Hon'ble Parliament of India.

We have brought all the above facts in the meeting held in your chamber on 25/11/2010. It was clarified by the chair that the conciliation process started is not to change these facts but only as a mediator on the directives of the highest office of the country. Subsequently we took part in the process of conciliation.

*We request your goodself to kindly take necessary steps to remove the words, "under Section 23 of ID Act & 33 of ID Act " mentioned in the minutes for the reasons stated above.*

We are hereby attaching the major points of contention and clarification needed from Ministry of I&B, for your kind consideration:

.....2/...

etc

**Major points for consideration:**

1. Prasar Bharati had admitted by filing an affidavit in Hon'ble Supreme Court in the year 2005, (CA No.3244/2002) – "Prasar Bharati is NOT Financially viable and will not be viable in foreseeable future also "
2. It is learnt that the Hon'ble GoM constituted to recommend for the betterment of the functioning of this organization, discussed in the third meeting held on 31st August 2006, to write off Rs.3735 crores utilized for meeting revenue deficits by converting Rs.4876 crores of loans given to Prasar Bharati for building assets into equity and reserves.
3. The Grants-in-aid provided by the Govt of India to PB is not sufficient even for the salary of the employees. It is very pathetic to mention that it has become a regular feature in Prasar Bharati that a large number of employees at various centres are not receiving salary on the pay day but much later. This financial crunch has resulted in almost complete negligence of maintenance in Technical area as well as building etc.
4. The Hon'ble GOM had in its meeting on 16.04.2010 based on the misleading presentation of the CEO, Prasar Bharati decided that only 50% of the expenses in the non-plan head shall be borne by the Ministry till the year 2015 and subsequently this also shall be taken care off from the revenue of Prasar Bharati itself. The fact is as per the MIB's presentation in the Hon'ble Parliament of India on 09.03.2010, the revenue of Prasar Bharati comes upto 33% of annual operating expenditure. This point of continued full funding by the ministry taking into consideration the mandate of public service broadcasting was raised by us before the ministry officials on 22.11.2010 which did not have a satisfactory response from the ministry. Shockingly, the mechanism for financial management towards the future of Prasar Bharati is missing in the amendment bill.
5. We had also mentioned the shifting of all the posts as on 01.04.2000 including the promotion posts to Prasar Bharati, which can create a lot of Service related problems to the existing employees. Again this genuine issue also did not elicit a proper response from the Ministry officials excepting their oral assurances, which should have been incorporated in the amendment bill.
6. The shifting of all the assets at book value to Prasar Bharati also is a very questionable action as this shall pave the way for disposal of assets in the garb of financial shortfall in operating expenditure.
7. The genuine concern of the employees and the masses on the true autonomy being granted is belied in the proposed bill wherein the entire news machinery is proposed to be run by the directly Government controlled IIS officers.

8. Continuous In-fighting amongst the full time members of the board has perhaps become their priority ,thereby least attention is being paid to HRD and management. Non filling up of the large number of vacant posts arising primarily due to retirements seems to have no serious concern for the authorities.
9. Working conditions have deteriorated over the years as thousands of posts were abolished inspite of the fact that DOP&T has exempted operational cadres from abolition under ADRP scheme..
10. The minutes of the meetings of Prasar Bharati Board for last few years will testify that the Prasar Bharati was least concerned about this prestigious organization & its' employees.
11. AIR&DD being the National Broadcaster were always proud to carry out the National & international events, such as Asiad 1982, CHOGM ,CWG youth games at Pune etc. Prasar Bharati suo moto decided that DD is not capable enough to cover the entire CWG games 2010 and hence the entire coverage was out sourced to overseas companies. Thereafter the entire episode is now a public talk. This has vastly affected the morale of the staff members.

Keeping in view the above mentioned shortcomings the Federation is compelled to demand the" Repeal of the Prasar Bharati Act 1990" in the interest of the country and that of its employees.

Following points is an effort to highlight the contradictions in the Act itself vis-à-vis global scenario on similar issues:

- Going by the global trend, and Section 12 of the Prasar Bharati Act, All India Radio and Doordarshan, being the National & Public Service broadcasters, are to be financially supported by the Government to discharge the national duties and responsibilities.
- Also in view of the multidimensional socio-cultural fabric of India, the age-old broadcasting organizations like AIR & Doordarshan, which have discharged the duties towards national integration, preservation of art and culture and socio-economic development of the nation, should not be left to the mercy of the market forces.
- These responsibilities cannot be compared with the aims & objectives of any other Corporation, thereby necessitating the need for a serious thought to roll back the AIR & DD to the Govt of India by repealing the Prasar Bharati Act. We apprehend that the employees are being subtly prepared to accept the privatization of the Public Broadcaster. Starving Prasar Bharati will become vulnerable to market forces

- we are confident that if your goodself seeks a report on the performance of Prasar Bharati for the last 12 years, it will be disheartening to note that prior to 1997 AIR & Doordarshan were fulfilling the responsibilities of National Broadcaster & Public Service Broadcaster better in comparison with the Prasar Bharati Era. Now the PB Amendment Bill 2010 also has been introduced in the Hon'ble Rajya Sabha on 31/8/2010, without addressing serious concerns raised by the employees over the last few years.

