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STANDING COMMITTEE ON LABOUR

(2014-15)

(SIXTEENTH LOK SABHA)

MINISTRY OF INFORMATION AND BROADCASTING

**REGULARISATION OF CASUAL WORKERS/
ARTISTS OF RADIO KASHMIR, CBS RADIO KASHMIR
AND DOORDARSHAN KENDRA, SRINAGAR**

FOURTH REPORT



LOK SABHA SECRETARIAT

NEW DELHI

March, 2015/Phalguna, 1936 (Saka)

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ARTISTS OF RADIO KASHMIR, CBS RADIO KASHMIR
AND DOORDARSHAN KENDRA, SRINAGAR**

Presented to Lok Sabha on 18th March, 2015

Laid in Rajya Sabha on 18th March, 2015



LOK SABHA SECRETARIAT

NEW DELHI

March, 2015/Phalguna, 1936 (Saka)

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*** Not appended with this cyclostyled copy.**

COMPOSITION OF THE STANDING COMMITTEE ON LABOUR

(2014-15)

DR. VIRENDRA KUMAR-CHAIRPERSON

MEMBERS
LOK SABHA

- *2. Vacant
 3. Shri Rajesh Kumar Diwakar
 4. Shri Ashok Dohare
 5. Shri Satish Chandra Dubey
 6. Shri Devajibhai Govindbhai Fatepara
 7. Dr. Boora Narsaiah Goud
 8. Shri Rama Chandra Hansdah
 9. Shri C.N. Jayadevan
 10. Shri Bahadur Singh Koli
 11. Shri Kaushalendra Kumar
 12. Shri Hari Manjhi
 13. Shri R. Parthipan
 14. Shri Hariom Singh Rathore
 15. Shri YS Avinash Reddy
 16. Shri Naba Kumar Sarania (Hira)
 **17. Vacant
 18. Shri Kodikunnil Suresh
 ***19. Vacant
 20. Shri Mulayam Singh Yadav
 ****21. Chh. Udayan Raje Bhonsle
RAJYA SABHA
 22. Shri D. Bandyopadhyay
 23. Shri P. Kannan
 24. Shri Aayanur Manjunatha
 *****25. Vacant
 *****26. Shri Rajaram
 27. Shri G.N. Ratanpuri
 28. Haji Abdul Salam
 29. Shri Tapan Kumar Sen
 30. Shri R.K. Sinha
 ***** 31. Shri Ravi Prakash Verma

-
- * Vacancy occurred *vice* Shri Tariq Anwar nominated to Standing Committee on Personnel, Public Grievances, Law & Justice *w.e.f.* 11th September, 2014.
 ** Vacancy occurred *vice* Shri Giriraj Singh appointed as Minister for State *w.e.f.* 9th November, 2014
 *** Vacancy occurred *vice* Shri Kapil Krishna Thakur expired on 13.10.2014.
 **** Nominated *w.e.f.* 7th October, 2014.
 ***** Vacancy occurred *vice* Shri Ranbir Singh Parjapati resigned from the membership of Rajya Sabha *w.e.f.* 1st November, 2014
 ***** Re-nominated *w.e.f.* 8th January, 2015.
 ***** Nominated *w.e.f.* 29th January, 2015.

SECRETARIAT

- | | | | |
|----|------------------------|---|----------------------|
| 1. | Shri Devender Singh | - | Additional Secretary |
| 2. | Shri Ashok Sajwan | - | Director |
| 3. | Shri D.R. Mohanty | - | Deputy Secretary |
| 4. | Smt. Archana Srivastva | - | Under Secretary |

INTRODUCTION

I, the Chairperson, Standing Committee on Labour (2014-15) having been authorized by the Committee do present on their behalf this Fourth Report on 'Regularisation of Casual Workers/Artists of Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra, Srinagar'.

2. Based on the representation received from the casual/contract workers, announcers/artists (approx 300) of Doordarshan Kendra, Srinagar, Commercial Broadcasting Service (CBS) Radio Kashmir and Radio Kashmir, Srinagar, the Committee selected this Subject for detailed examination. The Committee took evidence of the representatives of the Ministry of Information and Broadcasting and Prasar Bharti Broadcasting Corporation on 31.10.2011; 30.01.2012; 30.10.2012; 29.05.2013 and 19.09.2014 and that of the Ministry of Personnel Public Grievance and Pensions (Department of Personnel and Training) on 29.05.2013.

3. The Committee considered and adopted the Report at their sitting held on 11th February, 2015.

4. The Committee wish to express their thanks to the representatives of the Ministry of Information and Broadcasting, Prasar Bharti Broadcasting Corporation and the Ministry of Personnel, Public Grievance and Pensions (Department of Personnel and Training) for tendering oral evidence and placing before the Committee the detailed written notes and post evidence information as desired by the Committee in connection with the examination of the Subject.

5. For facility of reference and convenience, the Observations/ Recommendations of the Committee have been printed in bold type in the body of the Report.

**New Delhi;
12 March, 2015
21 Phalgun, 1936 (Saka)**

**DR. VIRENDRA KUMAR
CHAIRPERSON,
STANDING COMMITTEE ON LABOUR**

REPORT**PART-I****I. INTRODUCTORY**

In exercise of the mandate conferred on the Standing Committee on Labour to examine various issues relating to the working conditions, health, safety, welfare and social security of the casual/contract/temporary workers in the Departments/Organizations under the administrative control of the Government of India, the Committee took up a representation, for detailed examination, received from the casual/contract workers, announcers/artists (approx 300) of Doordarshan Kendra, Srinagar, Commercial Broadcasting Service (CBS) Radio Kashmir and Radio Kashmir, Srinagar. The said representation *inter-alia* highlighted that these people worked for the Doordarshan Kendra, Srinagar, CBS Radio Kashmir and Radio Kashmir, Srinagar at the time of insurgency (during 1990 onwards) for different assignments like announcers, drivers, cooks, helpers, typists, programme staff, newsreaders etc. as regulars workers either left the State or stayed away from work due to insurgency. It was further stated that while engaging these casual assignees, they were promised that they would be absorbed in regular services in due course as they were risking their lives in serving these organizations and the nation. But

even after 20 years of continuous service in these organizations, they have not been regularized.

2. The gist of the important points contained in the above said representation is as under:

- (i) The casual assignees devoted the prime period of their lives to these organizations in the hope that they would be regularized. Now they are over-age and cannot apply or be considered for jobs elsewhere.
- (ii) They worked for so many years in these organizations but never got any social security viz. EPF or ESI benefits and other facilities.
- (iii) They are paid very low wages. There had been no criteria for dispensation of wages for similar nature of jobs. The casual workers had been engaged at rates decided according to the whims/sweet will of the appointing authority.
- (iv) The wage rates had not been revised periodically and these assignees continue to get same wages for years.
- (v) The casual workers (programme staff) are engaged and paid only for six days though they are made to work for 30/31 days in a month.
- (vi) There have been instances of regularization of some casual assignees, giving temporary status to some others and leaving out the rest without adopting any transparent procedure.

(vii) The practice of giving 29-30 days booking to the retired employees is followed in Srinagar Station ignoring the interest of the casual assignees who have been working there for the last 20 years.

(viii) These casual assignees are exploited and even threatened by the regular employees/officers.

3. In view of the serious and sensitive nature of the points enumerated in the said representation, the Committee obtained a factual note on each point from Prasar Bharati. The factual note *inter-alia* stated as under:

"As of now there is neither any provision in the rules nor any scheme for regularizing casual employees engaged in AIR. However, Prasar Bharati is in the process of formulation of Recruitment Regulations for its employees. Prasar Bharati has proposed relaxation in age by the number of years they have put in their service as casual in the new Recruitment Rules, to enable them to be considered for a regular appointment, as and when vacancy arises and the new RRs are put into operation."

4. After perusing the factual comments of Prasar Bharati, a detailed questionnaire was framed and written reply obtained from Prasar Bharati/Ministry of Information & Broadcasting. The Committee also took oral evidence of the representatives of the Ministry/Prasar Bharati on five occasions.

