



President
Mob.: 9999279818, 8700719460
E-mail : shyamsingh7@gmail.com

General Secretary
Mob.: 9450395298, 9695976376
E-mail : aniddkko@gmail.com

आकाशवाणी एवं दूरदर्शन तकनीकी कर्मचारी संघ A.I.R. & D.D. Technical Employees Association

(भारत सरकार द्वारा पंजीकृत एवम् मान्यता प्राप्त)
(Registered and Recognised by Govt. of India)

No. 2298/63

www.adteaindia.com

पोस्ट बाक्स नं० 736

Post Box No. 736

नई दिल्ली-110001

New Delhi-110001

Date: 03.12.2018

Ref. No.: ADTEA/2018/066

To,
Shri. Amit Khare (IAS),
Secretary to the Govt. of India,
Ministry of Information & Broadcasting,
Shastri Bhawan, New delhi-110001



Subject: Request to amend the Gazette Notification of 1979 (amended in 1986 also) of Engineering Assistant for pre 05.10.2007 recruitee, as per the prasar Bharti Amendment act 2012.

Respected Sir,

We most humbly request to His Excellency Hon'ble President of India, to exercise the power conferred by provision of article 309 of the Constitution of India, for the following Amendment in the Recruitment Rules, 1979, of Engineering Assistant who are working in Prasar Bharti as Central Govt. Employee on deemed deputation :-

1. **Revision of scale of Engineering Assistants in The Gazette of India-**

Scale of Engineering Assistant should be revised to Rs. 2000-60-2300-75-3200 (in IVth CPC); Rs. 6500-200-10500 (in Vth CPC) ; Rs. 9300-34800, G.P.RS 4600, PB-2 (in VIth CPC) due to following reasons.

a. That is, Govt. revised the pay scale of Engineering Assistant to Rs. 2000-32000 through MIB order No. 310/15/93-B(D) dated 15.05.1995, at par with Sound Recordist after the Hon'ble Apex Court order dated 25.11.1994, upheld the CAT, Madras Judgement passed in O.A. No. 654/89 dated 29.6.90. (Copy of MIB order as Annexure 01)

b. That is, 5th CPC proposed to down grade the pay scale of Sound Recordist and thereby the same to Engineering Assistant.

(Copy of Para 73.16 of proposal regarding EA as Annexure 02)

c. That is, Govt. had out rightly rejected above proposal of 5th CPC regarding EA through Govt. of India resolution vide letter no.: G.I.M.F no.: 50(1)/IC/97 dated 30/09/1997, and matter of scale of Engineering Assistant had been referred to the committee of Secretaries for examination through Fast Track Mechanism. Resolution further states that during the

Anil Gupta
03/12

ADTEA ZONAL HEADQUARTERS :-

EAST ZONE
P.B. No. 2607
Kolkata-700001

NORTH ZONE
P.B. No. 736
N.D.-110001

NORTH EAST ZONE
P.B. No. 123
Guwahati-781001

SOUTH ZONE
P.B. No. 2995
Chennai-600005

WEST ZONE
P.B. No. 11048
Mumbai-400020

pendency "normal replacement scale will apply" for EA.

(Copy of Govt. Resolution as Annexure-3, Para-2&8)

- d. That is, On the basis of recommendation of Fast track Committee, DOP&T (Govt. of India) submitted a note to restore the Pay Scale of Engineering Assistant, by protecting the pay scale instead of pay as recommended by Pay Commission and finally cabinet approved the note in its meeting dated 06.11.1997. Copy of relevant portion of the MIB communication I. D. No.310/173/97-B(D) dated 05.01.98 is given below.

13. On the basis of recommendations of the Fast Track Committee, the Department of Personnel and Training submitted a note for consideration of the Cabinet recommending that while other categories may draw the pay scales as recommended by the Pay Commission, the existing incumbents in the Grade of Engineering Assistants may be given protection of the pay scale instead of pay as recommended by the Pay Commission. The Cabinet considered the note in its meeting on 6th November, 1997 and decided that Minister for Information and Broadcasting, in consultation with the Ministry of Finance and Ministry of Personnel, Public Grievances and Pensions, may take appropriate decision in the matter.

