

**PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
DIRECTORATE GENERAL: DOORDARSHAN
NEW DELHI**

No. 10/17/2009-S IV

Dated: 28.10.2009


OFFICE MEMORANDUM

Subject: Clarification regarding admissibility of benefits under FR 22 (1) (a) (i) in fixation of pay in the revised scales on promotion from Engineering Assistant to Senior Engineering Assistant

Directorate has received references from several Doordarshan Offices seeking clarification regarding admissibility of benefits under FR 22 (1) (a) (i) in fixation of pay in the revised scales on promotion from Engineering Assistant to Senior Engineering Assistant.

2. In a discussion held with Shri S.K. Garg, Under Secretary, Ministry of I&B regarding pay related matters of Engineering officials, it was expressed by the Ministry that the pay has to be fixed strictly as per the orders / clarifications/ instructions issued by Ministry of I&B in this regard which is very clear and with no ambiguity. Further it was expressed by the Ministry to fix responsibility for wrong fixation of pay.

2. As per the clarifications issued by Ministry of I&B vide their OM No. 310/46/95-B(D) dated 07.06.1996, Where an EA is appointed to the post of SEA no benefit under FR-22(1)(a)(i) admissible. Further, Ministry of I&B's order No. 310/50/99-B(D)/BA(E) dated 10.06.2002 did not recommend application of FR22 (1) (a) (i) and all pay fixation would be as per Ministry of I&B vide their OM No. 310/46/95-B(D) dated 07.06.1996.



**(D. BISWAS)
DEPUTY DIRECTOR (ADMN)
Tel: 23097501**

To

- (1) All DDKs / DMCs / HPTs
- (2) All Zonal Offices
- (3) All Pay & Accounts Offices under Ministry of I&B
- (4) Shri S.R. Garg, US(BA-E) Section, Ministry of I&B, Shastri Bhawan, New Delhi.

**PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
DIRECTORATE GENERAL: DOORDARSHAN
NEW DELHI**

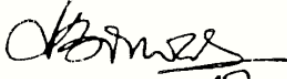
No. 10/17/2009-S IV

Dated: 5.02.2010

OFFICE MEMORANDUM

Subject Clarification regarding admissibility of benefits under FR 22 (1) (a) (i) in fixation of pay in the revised scales on promotion from Engineering Assistant to Senior Engineering Assistant

The undersigned is directed to refer to the OM of even number dated 28.10.2009 on the subject mentioned above and to state that the said OM may be kept in abeyance until further orders.


(D. BISWAS) 5/2/10
DEPUTY DIRECTOR (ADMN)
Tel: 23097501

To

- (1) All DDKs / DMCs / HPTs
- (2) All Zonal Offices
- (3) All Pay & Accounts Offices under Ministry of I&B
- (4) Shri S.R. Garg, US(BA-E) Section, Ministry of I&B, Shastri Bhawan, New Delhi.

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,

(Hon'ble) I am directed to say that in pursuance of the
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 re-fixation 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-
dated 15.5.1995.

Yours faithfully,



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

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Copy to:-

1. Pay & Accounts Officer, Alit
2. Pay & Accounts Officer, Doordarshan
3. All heads of AIR Stations, Books. through DG:AIR/DG:DDN
4. Finance Branch-I, Min. of I & B
5. Ministry of Finance
6. Department of Personnel
7. Guard File
8. Spare copies (10)



(SHYAMALIMA BANERJEE)
UNDER SECRETARY TO THE GOVT. OF INDIA.

MINISTRY OF INFORMATION & BROADCASTING

No.310/46/95-B(D)

Dated 7.6.96

Subject: Pay fixation in the grade of Engineering Assistant, Senior Engineering Assistant and Assistant Engineer consequent upon revision of pay scale of the Engineering Assistant w.e.f. 1.1.78/1.1.86.