5. Based on the written and oral deposition of the Ministry/Prasar Bharati, as well as the inputs received during the Committee's field visit to Srinagar, the Committee analyzed the main/important issues which have been enumerated in the succeeding paragraphs.

II. STUDY VISIT TO SRINAGAR

6. In the month of June, 2012, the Committee undertook a study visit to Srinagar, where the Committee heard the views/suggestions of the representatives of the Casual Artists/Assignees/Workers of Radio Kashmir, Srinagar, CBS Radio and Doordarshan Kendra, Srinagar. They informed the Committee as under:-

- (i) They work for 8-9 hours a day, are skilled but only get between Rs. 3000-5500 per month.
- (ii) They have been working with unwavering loyalty, risking personal life along with that of their family, but getting meagre wages/remuneration.
- (iii) They requested that the casual announcers who get booked for 29 days in a month be engaged on contract basis.
- (iv) They are exploited by officers and are made to do menial works which were not part of their regular work.

7. After considering the matter threadbare, the Committee found the problem of these workers extremely precarious warranting intervention by the Government of India to remove or mitigate the injustice caused to them by the apathy and inaction on the part of the Managements of Radio Kashmir/CBS Radio/Doordarshan Kendra Srinagar. The Committee desired urgent action on the following points :-

- (i) The Casual Announcers who are/were getting bookings for 29 days in a month be engaged on contract basis and it may also be ensured that they are engaged on same basis till they attain the age of 60 years or as long as these three organizations continue to function in J&K.
- (ii) These workers be covered under social security schemes viz. ESI and EPF.
- (iii) No worker be laid off at the local level and proposals, if any, for laying off such worker may invariably be sent to Prasar Bharati Corporation for appropriate action.
- (iv) Differences in wages of Casual workers performing similar nature of jobs be eliminated.
- (v) These workers be paid wages at par with the rates prescribed by the Ministry of Labour and Employment under the Minimum Wages Act for similar nature of jobs and skill sets.
- (vi) Casual Announcers who are booked for six days but work for all 30/31 days of a month be paid their actual dues without any delay.
- (vii) Uniform policies be adopted for regularizing all the casual announcers/artists/workers.
- (viii) The staff strength in Radio Kashmir/CBS Radio and Doordarshan Kendra, Srinagar be increased taking into

account the special circumstances in the region to absorb all the Casual Announcers/Artists/Workers who have been working there since the days of insurgency.

- (ix) A proposal for regularization of Casual Announcers/Artists/Workers against the vacancies spread all over the country be formulated and sent to DOPT for approval. A copy of the proposal may also be submitted to the Committee.
- (x) The DOPT be requested to expedite the process of approving the Recruitment Rules of Prasar Bharati which are pending with them for over a year.

8. Responding to the above suggestions of the Committee, the Ministry in their written communication stated as under:-

- The scheme for engaging casual artist on contract basis has been worked out and is being examined from legal and financial perspective before being put up to Prasar Bharati Board for a decision.
- Directions have been issued to all the Kendras not to lay off casual workers at local level and all such proposals be invariably sent to Prasar Bharati Corporation.
- The approval of DOP&T for relaxing the provisions of DOPT scheme for regularization of Temporary Status Workers is awaited.

- Recruitment Rules of Prasar Bharati are being forwarded to Ministry of I&B for approval.
- Various irregularities pertaining to engagement of the casual assignees be sorted out and responsibilities be fixed in respect of irregular actions by the officials concerned at the level of CEO, Prasar Bharati.

9. As per assurance given by Prasar Bharti, an inquiry was instituted by a Committee comprising senior officers of AIR and Doordarshan to look into various irregularities pertaining to engagement of the Casual Assignees. The main findings of the Committee so constituted are as under :-

- No specific guidelines were followed by the Directors of the Kendra for booking of casuals from 1991 onwards and their engagement has been made directly as militancy was at its peak. No eligible senior has been left out from regularization. The Kendra has provided earlier about the actual number of engagement of casual already forwarded: 56(37+19 TSWs) + 120 (other casual assignees) = 176. But the actual number of casual labourer plus casual assignees 213 are working at present. 144 casuals were discontinued in 2004 (which was shown wrongly by the Kendra as "177 discontinued" earlier) as per the Court order and seven casual assignees were discontinued recently as their performance was not satisfactory.

- No specific procedure for booking of casuals was followed. Most of the time it is the discretion of the Director of the Kendra who handpicked the persons and assigned to different sections. Sometimes, Programme Officers suggested certain names for their sections which were approved by the Director of the Kendra. There are no records available about the selection of such Casuals and approvals of the Head of Office. Only one or two loose sheets are available where Programme Executive (Co-ordination) took approval of the Director.
- The vacancy position of posts from 1990 onwards are not available. Based on the details that there are vacancies of 114 in 2009, 146 in 2010 and 137 in 2011 against the sanctioned strength of 421 in all grades. But the Casuals have been engaged irrespective of the staff strength based on the discretion of the Head of the Kendra to meet the additional programme and transmission hours from 1997 and 2000 when the Kashmir Channel was started, additional transmission of 12 hours and 24 hours respectively.
- There is no prescribed basis for grant of remuneration and the fee paid varies from person to person but the hike of remuneration of some Casual Assignees increased without any basis and no specific reason was recorded anywhere.

- No permission has been obtained from the Directorate for engaging these casuals but the proposal has been approved by the Head of Office from time to time on the recommendations of Programme Officers. The main reason for engaging Casuals in the Programme Section is due to increased production & transmission of 12 hours in DD Kashmir in January 1997 and 24 hours in 2000 as per the instructions of Directorate.
- There is no regular appraisal system based on the performance. For this no specific reason has been mentioned in the files regarding increasing the remuneration except in one or two files where it was mentioned due to increase in cost of living and inflation.
- 144 Casuals were discontinued during 2004 as per the order of the court. One Casual was re-engaged by RNU amongst 144. However, after their disengagement 98 new persons were engaged duly approved by the Head of Offices from time to time.
- All casuals being engaged on assignment basis only for 10 days in a month to assist the Programme Officers based on the discretion of the Head of Office. No permission has been obtained for engagement of 10 days from the Directorate or 29 days. The Regional News Unit, DD, Srinagar has provided only Minutes of the Meeting with the Directorate officials at DDK, Srinagar on

10.12.1999 as the basis for engaging the casuals in view of the militancy in the valley.

- Only one type of contract i.e. speech/talk contract is being used as per DD Manual for all the Casuals on assignment basis only and payments are made under sub head PPSS. For other casual labourers there is no contract, only payment vouchers are available in the Account Section.
- The contract is being issued by the Contract Issuing Authority on the basis of approval of Head of Office and the expenditure so incurred on these casuals is being debited under sub head PPSS.
- One casual driver Mr. Gh. Hassan Sofi was killed in terrorist attack in 1997 and compensation of Rs. 5 lakh was given to his kins. His adopted son Gh. Mustafa had been engaged as casual Video Editor and remuneration of Rs.7500 is being paid per month. No compassionate appointment was made in this case.
- Even though, the Kendra was showing 117 Casual Assignees working in different sections, 10 days in a month and some of them working continuously on all the days etc. it is seen from the Gate Attendance Security Register, which was seized by the Committee, the attendance has not exceeded more than 69 persons on any day. On an average, the number varies between 50 to 69. The attendance also taken by the Committee both

the days where the people physically present : 3.11.2011 = 81 Verified between 5 & 5 PM; 4.11.2011 = 58 + 8 in Mess =64 verified between 10.30 AM to 12.00 Noon

- Thus it indicates that as per the list given by the Kendra, some persons are not regularly reporting for duty and during the informal discussions, it was found that some of them are working at the residences of the certain officers but nobody provided specific details. It is also revealed that most of the Casual Assignees are related to the staff either directly or indirectly. But nobody came forward to provide any specific details. Most of the Casual Assignees do not possess suitable qualification or skills to work in the Programme Sections.
- Hence it is suggested that a regular procedure may be introduced based on the requirement and programme exigencies of the Kendra. All the existing Casuals may be re-screened by a Committee of the Officials by co-opting the outside experts in the field of television production to select suitable persons with a fresh notification for suitable people and weed out all unsuitable existing persons picked up without any rationale in the past.

