



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

Akashwani Bhawan, New Delhi.  
Dated 08.07.2014

No. 14/18/2011-SIV(A) | 291

**SPEAKING ORDER**

08.07.2014

Whereas, the pay scale to the post of Engineering Assistant as per 5<sup>th</sup> Central Pay Commission was Rs. 5000-8000/- w.e.f. 1.1.1996, thereafter Ministry of I&B vide their communication No.310/173/97-B (D) dated 05.12.1997, has granted ad-hoc up-gradation in the pay, subsequently granted the pay scale Rs 6500-10500/- vide their communication No 310/173/97-B(D) dated 25.02.1999 with certain terms & condition therein.

2. Whereas, consequent upon the implementation of the Sixth Central Pay Commission the said pay scale of Rs. 6500-10500/- was revised and replaced with the Grade Pay of Rs. 4200/- in the Pay Band-2 (Rs. 9300-34800/-).

3. Whereas, further developments in the matter of pay scale to the post of Engineering Assistant has been noted:-

i) This Directorate in accordance with Central Civil Service (Revised Pay) Rules, 2008 has sanctioned the up-gradation of Grade Pay in PB-2 i.e. to grade pay of Rs. 4600/- of the Engineering Assistants of AIR & DDn in the revised pay structure with the approval of Director General, All India Radio vide Office Order No. 3/20/2008-S-IV(A) dated 16.1.2009. Thereafter a Corrigendum was issued on 20.01.2009 saying that the above said up-gradation of grade pay of Engineering Assistants would be subject to the clearance of Ministry of Finance, Department of Expenditure, Government of India.

ii) An OM No. 1/1/2008-IC dated 13.11.2009 issued from Ministry of Finance, Department of Expenditure (Implementation Cell) regarding grant of the revised pay structure of grade pay of Rs. 4600/- in the PB-2 to posts that existed in the pre-revised scale of Rs. 6500-10500/- as on 01.01.2006 and which were granted the normal replacement pay structure of grade pay of Rs. 4200/- in the pay band PB-2, this Directorate and DG:Doordarshan vide their communication Nos. 7/1/2009-Scor/310 dated 16.11.2009 & 904/6/2009-Scor dated 23.11.2009 respectively has forwarded the said OM to all concerned offices for information/necessary action.

iii) DG:Doordarshan vide their communication Nos. A.11011/3/2009-Estt. Dated 4.11.2010 & 11.11.2010 has communicated all concerned offices stating inter-alia that the pay scale of Engineering Assistant is Rs. 4600/- in PB-2 (for the incumbents as on 25.2.1999) and that of Rs. 4200/- in PB-2 (recruited after 25.2.1999).

iv) This Directorate vide communication No. 14/1/2011-S IV (B)/122 dated 01.03.2011 has inter-alia intimated to AIR, Chennai that the pay scale of Engineering Assistant Rs. 6500-10500/- and the pay scale of Sr. Engineering Assistant Rs. 7450-11500/- has been merged and they are in the pay scale of Rs. 9300-34800- in PB-2 with the grade pay of Rs. 4600/-.

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v) This Directorate vide communication No. 14/18/2011-S IV (A)/448 dated 26.07.2011 while responding to Prasar Bharati Secretariat has inter-alia intimated that Engineering Assistants recruited in the pay scale of Rs. 5000-8000/- have been granted Grade Pay of Rs. 4200/- and those who are working in the pay scale of Rs. 6500-10500/- have been granted Grade Pay of Rs. 4600/- vide DOP&T Order No. 11012/7/2008 Estt. (A) dated 17.4.2009.

vi. In view of foregoing, some stations had requested for clarification as to how the pay will be fixed for those Engineering Assistants whose pay has not touched Rs. 7450/- in the pay scale of Rs. 7450-11500/- as on 1.1.2006.

vii) Moreover, O/o ADG (E) (SZ) on several occasions has observed that several stations/officers of AIR/DDK in their zone are continuously issuing wrong pay fixations without any authority or instructions from the Directorate. This act of AIR/DDK stations amounts to serious financial impropriety, raising the pay of certain members of different categories of staff exorbitantly making them entitled to huge arrears from 1.1.2006, thereby forwarding a copy of PAO observation in the matter.

4. Whereas the issue for clarification was taken up with M/o I&B for their advice so that all the offices of AIR & DDn be conveyed accordingly, since a large number of employees are involved in the matter.

5. And whereas, Ministry of I&B in turn in their advice has stated that the Engineering Assistant having Prasar Bharati scale is placed in upgraded scale of Rs. 6500-10500/- has never been further upgraded to Rs. 7450-11500/- to which this Directorate is seeking clarification on regulation of pay for those Engineering Assistant who have not reached the basic pay of Rs. 7450/-w.e.f. 1.1.2006.

