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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

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New Delhi-110001

Ref. No.: ADTEA/2018/068

Date: 04.12.2018

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 Group 'C' posts Recruitment Rules 1979, (amended in 1995) relates to the posts of Tech./Sr. Tech. for pre 05.10.2007 recruitee, in light of 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 Gazette Notification of Group 'C' posts Recruitment Rules 1979, (amended in 1995) relates to the posts of Tech. and Sr. Tech. for pre 05.10.2007 recruitee, who are working in Prasar Bharti as Central Govt. Employee on deemed deputation :-

1. **Revision of scale of Technicians in The Gazette of India-**

Scale of Technicians should be revised to Rs. 5000-150-8000 (in Vth CPC); Rs. 9300-34800, G.P.RS 4200, PB-2 (in VIth CPC) due to following reasons.

a. That is, Govt. revised the pay scale of Technicians to Rs. 5000-150-8000 to the applicant Technicians, from 01.01.1996 onward, through DG: AIR order No. 8/20/2015-S-IV(A) dated 12.05.2017, at par with Lighting Assistant of Doordarshan, as per the Judgements and Orders of respective Courts of Law mentioned in the order, and after the concurrence of D/o Expenditure, Ministry of Finance.

(Copy of DG: AIR order as Annexure 01)

b. That is, through Office memorandum File No. 14/44/2017-S-IV(A)/494 dated 04.08.2017, Govt. issued the clarification that "**The Pay Scale of Rs. 5000-8000 granted on notional basis to Technicians is not the upgraded scale**".

(Copy of DG: AIR order as Annexure 02)

c. That is, being Central Govt. employees, DG: AIR, in concurrence with MOIB, has extended the Pay Scale of Rs. 5000-8000 to all the Technicians recruited up to

Amit Gupta
04/12/18

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

05.10.2007 by doing partial modification in its order dated 12.05.2017 Annexed as annexure 1. (order No. 38/20/2015-S-IV(A)/778 dated 18.12.2017 as Annexure-03)

The above development, of pre 05.10.2007 recruited Technicians, clearly states that the scale of Technicians should be revised to Rs. 5000-150-8000 (in Vth CPC) ; Rs. 9300-34800, G.P.RS 4200, PB-2 (in VIth CPC) in "The Gazette of India".

2. **Revision of scale of Senior Technicians in The Gazette of India-**

Scale of Senior Technicians should also be revised to Rs. 5000-150-8000 (in Vth CPC); Rs. 9300-34800, G.P.RS 4200, PB-2 (in VIth CPC) due to following reasons.

- a. That is, through Office memorandum File No. 14/44/2017-S-IV(A)/494 dated 04.08.2017, Govt. issued the clarification on the Point of Doubt No. 1 that

S. No.	Point of Doubt	Clarification
1.	What will be the pay scale of Sr. Technician w.e.f. 01/01/1996 after the issuance of this Directorate order No.8/20/2015-S-IV(A) dated 12/5/2017.	The pay scale of Sr. Technician will be Rs.5000-8000/- w.e.f. 01/01/1996.

(Copy of DG: AIR order as Annexure 02)

The above clarification clearly states that the scale of Senior Technicians should be revised to Rs. 5000-150-8000 (in Vth CPC) ; Rs. 9300-34800, G.P.RS 4200, PB-2 (in VIth CPC) in "The Gazette of India".

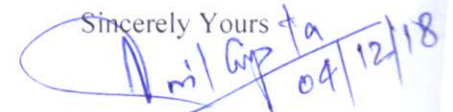
Though a court's verdict has to be implemented *suo motu* in case of all similarly situated employees without forcing every one of them to approach courts of law for the same relief, the Ministry of I&B has always been trifling with the judgments if it belonged to subordinate engineering employees. On 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 the case of Technicians and Senior Technicians for further amendment in Gazette notification of 1979 (amended in 1995), for the above two entries i.e. **revision of scales to the posts of Tech. And Senior Tech. in "The Gazette of India"**, as explained.