10. In view of the above submission of the Ministry/Prasar Bharati to the Standing Committee's suggestions and the findings of the Committee constituted by Prasar Bharati, the Committee desired to be apprised of the latest status of the issues concerned and the

concrete measures initiated by the Ministry/Prasar Bharati to mitigate the plight of the Casual Assignees.

11. As mentioned earlier, the enquiry Committee Report pointed out that no specific procedure for booking of casuals was followed. Most of the time it is the discretion of the Director of the Kendra who handpicked the persons and assigned to different sections. Sometimes, programme officers suggested certain names for their sections which were approved by the Director of the Kendra. There are no records available about the selection of such Casuals and approvals of the Head of Office. Only one or two loose sheets are available where Programme Executive (Coordination) took approval of the Director.

12. In the above context, when the Committee desired to hear the views of the Ministry, the then Secretary, Ministry of Information and Broadcasting deposed in evidence:

"I think we need to make it clear that this problem has arisen because there was no transparency in appointing them. This is on record and this should be brought on record. There was an enquiry...when inspection was made, the number of people actually present was much less than they have been. So, this problem has arisen".

13. Asked to state the steps taken by the Ministry to stem the rot, the Secretary, Ministry of Information and Broadcasting responded:

"It has been dealt with at the level of Prasar Bharati".

14. When the Committee desired to hear the views of Prasar Bharati on the matter, the CEO, Prasar Bharati submitted in evidence that what happened was that on the plea of insurgency in Kashmir many undesirable things were done and when insurgency ended in the year 2000, some station Directors did not act properly.

15. Asked to state the specific action taken by the Prasar Bharati against the delinquent officials, the CEO, Prasar Bharati stated:

"...they have retired. If you fix responsibility, they can move the Court because pension cannot be attached...(however), the Deputy Director General is right now under suspension..."

16. The CEO, Prasar Bharati further submitted:

"...we have to get out of this ..." I would like to submit to the hon. Committee that the present administration of the Ministry has tried its best to help us. The Committee's strictures if I may use the word, and advices have been helpful to us. We would request you and also submit that we are on the same side and we both are trying to recoup from a historic problem..."

III. ENAGAGEMENT ON CONTRACT BASIS

17. As mentioned earlier, the Committee, subsequent to their field visit to Srinagar, had desired that the casual announcers who were booked for 29 days in a month should be engaged on contract basis

and it should also be ensured that they are engaged on the same basis till they attain the age of superannuation.

18. Responding to the above suggestions of the committee, the Prasar Bharati responded that a scheme for engaging all such ineligible casual artisans on contract basis, as suggested by the Committee, had been worked out and was being examined from legal and financial angles before being put up to Prasar Bharati Board for a decision.

19. Prasar Bharati further submitted that in those cases where there was regular and sustained requirement of casuals, they could be considered for engagement on yearly contracts, under the contractual policy already put in place in October, 2012.

20. As regards consideration for regularization of all such casual workers at one go and the weightage being given to the workers having substantial number of years of service, the Prasar Bharati informed that the process of verification of these lists was in process. The workers with temporary status, if any, as per DOPT guidelines of 1993 would be considered for regularization under the scheme. For those who were not covered under this scheme, orders have been issued not to dis-engage anybody. It has, also been decided by Prasar Bharati Board that casuals shall be granted relaxation of age in the matter of direct recruitment to the post against which they were being booked provided they fulfilled other eligibility conditions such as educational qualification etc. as laid down in the relevant recruitment regulation. The relaxation would

be equal to the number of years of service rendered by them as such casual. Working for a minimum of 120 days in a calendar year would be considered as one year service.

21. In the above context, when the Committee desired to hear the views of the Department of Personnel and Training, a representative of the DOPT submitted in evidence:

"Our Rules on casual labour are of 1988 which provide that casual labour should not be put on regular nature of job. Despite that so many Ministries and Departments are deploying them and they have not been regularized. There is a distinction of casual labour that the work may not be of regular nature. There are RRs for regular posts and constitutionally they should be recruited against those posts. As on date there are no Group D posts, after the Sixth Pay Commission they all have been distinguished as Group C posts for which there are recruitment rules and we ask all the Departments to go to SSC and recruit through them. In 1993 a scheme was launched that the casual labourers who have been working for 10 years be conferred 'Temporary Status', thereafter, they be regularized. For any three Group D vacancies, two vacancies be filled up amongst them as they have the qualifications and they know the work they can do it well. This would be the temporary status during which they will get monthly wages and when they are regularized they will get pension. During Temporary Status they will get GPF,

Medical, Leave and monthly wage. Regularization is important because in that case they get pension. Thereafter, there were some Court judgments. We intimated them that the 1993 Scheme should be taken as one time arrangement and it should not be continued...Thereafter, the recommendations of Sixth Pay Commission were implemented in which the Group D posts were abolished. We went to Department of Expenditure about these temporary status employees. They asked us for the number of such employees. We circulated orders three times to know about the number of such workers so that exemption could be granted. Thereafter, we regularized them as MTS. However, I&B had not given any number. First time we came to know about Prasar Bharati that there are 203 casual labourers who have yet not been regularized. "

22. The Committee were informed that a proposal for relaxing the provisions of DOPT scheme of 1993 for regularization of TSWs was referred by the Ministry of Information and Broadcasting to the DOPT on 27.01.2012. Asked to state the latest status of the matter, the Ministry of Information and Broadcasting submitted as under:

"A proposal for relaxing the provisions of DOP&T scheme of 1993 was referred by Ministry of I&B on 27.01.2012 to DOP&T for regularization and posting of the Temporary Status Workers (TSW) engaged in Kashmir to the available vacancies in other Stations as a one-time measure. DOP&T *vide* its O.M

dated 12.12.2012 had sought some clarifications from this Ministry. These clarifications were furnished to DOP&T vide O.M dated 11.1.2013. DOP&T vide its O.M dated 18.3.2013 sought additional clarifications from the Ministry. The aforesaid O.M of DOP&T was referred to Prasar Bharati for clarifying the position. Prasar Bharati vide its communication dated 23.10.2013 has informed that the matter of regularization of Temporary Status Workers under DOP&T scheme of 1993 was approved by the Prasar Bharati subject to legal opinion and in the legal opinion, the approval has been conveyed to the Directorate for regularization of eligible TSWs. They have also informed that the approval of the Government is no longer required and Ministry may treat the issue as closed. Prasar Bharati has further informed that they have regularized 201 TSWs, including 37 TSWs of DDK, Srinagar. In addition, on directions of CAT, Chandigarh Bench, TSW status has been conferred on 19 workers in DDK, Srinagar. However, the matter is *subjudice* before the Hon'ble High Court of J&K, Srinagar. The remaining casual workers, who are not eligible for grant of TSW status, are being paid at rates prescribed by the State Government under the Minimum Wages Act."

IV. WAGES

23. The casual workers of CBS Radio Kashmir alleged that the wages at revised rates which were being paid to DDK Srinagar and Radio Kashmir were being denied to them.

24. When the Committee sought clarifications from the Prasar Bharati on the above issue, they submitted that casual workers at Radio Kashmir including CBS were being paid as per the rates prescribed by the Labour and Employment Department, Government of J&K.

25. The petitioners further alleged that there were differences in the wages paid to the casual workers, performing similar nature of jobs. In this context, the Committee desired to know the reasons for such anomalies. In reply, Prasar Bharati submitted that there was no difference in the wages of casual workers performing similar nature of jobs.

26. Not convinced, the Committee desired to have the complete list of the emoluments paid to the casuals working on assignment basis. The Ministry furnished the details as shown at **Annexure**.

27. A perusal of the above details furnished by the Ministry revealed that there were glaring anomalies in the emoluments paid to the Casual Assignees working in the same section and presumably performing similar nature of jobs in transport, scenic, graphic and camera sections.

28. Asked to clarify the contradictory statements made before the Committee, the Ministry, quoting the enquiry Committee Report, submitted that there was no prescribed basis for grant of remuneration and the fee paid varied from person to person but the hike of remuneration of some Casual Assignees increased without any basis and no specific reason was recorded anywhere.

