

Report

of

**the high level committee
constituted under the
chairmanship of
Sh A.B.Mathur**

to

**suggest promotional
avenues for
diploma-holder Assistant
Engineers and to examine
introduction of selection
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**Report of the high level committee,
constituted under the chairmanship of Sh A.B.Mathur,
to suggest promotional avenues for diploma-holder Assistant Engineers
and to examine introduction of selection grade for them**

As per DG AIR's letter no 2/3/99-SIII Dated 12.4.99 (Annex I), a committee, consisting of the following, was constituted:

- Sh A.B.Mathur, Chief Engineer (Maintenance) AIR – Chairman
- Sh G.S.S.Sharma, Chief Engineer (Training) STI(T) – Member
- Sh A.P.Sinha, Chief Engineer (Maintenance) DD – Member
- Sh A.S.Guin, Chief Engineer (Research) R&D – Member
- Sh P.Mohanadoss, Chief Engineer (Maintenance) North Zone [now CE(MR) . AIR]– Member

Sh Yogendra Pal, Director (Engg) was convener

2. OBJECTIVES

To examine and suggest:

- i. Promotional avenues for non-graduate Assistant Engineers.
- ii. Selection Grade for Assistant Engineers.

3. DOCUMENTS EXAMINED

The committee met a number of times and also had discussions with some of the service associations. The following documents were also examined:

- Recruitment Rules for various engineering cadres
- Chronology of amendments in the Recruitment Rules of AE and JTS cadres.
- Qualifications, pay scales and promotional avenues of different cadres.
- CAT judgement in the case of Sh P.N.Kohli and others vs Union of India.
- Suggestions made by M/o I&B vide letter 310/40/98-B(D) dated 11.1.99 (Annex II).
- M/o I&B letter 310/175/97-B(D) dated 17.5.99 on implementation of increased scales for AEs (Annex III).
- M/o I&B order 310/173/97 B(D) dated 25.2.99 on increase in pay scales of subordinate engineering cadres (Annex IV).
- Report of Sh S.P.Bhatikar's committee constituted in 198 by M/o I&B to consider the demand of ARTEE for removal of the qualification bar for entry into IB(E)S.

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- Report of Sh U.C. Agarwal (Retd Secy in Deptt of Personnel) committee constituted by the government in 1993 to study the present state and structure of IB(E)S and to suggest measures for restructuring for better cadre management.
- Profile of existing Assistant Engineers in respect of number of years of service in AE cadre, remaining service, existing pay etc.
- Recruitment Rules of other Deptt
 - CPWD
 - DOT
 - M/o Urban Affairs & Employment (Deptt of Urban Dev) Central Engg Services

4. OBSERVATIONS

4.1 Recruitment Rules of AE's

Recruitment rules for Assistant Engineers were first framed in 1962. As per these rules, only degree holders were eligible to become AEs. **Non-Graduates were not eligible to become AEs at all.** 5% of AEs posts were reserved for appointment by way of promotion of Graduate Senior Engineering Assistants (SEA) and 95% by direct recruitment of graduate engineers.

Amendment to these rules was made in 1967. The quota of the promotees was increased from 5% to 20% and that of direct recruitment reduced from 95% to 80%. The appointment was still made from amongst the engineering graduates only.

These rules were further amended in 1972. The quota of the promotees was increased from 20% to 60% and that of direct recruitment reduced from 80% to 40% but still only engineering graduates were eligible for appointment as AEs.