- e. That is, On dated 16.04.2001, vide office order No. 13/2001-SI(A) from file No. 37/2/99-SI(A), DG:DD granted the revised pay scale of Rs.6500-10500 to incumbent Sound Recordists on personal basis w.e.f 1.1.96 with the approval of Ministry of Finance, Dept. of Expenditure (IC) and concurrence of IFD of MIB. (Annexure-4)
- f. That is, The PB CAT Delhi in DEEWA case, OA1867/1998, granted the pay scale of Rs.6500-10500 as normal replacement scale of Rs.2000-3200 (of 4th CPC) to -incumbent EA- which was upheld by Apex court. (Annexure-5)
- g. That is, in terms of Article 14 of The constitution of India, DG: AIR, in concurrence with MOIB, has extended the Pay Scale of Rs. 6500-10500 to all the Engineering Assistants recruited up to 05.10.2007 being Central Govt. employees due to various court orders. (order No. 314/66/2015-S-IV(A)/60 dated 15.01.2016 as Annexure-6)
- h. The 5th CPC recommended the single pay scale of Rs. 6500-10500 (S-12) after the rationalisation of the two scales i.e. 2000-3200 & 2000-3500.

The above development, of pre 05.10.2007 recruited Engineering Assistants, clearly states that the scale of Engineering Assistant should be revised to Rs. 2000-60-2300-75-3200 (in IVth CPC); Rs. 6500-200-10500 (in Vth CPC) ; Rs. 9300-34800, G.P.RS 4600, PB-2 (in VIth CPC) in The Gazette of India.

Dr. G. P. S.
05/12

2. **Revision of status of Engineering Assistants in The Gazette of India-**

Status of the Engineering Assistant should also be changed to **“General Central Services, Group B, non-Gazetted, non-ministerial”** as the revised scale i.e. Rs. 2000-32000 belongs to the group B non- gazetted officials.

Though a court's verdict has to be implemented *suo motu* in case of all similarly situated employees without forcing every one of them to approach courts of law for the same relief, the Ministry of I&B has always been trifling with the judgments if it belonged to subordinate engineering employees. On the contrary, the Ministry has been implementing the CAT judgments in individual cases to all of the officers and to all the cadres if it belonged to Class A officers, also amended the RRs through Gazette Notification in 2013 for group ‘A’ posts (named Indian Broadcasting (Engineers) Service (Amendment) Rules, 2013), without filing any review application or challenging in higher courts.

Hence, a similar action is humbly requested in Engineering Assiatant cadre, pending from long time, for the amendment in Gazette notification of 1979, for the above two entries i.e. **revision of scale and status of Engineering Assistants in “The Gazette of India”**, as explained.

Thanking you sir.

Encls.: (06) as stated above.
total (25) pages including application.

Sincerely Yours



(Anil Kumar Gupta)

General Secretary

Ph. 9695976376

Annexure (1)

No.310/15/93-B(D)
Government of India
Ministry of Information and Broadcasting

New Delhi, the 15th May, 1995

To
Director General,
All India Radio,
NEW DELHI.

Director General,
Doordarshan,
NEW DELHI.

SUBJECT:- Revision of pay scale in respect of
Engineering Assistant of AIR and
Doordarshan in pursuance of Supreme Court
orders dated 25.11.1994.

Sir,

I am directed to say that in pursuance of the
(Hon'ble) Judgement of the Supreme Court in Civil Appeal Nos. ____ /94
dated 25.11.94 upholding the CAT, Madras judgement
passed on O.A. No. 654/89 dated 29.6.90, the President
is pleased to revise the pay scale for the post of
Engineering Assistant as follows:

<u>Name of the post</u>	<u>Revised Scale of pay (in Rs)</u>	<u>Effective from</u>
Engineering Assistant	550-900	1.1.1978
- do -	2000-3200	1.1.1986

2. The officers who held and are holding above mentioned grades during the respective period are entitled to the benefit of arrears of pay as a result of this revision and refixation with effect from the dates as mentioned in the para (1) above.

3. This issues with the concurrence of Integrated Finance Branch of the Ministry vide their U.O. No.791/95-Fin-¹ dated 15.5.1995.

Yours faithfully,



(SHYAMALIMA BANERJEE)
UNDER SECRETARY TO THE GOVT. OF INDIA
Tel: 38 79 30

Contd...p..2/-

