

PRASAR BHARATI
(INDIA'S PUBLIC SERVICE BROADCASTER)
DIRECTORATE GENERAL: ALL INDIA RADIO
AKASHWANI BHAWAN, NEW DELHI -110001
S-IV(A) SECTION

No. 8/1/2015-SIV(A)/102

Akashwani Bhawan, New Delhi.
Dated : 25.02.2015

ORDER

Whereas, Association of Radio & Television Engineering Employees (ARTEE) and another filed O.A. No. 4424 of 2014 and M.A. No.3894 of 2014 in CAT Principal Bench, New Delhi for grant of pay scale of Rs.5000-8000/- to the Technician w.e.f. 01.01.1996 or date of appointment whichever is later, at par with Lighting Assistant, with all the consequential benefits, including the arrears of difference of pay and allowances with interest, in the light of the Hon'ble Madras High Court Judgment dated 24.11.2010 and Hon'ble Supreme Court judgment dated 10.01.2013 in SLP (C) No. 33048/2011.

2. Whereas, Hon'ble CAT has disposed of the case at the admission stage itself on 15.12.2014 inter-alia with the direction to the respondents to consider the case of the applicants in the light of the aforesaid order/judgments. If their cases are squarely covered by them, they shall also be extended the same benefits. In any case, the respondents shall pass appropriate orders under intimation to the applicants. This exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

3. Whereas, following further points/developments have been noted in the matter:

- i) The pay scale of Technician w.e.f. 01.01.1996 was Rs.4500-7000/- and that of Sr. Technician was Rs.5000-8000/- in terms of Ministry of I&B communication No.310/173/97-B(D) dated 25.02.1999 and in terms of para 4 of the said communication the pay scale of Technician was Rs. 4000-6000/- and Sr. Technician was Rs. 4500-7000/- in respect of appointees after 25.2.1999. As per Recruitment Rules, the post of Sr. Technician is filled up by 100% promotion from Technicians. As such, giving the upgradation at par with Sr. Technician will result the same pay scale for the two hierarchical posts which is not justified and proper.
- ii) Ministry of I&B vide their communication No. 501/02/2011-BA(E) dated 13.04.2012 have conveyed the approval of the Competent Authority to merge the posts of Engineering Assistant (EA) with Senior Engineering Assistant (SEA) in the Sub-ordinate Engineering cadre of AIR &DDn, Prasar Bharati in the pay scale of Rs. 9300-34800/- in PB-2 with Grade Pay of Rs. 4200/- with new designation of Junior Engineer, which is to be implemented. The said merged post is higher than that of the posts of Technician and Sr. Technician. The pay scale of Rs. 5000-8000/- will amount to be replacement of Rs. 9300-34800/- in PB-2 with Grade Pay of Rs. 4200/- for Technician and will be at par with three higher posts in the hierarchy.
- iii) The pay scale for the post of Technician with effect from 1.1.1996 has already been upgraded vide Ministry of I&B communication No.310/173/97-B(D) dated 25.02.1999 alongwith other categories of posts which is over and above the recommendation of the Fifth Central Pay Commission (Vth CPC).



iv) The upgraded pay scale of Technician in terms of Ministry of I&B communication No No.310/173/97-B(D) dated 25.02.1999 alongwith other categories of posts is under the agreement of stakeholders/Associations with the Government.

v) DG:DDn has informed that they have granted upgraded pay scale to Lighting Assistants from Rs.4500-7000/- to Rs.5000-8000/- to only those Lighting Assistants who were applicants in the WP (C) No.6544/2007 and covered in High Court order dated 15.12.2010 in the said Writ Petition and not to all Lighting Assistants as a whole. Moreover, the post of Technician cannot be compared with that of Lighting Assistant as it has been declared dying cadre.

4. Whereas, it is also noted that there is a similar case in OA No.1861/2014 filed by Shri Ashok Kumar Yadav & Ors. Vs. UOI & Ors is pending in the Hon'ble CAT, PB, New Delhi and this Directorate is defending the case on behalf of all respondents inter-alia on the aforesaid grounds mentioned in para-3 above and the matter is sub-judice.

5. In view of foregoing, the competent authority after careful consideration has come to the conclusion that the matter is sub-judice and may be considered after the decision from the Hon'ble Court of Law.

This issue with the approval of the Respondant No. 3.



(Ajaya Kumar K.P.)
Deputy Director (Admn.)
For Director General

Sh. Umesh Chandra, President
Association of Radio & Television Engineering Employees
Room NO.542, DD Archive,
Akashwani Bhawan, New Delhi-110001.

Deepak Sudhakaran, Technician
All India Radio, Mumbai
R/o Type 3/21, HPT, All India Radio Staff,
Quarters, Marve Road, Malad West, Mumbai-400095.

Through their Head of Station/Head of Offices. It is also requested to furnish the compliance report to this Directorate immediately.

Copy with request to serve the applicant under intimation to this Directorate to:

1. Doordarshan Kendra, Delhi, Tower-II, Doordarshan Bhavan, Copernicus Marg, Mandi House, New Delhi-110001.
2. All India Radio, Broadcasting House, H.T.Parekh Marg, BX No.2024264, Mumbai.
3. The Dy. Director (Admn.), DG: Doordarshan, Mandi House, Copernicus Marg, New Delhi.
4. DD Archive.

P.T.O.

No. 8/1/2015-SIV(A) Dated 07.02.2015

Copy also to:

1. The Under Secretary, (Kind attn. Sh. Sanjay Dhar, US) BA(E)-Section, Ministry of I&B, Shastri Bhawan, New Delhi.
2. The Director (Pers.), Prasar Bharati Secretariat, PTI Building, New Delhi w.r.t. D.O.No.C-PB/1/7/2015/LC dated 23.01.2015.
3. O/o ADG (E) (NZ), AIR & TV, Jam Nagar House, Shahjahan Road, New Delhi-110011.
4. O/o ADG (E) (WZ), AIR & TV, Olf CGO Building, 3rd Floor, 101 M.K.Road, Mumbai-400020.
5. All Zonal Heads of AIR & DDn.
6. A copy may be posted on the Airnet



Deputy Director (Admn.)