



United We Stand

**UNION OF AKASHVANI & DOORDARSHAN (PRASAR BHARATI)
ENGINEERING EMPLOYEES (UADEE)**

(Registered under Trade Union Act, 1926; Regn. No. 5135)

Head Quarter : C-4 D/ 81 B, Janakpuri, New Delhi-110 058

visit our website: <http://www.uadee.org>

NEW DELHI , 21th February, 2011

**DRAFT RESOLUTION OF
2ND CENTRAL CONFERENCE & AGM OF UADEE**

1. Repeal/Amendment to section 11 of Prasar Bharati Act, 1990:

Although the demand of a section of employees to repeal the Prasar Bharati Act, 1990, has been rejected out rightly by the government, but an Amendment Bill-2011, to amend Section 11 of Prasar Bharati Act, 1990, was introduced in Rajya Sabha during last monsoon session of Parliament in isolation, is also a matter of grave concern. UADEE resolved to oppose the amendment in its present form and suggest that a provision may be incorporated in Section 11 itself i.r.o those existing Govt employees who opt to work in Prasar Bharati on deemed deputation as per DoPT norms along with amendment of other relevant provisions.

2. Framing of Recruitment Rules & Service Conditions of Prasar Bharati:

The house expresses its serious concern on inordinate delay in framing of Recruitment Rules & Service Conditions for Prasar Bharati employees as envisaged in Section 11 of the Act, resulting into chaos, confusion & feeling of insecurity in the mind of the employees. It is resolved to pursue the matter with Prasar Bharati management & the Government for finalization of Recruitment Rules & Service Conditions immediately by taking the employees into confidence.

3. Implementation of Judgment of Patna High Court in ACP case:

The decision dated 7th September, 2009 of Hon'ble Central Administrative Tribunal, Patna had been duly upheld by Hon'ble High Court, Patna by order dated 25th August, 2010 in CWJC No.6451 of 2010 and also by Hon'ble Supreme Court of India, very recently, by order dated 10.01.2011 in SLP(C) No. CC 20212 of 2010 giving finality to the case. It is needless to mention here that the decision is lawfully applicable to all the similarly situated and direct recruit category of EA/SEA/AE of AIR & Doordarshan. It is resolved to insist the Government & Prasar Bharati to implement ACP scheme of 1999 for EA/SEA/AE categories immediately and also i.r.o Helpers, Technicians, DED, Diesel Technicians, Mast Technicians and Sr. Technicians in subordinate engineering services.

4. Implementation of Judgment of Delhi High Court on Pay Parity for new EAs:

The High Court of Delhi vide its order dated 7th September, 2010 pronounced the judgment in the matter of one Pay Scale for One Cadre. While disposing of the appeal,

the Hon'ble Court quoted various verdicts of Hon'ble Supreme Court that for employees holding same post and doing same work, there being no ground to classify the same as two categories. The said judgment was challenged by the department in apex court by filing SLP, which was also rejected on merits in the recent past. The House therefore, resolved to pursue the matter with all concerned to maintain parity of pay between incumbents and newly recruited EAs in AIR & DD.

5. Promotional Avenue & Career Prospect:

The house after threadbare discussion strongly felt that due to lack of timely administrative action, the DPCs for STS to JAG, JTS to STS, AE to JTS and SEA to AE promotions are getting delayed, resulting into litigations at the cost of public exchequer, which also adversely affects the promotional & career prospect of rest of the cadres in subordinate engineering service. It is therefore, resolved to demand for holding DPC for promotions every year in respect of all cadres strictly as per time frame of DOP&T.

6. Restoration of mailing list:

The house strongly condemns the action of DG:AIR for pursuing unfair labour practice in gross violation of existing Rules of the govt. regarding recognition of service Associations/Unions and demanded action against all those guilty officers who have been illegally favouring, promoting and patronizing non recognized Associations to discourage the membership of UADEE with ill intention to continue their corruption & maladministration. The house after thorough discussion regarding arbitrary withdrawal of name of UADEE from mailing list of DG:AIR, has resolved to explore the possibility for both administrative & legal action to restore the *status quo* of mailing list which existed prior to withdrawal of the name of UADEE.

7. Organizational matters:

It was discussed in the house to strengthen the Trade Union movement in Prasar Bharati, which comes under the purview of Industrial Dispute Act, 1947 in accordance with the Supreme Court judgment. The house therefore, resolved to go for membership drive aggressively throughout the country by informing, educating and creating awareness among the staff members about the advantage of Trade Union activities, its legal immunity and various provisions in Industrial Dispute Act to safeguard the interest of workmen. The house further decided unanimously to procure a three-in-one i.e. Printer, Scanner & Fax for regular use of UADEE, so that day to day works of central office can be done smoothly. The house also strongly felt for strong unity among the members and office bearers of UADEE to fight against corruption, intentional harassment and victimization in the matter of transfer/posting.



