

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

(2)

O.A. NO.259/2002

New Delhi this the 30th day of January, 2002

Hon'ble Shri Justice Ashok Agarwal, Chairman  
Hon'ble Shri V.K. Majotra, Member (A)

1. Shri Bhuvan Chand
2. Shri Anil Kumar Sharma
3. Shri Hari Singh
4. Shri Natra Pal Singh
5. Shri Surendra Bahadur Lal
6. Shri Om Prakash Singh
7. Shri Rashid
8. Shri Alok Saxena
9. Shri Naresh Kumar
10. Shri Satyabir Singh
11. Shri Ch. Ram Prasad
12. Shri Pratap Singh Rawat
13. Shri Bhagwat Singh
14. Shri Atul Parihar
15. Shri Ram Niwas Rana
16. Shri Ganga Dutt
17. Shri Vijay Mehra
18. Shri Trilok Chandra Pandey
19. Shri Mahipal Singh
20. Shri Hira Lal
21. Shri Satish Kumar
22. Shri Muni Ram
23. Shri Jeet Singh
24. Shri Dal Chand Kumar
25. Shri Vijay Bhatia
26. Shri Birkhodar Singh Negi
27. Shri Chetan

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26. Shri Vijay Pal
29. Shri Ajay Kumar
30. Shri Dileep Kumar
31. Shri Parvez, Sabir
32. Shri Ravinder Kumar Verma
33. Shri Anil Mathur
34. Shri Johan Singh
35. Shri Devender Kumar Kansotiya
36. Shri Roshan Lal
37. Shri H.K. Verma
38. Shri Bal Raj Nagpal
39. Shri Ajay Kakkar
40. Shri Dilbagh Singh
41. Shri Rakesh Kumar
42. Shri Kailash Singh Negi
43. Shri Mukesh Sharma
44. Shri Charan Jeet Singh Bhatia
45. Shri Ashok Kumar Singh
46. Shri Ajay Kumar Verma
47. Shri Sushil Kumar Sharma
48. Shri Ajit Singh
49. Shri Tilak Ram Mourya
50. Shri Atul Kumar Jain
51. Shri Narendra Kumar Dahiya
52. Shri Krishan Kumar
53. Shri Surinder Pal Sharma
54. Shri Rajinder Singh Bhati
55. Shri Anand Singh
56. Shri Atul Rishi Bhatnagar
57. Shri Rajeev Kumar Srivastava
58. Shri Anil Kumar Vaish
59. Shri Ram Parsad

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60. Shri Harainder Kumar Sharma

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-Applicants

All the applicants are working as  
Floor Assistants with Doordarshan  
Kendra, New Delhi.

(By Advocate: Shri Anis Suhrawardy)

Versus

1. Union of India  
Through its Secretary  
Ministry of Information & Broadcasting  
Shastri Bhawan  
New Delhi.
2. Chief Executive Officer-Prasar Bharti  
Doordarshan Kendra, Doordarshan Bhavan  
Mandi House, Copernicus Marg,  
New Delhi-110 001
3. Director General  
Doordarshan Kendra, Doordarshan Bhavan  
Mandi House, Copernicus Marg,  
New Delhi-110 001
4. Director of Administration  
Doordarshan Kendra, Doordarshan Bhavan  
Mandi House, Copernicus Marg,  
New Delhi-110 001
5. Director  
Delhi Doordarshan Kendra  
Akashwani Bhavan, Sansad Marg,  
New Delhi-110 001

-Respondents

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Member (A)

Shri Anis Suhrawardy, learned counsel of the  
applicants heard.

2. The applicants, 60 in number, are Casual Floor Assistants working in Doordarshan. They are stated to have been initially appointed as Casual Floor Assistants w.e.f. 5.10.1983. It is stated that the Hon'ble Supreme Court vide their order (Annexure A-31) dated 29.2.1996 in Civil Appeal No.1493 of 1994 directed that casual artists like the applicants should be regularised under the scheme for

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regularisation in accordance with paragraph 4 of the Memorandum dated March 17, 1994 relating to the Scheme for regularisation. Earlier on, these applicants had approached this Tribunal through OA 2241/99 which was decided on 6.11.2000 with the following directions:-

"In the facts and circumstances of the case, it is noted that the respondents themselves have stated that the applicants who have already been placed in the eligibility list of CFAs at DDK, Delhi, according to the provisions of the regularisation Scheme dated 9.6.1992 and 17.3.1994 will be regularised against the existing vacancies in accordance with their seniority in the list. However, as mentioned above, there is need for the respondents to review the situation whether they ought to increase the number of vacant posts for the purposes of regularisation of CFAS, keeping in view the position of other similarly situated persons in other cadres, like the Casual Lighting Assistants. This should be done in accordance with the relevant Rules and regularisation, as expeditiously as possible and preferably within eight months from the date of receipt of a copy of this order. In the meantime, the respondents shall consider the eligible persons for regularisation in accordance with the existing Scheme. No order as to costs".

3. Learned counsel stated that as the respondents did not take any effective action in pursuance of the aforesaid order of the Tribunal, the applicants had filed a Contempt Petition namely, CP-382/2001 in OA-2241/99 which was dropped with liberty to the applicants to assail respondents order dated 5.3.2001 separately in accordance with law, if so advised. Hence this OA. The learned counsel submitted that whereas services of various other categories of casual artists in Doordarshan have been regularised, the services of the applicants have not been regularised and in the absence of such non-regularisation the monthly/scale rates have not been given to these

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applicants vis-a-vis the other categories of casual artists whose services have been regularised.

4. The applicants have impugned Annexure-A dated 5.3.2001 whereby in pursuance of this Tribunal's order dated 21.11.2000 in OA-2241/99, the respondents have carried out the review regarding regularisation of Casual Floor Assistants stating that applicants are eligible for regularisation and have been placed in the eligibility list of casual Floor Assistants at DDK, Delhi. However, since at present there are no vacancies in the grade of Floor Assistant at DDK, Delhi (except one which has been kept vacant as the matter is sub-judice). The services of the applicants cannot be regularised till regular vacancies are available. Whereas the respondents have also stated that the applicants cannot be regularised against the vacancies available at other Doordarshan Kendras, it is not the case of these applicants also that they should be regularised ~~as~~ <sup>in vacancies</sup> ~~at~~ available ~~at~~ other Doordarshan Kendras.

5. The applicant has not provided information about existence of any vacancies at present and also not pointed out that any juniors to the applicants have been regularised against such vacancies. In the absence of any such particulars having been furnished in this OA, we do not find any merit in the present OA which is dismissed limine. However, the applicant shall have liberty to raise the issue in future in an OA as and when information is available with them regarding existence of vacancies of Floor Assistants in DDK, Delhi as also information on

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regularisation of services of juniors in the eligibility list of casual Floor Assistant at DDK Delhi ~~b~~ ~~regularised~~ against such vacancies.

V.K. Majotra

(V.K. Majotra)  
Member (A)

Ashok Agarwal

(Ashok Agarwal)  
Chairman

cc.