

# Association of Prasar Bharati Engineering Employees

**(APBEE)**



Regn. No. S/2612/Disst.South/2018

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Ref. No. **APBEE/2021/032**

Date **28.12.2021**

**Sh. Shashi Shekhar Vempati,**  
**Chief Executive Officer, Prasar Bharati,**  
**Prasar Bharati House, Copernicus Marg,**  
**New Delhi-110001**

**Subject: Reminder Representation regarding anomalies in Promotion policy of Engineering Assistant who were appointed after 05/10/2007.**

## **Reference:**

1. Gazette Notification of the Prasar Bharati (Broadcasting Corporation of India) Amendment Act, 2011.
2. Gazette Notification of the Prasar Bharati (Broadcasting Corporation of India Engineering Assistant Recruitment Regulations and Technician Recruitment Regulations 2013.
3. Gazette Notification of the Prasar Bharati (Broadcasting Corporation of India) Recruitment of Officers and Employees of the Corporation Civil Construction Wing, Civil Electrical posts, Prasar Bharati Engineering Service, Sub ordinate Engineer post Regulations 2016
4. The Assistant Engineers (Akashvani and Doordarshan Group 'B' Post) Recruitment Rules 1982
5. Prasar Bharati letter number No. A-10/66/2010-PPC regarding proposal of EA and SEA merger.
6. DG: AIR letter number 1/7/2010-SIV(B) regarding minutes of the meeting of committee held under chairmanship CE(D).
7. Previous Representation regarding anomalies in Promotion policy of Prasar Bharati Engineering Employees.

Respected sir,

With due regards, we want to bring your kind attention on the serious issues of stagnation in promotion of Engineering Assistant recruited after 05/10/2007. Sir, we have already given our representation in this regard on dated 21/8/2020, 20/10/2021 but unfortunately no concrete steps have been taken by the administration to solve this problem. As you might be aware that in subordinate cadre of Prasar Bharati Engineering there are five cadres Technician, Senior Technician, Engineering Assistant, Senior Engineering Assistant and Assistant Engineer. We want to highlight some discrepancies and anomalies in Recruitment Regulations of these cadre especially Assistant Engineer cadres which need to be rectified:

**Background and Facts:**

1. As per Prasar Bharati (Broadcasting Corporation of India) Act , 1990, as amended ,there are two categories of officers and employees working in the corporation, viz government servants on deemed deputation to the corporation who were appointed on or before 05/10/2007, coming under section 11(2) working for Prasar Bharati and second one are Prasar Bharati Employees who were appointed after 05/10/2007 coming under Sec 11(5) of Prasar Bharati act.
2. The act also lays down that all posts in erstwhile Akashvani and Doordarshan other than the posts borne on the strength of the cadre of the Indian Information Service, the Central Secretariat Service or any other cadre outside Akashvani or Doordarshan shall be deemed



to have been transfer to the corporation with effect from the first of April 2000.

3. The posts occupied by the officers and employees on deemed deputation and officers and employees of the corporation are common and no percentage have been prescribed for any category of officers and employees. While the recruitment and service conditions of the officers and employees on deemed deputation to the corporation are governed by the Recruitment Rules notified by the Ministry of Information & Broadcasting, the recruitment and service conditions of the employees and officers of Prasar Bharati appointed after 05.10.2007 are governed by Recruitment Regulations notified by the corporation under the Prasar Bharati Act.
4. **Status of Framing of Recruitment Regulations for PB Engineering Employee:**

- a) In brief, Recruitment Regulations for bulk of categories of Prasar Bharati employees were notified in 2001 and 2002 with the approval of Ministry of I&B. However, consequent upon amendment to Prasar Bharati Act in 2012, Recruitment Regulations for all categories of employees were required to be notified de-novo. Consequently, in exercise of the powers conferred by section 9 and sub-section (5) of section 11 read with clause (d) of sub-section (2) of section 33 of the Prasar Bharati (Broadcasting Corporation of India) Act, 1990 (25 of 1990), the process of framing of fresh Regulations for Prasar Bharati employees was initiated in 2013. As a result, Recruitment Regulations for 6 categories of posts, viz. Engineering Assistant, Head Clerk/Assistant, Technician, Cameraman Grade-I1, PEX and TREX were notified in 2013.