These rules were further amended in 1982. Direct recruitment was stopped in the cadre of AEs on the recommendation of the pay commission. Keeping in view the large scale requirement of AEs in the department, due to unprecedented expansion of the Doordarshan network, and also the demands of the service associations, for the first time, **the non-graduates were allowed to become AEs but with longer length of service,** than that of graduates, and after qualifying the departmental qualifying examination. 60% of the AEs posts were earmarked for the engineering degree holder SEAs, with 3 years service as SEA, failing which SEAs with 8 years of combined service as SEA and EA. The remaining 40% AEs posts were earmarked for non-graduate SEAs, with 5 years of service as SEA or 10 years of combined service as SEA and EA after qualifying the departmental qualifying examination (DQE). A candidate was allowed maximum three chances for qualifying the DQE. One time initial exemption was also given and a number of SEAs were promoted to AEs, even without clearing the DQE, with the condition that they will have to qualify the DQE, in maximum three attempts, to be eligible for further promotion. Accordingly about 300 persons qualified this DQE and they were declared eligible for further promotions as per the prevalent rules. However, out of these, only

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about 40 persons could get promoted. Rest could not get promotion due to further amendment in recruitment rules of JTS in 1989.

In 1986, the Central Administrative Tribunal struck down this quota system for Graduate SEAs and Non-graduate SEAs on the following grounds:

"If both the graduate SEAs with lesser qualifying service and non-graduate with a longer qualifying service and a pass in the Departmental Qualifying Examination are equally suitable to be appointed to the post of Assistant Engineer, we do not see how seniority could be ignored and certain percentage of AEs could be appointed from one or the other category of SEAs. Once they are treated as equal upon possessing or acquiring the qualification prescribed for the post of AE, prescribing a quota for graduate SEAs and non-graduate SEAs would result in treating them as different classes. Then the very purpose of prescribing a longer period of service and a qualifying departmental examination for non-graduate SEAs would lose all its meaning and purpose; it would be arbitrary. If these qualifications are intended to bring non-graduate SEAs, on par with graduate SEAs, the reservation or fixation of a quota in the matter of promotion to the posts of AEs, would deprive those who fall within the zone of consideration in view of their seniority, from being appointed to that post only because they do not fall within the quota allotted to the category of graduate SEAs or non-graduate SEAs. That is an invidious distinction, which cannot be sustained."

Since the court was likely to strike down the quota system and on the demand of service associations, the Recruitment Rules for the post of AEs were further amended in 1985 whereby promotions to the 75% posts were fixed by selection on the basis of Departmental Competitive Examination and the remaining 25% by seniority-cum-fitness. In the first case the qualifying service was specified as SEAs with 3 years regular service in the grade; failing which SEAs with 8 years combined service in the grades of SEA and EA. In the second case the qualifying service was total 8 years combined together in SEA and EA. In both the cases the qualification was made as that prescribed for the post of EAs.

With the changes in the R/Rs of AE's in 1982 and subsequently in 1985, the non-graduates could become AEs but due to amendment in JTS R/Rs in 1989 they can not get promoted to JTS till they acquire an engineering or equivalent degree.

4.2 Recruitment Rules for JTS

Recruitment rules for Junior Time Scale (JTS) were notified in 1981 at the time of formation of IB(E)S. As per these rules, 50% of the JTS posts were to be filled by direct recruitment (DR) and the remaining 50% by departmental promotions (DP) from AEs. No qualification for entry of departmental candidates was specified in these R/Rs. It is learnt that the same was not required to be specified since only degree holder SEAs could become AEs at the time of notification of these R/Rs. However, with the modification in the R/Rs of AEs in 1982 and 1985, non-graduates could become AEs. Keeping in view that major technological innovations are taking place in the field of electronics in general and broadcasting in particular, it was felt necessary that only engineering and equivalent

degree holders should get promotion to JTS so that they are able to plan and maintain the state-of-the-art broadcast equipment. Therefore, IB(E)S R/Rs for JTS were amended in 1989 wherein departmental AEs having same qualification, as that for direct recruitment to JTS (Engg degree or equivalent), were only allowed to get promotion to JTS.

4.3 Actions taken so far on the associations demands

From 1989 onwards, the non-graduate AEs have been opposing the amendment in the IB(E)S R/Rs of 1989 and have gone even to the court(s) against this amendment. The court(s) have been rejecting their petitions and have been maintaining that departments can modify the R/Rs at any time and even introduce qualification bar if required. Therefore the court(s) have not struck down the 1989 amendments in R/Rs of JTS.