29. Regarding the casual announcers who were booked and paid for six days but worked for 30/31 days, the Prasar Bharati clarified that casual announcers were booked for six days in a month so that their total booking for a year did not exceed 72 days as per the existing policy. However, in case any casual announcer was booked for more than six days in a month, he shall be paid accordingly.

30. Elaborating the matter, the representative of Prasar Bharati submitted in evidence :-

"In India, there is problem that casual announcers cannot be engaged for more than six day a month. If we do it above six days, it will not come under law and nobody will allow it, but we take work from them for 15-20 days...I agree that it is there for the last 15-18 years and this is not right also. But it is uniform policy and it is there for the last 52 years. We are trying to revise it and we are consulting DOPT."

31. Asked to state whether Prasar Bharati had ensured that the Casual Assignees were paid wages for the actual number of days

they worked, Prasar Bharati replied in affirmative and also stated that necessary instructions in this regard had been issued.

V. COVERAGE UNDER SOCIAL SECURITY

32. On the issue of covering the Casual Assignees/workers under social security schemes such as ESI and EPF, the Prasar Bharati apprised that the advice of Ministry of Labour & Employment was sought on the matter and the Ministry advised as under :-

"ESI : Casual assignees/workers seem to be entitled for the same, if the establishment is covered under the ESI Act, 1948.

Bonus : Casual workers are entitled to payment of bonus in an accounting year provided he/she has worked in the establishment for not less than thirty working days in that year.

EPF : Ministry of Labour & Employment observed that the Employees Provident fund and Miscellaneous Provisions Act, 1952 extends to the whole of India except the State of Jammu & Kashmir, therefore, they have no comments on the issue, however, the opinion of the EPFO would be worthwhile."

33. When the Committee asked the Ministry of Information and Broadcasting to explain whether the ESI and Bonus facilities had already been extended to the casual worker as advised by the Ministry of Labour & Employment, the Ministry of Information and Broadcasting submitted that they had asked Prasar Bharati to take necessary action to extend the ESI and Bonus facilities to the casual workers, as per the advice fo the Ministry of Labour & Employment. The Ministry of Information and Broadcasting further stated that on the issue of entitlement of EPF to casual assignees/labourers of J&K, though they had made a reference to the EPFO (as per the advice of the Ministry of Labour and Employment), the EPFO's views were still awaited despite reminder by the Ministry of Information and Broadcasting.

VI. VACANCIES/FORMULATION OF RRs/SETTING UP OF PRASAR BHARATI RECRUITMENT BOARD

34. The Committee were informed that due to acute shortage of staff and fresh recruitment not having taken place for almost two decades due to non-finalization of the Recruitment Regulations (RRs) and non-constitution of Prasar Bharati Recruitment Board, as envisaged in Section 10 of Prasar Bharati Act, 1990, coupled with non-sanction of staff for new projects and facilities that have come up after formation of Prasar Bharati, Casuals were being engaged to run the Stations and Kendras as well as production and transmission of programmes.

35. In response to a specific query of the Committee the then Secretary, Ministry of Information and Broadcasting submitted in evidence that around 14/15 thousand posts have lapsed in Prasar Bharati due to vacancies persisting for many years. Supplementing his colleague, the CEO, Prasar Bharati submitted that at one point of time Prasar Bharati had around 41000 personnel to man 200/225 Radio Stations and DDKs. But the position has become so precarious that the staff strength has been reduced by 15/16 thousand whereas the Stations/Kendras have been more than doubled.

36. Asked to state the specific steps taken to fill up the vacant posts, the CEO, Prasar Bharati apprised that a Group of Ministers was constituted by the Government of India under the Chairmanship of the then Finance Minister to look into the matter. The Group of Ministers recommended 3452 posts for the Prasar Bharati out of which 1150 posts had to be filled up at the first instance. The CEO, Prasar Bharati further stated that the number of posts determined by the GOM was almost like a rigged pole as it was based on the 2007-2009 vacancies. Since the last five years many new Relay and FM Stations and Terrestrial Transmitters have been opened.

37. As regards deployment of retired personnel to man the Stations/Kendras, the CEO, Prasar Bharati clarified that experience and efficiency were the basic requirements to run the Stations/Kendras smoothly. Since there were lot of vacancies in

key posts, the Prasar Bharati was compelled to engage retired hands on a monthly remuneration of around 20/25 thousand of rupees. The CEO, Prasar Bharati emphatically submitted that he and his predecessors were doing it for the sake of the Organization.

38. When asked about the number of cadres for which Recruitment Regulations (RRs) were to be framed, the Prasar Bharati informed that initially they proposed framing Recruitment Regulations (RRs) for 198 categories of employees. Following consultations with DOPT and the Department of Expenditure (DOE), the Prasar Bharati have now decided to reduce the number of cadres to 125. It has also been decided by the Ministry that the Regulations would be scrutinized and notified in batches. It has further been decided to take up those Regulations that have direct recruitment component in them for notification in the first batch. In this regard, after incorporating suggestions of DOPT and DOE, the Prasar Bharati have prepared and forwarded to the Ministry, RRs in respect of six categories of employees which were required to be referred to DOE for their concurrence. The DOE have now concurred for RRs of four categories of employees. These four categories of RRs were being notified in consultation with the Ministry of Law.

39. The Ministry of I&B stated that the Recruitment Regulations (RRs) in respect of nine categories of employees of Prasar Bharati viz. Cameraman Grade-II, Engineering Assistant, Head Clerk/Assistant, Technician, Programme Executive (PEX), Transmission Executive (TREX) and News Reader-cum-Translators

(Grade-I, II & III) have already been notified after second stage consultation with Department of Expenditure (DOE) and Ministry of Law. The RRs in respect of other categories were reportedly at different stages of inter-Ministerial consultation among DOE, I&B Ministry and Prasar Bharati.

PART-II**OBSERVATIONS/RECOMMENDATIONS**

1. The Committee's examination of the subject has revealed some disquieting aspects pertaining to the state of affairs in Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra, Srinagar which *inter-alia* include opaque procedure and gross mal practices in the appointment of casual assignees, lack of uniform policies in regularization of the casual announcers/artists/workers, exploitation of the casual workers; disparities in the payment of wages/emoluments to the casual assignees performing similar nature of jobs, payment of wages to these casual assignees for 06 days only though they work for entire month, non-coverage of the casual workers under any social security schemes viz. ESI and EPF, etc. Based on the clarifications of the Ministry of Information and Broadcasting/Prasar Bharati/DOPT and inputs gathered during the field visit to Srinagar, the Committee have given their considered recommendation and observations in the succeeding paragraphs.

2. The Committee note that pursuant to their suggestions subsequent to the first-hand knowledge gathered during their study visit to Srinagar, the Ministry/Prasar Bharati have initiated some specific measures which *inter-alia* include working out a scheme for engaging eligible casual artists on contract basis, issue of directions to all the Kendras not to lay off casual workers at local level, expediting the formulation of Recruitment Rules for Prasar Bharati, sorting out various irregularities pertaining to the engagement of the casual assignees, etc. The Committee however note with concern that almost nothing concrete beyond assurances has come up, though the Ministry of Information & Broadcasting and Prasar Bharati had assured to engage the casual artists on long term contract till they attain the age of superannuation. The Committee, therefore reiterate that the measures initiated be implemented with full fidelity and expeditiously considering the protracted plight of these aggrieved casual assignees.

3. The Committee note that the casual workers/artists of Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra Srinagar worked in extreme conditions at the time of insurgency (1990 onwards) for different assignments like announcers, drivers, cooks, helpers, typists, programme staff, newsreaders etc. as regulars workers either left the State or stayed away from work due to insurgency. These casual workers contributed immensely towards running successfully the public broadcasting/telecasting services in the insurgency prone State, even risking their lives. One such casual worker reportedly lost his life when the DDK, Srinagar was attacked by the terrorists. The Committee note with profound concern that even after more than 20 years of continuous, dedicated and commendable services, these casual assignees have not been regularized though they were repeatedly assured at the time of their engagement that they would be absorbed in regular services in due course. These casual assignees have already given the prime period of their lives to these organizations without taking up any other assignment and in the hope that one day they would be regularized. Considering length of their

service, age, proficiency in their respective fields, dedication and devotion to duty in severely hostile and adverse conditions all these years, the Committee are of the considered view that these assignees deserve special, sympathetic and favourable consideration. The Committee, therefore, urge that those casual assignees who have rendered decades of service should either be adjusted against the existing vacancies or some posts be created for them, as an exception and on special consideration, so that all of them are regularized before attaining the age of superannuation.