- b) For the Recruitment Regulation of Assistant Engineer post a notification titled Prasar Bharati (Broadcasting Corporation of India) Recruitment of Officers and Employees of the Corporation Civil Construction Wing, Civil Electrical posts, Prasar Bharati Engineering Service, have been issued by Prasar Bharati in the gazette of India on 11-11-2016 mentioned at Reference 3, According to this notification Recruitment Regulations of the post of Assistant Engineer adopted as The Assistant Engineers (Akashvani and Doordarshan Group 'B' Post) Recruitment Rules 1982 mentioned at reference 4, according to this Regulation the eligibility for consideration for promotion shall be as follows:
- (i) Senior Engineering Assistants, with 3 years' regular service in the Grade,
  - (ii) Failing point (i), above, Senior Engineering Assistants with 8 years' regular service in the grade of Senior Engineering Assistant and Engineering Assistant combined together.
- c) In subordinate engineering cadre there are five post from Technician to Assistant Engineer in which Prasar Bharati has notified Recruitment Regulations of three post Technician , Engineering Assistant and Assistant Engineer after suppression of the Prasar Bharati (Broadcasting Corporation of India) (Junior Engineering Posts) Service Regulations, 2002. **But there are no specific Recruitment Regulations of Senior Engineering Assistant and Senior Technician posts after Prasar Bharati (Broadcasting Corporation of India) Amendment Act 2012.**



## **5. Administrative Difficulties to Frame Recruitment Regulation of SEA Post:**

A proposal for merger of the posts of Senior Engineering Assistant and Engineering Assistant in the Subordinate Engineering cadre of AIR and Doordarshan has been made by Prasar Bharati to the Ministry of 1&B mentioned at reference 6.

This draft proposal is finalized after suggestion by committee held under the chairmanship of CE(D) on 19.4.2010 , minutes of meeting is mentioned at reference 6 . According to this minutes of meeting the recommendations of committee are as under

### **A. Duties and Responsibilities of EA and SEA :**

As per Doordarshan manual duties and responsibilities of EAs & SEAs are same. However in AIR manual, the duties and responsibilities are given separately. But in today scenario, for all practical purposes, both EAs & SEAs are performing same duties and responsibilities. Accordingly necessary change proposed in AIR manual by committee in annexure 1. Hence it is proposed by committee that all officials i.e EAs and SEAs if merged will have same duties and responsibilities.

### **B. Departmental competitive Examination for Promotion to the Cadre of AE:**

After merger of SEA and EA, the merged post will be a direct recruited post and may be called - "Broadcast Engineer. They will be eligible for appearing in the Limited Departmental competitive Examination (LDCE) for the post of Assistant Engineer after 8 years of service in the Broadcast Engineer/s post.

**C. Recruitments Rules in respect of Merged post of EA and SEA (To be called as 'Broadcast Engineer'):**

The scale of pay of the merged posts of EAs and SEAs i.e. Broadcast Engineer will be Rs.9300- 34800 (Grade pay Rs. 4600/).

This Proposal is send by Prasar Bharati to Ministry of Information & Broadcasting (MIB) in 2011 and several reminders also sent but presently this matter is pending in the Ministry. Following conclusion can be drawn by this proposal and minutes of meeting

- i. Duties and responsibilities of EAs and SEAs are same
- ii. Pay scale of both post EA and SEA are same.

In result of this it can be observed that after amendment of Prasar Bharati Act in 2012 Prasar Bharati issue Gazette notification of Recruitment Regulation of Engineering Assistant Post and Regulation for the post of Senior Engineering Assistant not be notified.

**Grounds:**

- 1. Because** the absence of proper Recruitment Regulations of SEA, Engineering Assistants who are recruited after 05/10/2007 are unfairly excluded in ongoing DPC of EA to SEA but some EAs who are promoted from senior Technician after 05/10/2007, are included in ongoing DPC of EA to SEA. **In result of this, EAs who were appointed after 05/10/2007 cannot be promoted as SEA due to which they will be fail to fulfill eligibility for consideration for promotion of Assistant Engineer. Hence Recruitment Regulations of Assistant Engineer according to Gazette notification 2016 will neither be applicable nor beneficial for**



**Prasar Bharati Engineering employees who were appointed after 05/10/2007.**

2. Because the arbitrary distinction which is being sought to be drawn is that promotion to the higher post would be granted to those EAs who joined on or before 05.10.2007 but according to PB Act and gazette notification 2016 mentioned at reference 3, Promotion at any post should be by two categories of Employees one is Deemed Deputation employees working for PB under sec 11(2) and Prasar Bharati employees under sec 11(5). But unfortunately only one category of employees under sec 11(2) are getting promotion and Prasar Bharati engineering employees who were appointed after 05/10/2007 ,are deprived from Promotion.
3. Because the action of the Department in discriminating between two sets of employees working in the very same post / cadre and therefore performing identical duties merely on the ground that one set of employee had joined earlier. This is blatant violation of Article 14 and 16 of the Constitution of India as well as settled law laid down by various courts.
4. Because of facts explained above Engineering Assistants who were appointed after 05/10/2007, cannot be promoted at present situation. The concerned section of Prasar Bharati replied in an RTI that the Recruitment Regulation for the promotional post of Engineering Assistant recruited after 05/10/2007 have not been notified /framed so far.
5. Because it is mentioned in PB Act and gazette notification 2016 at reference 3, Promotion at any post should be by two categories of Employees one is Deemed Deputation employees working for PB under sec 11(2) and Prasar Bharati employees under sec 11(5). But unfortunately only one category of employees under sec 11(2) are