Thanking you sir.

Encls.: (03) as stated above.

Total (07) pages including application

Sincerely Yours

 (Anil Kumar Gupta)
 General Secretary
 Ph. 9695976376



Annexure (1)

PRASAR BHARATI
(INDIA'S PUBLIC SERVICE BROADCASTER)
DIRECTORATE GENERAL: ALL INDIA RADIO

No.8/20/2015-S-IV(A)

New Delhi, dated 12.05.2017

ORDER

Consequent on acceptance of Judgments and Orders of respective Courts of Law in the following OAs and details mentioned against each, it has been decided on the advice of D/o Legal Affairs and with the concurrence of D/o Expenditure, Ministry of Finance to implement the judgments in letter and spirit by granting pay scale of Rs.5000-8000/- to the applicant Technicians on notional basis from 01.01.1996 to 31.03.2015 and on actual basis w.e.f. 01.04.2015:

Sl. No.	Case Title	Name of the Bench	Date of Judgment
1.	OA No.1858/2015 filed by G.M. Tyagi & Ors.	CAT, (PB), New Delhi	24.05.2016
2.	OA No.4101/2015 filed by Sh. Mukesh Kumar Dixit & Ors Vs UOI	CAT, (PB), New Delhi	04.09.2016
3.	MA No.2096/2015 in OA No.4424/2014 filed by ARTEE & Ors.	CAT, (PB), New Delhi	15.12.2014
4.	OA No.1553/2016 filed by ADTEA.	CAT, (PB), New Delhi	04.05.2016
5.	OA No.690/2015 filed by Ashok Dorwal & Ors	CAT, Jabalpur	13.08.2015

2. As per approval of Ministry of I&B, it has also been decided to extend the pay scale of 5000-8000/- to all other similarly placed eligible Technicians who have not gone to any court or have recently filed any court cases.

3. The field offices concerned will draw Pay & Allowances in revised scale from 01.04.2015 on actual basis and from 01.01.1996 to 31.03.2015 on notional basis.

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4. The officials concerned will be entitled to arrears of differences in pay to which they are now entitled and what has been actually paid to them w.e.f. 01.04.2015.

5. This issues with the approval of Ministry of I&B, Ministry of Law & Justice and Ministry of Finance.


(D.P. Shukla) 12/5/2017

Dy. Director Admn. (E)

Copy to,

- 1) All the applicants of through their Zonal Heads/Head of Offices of AIR/DDn.
- 2) All Zonal Heads of AIR & DDn with the direction to revise the pay of the concerned Technicians.
- 3) All AIR Stations/DDn Kendras.
- 4) The Under Secretary, BA(E), A-Wing, Shastri Bhawan, New Delhi for kind information.
- 5) The Director (Admn.), PB Sectt, PTI Building, New Delhi.
- 6) PS to DG:AIR, PS to E-in-Chief, PS to ADG(A), PA to Dir(A-II).
- 7) Dy. Director(Admn.), S-IV(A) Section, DG:Doordarshan Bhawan, Mandi House, Copernicus Marg, New Delhi.
- 8) B&A Section, DG:AIR- for making necessary budget provisions.
- 9) Pay and Accounts Office, DG:AIR and DG:DDn, New Delhi.

Annexure (2)

(5)



Prasar Bharti
(India's Public Service Broadcaster)
Directorate General: All India Radio
S-IV (A) Section.

Akashvani Bhawan, New Delhi.
Dated: 4th August, 2017.

File No.14/44/2017-S-IV(A)/494

Office Memorandum

Subject: Clarification on fixation of pay to the post of Technicians and Sr. Technicians in compliance of DG(AIR) Order No.8/20/2015-S-IV(A)/306 dated 12/5/17 and Order No.14/02/2015-S-IV(A)/313 dated 16/5/17.