4. The Committee are perturbed to find the unabated gross malpractices committed for years together in the appointment of casual assignees and their subsequent exploitation in Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra, Srinagar. It is a matter of serious concern that no specific procedure for booking of casuals was ever followed nor any records were maintained regarding the selection of such casuals. The Committee take serious note of the fact that

certain persons were given regular employment, out of turn bypassing the normal recruitment process. The then Secretary, Ministry of Information & Broadcasting candidly admitted that there was no transparency in appointing them. As regards, remedial action taken, the Committee are informed that directions have been issued to all the Kendras to invariably send all the proposals for appointment/laying off the casual workers to the Prasar Bharati Corporation. So far as fixing of responsibilities is concerned, the CEO, Prasar Bharati has apprised that on the plea of insurgency in J&K, irregularities were committed by some Station Directors, who have since retired and it would be difficult to take action against them. He has, however, assured the Committee that every possible step would be taken to improve the situation. According to the Committee, it appears that earlier neither the Ministry nor the Prasar Bharati cared to find out the apparent irregularities committed by J&K Kendras. However, now that assurances have been given by both the Ministry and Prasar Bharati to stem the rot in the regional Kendras, the Committee trust that a robust mechanism would be put in place and monitoring

system strengthened so as to foster transparency and stop recurrence of irregularities, as experienced in J&K Kendras.

5. The Committee are constrained to note that there were glaring anomalies in the payment of wages to the casual assignees performing same/similar nature of jobs. Surprisingly, the Ministry/Prasar Bharati have stated in their written submission that "there is no difference in wages of casual workers performing similar nature of jobs" though the detailed list of wages paid to the casual workers, as furnished by Prasar Bharati, speaks to the contrary. For example, in the coordination section, some casuals are getting Rs.3000/- p.m. whereas some are getting Rs.4000/- p.m. Similarly in the Transport Section some are getting Rs.4000/- p.m, some Rs.6000/-p.m and some other Rs.8000/-p.m. Similar discrepancies have been observed in Scenic Section, Camera Section, Graphic Section, Editing Section etc. The Committee deprecate the misleading statement given by the Ministry/Prasar Bharati and would like to caution them to exercise utmost care in future while deposing before the

Committee. The Committee also emphasize that the Ministry/Prasar Bharati should take immediate measures to find out cases of disproportionate wages being paid to the casuals and ensure that uniform and equal wages/emoluments are paid to the casual assignees performing same/similar kind of jobs.

6. The Committee note with serious concern the low wages being paid to the casual assignees and non revision of their wages periodically. However, they draw some satisfaction from the orders issued by the Ministry/Prasar Bharati to enhance, by at least 65 per cent the fee being paid to the casual assignees in AIR and Doordarshan. The Committee would like to be assured that there is no aberration in the effective implementation of the said order by any Regional Kendra/Station. The Committee would also like the Ministry/Prasar Bharati to ensure that periodical revision of wages being paid to the casual assignees is carried out earnestly and the Committee be apprised.

7. The Committee are deeply concerned to note that the casual workers (programme staff) were booked and paid wages only for six days but made to work for 30/31 days in a month. The Committee are not satisfied with the contention of the Ministry/Prasar Bharati that casual announcers are booked for six days in a month so that their total booking for a year does not exceed 72 days as per the existing policy. Equally unconvincing is the assurance that "in case any casual announcer is booked for more than six days in a month, he shall be paid accordingly", as many instances of irregularities on this count have been brought to the notice of the Committee. Therefore, instead of disregarding the gravity of the issue, the Ministry/Prasar Bharati should seriously look into the matter and ensure payment of actual wages to the casual assignees proportionate with the number of days they are made to work so as not only to honour the Labour Laws of the land but also to give fillip to the enabling Principles of State policy contained in our Constitution.

8. The Committee find that pursuant to a circular issued by the DOPT for regularization of contract/casual workers, some casual assignees were regularized, some of them were converted to Temporary Status Worker (TSW) and the rest were left out. It is thus apparent that no transparent procedure was adopted to honour the DOPT circular in regularising the contract/casual workers. The Committee are of the firm view that performing similar nature of job for the same duration with equal proficiency should be the only criteria for regularization/conferment of TSW status upon the casual/contract assignees and there should absolutely be no pick and chose policy or other extraneous consideration for the purpose. The Committee, therefore, exhort the Ministry/Prasar Bharati to take urgent requisite measures to rectify the aberrations and put in place a transparent system so that justice is done to all the affected casual assignees.

9. The Committee were informed that the Ministry/Prasar Bharati sought approval of DOPT for relaxing the provisions of DOPT scheme for regularization of Temporary Status Workers, which is still awaited. The Committee desire that the matter be seriously pursued with the DOPT, if required, by preparing a fresh proposal highlighting *inter-alia* the special circumstances in which these casual assignees were engaged, the number of years of service rendered by them despite severe adverse circumstances etc. so that the TSWs are regularized at an early date and the requisite financial benefits are extended to them in due course.

10. The Committee note that as per the comprehensive policy for contractual engagements formulated and implemented in September, 2012, all the casual assignees were allowed to appear for examination by relaxing the age, for the post for which they were engaged. But, the proposed examination could not be conducted as the Recruitment Rules of Parasar Bharati could not be formulated/finalised. The Committee find that the

said comprehensive policy was finalised as late as in 2012 and even then the examination to enable the casual and contractual assignees to become regular workers could not be held which does not speak well about the seriousness of the Ministry towards these hapless assignees. Needless to mention, had the comprehensive policy been finalised earlier, the contractual/casual assignees would have got the benefit of age on their side. After serving the sensitive Kendras at J&K for decades, most of the contractual/casual assignees must be in their late forties, to say the least. In the considered view of the Committee it would be unfair to expect such older people to compete with the freshers in the examination for appointment as regular workers. On the other hand, by virtue of the years of service rendered and experience gathered, the contractual/casual assignees can commendably accomplish the job assigned *vis-a-vis* as regular workers who may take time to gain the requisite experience. Hence, taking into consideration the vast experience and dedicated service rendered by them in hostile conditions, the Committee urge that they may be considered for regularization for the rest of their service period

and such relaxation, may be made as a onetime appreciable gesture so that they get all the financial benefits available to regular employees and are able to lead a peaceful retired life.

11. The Prasar Bharati came into existence in the year 1997. At the time of formation of Prasar Bharati, there were 198 categories of posts for which the Recruitment Rules (RRs) were to be formulated and got to be approved by the Ministry of I&B/DOPT. Subsequently, following consultations with DOPT and the Department of Expenditure (DOE), the Prasar Bharati decided to reduce the number of cadres to 125. The regulations were to be scrutinized and notified in batches. The Committee note with profound concern that even after lapse of 18 years, the Prasar Bharati have been able to formulate and notify only 09 RRs. Consequently, the Prasar Bharati Recruitment Board, whose constitution depends on the finalization of all the Recruitment Rules, has not seen the light of the day even after 18 years of the formation of the Broadcasting Corporation. The matter has been inordinately

delayed to say the least. Cautioning the Ministry/Prasar Bharati against the such unacceptable callousness, whatever reasons notwithstanding, the Committee exhort that, instead of leaving things to take their own course, the Ministry/Prasar Bharati should initiate and expedite urgent and effective measures to finalize all the remaining RRs at the earliest so that the Recruitment Board is constituted and over dependence on SSC/UPSC for recruitment in Prasar Bharati is minimized significantly. The Committee are hopeful that such finalization of the RRs and consequential formation of the Recruitment Board would take due care and protect the interest of casual, contractual and regular employees.