Still some the service associations are continuing to press for changes in the R/Rs of JTS and considering the demands of the non-qualified AEs, the following committees had also constituted to examine the demands:

i. Sh S.P.Bhatikar committee:

The committee, constituted in 1989, ratified the 1989 amendments and opined that it was most appropriate to allow only those departmental candidates, to enter IB(E)S, who possess an engineering degree or equivalent qualification. However, considering the large number of non-qualified AEs in the department, the committee also recommended that the departmental AEs should either possess an engineering or equivalent degree; or may possess a 'certificate of proficiency in Broadcasting' which should be awarded on passing a structured examination. The committee recommended that this examination should be conducted by an outside agency such as IETE.

It is understood that some of the service associations did not agree to this recommendation and desired that there should not be any further examination for promotion to JTS. They further demanded that if at all any examination is required, it should be conducted by departmental agency like STI(T). They also demanded that in the case of examination, every one, whether graduate or non-graduate, should be made to appear in this examination and also those who have already cleared the DQE (as par R/Rs of 1982) should be exempted to appear in this examination.

ii. Sh. U.C.Agarwal Committee

This committee, constituted in 1993, recommended that 50% of departmental promotion quota to JTS (i.e. 25% of all vacancies) should be set aside for AEs who are Diploma holders with long enough service experience but they should be promoted only after qualifying a special qualifying examination conducted by an outside agency. This report was further examined by a special Cell set up in the M/o I&B and the proposal of separate quota for diploma holder AEs was not accepted as this had legally been held earlier in 1986 as arbitrary and violative of principle of equality. Ministry suggested that once the diploma holders qualify this special examination, they should be treated at par with the degree holder AEs and should be entitled for promotion in accordance with their normal seniority in the grade.

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It is understood that the service association of non-qualified AEs did not agree even this suggestion.

- iii. It is also understood that Sh H.S.Jolly committee also examined the issue also but the full recommendations of this committee could not be made available to present committee.

4.4 Profile of existing AEs vis-à-vis posts in JTS cadre

To examine this issue, the available profile of 1471 AEs was collected and is tabulated at Annex V. It has been observed that:

- i. As many as 67 AEs have already completed 15 years of service in AEs cadre and 20 of these have still 6 to 10 years of service left.
- ii. 874 AEs have already completed 10 years of service and out of these 128 AEs have more than 15 years to retire.

This large scale stagnation in AEs cadre is mainly due to:

- Limited number of posts in the higher cadres (total 1436 in all cadres from JTS upwards) against the sanctioned strength of 1756 in AE cadre alone.
- Changes in the recruitment rules of AEs and JTS between 1982 & 1989. In 1982, diploma holder AEs were declared eligible for further promotion after clearing DQE but this was relaxed subsequently in 1985 when even DQE was not required for promotion to JTS. In 1989, it was made mandatory for diploma holder AEs to get engineering or equivalent degree for promotion to JTS.
- Too quick promotions from EA to AE. Generally a person should get 2 to 3 promotions in his service carrier but in AIR and DD it has been observed that some of the people have become AE from EA (2 promotions) in just 8 to 10 years. One who joins in the cadre of EA is eligible to get promoted to SEA, on seniority, in 3 years and to AE with total 8 years of combined service in the EA and SEA cadres. As far as the length of slab in the pay scales in these cadres is concerned, the pre-revised scale of EA (Rs 1600-50-2300-60-2660) is spread over 20 years and similarly that of SEA (Rs 1640-60-2600-75-2900) is also spread over 20 years. Therefore, a person should normally have taken 15 to 20 years to reach the level of AE from EA.

