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आकाशवाणी एवं दूरदर्शन तकनीकी कर्मचारी संघ
A.I.R. & D.D. Technical Employees Association

(भारत सरकार द्वारा पंजीकृत एवम् मान्यता प्राप्त)
(Registered and Recognised by Govt. of India)

No. 2298/63

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Letter No. TEA/2016/CEO(PB)/06

Dated: 20/09/2016

Chief Executive Officer

Kind attention: Dy. Director (Pers/Parl)

PTI Building, Sansad Marg

New Delhi - 110001

Subject: - Comments on proposed adoption of CCS (RSA) Rules, 1993 by Prasar Bharati

Sir,

On the subject noted above, on behalf of our association, we wish to submit the following comments:-

- 1) CCS (RSA) Rules, 1993 were framed by Govt of India and circulated by DoPT's O.M. No. 2/10/80-JCA dated 09/11/93.
- 2) Amendment in Section 11 of Prasar Bharati Act, 1990 came to effect on 08/03/2012 whereupon status of Central Govt. employees was conferred on officers and employees of AIR & Doordarshan. Accordingly, all officers and employees appointed on or before 5th of October, 2007 shall be on deemed deputation to the corporation w.e.f. 01/04/2000 or the date of their joining service, whichever is later and until their retirement.
- 3) According to Section 11(5) of PB Act, 1990, all officers and employees recruited on or after 05/10/2007 shall be officers and employees of Corporation & shall be governed by such conditions of service as may be specified in the regulations.
- 4) Recognition was granted to 10 service associations of AIR & DD vide Ministerial communication No. B-12017/1/99-Adm III (Vol.IV) dt. 06/03/2013 and since then all 10 associations are being governed by CCS (RSA) Rules, 1993.
- 5) From the legal provisions/contentions enumerated above, it is clear that the employees appointed on or before 05/10/2007 are Central Govt. employees and their respective associations are already being governed under CCS (RSA) Rules, 1993, framed by Govt of India.
- 6) In such a backdrop, if the Prasar Bharati wants to adopt RSA Rules in pursuance of PB Board's decision taken in its meeting dated 09/01/2016, our association has strong objection if the employees inducted into service on or

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before 05/10/2007 are brought within its ambit because such a cut-off date to label & distinguish the two types of employees has been brought into existence by the Hon'ble Parliament of India by amending the law on the subject. Such a distinction cannot be expunged by Board's decision.

- 7) As such the Prasar Bharati can frame whatever rules for its employees and their service associations, if any, it deems fit. Under such circumstances, respecting the collective will of the employees of Central Government, it is requested that Prasar Bharati may exclude the aforesaid employees & their respective associations out of the purview & scope of PB (RSA) regulations, 2016 by making suitable amendments at the places indicated below :-
 - a) Section / Clause 2 (iii)
 - b) Section / Clause 4.
 - c) Section / Clause 8.
- 8) Further, many decisions taken by Prasar Bharati with regard to the service matters of the employees are biting dust and it is the Ministry who takes a final call on all such matters. Service associations of the employees form a bridge between them and the administrative ministry i.e. MIB. In other words, the employees of Govt are connected with Ministry through an umbilical cord and Prasar Bharati should not attempt to cut it.
- 9) If the request of association(s) is not heeded to, it will further create unrest in the minds of employees who already perceive that their relations with establishment are far from normal.
- 10) Before taking any decision on the issue under reference, a joint meeting between any responsible officer of Prasar Bharati Establishment with all the 10 recognized associations who are stake-holders in the matter, may be arranged.

It is prayed accordingly.


(PAWAN KUMAR KOHLI)
General Secretary