12. The Committee are anguished to note that the staff strength of Prasar Bharati has been reduced by 15/16 thousand due to retirement of employees and non-filling up of the vacant posts whereas the number of Stations have doubled over the years. Worse, hundreds of posts have lapsed causing immense difficulties in the smooth running of the Stations. The

Committee are given to understand that though Prasar Bharati is perceived to be an autonomous organization, due autonomy has not been accorded to the State Broadcasting Corporation. In view of the yeomen services rendered by the Doordarshan Kendras and All India Radio Stations to the nation over many years, it is high time the Government should recognize their contribution, identify the grey areas that impede their functioning and take effective measures including creation of adequate posts and according due autonomy to Prasar Bharati, with necessary safeguards, so that they function seamlessly and compete with the private channels effectively.

13. The Committee find that during the transitional years, Prasar Bharati engaged retired personnel as a stop gap arrangement to run Prasar Bharati, they being experienced and proficient. The practice is still going on and in Srinagar Station 29-30 days booking are given to the retired employees. This has reportedly created a resentment amongst the casual/contractual assignees that they are being

ignored/overlooked despite toiling hard for many years in hostile conditions. While recognizing the unquestionable dedication and proficiency of the retired employees, the Committee would like Prasar Bharati to appoint them in such a manner that the casual/contractual assignees, working for many years, do not feel victimized.

14. The Committee are happy to note that pursuant to the advice of the Ministry of Labour and Employment to cover the casual announcers/artists/workers under ESI and Bonus, the Ministry of Information and Broadcasting has asked Prasar Bharati to take necessary action in the matter. The Committee trust that Prasar Bharati would take urgent action to cover all the casual assignees working in various Regional Kendras, especially in J&K, under ESI and Bonus schemes. As regards extending EPF facilities to the casual assignees, the Committee are informed that the facility extends to the whole of India except the State of J&K, as per EPF and Miscellaneous Provisions Act, 1952. The Committee would, however, like the

Ministry of Information and Broadcasting/Prasar Bharati to explore the feasibility of extending any other similar or special social security to the casual assignees working in the J&K Kendras so that they are benefited appropriately and commensurately .

**New Delhi;
12 March, 2015
21 Phalgun, 1936 (Saka)**

**DR. VIRENDRA KUMAR
CHAIRPERSON
STANDING COMMITTEE ON LABOUR**

APPENDIX-I**MINUTES OF THE FOURTH SITTING OF THE STANDING COMMITTEE ON LABOUR HELD ON 31ST OCTOBER, 2011.**

The Committee met from 1500 hrs. to 1700 hrs. in Committee Room No.53, Parliament House, New Delhi (i) to hear the views of the representatives of the Ministries of Information and Broadcasting, Labour and Employment, and Prasar Bharti Broadcasting Corporation on regularization of casual workers/Artists of Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra, Srinagar and (ii) to have evidence of the representatives of the Ministry of Petroleum and Natural Gas and ONGC on 'Deployment of Contract/Casual Workers/Sanitation workers for perennial nature of jobs in ONGC and contribution of employer (ONGC, Gujarat Region) to Employees Provident Fund'.

PRESENT**Shri Hemanand Biswal – CHAIRMAN****MEMBERS****LOK SABHA**

2. Shri Raj Babbar
3. Dr. Virendra Kumar
4. Shri Hari Manjhi
5. Shri P. Balram Naik
6. Shri Jayaram Pangi
7. Shri Sanjay Dina Patil
8. Shri S. Pakkirappa
9. Shri Mahendra Kumar Roy
10. Smt. J. Shantha

RAJYA SABHA

11. Shri Mohd. Ali Khan
12. Shri Aayanur Manjunatha
13. Shri Rudra Narayan Pany
14. Smt. Renubala Pradhan
15. Shri Ranbir Singh Parjapati
16. Shri Praveen Rashtrapal
17. Shri G.N. Ratanpuri

SECRETARIAT

- | | | | |
|----|-----------------------|---|---------------------|
| 1. | Shri Devender Singh | - | Joint Secretary |
| 2. | Shri B.S. Dahiya | - | Director |
| 3. | Shri Ashok Sajwan | - | Additional Director |
| 4. | Shri Arvind Sharma | - | Deputy Secretary |
| 5. | Smt. Bharti S. Tuteja | - | Under Secretary |

Witnesses**REPRESENTATIVES OF THE MINISTRY OF LABOUR AND EMPLOYMENT**

Sl. No.	Name of the Official	Designation
1.	Shri Ravi Mathur	Additional Secretary
2.	Shri Anil Swarup	Director General Labour Welfare
3.	Shri S.K. Verma	Director
4.	Shri K.C. Pandey	Additional CPFC (Compliance)
5.	Shri M.P. Sinha	Additional CPFC
6.	Shri R.K. Kukreja	RPFC-I (Compliance)
7.	Shri Gyanendra Singh	RLC (Central) Ahmedabad

REPRESENTATIVES OF THE MINISTRY OF INFORMATION & BROADCASTING

<u>Sl. No.</u>	<u>Name of the Official</u>	<u>Designation</u>
1.	Shri Uday Kumar Verma	Secretary
2.	Shri Rajiv Takru	Additional Secretary
3.	Ms. Supriya Sahu	Director (BC)
4.	Ms. G. Jayanthi	Director (BAP)

REPRESENTATIVES OF THE PRASAR BHARATI BROADCASTING CORPORATION

<u>Sl. No.</u>	<u>Name of the Official</u>	<u>Designation</u>
1.	Shri Rajiv Takru	CEO
2.	Shri L.D. Mandloi	Director General All India Radio
3.	Shri Tripurari Sharan	Director General, Doordarshan
4.	Shri G. Jayalal	General Manager (P), Prasar Bharati

2. At the outset, the Chairman welcomed the representatives of the Ministry of Information & Broadcasting, Prasar Bharati and Ministry of Labour and Employment who appeared before the Committee on the issues concerning the contract and casual labour particularly their conditions of work, health, safety, welfare and social security etc. The Members expressed their concerns mainly on the following issues:-

- i. Differentiation between the Casual Artists, Casual Artists on assignment basis and the Casual Labourers
- ii. Number of workers in each of these categories in Radio Kashmir and Doordarshan Kendra, Srinagar and duration of their employment
- iii. Steps taken by Prasar Bharti for regularization of their services
- iv. Number of vacancies in Prasar Bharti all over India in Group C and D categories vis-à-vis in J&K
- v. Special provisions for these workers in view of extraordinary working condition in J&K
- vi. Recruitment Rules, relaxation for existing casual workers
- vii. Status of Associations' Forum of AIR and Doordarshan

3. The representatives of the Ministry of Information & Broadcasting and Prasar Bharati clarified the Ministry's position in the matter and responded to the queries of the members.

4. The Chairman thanked the representatives of the Ministries and Prasar Bharti for free and frank replies to the queries of the Members on the subject. The Chairman directed the Secretary to furnish written replies to the queries raised by the Members which could not be replied during the meeting, within fortnight.

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10. A copy of the verbatim proceedings was kept for record.

The Committee then adjourned.

XX Not related to this Report.

APPENDIX-II**MINUTES OF THE EIGHTH SITTING OF THE STANDING COMMITTEE ON LABOUR HELD ON 30TH JANUARY, 2012.**

The Committee met from 1500 hrs. to 1700 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi to have (i) further evidence of the representatives of the Ministry of Information and Broadcasting and Prasar Bharati Broadcasting Corporation on regularization of casual workers/Artists of Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra, Srinagar; and (ii) evidence of the representatives of Steel Authority of India Ltd. (SAIL) and Rourkela Steel Plant on the issue of rehabilitation of legal heirs of deceased employees of Rourkela Steel Plant.