It is estimated that not more than 40 to 50 posts in JTS cadre are likely to fall vacant every year. Since 50% of the vacant posts in the JTS cadre are filled by direct recruitment through UPSC, therefore not more than 20 to 25 posts will arise every year for filling up by the departmental promotion quota. Thus in any case such a large number of AEs cannot be promoted to JTS and some method of filtering is required to be adopted for promotion to JTS cadre. From 1989 onwards the department had maintained that keeping in view the introduction of state-of-the-art equipment in the network, the acquisition of knowledge should be encouraged in this competitive media and only those who possess an engineering or equivalent degree should be further promoted to JTS onward.

4.5 Scale of pay of AEs

The pre-revised scale of pay of the AEs was Rs 2000-60-2300-EB-3200-100-3500. The AEs were given a replacement scale of Rs 6500-10500 by the 5th pay commission.

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Keeping in view the large-scale stagnation in the cadre of AEs, the pay commission had also proposed a selection grade of Rs 7500-250-12000 to 1/3rd of the total AEs. A similar recommendation was made by pay commission in the case of Programme Executives (PEX) who were in the same scale of pay as that of AEs. The Govt accepted the recommendation for PEXs, but it is explicitly not clear whether this was accepted in the case of AEs.

Subsequently Prasar Bharati gave increased scales to some of the cadres in AIR and Doordarshan keeping in view that EAs had been given a higher scale of pay, at par with the Sound Recordists, by the Supreme Court. The Prasar Bharati enhanced the scale of pay of AEs also and the proposed selection grade of Rs 7500-250-12000 was given to all the AEs w.e.f 1.1.96 vide M/o I&B order 310/173/97-B(D) dated 25.2.99 (Annex IV) as a regular scale. Later on the enhanced scale of pay was given to all the PEXs also (Annex VI).

The Ministry of Finance (implementation cell) and DOP&T vide M/o I&B letter 310/175/97 B(D) dated 17.5.99 (ANNEX III), has raised some objections in granting this enhanced scale of pay to all the AEs and has directed that the pay scales as recommended by pay commission only should be given to AEs. No final decision has yet been taken in this case and at present all the AEs and PEXs are drawing the enhanced scale of Rs 7500-12000.

4.6 Recruitment rules of other Govt Departments

The condition of promotion of AEs in other Govt Deptts is also not very good but their future channel of promotion is open without getting any further qualification. The salient features of their R/Rs are:

i. CPWD

Direct Entry: JE

Qualification: Degree/Diploma

Pay scale: Less than that of EA in AIR and DD.

JE with 8 years of service is eligible for promotion to AE. If the promotion is delayed, the JE gets AE's pay scale from 15th year. It takes about two decades for a JE to become AE. A diploma holder AE with 10 years of service as AE becomes eligible for promotion to STS in the 33-1/3rd % quota. There is severe stagnation in the grades of JE and AE but the promotion channel is open without further qualification.

ii. Civil Construction Wing of AIR

Diploma holder is eligible to become AE with 8 years of service. Depending upon the vacancy position it takes longer time. A diploma holder AE with 11 years of service is eligible to become XEN (STS grade) with the condition that at no point of time the strength of diploma holder XENs exceeds 33-1/3% of the total strength of XENs.

Here again the diploma holder AEs get promotion without any further qualification but JE as well as AE stagnate severely in the cadres of JE and AE.

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iii. DOT

This department is fully streamlined w.e.f. 1.1.96. The entry level is at Junior Telecom Officer (Equivalent to EA). Pay scale Rs 6500-10500.

Qualifications: 65% from holders of engineering or equivalent degree

35% Deptt Competitive Examination

Promotion to AE: 75% on seniority cum fitness

25% by DCE

Thus, by and large, the majority of the AEs will be qualified. AT Class I (JTS), 50% is by direct recruitment and 50% by DPC from AEs. Here again the diploma holders can get promoted without any further qualification.