Upon issue of granting of pay scale of Rs.5000-8000/- to all the applicant Technicians on notional basis from 01/01/1996 to 31/03/2015 and on actual basis w.e.f. 01/4/2015, pursuant to implementation of various judgments, this Directorate has received several queries from various AIR Stations and Doordarshan Kendras. The clarification on the following points of doubts have been duly examined and point wise clarification are given as under:-

S.No.	Point of Doubt	Clarification
1.	What will be the pay scale of Sr. Technician w.e.f. 01/01/1996 after issuance of this Directorate order No.8/20/2015-S-IV(A) dated 12/5/2017.	The pay scale of Sr. Technician will be Rs.5000-8000/- w.e.f. 01/01/1996.
2.	Benefit to be extended to Technicians who get promoted as Sr. Technicians on or after 01/01/1996.	On promotion, benefit of fixation of pay under FR-22(1)(a)(1) to be given as per rules.
3.	Whether the pay scale of Rs.5000-8000/- granted on notional basis to Technicians is upgraded.	No, this is not an upgraded scale.
4.	Whether the pay scale of Rs.4500-7000/- granted to Technicians vide order dated 16.05.2017 is upgraded.	Yes, the scale of Rs. 4500-7000/- has been granted to Technicians by virtue of Min. of I&B's order dt. 25.02.1999 and as per the extant guidelines so far this is treated as an up-gradation. However, further clarification on the matter is under consideration in the Ministry of Information & Broadcasting.

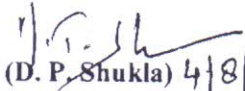
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5.	Whether the Technicians, who joined during the period from 26/2/1999 to 05/10/2007 are entitled to get the scale of Rs.5000-8000/- (5 th CPC) and Rs.9300-34800/- (PB-2) with GP 4200/- (6 th CPC) at par with the Technicians, who joined on or before 25/2/1999.	The matter of extending such a benefit to all the Technicians who joined between 26.02.1999 to 5.10.2007 is under consideration of the Ministry of I&B.
6.	Whether the Technicians are entitled to get the benefit of 1 st or 2 nd MACP with the GP of Rs.4600/- in the Pay Band of Rs.9300-34800 (PB-2)(6 th CPC) from the Grade Pay of Rs.4200/- of PB-2 (Rs.9300-34800/- after granting them the above pay scale after completion of 10 years regular service as Technician.	Technicians who have got the scale of Rs. 5000-8000/- (G.P.- 4200/- as per 6 th CPC) by virtue of order dated 12.05.2017 may be considered for grant of G.P. 4600/- as next MACP, if otherwise eligible as per MACP rules.
7.	Technician who got promotion from Helper through Departmental Examination and are fixed in the pay scale of Rs.4500-7000/-. whether they will be fixed in pay scale of Rs.5000-8000/-.	Yes, every Technician who got promotion from Helper and was fixed in the upgraded scale of Rs. 4500-7000/- will be eligible for this scale of Rs. 5000-8000/- (Grade pay : 4200 as per 6 th CPC). The entitlement of post 25.02.1999 recruited Technicians will be determined by the Ministry of I&B's clarification.

2. All the Zonal Heads are, therefore, requested to take necessary action accordingly.


(D. P. Shukla) 4/8/2017
Deputy Director Admn (E)

To

- 1) O/o the ADG (E) (WZ), All India Radio & Doordarshan, Old CGO Building, 101, M K Road, Mumbai-400 020.
- 2) O/o the ADG (E) (NZ), AIR & Doordarshan, Jam Nagar House, Shahjahan Road, New Delhi-110001.
- 3) O/o The ADG (E) (EZ)), AIR & Doordarshan, 4th Floor, Akashwani Bhawan, Eden Garden, Kolkata -700 001.
- 4) O/o the ADG (E) (SZ), AIR & Doordarshan, Swami Sivananda Salai, Chennai- 600 005.
- 5) O/o The ADG (E) (NEZ), AIR & Doordarshan, Dr. P. Kakoti's Building, Near Ganeshguri Flyover, G.S. Road, Guwahati- 781 006.

Copy also to: -

1. Ministry of I&B (Sh. Sanjay Dhar, U.S. (BAF))