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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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Ref. No.: ADTEA/2017/006

Date : 21/08/2017

To

The Chief Executive Officer,
(Kind Attn.: Shri. V.K. Gupta, Deputy Director, PBRB)
Prasar Bharti (Broadcasting Corporation of India),
Copernicus Marg, New Delhi-110001

Subject : Draft Notification of Prasar Bharti (Broadcasting Corporation of India)
(Subordinate Engineering Posts)) Recruitment Regulations, 2017- circular
dated 24.07.2017 – Comments from the stakeholders - Regarding.

Respected Sir,

With warm regards, This association wants to draw your kind attention to PB circular No.: N-10/001(1)/2015-PBRB dated 24.07.2017 through which your kind office has circulated a draft notification regarding Subordinate Engineering posts. This notification is entirely different and far-far away from the earlier circulated draft notification No.: A-10/66/2010-PPC dated 16.08.2016 (regarding Subordinate Engineering Services).

If we analyse both the proposals' (i.e. dated 24/07.2017 and dated 16.08.2016), we feel that, in AIR and DD, in every newly proposed notification for restructuring, recommendations are made a new records of down gradation from the previous one. In every organisation, in restructuring, employees get benefits in upward direction but in AIR and DD we are harshly beaten since last 20 years or more in the name of cadre restructuring.

Hence, Sir, For the proposed draft notification dated 24.07.2017, being the stakeholders, as the RRs may have impact on the existing Subordinate

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Engineering Employees working on Deemed Deputation in PB, we want to submit our view as follows-

- 1) That is, in the proposed draft notification (i.e. dated 24.07.2017), the pay scales for proposed posts are one grade (pay) down from the present emoluments which are being given to the employees pre 05.10.2007 (i.e. the central Govt. Employees working in Prasar Bharti on deemed deputation). Though, these scales are for the employees who are post 05.10.2017 employees (i.e. recruited by Prasar Bharti), But this is the clear violation of '**Right to Equality' under article-14 of The Constitution of India**. This is also against the principle of "one cadre one pay" even if the employees are recruited by different source.

In the Judgement dated 07.09.2010 by Hon'ble High Court Delhi in W.P.(C) No. 2071/2007, UOI & Anr Vs Sanjay Kumar and Ors; in W.P.(C) No. 2094/2007, UOI & Anr Vs Mahender Singh Rana; in W.P.(C) No. 2095/2007, UOI & Anr Vs Lalit Kumar Pawar & Ors and in W.P. No. 3410/2010 DG:DD Vs Neeraj Bhanot dismissed the writ petitions filed by UOI and DG:DD in the light of para 11 & 12 which states-- "**Para 12 states - In a somewhat different factual setting, In the decision reported as 1987(1) SCC 592 M.P.Singh Vs. UOI & Ors. It was held that where employees enter the cadre from two different sources, if they do the same work and are similarly placed, there can be no discrimination in payment of wages.**" (Enclosure 01)

- 2) That is, Merged cadre of Engineering Assistant, Senior Engineering Assistant and Assistant Engineers should be renamed as **Broadcast Engineer** with Degree in Engineering at entry level minimum qualification w.e.f. 1.1.96 as per the recommendation of Vth pay Commission, in the pay scale Rs.6500-10500, corresponding grade pay of Rs.4600/- in PB -2 in VI pay commission.

This association also demands that the present incumbents who are holding Diploma Qualification should be treated at par with Degree qualification for promotional avenues in future as it was

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recommended by various cadre review committees (headed by Shri. R. K. Singh CE (D) and others CRR Committee).