4.7 Other Miscellaneous observations

The following general observations have also been made:

- i. There is large scale stagnation in AIR and DD IB(E)S engineering cadres also. The cadre review, which should be carried out every five years, has not taken place so far even once in the last 18 years after the service was organised.
- ii. The Prasar Bharati has increased pay scales of some of the sub-ordinate cadres recently; and AIR and Doordarshan Engineers association is also demanding proportional increase in scales of pay of IB(E)S cadres.
- iii. Due to poor promotional aspects and poor service conditions, the direct recruits generally do not join the AIR and DD as JTS. Majority of those who join, leave the department at the earliest available opportunity. It is therefore necessary to improve the service conditions. Also since large scale technological innovations are taking place in the field of broadcasting, it is important that service conditions are improved so that direct recruitment in the JTS cadre gets encouraged. Their quota should not be reduced, from the existing provision of the 50% of the total vacancies, so that AIR and DD can introduce the state-of-the-art equipment and latest services to be at par with the other broadcasting organisations in the world.
- iv. It is not correct to say that there is no further channel of promotion for non-graduate AEs in AIR and DD. In fact as per the existing rules, they can get promoted to JTS cadre, under 50% DP quota, after obtaining an engineering or equivalent degree.

5. Analysis

5.1 Qualification bar

Keeping in view that:

- IB(E)S is for management and supervisory functions. The requirements of this service are different from the sub-ordinate services, which are mainly responsible for operational jobs. AE is the feeder grade to the lowest level (JTS) of IB(E)S. Therefore, only qualified AEs, who have in-depth knowledge of the subject,

should be inducted to IB(E)S so that they can carry out detailed planning/execution of the projects and coordination with other departments.

- A number of officials in EA, SEA and AE cadres are already engaged in acquiring engineering degree. If the qualification bar is removed at this stage, it will result in disincentive for them. In fact, engineering degree should be the qualification for the entry level to EA as already done by DOT.
- The broadcast equipment is getting more and more sophisticated with the advent of digital technology.
- AIR and DD are already facing a very stiff challenge from the cable TV operators and are likely to face further competition from the private broadcasting channels just allowed in the country
- New digital services such as DVB, DTH, DSB, Interactive services and digital hard disk based recording, post-production and link equipment are to be introduced in the network

It is, thus, imperative that only those who are competent to handle and understand this technology should be allowed to get further promotions to JTS and above. The committee members, therefore, felt that the qualification bar from AE to JTS promotion should not be removed. This is also in line with the recommendation of the 5th pay commission (para 73.19 of the report).

However, since the departmental staff sometimes find it difficult to go to the institute for acquiring degrees while in service, the committee felt that a scheme of Departmental Qualification Examination (DQE), may be introduced. This examination may be conducted by STI(T) but the number of papers and the syllabus should be the same as that for the Engineering Services Examination conducted by UPSC. Only those who possess an engineering (or equivalent) degree or have qualified this proposed DQE should be eligible to get promotion to JTS in the 50% DP quota. This examination may be conducted once a year in Aug/Sept or as may be decided.

5.2 Selection Grade

AEs in AIR and DD are getting a pay scale of Rs 7500-12000 whereas those in other departments are in the scale of Rs 6500-10500 only.

Generally the issue of stagnation is taken care of by pay commissions and considering the large scale stagnation in our department the 5th pay commission had very rightly recommended a selection grade of Rs 7500-12000 to 1/3rd of the total sanctioned strength of AEs but this was subsequently given to all the AEs by the Prasar Bharati.

Out of 1550 AEs in position in AIR and DD, only about 35 to 40 have reached the top of the scale of Rs 12000 on 1.1.99 after getting fixed in the enhanced scale of Rs 7500-12000. They are yet to stagnate and as per the rules they will get a stagnation increment, once in two years. This stagnation could have been avoided to some extent if these AEs had acquired engineering degree from 1989 onwards when they were comparatively young.