PRESENT**Shri Hemanand Biswal – CHAIRMAN****MEMBERS
LOK SABHA**

2. Dr. Virendra Kumar
3. Shri Narahari Mahto
4. Shri Hari Manjhi
5. Ms. Mausam Noor
6. Shri Mahendra Kumar Roy

RAJYA SABHA

7. Shri Mohd. Ali Khan
8. Shri Rudra Narayan Pany
9. Smt. Renubala Pradhan
10. Shri Ranbir Singh Parjapati
11. Shri Rajaram
12. Shri G.N. Ratanpuri

SECRETARIAT

- | | | | |
|----|-----------------------|---|---------------------|
| 1. | Shri Ashok Sajwan | - | Additional Director |
| 2. | Shri Arvind Sharma | - | Deputy Secretary |
| 3. | Smt. Bharti S. Tuteja | - | Under Secretary |

Witnesses**REPRESENTATIVES OF THE MINISTRY OF INFORMATION & BROADCASTING AND PRASAR BHARATI**

Sl. No.	Name of the Officer	Designation
1.	Shri Rajiv Takru	Additional Secretary
2.	Ms. Supriya Sahu	Joint Secretary
3.	Shri L.D. Mandloi	DG, AIR
4.	Ms. G. Jayanthi	Director

2. At the outset, the Chairman welcomed the representatives of the Ministry of Information & Broadcasting and Prasar Bharati Broadcasting Corporation who appeared before the Committee on the issues concerning the regularization of casual workers/Artists of Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra, Srinagar. The Members expressed their concerns mainly on the following issues:-

- (i) Regularization of casual workers engaged as programme executives, transmission executives and announcers who have been working for the last 20 years.
- (ii) Engaging casual announcers & casual production artists on contract basis.
- (iii) Payment of requisite dues to casual announcers.
- (iv) Exploitation of casual workers engaged in staff canteens by senior officers.
- (v) Engagement of fake casual workers as found in the enquiry report of the AIR and Doordarshan.
- (vi) Engagement of casual workers without following proper selection procedure.
- (vii) Non-payment of minimum wages.
- (viii) Payment of wages at different rates to casual workers employed on jobs of similar nature.

- (ix) Non-maintenance of attendance registers of Group 'D' employees.

3. While responding to the queries of the members, the representatives of the Ministry of Information & Broadcasting and Prasar Bharati assured the Committee that the whole matter was being looked into and corrective steps being taken by them to rectify the irregularities.

4. The Chairman directed the CEO, Prasar Bharati to take immediate action on the concerns raised by the Members.

The witnesses then withdrew.

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11. A copy of the verbatim proceedings was kept for record.

The Committee then adjourned.

XX Not related to this Report.

APPENDIX-III**Minutes of the Second Sitting of the Committee**

The Committee sat on 30 October, 2012 from 1130 hrs. to 1300 hrs. in the Room No.G-074, Parliament Library Building, New Delhi.

PRESENT

Shri Dara Singh Chauhan – CHAIRMAN

**MEMBERS
LOK SABHA**

2. Shri Ismail Hussain
3. Dr. Virendra Kumar
4. Shri Narahari Mahato
5. Shri Hari Manjhi
6. Shri Rajiv Ranjan Singh (Lalan)
7. Shri K. Sugumar
8. Shri Bibhu Prasad Tarai

RAJYA SABHA

9. Smt. T. Ratna Bai
10. Shri Thaawar Chand Gehlot
11. Shri Mohd. Ali Khan
12. Shri Ranbir Singh Parjapati
13. Shri Rajaram
14. Shri G.N. Ratanpuri
15. Shri Jai Prakash Narayan Singh

SECRETARIAT

- | | | | |
|----|-----------------------|---|---------------------|
| 1. | Shri P.V.L.N Murthy | - | Director |
| 2. | Shri Ashok Sajwan | - | Additional Director |
| 3. | Smt. Bharti S. Tuteja | - | Deputy Secretary |

Witnesses**REPRESENTATIVES OF THE MINISTRY OF INFORMATION &
BROADCASTING AND PRASAR BHARATI**

Sl. No.	Name of the Officer	Designation
1.	Shri Uday Kumar Verma	Secretary
2.	Shri Rajesh Kumar Singh	JS (B)
3.	Mrs. Jayanthi G.	Director –BA (P)

REPRESENTATIVES OF PRASAR BHARATI

Sl. No.	Name of the Officer	Designation
1.	Shri Jawahar Sircar	CEO
2.	Shri V.A.M. Hussain	Member (P)
3.	Shri L.D. Mandloi	DG, All India Radio
4.	Shri Tripurari Sharan	DG, Doordarshan

2. At the outset, the Chairman welcomed Shri Uday Kumar Verma, Secretary, Ministry of Information and Broadcasting and Shri Jawahar Sircar, CEO, Prasar Bharati and other representatives of the Ministry and invited their attention to the provisions contained in Direction 55 (1) of the Directions by the Speaker.

3. The Secretary, Ministry of Information & Broadcasting apprised the Committee of the steps taken by Prasar Bharati for the welfare of casual workers/assignees working in Doordarshan Kendra, Srinagar, Radio Kashmir and CBS Radio.

4. The Members, thereafter, raised various issues and sought clarifications on:-

- (i) The status of the proposal sent to DoPT for pooling the vacancies.
- (ii) Delay in framing and implementation of Recruitment Rules of Prasar Bharati.
- (iii) Deemed abolition of vacancies in Prasar Bharati
- (iv) The extent of age relaxation to be given to the casual workers/assignees & provision of social security benefits for them.
- (v) Procedure for intake of casual workers.
- (vi) Action taken by Prasar Bharati against those involved in improper appointments of casual employees.
- (vii) Making the casuals work for 25-30 days but paying them for 6 days only.

The Members were of the unanimous view that DoPT may also be called for evidence along with officials of the Ministry of Information and Broadcasting on the issue.

5. The Chairman thanked the Secretary, Ministry of Information & Broadcasting, CEO, Prasar Bharati and other officials for giving valuable information to the Committee on the subject.

(The witnesses then withdrew.)

[A copy of the verbatim proceedings was kept for record].

The Committee then adjourned.

 XX Not related to this Report.

APPENDIX-IV**Minutes of the Twelfth Sitting of the Committee**

The Committee sat on 29th May, 2013 from 1500 hrs. to 1720 hrs. in Committee Room `E', Parliament House Annexe, New Delhi.

PRESENT**Shri Dara Singh Chauhan – CHAIRMAN****MEMBERS****Lok Sabha**

2. Shri Ismail Hussain
3. Dr. Virendra Kumar
4. Shri Narahari Mahato
5. Shri Bal Kumar Patel
6. Shri Mahendra Kumar Roy
7. Shri Rajiv Ranjan Singh (Lalan)
8. Shri K. Sugumar
9. Shri Ashok Argal
10. Smt. J. Shantha
11. Shri Om Prakash Yadav

Rajya Sabha

12. Smt. T. Ratna Bai
13. Shri Thaawar Chand Gehlot
14. Shri Mohd. Ali Khan
15. Smt. Renubala Pradhan
16. Shri Rajaram
17. Shri G.N. Ratanpuri
18. Shri Jai Prakash Narayan Singh

SECRETARIAT

- | | | | |
|----|-----------------------|---|---------------------|
| 1. | Shri A.K. Singh | - | Joint Secretary |
| 2. | Shri Ashok Sajwan | - | Additional Director |
| 3. | Smt. Bharti S. Tuteja | - | Deputy Secretary |

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Part-I**Witnesses**

**REPRESENTATIVES OF THE MINISTRY OF INFORMATION &
BROADCASTING AND PRASAR BHARATI**

Sl. No.	Name of the Officer	Designation
1.	Shri Uday Kumar Varma	Secretary
2.	Shri R.K. Singh	Joint Secretary
3.	Shri Jawhar Sircar	Executive Member
4.	Shri V.A.M. Hussain	Member
5.	Shri B.B. Pandit	Member
6.	Shri L.D. Mandloi	DG, AIR
7.	Shri Tripurari Sharan	DG, Doordarshan
8.	Smt. Aparna Vaish	ADG
9.	Shri V.K. Jain	ADG

REPRESENTATIVES OF THE DEPARTMENT OF PERSONNEL & TRAINING

Sl. No.	Name of the Officer	Designation
1.	Ms. Mamta Kundra	Joint Secretary (Establishment)
2.	Shri J.A.Vaidyanathan	Director (Establishment)

5. At the outset, the Chairman welcomed the Secretary and other officials of the Ministry of Information & Broadcasting, Prasar Bharati Broadcasting Corporation and DOPT and invited their attention to the provisions contained in Direction 55 (1) of the Directions by the Speaker.