- 3) That is, Promotional channel from merged cadre of EA, SEA and AE (i.e. Broadcast Engineer) should be to the post of S.T.S. cadre in the grade pay of Rs.6600/- (as per 6th pay commission) as analogous to CCW AIR and News reader cum Translator (NRT) within our own department. (Enclosure 2 & 3)
- 4) That is, For Senior Broadcast Engineer (erstwhile AEs), method of recruitment is given as "Note 2: The vacancies arising in a particular year shall be filled up by two categories of employees in the feeder grades, i.e. the Govt. servants on Deemed Deputation to the corporation and the officers and employees of the corporation, as may be notified by the corporation".
This should be omitted from the draft proposal dated 24.07.2017.
- 5) Mode of recruitment to the post of Broadcast Engineer :----
 - i) 50% by direct recruitment.
 - ii) 50% by seniority cum fitness from junior broadcast engineer, with 8 years regular service.
- 6) The Applicability of merged cadre :- The merger should be effective from 01.01.1996. Any deviation from this can create strong unrest among employees and can invite large number of litigations. Because through Vth pay commission, the pay scales of these three cadres (EA/SEA/AE) are merged into one scale i.e. Rs 6500-10500. This is also approved by Patna CAT Bench in OA 514/2002, which is further upheld by Apex Court. ~~Enclosure 2~~
- 7) For the merged cadre of Tech. and Sr. Tech. in pre revised scale of Rs5000-8000 i.e. grade pay of Rs. 4200/- :- Merged cadre of Technician and Sr. Technician should be renamed as Jr. Broadcast Engineer with Diploma in Engineering as entry level minimum qualification w.e.f 01.01.1996 as per the recommendations of Vth pay commission with grade pay of Rs. 4200/-.

This association also demands that the present incumbents who are holding ITI Certificate Qualification should be treated at par with Diploma qualification for promotional avenues in future as it was

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recommended by various cadre review committees (headed by Shri. R. K. Singh CE (D) and others CRR Committee).

- 8) That is, Merger of Tech. and Sr. Tech. in the grade pay Rs. 4200/- in PB II should also be taken simultaneously, since after the implementation of pre revised scale of Rs. 5000-8000 in pay parity with Lighting Assistant, all Tech. and Sr. Tech. will be placed in Rs.4200/- Grade Pay. Therefore merger of Tech. and Sr. Tech. in Grade Pay Rs.4200/- with designation *Junior Broadcast Engineer* is essential as per proposal sent by DG: AIR.
- 9) Mode of recruitment to the post of Junior Broadcast Engineer :—
- iii) 50% by direct recruitment.
 - iv) 50% by seniority cum fitness from **Broadcast Technician**, with 8 years regular service.
- 10) That is, Post of Broadcast Technician should be in the grade of Rs. 2800/- with ITI trade certificate as entry level minimum qualification.
- 11) Acute Stagnation in EA and SEA cadres should be removed:— In Cadre Review Exercise in 2002 an effort has been made to remove the acute stagnation by a high level committee headed by CE Development Shri. P. K. Bansal. As a onetime exception all vacant post of ADE should be filled by qualified broadcast Engineers.
- 12) Acute Stagnation in Technician and Sr. Tech., Mast Tech., Diesel Tech., & promottee EA/SEA cadres should be removed:— In cadre review exercise by P.K.Bansal committee in 2002, an effort was made to remove stagnation, as per 25.02.1999 letter of Mo (I&B). 2946 posts of Tech., 1680 posts of Sr. Tech., 140 posts of Diesel Tech., 70 posts of Mast Tech., 130 posts of Diesel Engine Driver, 1312 posts of Helpers exist in the department. We strongly suggest looking into this aspect as an effort to remove stagnation in these cadres. There are thousands of employees who have not even got a single promotion after 25+ years of meritorious service. We suggest that as proposed to fill up these posts of Broadcast Engineers as one time exception based on Seniority from these cadres of Tech., Sr. Tech., Mast Tech., Diesel Tech. and promottee EA/SEA. When these promotions will take place, it will reduce financial burden on the department as

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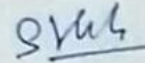
higher responsible duties will be taken by less payee staff and will also motivate staff to work more efficiently. (Enclosure 04)

Hence in the light of above submissions, kindly consider above facts for finalising the RRs mentioned in the proposed cadre restructuring. We will be grateful to you to give us an opportunity for the presentation regarding our demands. For your kindness our association would be grateful to you and your kind office forever.

Thanking you sir.

Enclosures: (04) as stated above.
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Yours Faithfully



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