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NEW DELHI , 22th February, 2011

**REPORT OF THE 2ND CENTRAL CONFERENCE
& ANNUAL GENERAL MEETING (AGM)**

The 2nd Central Conference & AGM of UADEE was held on 21st & 22nd February, 2011 at New Delhi. The Conference has begun with the flag hoisting of Union by **Shri Bachchu Singh Meena**, President of UADEE followed by formal inauguration of the Conference & AGM on 21-02-2011 by **Shri V. Shivakumar**, Member (Personnel), Prasar Bharati as Chief Guest and **Shri Achintya Sinha**, National Secretary of All India United Trade Union Centre [AIUTUC] as Guest of Honour at STI (T) Hostel Premises, AIR & Doordarshan, Delhi in Presence of a good number of delegates & observers who attended the two days events of Conference & AGM from different parts of the country along with the CWC members & local volunteers of UADEE, besides few distinguished guests & leaders of **Akashvani & Doordarshan Employees' Federation (ADEF)** and **Joint Platform of Action (JPA)** of central government & associates employees, where UADEE is also a constituent union. **Shri Debashis Chowdhury**, General Secretary, welcome the visiting dignitaries, guests & delegates.

While delivering inaugural speech, **Shri V. Shivkumar** said that the Prasar Bharati Board on the direction of the government has taken initiative to suggest comprehensive amendment to Prasar Bharati Act, 1990 as well as to finalize the Recruitment Rules (RR) & Service Conditions for Prasar Bharati employees after taking the existing employees into confidence. He further said that UADEE has already been invited by Prasar Bharati management very recently to discuss these issues. He also stressed the need to continue such dialogue with the UADEE to maintain industrial peace in Prasar Bharati.

Shri Achintya Sinha, in his speech, highlighted the grey areas of economic reform & policies of the government, which has not only created public out cry in the country, but also tremendous economic and others man-made hardships for the working class people too due to creation of new pension scheme to the disadvantage of the working class. He also strongly criticized the government for insisting Prasar Bharati management to adopt hire & fire policy by keeping the thousands of vacancies unfilled for years after years, so that these vacancies are lapsed automatically and the privatization process can be started by the government in future. **Shri Sinha** expressed

his support & solidarity towards the ongoing struggle of UADEE in protest against unfair labour practice in AIR & Doordarshan and other issues.

Shri Sangam Thakur, Secretary General, ADEF praised UADEE for organizing such an event in Delhi at this very crucial juncture when Broadcasting Corporation of India Bill, 2010 is pending for amendment in Section 11 of Prasar Bharati Act, 1990 in Upper House (Rajya Sabha) of Parliament, contrary to the fact that the amendment, if takes place, will snatch away the democratic rights of the existing employees to exercise option, which is the present rule in the government.

At the beginning of inaugural session, **Shri Bachchu Singh Meena** narrated the miserable plight of the employees of AIR & Doordarshan due to lackluster and casual approach of Prasar Bharati management, resulting into frequent disturbances of industrial peace and unrest among the employees. The inaugural session of 2nd National Convention was followed by delegates' session of AGM where among other issues, **implementation of ACP Scheme of 1999** in the light of Hon'ble Patna High Court judgment, **holding of regular DPCs** for promotions from Helpers to Station Engineers, **streamlining of transfer policy, framing of better Recruitment Rules & Service Conditions** for implementation of Section 11 of Prasar Bharati Act, 1990 in its true spirit and **amendment to section 17** of Prasar Bharati Act, 1990 with an aim at ensuring complete funding to Prasar Bharati from the cess of the central government were discussed thoroughly in addition to organizational matters and resolutions also have been adopted accordingly to take up these issues on priority basis with the central government and Prasar Bharati management for speedy redressal of the grievances. The aims & objectives of ADEF was also discussed threadbare to achieve the common goal of all section of employees working in Prasar Bharati Corporation, which is a reality now, since repeal of Prasar Bharati Act, 1990 as demanded by a section of employees under the banner of NFADE was rightly rejected by the government in the recent past.

After the marathon deliberation on various issues on the first day of the delegates' session, the second day was marked by election of new office bearers of CHQ, Zonal & State offices for the term 2011-2013 by voice votes followed by the inauguration of valedictory & colorful cultural session of 2nd Central Conference & AGM of UADEE at 06-30 p.m evening on 22-02-2011 in Mukta Dhara Auditorium, New Delhi by **Shri A.K.Jain**, Member (Finance), Prasar Bharati. **Shri R. Vidya Sagar**, E-in-C, AIR, **Shri Prakash Javdekar** and **Shri Syeed Azeez Pasha** both the Hon'ble Members of Parliament, and **Shri Suhash Borkar**, Convener, Jan Prasar, an NGO, graced the occasion. There was encouraging crowd in the auditorium.