6. Whereas, in the meantime Speaking Order No. 8/12/2012-S-IV (A) dated 10.09.2013 & 12.05.2014 have been issued by this Directorate in the matter of CP(C) No. 593/2013 in O.A. No 1291/2013 and M.A. No 993/2013 filed by Shri. Joginder Kumar & another, Engineering Assistant before Hon'ble CAT, PB, New Delhi, consequent upon the advice of Ministry of Information and Broadcasting vide their letters No. 508/06/2012-BA(E) dated 28.06.2013 and No. 515/25/2013-BA(E) dated 14.2.2014 & 14.3.2014. In terms of their advice, Ministry of I&B has stated that the said upgraded pay scale of Rs. 6500-10500/- is Prasar Bharati scale therefore DOP&T's OM No. 1/1/2008-IC dated 13.11.2009 may not be applicable and the pay scale of Engineering Assistants has never been further upgraded by the Ministry.

7. Whereas, Ministry of I&B vide their letter No. 515/25/2013-BA(E) dated 14.2.2014 & 14.3.2014 has further stated that the issue relating to merger of cadre of Engineering Assistant and Senior Engineering Assistant in Pay Band-2 with grade pay of Rs. 4200/- with a new designation "Junior Engineer" was already settled vide Ministry's letter No. 501/02/2011-BA(E) dated 13.04.2012. Wherein DG:AIR was asked in the same letter for submitting draft Recruitment Rules for the above said merged post of Engineering Assistant & Sr. Engineering Assistant which is still under finalization. As such both Engineering Assistant & Sr. Engineering Assistant are now in the merged scale in PB-2 with Grade Pay of Rs. 4200/- with new designation to be called as "Junior Engineer" and accordingly Recruitment Rules for the merged post i.e. Junior Engineer is only under process in the Ministry and not grant of grade pay of Rs. 4600/- to Engineering Assistant.



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8. Whereas, subsequently, it has also been observed that some Offices/Stations of AIR/DDKs are wrongly fixing the pay of some of the Engineering Assistants in the grade pay of Rs. 4600/-in Pay Band-II.

9. Whereas, in terms of the para 3(iii) of DOP&T's Office Memorandum No.18/26/2011-Estt (Pay-I) dated 06.02.2014, consequent upon the judgement of Hon'ble Supreme Court in Chandi Prasad Uniyal And Ors vs State of Uttarakhand And ors, 2012, AIR SCW 4742, (2012) 8 SCC 417, decided on 17<sup>th</sup> August, 2012, it has inter-alia stated on the issue of wrongful/excess payments that:- *"Whenever any excess payment has been made on account of fraud, misrepresentation, collusion, favouritism, negligence or, carelessness, etc., roles of those responsible for overpayments in such cases, and the employees who benefitted from such actions should be identified, and departmental/criminal action should be considered in appropriate cases."*

10. And whereas, in view of forgoing facts & circumstances and also the aforesaid advice of Ministry of I&B No. 515/25/2013-BA(E) dated 14.2.2014 & 14.3.2014 & No. 501/02/2011-BA(E) dated 13.04.2012, the Competent Authority in supersession of all earlier communications has come to the conclusion that the pay of Engineering Assistant is in Pay Band- II with grade pay Rs. 4200/-.

11. All zonal Heads of AIR & DDn and other concerned are requested to adhere to the pay fixation of Engineering Assistant under their control in the pay scale of Pay Band- II (Rs. 9300-34800/-) with grade pay Rs. 4200/- to avoid any adverse impact. In case, the pay of any such official has been fixed otherwise, corrective action be taken immediately after issuance of show cause notice to the concerned.

This issues with the approval of DG, All India Radio.

  
(Rajeev Saraswat)  
Dy. Director Admn. (E)  
For Director General

Copy to:-

1. All Zonal Heads of AIR & DDn.
2. The Under Secretary (Kind Attn. Sh. Sanjay Dhar, US) BA(E), Ministry of I&B, 'A' Wing, Shastri Bhawan, New Delhi w.r.t. their aforesaid letters.
3. The Chief Controller of Accounts, M/o I&B, Shastri Bhawan, New Delhi.
4. Pay & Account Officer, DG:AIR/DG:DDn, Akashwani Bhawan, New Delhi.
5. The Dy. Director (Admn.), Cash Section, DG:AIR, Akashwani Bhawan, New Delhi.
6. The Dy. Director (Admn.), S-IV Section, DG:DDn, Doordarshan Bhawan, New Delhi.
7. PS to CEO/PS to Principal Advisor (P&A), Prasar Bharati Secretariat, 2<sup>nd</sup> Floor, PTI Building, New Delhi.
8. PS to DG, AIR/PS to ADG (A), DG:AIR/PS to E-in-C/PA to Director (Admn.-II), DG:AIR, Akashwani Bhawan, New Delhi.
9. PS to DG, DDn/ PS to E-in-C, DG:DDn, Doordarshan Bhawan, New Delhi.
10. ✓ President/Gen. Secretary of ARTEE and ADTEA.
11. ✓ Spare Copies (10).