Consequent upon issue of this Ministry's letter No.310/15/93-B(D) dated 15th May, 1995 on the subject noted above, Ministry has been receiving communications from DG:AIR and DG:Doordarshan from time to time seeking clarifications on various points relating to fixation of pay of Engineering Assistants and above w.e.f. 1.1.78/1.1.86. The matter has, therefore, been examined at length in consultation with Chief Controller of Accounts and it has been decided that pay fixation cases covered by the instructions contained in this Ministry's letter dated 15th May, 1995 referred to above, may be dealt as under:

1. Where the pay drawn by an EA in the old scale is lower than the minimum of the new scale. Minimum of the new scale of pay on the crucial date. Next increment will be drawn after completion of full incremental period at that stage from the date of fixation of initial pay in the revised scale. (Order 6 below FR-23)
2. Where the pay drawn by an EA in the old scale is equal to the minimum of the new scale. At the minimum in the new scale. Next increment will be drawn on the date of increment in old scale. (Order 6 below FR-23)
3. Where the pay drawn by an EA in the old scale is equal to a stage in the new scale. At the equal stage in the scale. Next increment will be drawn on the date of increment in the old scale (order 6 below FR-23)

Contd.....2/-

4. Where there is no stage in the new scale equal to the pay drawn by an EA in the old scale. At the lower stage in the new scale and the difference will be allowed as personal pay to be absorbed in future increases in pay. Next increment will be drawn on the date of increment in the old scale or in the new scale, whichever is earlier. (Order 6 below FR-2)
5. Availability of option to EAs. There is provision for exercising option to retain old pay until next or any subsequent increment is earned in the old scale. (Provision to FR-23)
6. Where an EA is appointed to the post of SEA. No benefit under FR-22(1) (a)(i) admissible as per advice of DP&T dated 16th April, 1996.
7. Where an EA is appointed to the post of AE. Pay shall be fixed in the time scale of AE at the stage next above the notional pay arrived at by adding an increment to the existing pay in the scale of SEA. (FR-22 (I) (a) (1)). Next increment will be drawn on completion of full incremental period of 12 months in the time-scale of the AE.

Incidentally, it is observed from Doordarshan Kendra, Nagpur letter No. MAG/TV/20(3)/95-S/98 dated 12.1.96 (addressed to DG:AIR and copy endorsed to DG:DD among others) that some of the Doordarshan Kendras, like Bhopal, had fixed the pay of EAs in the scale of Rs. 550-900 w.e.f. 1.1.73 instead of 1.1.78 on the analogy of the judgement in the case of Sound Recordists. It is further observed that Doordarshan Kendra, Nagpur had also done so in the case of Shri J.M. Vishwakarma (now AE), vide order No. MAG/TV/20(2)/95-S/1363 dated 16.11.95.

As per court orders, the scale of EAs has been revised with effect from 1.1.78. It is fundamentally incorrect to extend any other analogies to the instant case and revise the scale from 1.1.73.

2. DG:ALL India Radio, etc. are accordingly requested to review all these pay fixation cases urgently and take remedial action for effecting recoveries wherever necessary.

Sd/-

(S.D. KUMAR)

Deputy Secretary to the Govt. of India
Tele:3385016

Copy to:-

1. DG:DDn (Shri K.N. Pandey, ADG(A) It is requested that instructions may please
2. DG:AIR (Shri S.K. Chattopadhyay, be issued accordingly
DDG(A) to all AIR stations,
Doordarshan Kendras
and other subordinate
formations.
3. Chief Controller of Accounts, Ministry of I&B (It is requested that necessary instructions may be issued to all the Pay & Accounts Offices).
4. DS(Fin.)
5. US(ED)/US(Fin.I)/US(Fin.III)
6. B(A)/TV(A)/Fin.I/Fin.III/B&A Sections.

(S.D. KUMAR)

Deputy Secretary to the Govt. of India

Ministry of Information & Broadcasting
B(D) Section

No. 310/46/95-B(D)

New Delhi, dated 22.07.96

Sub: Pay fixation in the grade of EA, SEA and AE consequent upon revision of pay scale of EA w.e.f. 1.1.78/1.1.86 - Representation regarding.