6. The Secretary, Ministry of Information & Broadcasting briefed the Committee about the initiatives taken by them after the meeting of the Committee held on 30th October, 2012.

7. The following points were raised :-

- (i) Clarification sought from the Ministry of Labour and Employment regarding eligibility of casual labourers who have worked more than six days in a month against the prescribed six days working, for bonus, ESI and EPF.
- (ii) Conferment of status of temporary workers – referred to DOPT.
- (iii) Regular recruitment and age relaxation to the existing casual workers.
- (iv) Framing of Recruitment Rules.

8. The Chairman directed the Secretary to send written replies to the unanswered queries of the members to the Secretariat within one week.

9. The Chairman then thanked the Secretary and other officials for giving valuable information to the Committee and responding to the queries of the Members.

(The witnesses then withdrew)

10.	XX	XX	XX	XX
11.	XX	XX	XX	XX
12.	XX	XX	XX	XX
13.	XX	XX	XX	XX

[A copy of the verbatim proceedings was kept for record]

The Committee then adjourned.

XX Not related to this Report

APPENDIX-V**Minutes of the Second Sitting of the Committee**

The Committee sat on 19th September, 2014 from 1130 hrs. to 1320 hrs. in Room No.63, Parliament House, New Delhi.

PRESENT

Dr. Virendra Kumar – Chairperson

**MEMBERS
LOK SABHA**

2. Shri Rajesh Kumar Diwakar
3. Shri Satish Chandra Dubey
4. Shri Rama Chandra Hansdah
5. Shri Bahadur Singh Koli
6. Shri Kaushalendra Kumar
7. Shri Hari Manjhi
8. Shri R. Parthipan
8. Shri Hariom Singh Rathore
9. Shri Giriraj Singh
10. Shri Kodikunnil Suresh

RAJYA SABHA

11. Shri Aayanur Manjunatha
12. Shri Ranbir Singh Parjapati
13. Shri Rajaram
14. Shri G.N. Ratanpuri
15. Haji Abdul Salam
16. Shri Tapan Kumar Sen

SECRETARIAT

1. Shri Devender Singh - Joint Secretary
2. Shri Ashok Sajwan - Director

Witnesses**REPRESENTATIVES OF THE MINISTRY OF INFORMATION &
BROADCASTING AND PRASAR BHARATI**

Sl. No.	Name of the Officer	Designation
1.	Shri Jitendra Shankar Mathur	Additional Secretary
2.	Smt. Abha Shukla	Joint Secretary
3.	Smt. Harcharan Kaur	Deputy Secretary

REPRESENTATIVES OF THE PRASAR BHARATI

Sl. No.	Name of the Officer	Designation
1.	Shri Jawhar Sircar	CEO
2.	Shri F. Sheheryar	Director General, All India Radio
3.	Ms. Vijayalaxmi Chhabra	Director General, Doordarshan
4.	Ms. Aparna Vaish	Additional Director General, Prasar Bharati
5.	Shri V.K. Jain	Additional Director General, Doordarshan
6.	Dr. Sanjay Dubey	Additional Director General, All India Radio
7.	Shri Om Prakash	OSD, Prasar Bharati
8.	Shri Ashok Kumar	Consultant, Prasar Bharati

At the outset, the Chairperson welcomed the Additional Secretary and other officials of the Ministry of Information & Broadcasting, Prasar Bharati Broadcasting Corporation and invited their attention to the provisions contained in Direction 55 (1) of the Directions by the Speaker.

2. The following points were raised :-

- (i) Regarding creation of posts for regularization of workers .
- (ii) Augmentation of Radio/TV stations which have doubled as of now and the manpower has been reduced to 50%.
- (iii) Coverage of casual/contract workers in ESI & EPF and also eligibility of casual labourers who have worked more than six days in a month against the prescribed six days working, for bonus.
- (iv) Conferment of status of temporary workers – referred to DOPT.
- (v) Regular recruitment and age relaxation to the existing casual workers.
- (vi) Framing of Recruitment Rules.

3. The Chairperson directed the Additional Secretary to send written replies to the unanswered queries of the members to the Secretariat within one week.

4. The Chairperson then thanked the Additional Secretary and other officials for giving valuable information to the Committee and responding to the queries of the Members.

(The witnesses then withdrew)

[A copy of the verbatim proceedings was kept for record]

The Committee then adjourned.

APPENDIX-VI**Minutes of the Sixteenth Sitting of the Committee**

The Committee sat on Wednesday, the 11th February, 2015 from 1130 hrs. to 1200 hrs. in Committee Room 'A', Parliament House Annexe, New Delhi.

PRESENT

Dr. Virendra Kumar - **Chairperson**

**MEMBERS
LOK SABHA**

2. Shri Rajesh Kumar Diwakar
3. Shri Devajibhai Govindbhai Fatepara
4. Shri C.N. Jayadevan
5. Shri Kaushalendra Kumar
6. Shri Hari Manjhi

RAJYA SABHA

7. Shri G.N. Ratanpuri
8. Shri Haji Abdul Salam
9. Shri Rajaram
10. Shri Ravi Prakash Verma

SECRETARIAT

1. Shri Devender Singh - Additional Secretary
2. Shri Ashok Sajwan - Director
3. Shri D.R. Mohanty - Deputy Secretary
4. Smt. Archana Srivastva - Under Secretary

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee and apprised them that the sitting had been convened to consider and adopt the draft Report on 'Regularisation of casual workers/artists of Radio Kashmir, CBS Radio Kashmir and Doordarshan Kendra, Srinagar'. Observing that the concerns expressed by the Members during

evidence on various aspects of the subject have been addressed in the draft Report, the Chairperson gave an overview of the important Observations/Recommendations contained therein. The Chairperson then invited suggestions from the Members on the draft Report.

3. The Committee, then took up the draft Report for consideration and after some discussions adopted it.

4. The Committee authorized the Chairperson to finalise the draft Report in the light of consequential changes that might arise out of factual verifications of the draft Report and to present the same to the House.

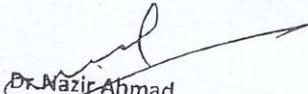
5. XX XX XX

The Committee then adjourned.

XX Not related to the Report

98	Imtiyaz Ahmad Kharadi,	Commercial Section	Rs.4000
99	Mohd. Altaf Bhat,	Commercial Section	Rs.4000
100	Ajaz Ahmad Beigh	Programme Section	Rs.4000
101	Imtiyaz Ahmad Sofi,	Record Room	Rs.3000
102	Imtiyaz Ahmad Pandith,	Make-up Section	Rs.4000
103	Ab. Majid Shora,	Duty Room	Rs.4000
104	Samina Jan	Library	Rs.4000
105	Khurshid Ahmad Bhat,	Dad Bi Daad	Rs.4000
106	Mohd. Altaf Khan,	Consumer Awareness	Rs.4000
107	Asmat Ara	Butraat Section	Rs.4000
108	Sajad Ahmad Wani	Camera Section	Rs.6000
109	Shahnaz Ali Bhat	Light Music	Rs.4000
110	Mohammad Rafi Khan	Pahari Section	Rs.3000
111	Arshad Ahmad Bhat	Hello DD	Rs.4000
112	Imran Amin Ahangar	Krishī Darshan	Rs.4000
113	Shahnawaz Ahmad Khosa,	PA to DTC	Rs.4000
114	Shabina Akhtar,	Programme Section	Rs.4000
115	Aadil Ahmad Mir,	Co-ordination	Rs.4000
116	Asif Jeelani,	Camera Section	Rs.8000
117	Yawar Abass ,	DD Kashmir	Rs.6000
118	Imtiyaz Ahmad,	Butraat	Rs.4000
119	Iqbal Ashiq Hussain,	Transport Section	Rs.3000
120	Zahoor Ahmad Reshi,	Administration Section	Rs.3000

Total No. casual workers on assignment basis = 124
 (4) Persons already left the job.


 Dr. Nazir Ahmad
 Programme Executive
 In Charge Casuals