A. Mathur

However, since some of these AEs are quite old now, it may not be possible for them to acquire the engineering degree or even clear the proposed DQE. But they cannot be allowed further promotion as stated above. Therefore, the committee feels that 10% of the total sanctioned posts of AEs may be given a selection grade so that they get some monetary benefit in lieu of their vast experience in the department. The next available scale is Rs 8000-13500. There is no other standard scale between Rs 7500-12000 and Rs 8000-13500. Therefore, if permissible under the rules, the selection scale of Rs 8000-13500 may be given to AEs. This selection scale should be a non-functional scale. It should be given with benchmark of 'very good' and to only those AEs who complete 15 years of regular service in the AE cadre. Accordingly necessary amendment also be made in the recruitment rules of JTS stating clearly that total service in AE grade, including selection grade is to be counted for promotion to JTS under DP quota.

As stated earlier, about 250 AEs, who had cleared the DQE in 1980's, have not yet been able to get promoted to JTS due to amendment in R/Rs of JTS in 1989. The standard of that examination cannot be equated with the DQE now proposed on the syllabus of UPSC, so they cannot be promoted based on the previous examination. However, some of them had discontinued acquiring of the engineering degrees and might have not yet completed the 15 years of service in the cadre of AE. The committee, therefore, proposes that all the AEs, who had cleared the DQE held in 1980's and are above the bench mark of 'very good', may be given the above selection grade.

While considering this, it may be kept in view that if this recommendation of this committee is accepted, there would be a justified demand to enhance the scale of pay of JTS as this proposed selection grade of AEs will be at the same level with that of JTS scale, which is the promotion scale of AEs. Scales of other IB(E)S cadres may also have to be adjusted accordingly.

6. Recommendations

The following recommendations are made:

6.1 Qualification bar should not be removed; introduce DQE

The qualification bar from AE to JTS promotion should not be removed. However, a scheme of Departmental Qualification Examination (DQE) may be introduced. This examination may be conducted by STI(T) but the number of papers and the syllabus should be the same as that for the Engineering Services Examination conducted by UPSC. Only those who possess an engineering (or equivalent) degree or have qualified this proposed DQE should be eligible for promotion to JTS in the 50% DP quota. This examination may be conducted once a year in Aug/Sept or as may be decided.

6.2 Introduce selection grade for AEs

- (a) A selection grade of Rs 8000-13500 for Assistant Engineers may be introduced. It will be a non-functional scale. It should be given to maximum 10% of the total

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sanctioned posts of AEs. AEs with a minimum 15 years of regular service in the grade of AE and who are above the benchmark of 'very good' will be eligible for this selection grade.

- (b) All the AEs, who had cleared the earlier pattern of DQE in 1980's and who are above the benchmark of 'very good' may also be given this selection grade.

6.3 Other miscellaneous recommendations

While analyzing the above issues, it has been felt that the following issues also need to be considered:

- i. Cadre review of the IB(F)S should be carried out immediately so that promotional prospects of the officers in these cadres improve; and the direct recruits get encouraged to join and continue in the department. This will also increase the promotional avenues for the AEs who will get promotion under the 50% DP quota and more and more staff members will be motivated to acquire engineering degree or clear the proposed DQE for further promotions.
- ii. The promotions from EA to SEA, as well as from SEA to AE, should be on merit, so that only deserving candidates get promoted.
- iii. Departmental Competitive Examination (DCE) from SEA to AE may be discontinued, if C.3 (ii) is implemented.
- iv. Since the scale of pay of Rs 6500-10500, which was the replacement scale of AEs, has now been given to EAs and also keeping in view the technological requirements of the broadcasting, the entry level qualification for EA should be 'engineering degree'. The qualifying service for promotion to SEA as well as AE should be increased commensurate with the length of pay scale in the grades.
- v. The Technical Employees Association (TEA) has demanded that an integrated approach may be adopted in making the changes in the recruitment Rules of engineering cadres. However, since this committee had been asked to examine the case of Assistant Engineers only, a separate committee may examine the changes required to be made in the R/Rs of sub-ordinate engineering cadres.

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