Shri Ram Gopal, Convener of 2nd National Convention welcome the visiting dignitaries & guests in the valedictory & cultural function followed by the explanatory speech of **Shri Bachchu Singh Meena** who apart from other burning issues, also highlighted the sequence of events since last one decade leading to frequent breach of privilege due to inordinate delay in framing RRs & Service Conditions of the corporation. As a result, the predicament of uncertainty and insecurity in the matter of service career of the employees as also the existence of Prasar Bharati itself without implementation of various provisions of the Act due to lack of political will of all

successive government for quite substantial time of more than 13 years from its inception, has totally changed the prospect of Prasar Bharati. There is even no clarity in grievance redressal mechanism and policy making by the Prasar Bharati Board. Both the Directorates of AIR and Doordarshan have been openly flouting with the Rules.

The Hon'ble members of Parliament **Shri Prakash Javdekar** and **Shri Syeed Azeez Pasha** also addressed the valedictory session and expressed their grave concern for non-implementation of Section 11 of Prasar Bharati Act, 1990 in its true spirit. They assured that any amendment to Section 11 in its present form will be strongly opposed by them along with other MPs in the Parliament to protect the interest of existing employees of AIR & Doordarshan who are the stake holders of Prasar Bhatati.

Shri Suhash Borkar, Convener, Jan Prasar, while releasing 'UADEE Impact', a Special Souvenir to commemorate the occasion of 2nd Central Conference of UADEE, has recalled those historic moment in the nineties when the Prasar Bharati Act was passed to free the AIR & Doordarshan from the clutches of the government, so that the Prasar Bharati, an Autonomous Public Broadcasting Corporation can function very effectively without any political interference. But with the changes of the governments at the centre due to political instability, the Prasar Bharati Act was dumped in cold storage for more than seven years and again it saw the light in Sept, 1997 through ordinance without strong political will, resulted into lot of complications, especially in the matter of employees' representation in the Prasar Bharati Board. He also strongly condemned the rampant corruption & loot of tax payers' money by a section of corrupt officers in Prasar Bharati. **Shri Borkar** assured his active support to the struggle of working class in AIR & Doordarshan to amend Section 17 of Prasar Bharati Act, 1990 for funding.

Shri Dipak Dholakia, working President of JPA also expressed his anguish against the move of the government to amend Section 11 of Prasar Bharati Act, 1990 to make the present '**deemed deputation**' status of the erstwhile government employees of AIR & Doordarshan into permanent one till their retirement on superannuation in gross violation of DOPT norms. He reiterated the demand of JPA for constitutional amendment to make Prasar Bharati a constitutional entity, so that the question of funding & privatization can be put on rest for ever. He also appreciated the efforts of UADEE to create public awareness against the detrimental amendment to Section 11 of PB Act and assured that JPA will come forward actively in support of the demand of UADEE.

Lastly, **Shri A.K.Jain**, Member (Finance), Prasar Bharati in his speech said that the need of the hour is to resolve the industrial disputes if any in Prasar Bharati through the collective bargaining mechanism in the greater public interest, so that contents of programme and technical quality of our Public Service Broadcasting are not adversely suffered in this era of stiff competition from private broadcasters. He also gave a ray of hope to the employees working in Prasar Bharati that they need not be worried about their monthly salary and payment of others dues, since the financial

health of Prasar Bharati is sound enough to meet the expenditure of estimated budget proposal for said purpose.

The valedictory session of 2nd National Convention & AGM of UADEE was also marked by the felicitation of few UADEE veterans & others Union activists for their struggle against exploitation and unfair labour practice along with few Service Associations & Trade Union which are engaged in long legal battle for the noble causes of working class in AIR & Doordarshan. **Shri B.K.Roy** and **Shri Sudhansu Kumar** from Patna, the representatives of ADDEA and **Shri Udai Kumar** from Chennai, the representative of BEEU graced the said conference of UADEE as special guests. They also enlightened the delegates of the conference about the present *status quo* and outcome of various cases. The following Trade Union activists were felicitated with mementoes presented by UADEE.

1. **Shri K.R.Tahiliani**, founder member of UADEE who retired in the year 2008.
2. **Shri J.P. Sengupta**, Zonal President, UADEE (EZ) who is retiring on 28th February, 2011.
3. **Shri Dipak Dholakia**, Working President, JPA who retired from AIR in the year 2009.
4. **Akashvani & Doordarshan Diploma Engineers' Association** [ADDEA], Patna..
5. **Doordarshan Engineering Employees' Welfare Association** [DEEWA], New Delhi, and
6. **Broadcasting Engineering Employees' Union** [BEEU], Chennai.

The cultural function of the convention has been inaugurated by **Shri A.K.Jain**, Member (Finance), Prasar Bharati, followed by Indian classical dances, group songs and solo performances by the students of Dev Gandhar School of Music, New Delhi. Smt **Madhumita Adok** wife of **Shri N.C.Adok**, AE of O/o DGDD, New Delhi also made her presence felt by performing two Hindi hit songs. The vote of thanks was offered by **Shri R.K.Verma**, Joint Convener followed by closing announcement.

---The End---

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