* * * *

Consequent upon issue of this Ministry's O.M. No. 310/46/95-B(D) dated 7.6.96 on the subject mentioned above, Ministry have been receiving representations from Associations/employees seeking clarifications on the various points relating to fixation of pay scale of EA w.e.f. 1.1.78/1.1.86.

The issues raised have been examined in consultation with CCA and the following clarifications are hereby furnished:-

1. Where pay is fixed at the minimum of the revised scale of pay, the next increment in the revised pay scale is to be drawn on the normal date of increment in the old scale. This ruling is upheld by the Supreme Court of India in its judgement dated 21.1.91 (Case No. 7 of chapter 13 - Pay & Allowances pages 116-117 of Swaney's Case Law Digest Vol.IV (1991). Ministry of Finance have not amended existing rules in pursuance of the judgement. In such cases only the appellant would get the benefit of the judgement.
2. Where there is no stage in the new scale, the pay is fixed at the stage next higher in the new scale. This ruling came into effect on 1.1.86 vide GOI Order No. 26(2) (1) below FR-22. The pay is to be fixed at the stage next higher in the new scale in case of fixation w.e.f. 1.1.86 and after-wards. In case of pay fixation prior to 1.1.86, however, GO(5) under FR-23 will apply.

3. On promotion to SEA, the pay may be fixed without allowing the benefit under FR-22(1)(a)(i) till a final view is taken in consultation with DOP&F. However, no re-fixation or recoveries may be effected, for the time being, in cases where pay has already been fixed by giving this benefit.

The Ministry have, vide Memo of even no. dated 19.6.96 issued orders asking DG:AIR/DG:DD not indulge in re-fixation exercises or to effect recoveries in cases where pay has already been fixed by giving benefit under FR-22(1)(a)(i) till the matter is decided in consultation with DOP&F. As regards fresh cases, fixation may be done without allowing benefit of FR-22(1)(a)(i) till a final view is taken by DOP&F.

1. Pay of EA/SEA as on 1.1.86 may be fixed from Rs. 550-900 (old) to Rs. 2000-3200 (revised) with the application of CCS (Revised Pay) Rules, 1986.

It is implied that the pay as on 1.1.86 is to be fixed in accordance with the CCS (Revised Pay) Rules, 1986.

No recovery of OPA/Bonus etc. should be effected from the arrears of pay consequent upon revision of pay scale of EA.

OPA/Bonus etc. may not be recovered as per interim orders of CAT, P. Bench CAT, New Delhi dated 13.12.95 till this matter is decided in consultations with Ministry of Finance/DOP&F.

Income-tax relief may be computed by DDOs on arrears of pay according to the provision of Section 89(1), 192(2A) and Rules 21A.

The Heads of offices and PAO(IRLA) may give the benefit as laid down in the Income Tax Act, 1961 provided the officers concerned furnish requisite particulars.

(Shyanalima Banerjee)
Under Secretary (DD)

Copy to:-

- 1. DG:DDn (Sh. K.N.Pandey, ADG(A)) It is requested that immediate
- 2. DG:AIR (Sh. S.K.Chattopadhyay,) action may be taken and necessary
- DDG(A)) instruction may be issued to all
- 3. CCA, Min. of I&B) concerned office Stations/Kendras
- (It is requested that
- necessary instructions may be
- issued to all P&AOs)
- 4. DS(BD)/US Fin (I)/US Fin (III)
- 6. B(A)/IV(A)/Fin.I/Fin.III/B&A Sections.
- 7. ARTEE (Sh. P.N. Kohli, President)

No.310/50/99-B(D)/BA(E)
Government. of India
Ministry of Information and Broadcasting
NEW DELHI

Dated : 10.06.2002

To
Chief Executive Officer,
Prasar Bharati
(Broadcasting Corpn. Of India)
New Delhi

Subject : Revision of pay scale of the post of Senior Engineering
Assistant of Prasar Bharati.