getting promotion and Prasar Bharati engineering employees who are recruited after 05/10/2007 are deprived from Promotion.

6. Because the department were required to make suitable amendment in the (Akashwani & Doordarshan Group 'B' posts) Recruitment Rules, 1982 to make the same workable for promotion of EAs to the post of Asstt. Engineers. In the said RRs of 1982, it has been provided that SEA with 3 years of regular service and SEA with 8 years combined service as SEA & EA are eligible for promotion to the post of Asstt. Engineer. When there is no post of SEA in Prasar Bharati and EAs appointed after 05/10/ 2007 have not been treated eligible for promotion to the post of SEA, how could the EA be considered for promotion as Asstt. Engineer in terms of clause 3 (6) of Prasar Bharati (Broadcasting Corporation of India) Recruitment of Officers and Employees of the Corporation Regulations, 2016. In view of aforesaid anomalous situation, the Recruitment Regulation of Assistant Engineer as referred above was also required to be amended suitably while adopting the same vide notification dated 11.11.2016.
7. Because the Department has already sent the proposal of merger of EA and SEA posts to Ministry on the basis of equal pay scale, Duties and responsibilities, therefore, if an employee is promoted from EA to SEA post, then he will neither get any financial benefit nor hierarchical benefit. In result of that department did not notify any Recruitment Regulation of next Promotional post to EA.
8. Because EA post is equivalent to junior Engineer of other department like CPWD, CCW and other engineering department and as you might aware next promotional post of Junior Engineer is Assistant Engineer in most of Department.



9. Because in clause(d) of sub-section (2) of Section 33 of Prasar Bharati Act , Prasar Bharati has given power to make Recruitment Regulation for Prasar Bharati employees who comes under section 11(5) of Prasar Bharati Act . Hence in exercise of above power Prasar Bharati may notify Recruitment Regulation of Assistant Engineer as a next promotional post of EA for Prasar Bharati employees comes under section 11(5) of PB act.

**Prayer for Relief:**

In view of the facts and submission as made herein above, it is most respectfully prayed that

- i. It is requested to your high office to stop ongoing DPC of EA to SEA promotion until formation of Proper Recruitment Regulation of next promotional post of Engineering Assistant recruited after 05/10/2007.
- ii. It is requested to amend Recruitment Regulation of post Assistant Engineer and amend the eligibility for promotion for Assistant engineer and allow Engineering Assistant (who are recruited after 05/10/2007) with eight years of service to give LDCE exam / SCF for Promotion for the Post of Assistant Engineer.
- iii. If above point are not feasible then grant same pay scale to Prasar Bharati Engineering Employees as central government employees on Deemed Deputation working for Prasar Bharati, inclusion of names in single seniority list and promotions to Prasar Bharati Engineering Employees who recruited after 05.10.2007 equivalent to central government employees on deemed deputation working for Prasar Bharati.

Our association is ready to give a presentation on this issue to put forth our valid points if an appointment may be given by your kind office.

**Thanking you in anticipation.**

**Sincerely Yours.**

*Hari Pratap*  
28/12/2021  
**(Hari Pratap Gautam)**

**President, APBEE**

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Encl: As above

Copy for Kind Consideration

1. Shri N.V Ready, DG: AIR New Delhi.
2. Shri Mayank Agrawal, DG: DD New Delhi.
3. Ms Mukta Goel, ADG (HR) AIR& DD, PB New Delhi.
4. Shri Manish Chugh, ADG (Admin) , Prasar Bharati New Delhi.
5. Shri Atul Gupta, ADG (Admin) North Zone Delhi.
6. Shri Rajesh Jain, ADG (Admin) West Zone Mumbai.
7. Shri S. RamChandran, ADG (Admin) South Zone Chennai.
8. Shri S.K Arora, ADG (Admin) East Zone Kolkata.
9. Shri Ashish Bhatnagar, ADG (Admin) North East Zone Guwahati.
10. Shri Sanjeev Saxena, DDG (PBRB), Prasar Bharati New Delhi.