

**Prasar Bharati**  
**(Broadcasting Corporation of India)**

**Subject: Pay parity of Technicians with Lighting Assistants.**

The matter for grant of notional fixation of pay to the Technicians, Senior Technicians w.e.f. 1.7.83 in parity with Lighting Assistant has since been decided on 10.01.2013 by Hon'ble Supreme Court of India in SLP(C) No.33048 /2011 filed by Union of India & others against the judgment of the High Court of Chennai in the case (NO.WP 27155/2009) filed by AIR and DDn Technical Employees Association (ADTEA). The Supreme Court had upheld the judgment of the High Court in granting parity of pay between Technician and Lighting Assistant w.e.f 1.07.1983.


2. Meanwhile, the pay of Lighting Assistant of Doordarshan was revised to Rs.5000-8000/- w.e.f 01.01.1996 (pre-revised) as per the judgment dated 15.12.2010 of High Court of Delhi in WPC No. 6544/2007. The MIB have granted approval for implementation of the order of the Hon'ble Supreme Court to extend the benefit of the higher pay scale of Rs.5000-8000/- to the applicants only w.e.f. the date of their regularization or 1/1/1996, whichever is earlier. {Orders issued vide. No.501/03/2011-BA(E), dated 19.04.2012 and No. 515/65/2012-BA(E), dated 12.02.2013 are relevant}

3. Since historically Hon'ble Supreme Court have equated the Lighting Assistants with Technicians for the purpose of granting of pay parity, it would be prudent to consider grant of pay scale of Rs.5000-8000/- to Technicians also w.e.f. 1.1.1996 maintaining the pay parity between the two posts.

4. Though, in the case of Lighting Assistants, the Ministry of I&B had agreed to give the benefit of the judgment only to the applicants, it is felt that in the case of Technicians, who are similarly situated {i.e. those incumbents who were given the upgraded scale of pay (Rs. 4500-7000) as per MIB letter dated 25<sup>th</sup> February, 1999} the benefit needs to be extended to all the Technicians as there is plethora of law on the point that if the relevant benefit has been granted to certain employees in pursuance to an order granted by a Judicial Forum, the grant thereof must compulsively come about in favour of an employee who is similarly situated and has not gone to the Court to claim the same relief.

5. In view of the above, it is recommended for granting pay parity to all such Technicians w.e.f. 1/1/1996 who have been granted upgraded scale of pay as per the MIB order dated 25<sup>th</sup> February, 1999.

6 An early action in the matter is requested.

  
(Om Prakash)  
Officer on Special Duty o/c

Ms. Harcharan Kaur, Deputy Secretary (BAE), MIB, Shastri Bhawan, N.Delhi.  
PB(BCI) ID Note No. F.No. Misc-1/18/2013-PPC, dated 29<sup>th</sup> April, 2013.

Agreed  
30/4/13