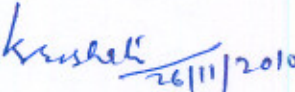
**Representative of the Ministry of I&B informed before the RLC that they are planning to bring comprehensive amendment in the PB Act 1990. We will be grateful to your good office if we can be provided the details of the action being taken by the Ministry in this regard, especially in the light of objections raised to the Amendment Bill.**

In spite of being annoyed with the present situation, we had presented ourselves in the meeting with your goodself knowing fully well that all our disputes can be resolved only by Govt of India (Ministry and Dept of Personnel & Training).

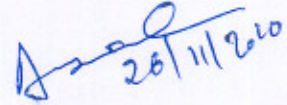
Please recall that the Federation strongly requested the Government through the chair to withdraw the PB Amendment Bill 2010 for the time being to pave the way for serious discussion with the Federation to reframe the Bill before submission to the Hon'ble Parliament. **Federation can mollify the demand of "Repeal Prasar Bharati Act 1990" for the time being with a demand to include in the proposed amendment bill a clause that "the assets and the employees of AIR & Doordarshan shall remain under the Government of India".** Prasar Bharati Board may continue in order to take policy decisions to be implemented by DG: AIR & DG: Doordarshan.

The present situation forced the employees to go on 48 hours boycott of duties but if the amendment bill is not stopped, then it will not be possible for NFADE to call off or defer proposed 72 hours strike from 13 December 2010 which will be followed by indefinite strike.

We earnestly request your high office to kindly arrange a short meeting with the Cabinet Secretary, Government of India, at his convenience to enable us to explain our apprehensions and difficulties first hand before taking a final decision on this subject. We are certain that it will make all the difference.

  
(Kulbhushan Bhatia)  
Secretary General

Sincerely yours

  
(Anilkumar S)  
Chairman

## ANNEXURE-1

### Synopsis of the Amendmends proposed by NFADE( Federation) to the Prasar Bharati Act 1990

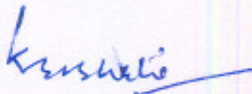
S.No	Clause in the 1990 PB Act	Proposed modification
01	Chapter-II,sec-3(9-i)	The word "of" to be replaced by" <b>working for</b> "
02	Chapter-II,sec-9(1)	To be replaced <b>(Regarding recruitment)</b>
03	Chapter-II,sec-9	Points 3,4 & 5 to be added <b>(Regarding recruitment)</b>
04	Chapter-II,sec-10(1)	Second para to be deleted <b>(Regarding Recruitment Board)</b>
05	Chapter-II,sec-11	To be deleted <b>(Transfer of services of existing employees to the corporation)</b>
06	Chapter-III,sec-16(a,b,c & d)	To be replaced <b>(Transfer of certain assets,liabilities etc of central Govt to the corporation)</b>
07	Chapter-III,sec-17(i&ii)	To be deleted <b>(Grant by Central Government)</b>
08	Chapter-III,sec-19	To be deleted <b>(Investment of Moneys)</b>
09	Chapter-III,sec-20(1,a)	To be replaced <b>(The expenditure which is proposed to be met from internal resources of the corporation)</b>
10	Chapter-IV,sec-32(f,i)	To be deleted <b>(The terms and conditions with which the deputation may be regulated)</b>
11	Chapter-IV,sec-33(c,d,e)	To be deleted <b>(Recruitment and conditions of Officers of corporation)</b>

Cont ....2

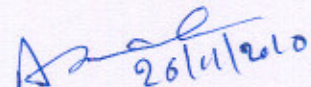
It is mentioned here that besides the above mentioned amendments, there is no change to the original PB Act 1990 .The original Act remains as such in the below mentioned chapters and clauses. Chapter I-clause 1 & 2(a to x),Chapter II-clause 3 to 8, 10(2),Clause-12(1,2(a-p),3(a-e),4,5,6,7),Clause-13(1&2),Clause-14 (1,2(i&ii),Clause-3,Clause-4,Clause-5 &Clause-6),and Clause-15( 1 to 7), Chapter-III Clause 18(2 & 3), Clause 21(1-3), Clause-22( a&b),Chapter-IV Clause-23(1,2&3), Clause-24,Clause-25(1-5), Clause-26, Clause-27, Clause-28, Clause-29, Clause- 30, Clause-31(1&2), Clause-32(1,2-a to e,g,h,j to l), Clause-33 (1,2-a,b,f to i),Clause-34 and Clause-35.

It is clear from the suggested amendments that there are only certain changes concerning the welfare of the employees & safeguarding of assets , leaving a major part of the original Act intact. If all the above suggested amendments are incorporated in the proposed Prasar Bharati amendment Bill-2010, the issues raised by the Federation shall stand resolved.

**A copy of the suggested amendments with details is attached.**



(Kulbhushan Bhatia)  
Secretary-General



( Anil Kumar.S)  
Chairman