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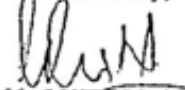
Sir,

I am directed to say that in pursuance to the orders dated 7.12.2001 passed by the Hon'ble Supreme Court in the SLP No.CC 5902-5908/2001 (from the judgement and order dated 14.02.2001 in the Writ Petition No.28528/00 etc. of the Hon'ble High Court of Karnataka at Bangalore) upholding the judgement dated 16.2.2000 of the Hon'ble Central Administrative Tribunal's Bangalore Bench passed in OA No.22/99 in the matter of Shri N. Rangaiah and others V/s Union of India and others and also in OA No.983/98 in the matter of Ms. Sasikala Selvaraju and others V/s Union of India and others, the President is pleased to revise the pay scale for the post of Senior Engineering Assistant of Prasar Bharati to Rs.550-930 with effect from 1.1.1978 and to Rs.2000-3275 with effect from 1.1.1986 and upto 31.12.1995.

2. The officers who held the post of Senior Engineering Assistant during the period from 1.1.1978 to 31.12.1995 are entitled to the benefits of arrears of pay as a result of this upgradation and refixation of their pay in the revised pay scale, as per relevant rules for this period.

3. This issues with the concurrence of the Integrated Finance Branch of the Ministry of I&B vide their u.o. Note No... 486/2002-Fin.I dated 7.6.2002.

Yours faithfully,



(P.K. MITTAL)

UNDER SECRETARY TO THE GOVT. OF INDIA
TLEL: 3384406

भारत सरकार
GOVERNMENT OF INDIA
सूचना और प्रसारण मंत्रालय
MINISTRY OF INFORMATION & BROADCASTING
'ए' विंग शास्त्री भवन, नई दिल्ली - 110 001
'A' Wing Shastri Bhawan, New Delhi - 110 001

सं०/No.

No. 310/50/99-B(D)/BA(E)

तारीख 3-9-2002
Date

To

Chief Executive Officer
Prasar Bharati
(Broadcasting Corporation of India)
New Delhi.

Subject : Revision of pay scale of the post of Senior Engineering Assistant of Prasar
Bharati

Sir,

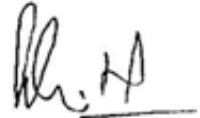
In continuation of this Ministry's letter of even number dated 10-6-2002 on the subject noted above, I am directed to say that the full scales of pay for the post of Senior Engineering Assistants in Prasar Bharati will be as follows

From 1.1.1978 : Rs.550-25-750-EB-30-930

From 1.1.1986 : Rs.2000-60-2300-EB-75-3275

This issues with the concurrence of the Integrated Finance Branch of the Ministry of Information and Broadcasting vide their U.O. No. 868/Fin.I dated 29-8-2002.

Yours faithfully,



(P.K. Mittal)

Under Secretary to the Govt. of India
Tel : 3384406

SPEED POST

**PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
DIRECTORATE GENERAL: DOORDARSHAN
NEW DELHI**

No. 10(17)2009-S.IV / 3417

Dated: 8.12.2010

Subject: - Clarification regarding admissibility of benefit under FR22(1)(a)(1) in fixation of pay in the revised scales on promotion from EA to SEA- regarding Shri M.G. Tamse, AE, DDK, Panaji.

Reference DDK, Panaji letter No 69(11)2009-10/A1/DK-PAN/1501 dated 18.11.2010 on the subject noted above

Ministry of Information and Broadcasting was requested to issue clear cut instructions on the admissibility of FR 22(1)(a)(1) to EAs on promotion to SEA by this Directorate, but their reply is still awaited.

DDK, Panaji is requested to maintain statue-quo as communicated before vide this Directorate's advisory dated 28.10.2009 until further orders / directions. Shri M.G. Tamse, AE may please be informed accordingly



**(SUNITA BHARAL)
DEPUTY DIRECTOR (ADMN)**

✓
**To,
The Station Director,
Doordarshan Kendra,
Panaji (Goa)-403001.**