

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

**ORIGINAL APPLICATION NO. 291/359/2017,  
ORIGINAL APPLICATION NO. 291/360/2017,  
ORIGINAL APPLICATION NO. 291/366/2017,  
ORIGINAL APPLICATION NO. 291/390/2017,  
ORIGINAL APPLICATION NO. 291/616/2017,  
ORIGINAL APPLICATION NO. 291/200/2018  
with  
MISC. APPLICATION NO. 291/701/2019  
MISC. APPLICATION NO. 291/702/2019  
AND  
ORIGINAL APPLICATION NO. 291/273/2018**

Order reserved on 02.01.2020

**DATE OF ORDER:** 23.01.2020

**CORAM**

**HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER**

**OA No. 291/359/2017**

1. Krishan Sharma S/o Shri S.S. Sharma, aged 37 adult, R/o Opp. Badshahi Masjid, Alanpur, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
2. Malti Sharma W/o Shri Krishan Sharma, D/o Madhusudan Sharma, aged 39 adult, R/o Opp. Badshahi Masjid, Alanpur, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
3. Ravi Shastri S/o Kailash Chand Sharma, aged 35 adult, R/o C/o Ramakant Sharma, Near Chhugani Hotel, I.H.S. Colony, Bajariya, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
4. Kusum Saini W/o Dilip Kumar, aged 39 adult, R/o Opp. Bhaskar, Anand Ashram, Hospital Road, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
5. Charu Sharma W/o Jitendra Sharma, aged 40 adult, R/o 411, Ansari Mohalla, Shahar, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
6. Hemlata Gupta W/o Satyanarayan Gupta, aged 41 adult, R/o Manihari Mohalla, Shahar, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
7. Jyoti Sharma W/o Yogendra Sharma, aged adult 44, R/o 72, Raj Nagar, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.

8. Gayatri Sain W/o Shri Ram Dayal Sain, aged adult 36, R/o New Colony, Thingala, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
9. Madhu Jain W/o Shri Lal Chand Jain, aged adult 38, R/o 3-A, Ganesh Nagar-B, Bajariya, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
10. Anita Sharma W/o Shri Mahapurush Sharma, aged 39 adult, R/o Suraj Cinema, Shahar, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
11. Rekha Sharma W/o Anand Mohan Sharma, aged 37 adult, R/o Opp. Vaidh Atmaram, Near Subzi Mandi, Shahar, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
12. Abhyankar Sharma S/o Shri Gopal Lal Sharma, aged 38 adult, R/o 1/177, Housing Board, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
13. Ashutosh Trivedi S/o Shri Laxmikant Sharma, aged 39 adult, R/o 11-B, Ganesh Nagar-B, Maan Town, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
14. Asha Kaushik W/o Alok Sharma, aged 42 adult, R/o Shanti Nagar, Ranthambhore Road, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
15. Mahima Jain D/o Shri Hem Chand Jain, aged 44 adult, R/o 64, Bal Mandir Colony, Bajariya, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
16. Arti Singh D/o Shri Umesh Prasad Singh, aged 46 adult, R/o 29-B, Jawahar Nagar Colony, Opp. Police Line, Dausa Road, Casual Announcer/Compere/Production Assistant, All India Radio.
17. Neha Singh D/o Shri Umesh Prasad Singh, aged 41 adult, R/o 29-B, Jawahar Nagar Colony, Opp. Police Line, Dausa Road, Casual Announcer/Compere/Production Assistant, All India Radio.
18. Abhay Gupta S/o Suraj Kumar Gupta, aged 40 adult, R/o 21, Indra Colony, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
19. Rajmal Meena S/o Hanuman Prasad Meena, aged 39 adult, R/o C/o Vijay Singh Thakur, Ward No. 6, New Jawahar Colony, Thingala Road, Maan Town, Bajariya, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
20. Raghunath Raigar S/o Chhitar Lal Raigar, aged 37 adult, R/o C/o Sitaram Joliya, Plot No. 20, Prem Mandir Colony, Bajariya, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
21. Nanda Vakankar W/o Shri Sanjay, aged 38 adult, R/o 3/80, R.H.B. Colony, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
22. Gyanendra Dutt Sharma S/o Har Sahay Sharma, aged 36 adult, R/o 15/16, Raj Nagar, Bajariya, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.

23. Vishnu Kumar Sharma S/o Kirodi, aged 37 adult, R/o Plot No. 301, Railway Colony, Ward No. 11, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
24. Lalita Gautam W/o Pawan Gautam, aged 36 adult, R/o E-4, Gautam Bhawan, Keshav Nagar, Maan Town, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
25. Aruna Gautam W/o Banwari Gautam, aged 35 adult, R/o E-4, Gautam Bhawan, Keshav Nagar, Maan Town, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
26. Jyoti Nagar W/o Shri Anand Nagar, aged 39 adult, R/o 36, Jawahar Nagar, Gulab Bagh, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
27. Neetu Jadon W/o Bhanwar Singh, aged 40 adult, R/o 329, Housing Board Colony, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
28. Moti Singh Rathore S/o Late Shri Bhanwar Singh, aged 43 adult, R/o Adarsh Nagar-A, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
29. Sukhvinder Kaur W/o Jaspreet Singh, aged adult 38, R/o 17, Jawahar Nagar, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
30. Harisj Kumar Sharma S/o Shambhu Dayal Sharma, aged 39 adult, R/o Brahampuri, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
31. Rishikesh Meena S/o Kishan Gopal Meena, aged 36 adult, R/o Ghudasi, Tehsil Sawai Madhopur, 89, Bal Mandir Colony, Alfa English School, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
32. Arvind Kumar Gautam S/o Late Laddu Lal Sharma, aged 39 adult, R/o 141, M.P. Colony, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
33. Jagdish Prasad Sharma S/o Kailash Chandra Sharma, aged 38 adult, R/o 3, Gautam Colony, Near Samta Bhawar, Behind Akashwani, District Sawai Madhopur, Casual Announcer/ Compere/Production Assistant, All India Radio.
34. Jugal Prasad Choudhary S/o Shri Prabhu Lal Choudhary, aged 37 adult, R/o F-7, Balita Housing Scheme, Balita Road, Kunhadi, District Kota, Casual Announcer/ Compere/ Production Assistant, All India Radio.
35. Shashi Kant Suman S/o Shri Banshi Lal Suman, aged 36 adult, R/o Plot No. 11, Near Shri Niketan School, Suman Vihar, Kunhadi, District Kota, Casual Announcer/ Compere/ Production Assistant, All India Radio.
36. Mahendra Kumar Sharma S/o Shri Prem Chand Kulin, aged 41 adult, R/o Plot No. 582, Shastri Nagar, Dadabari, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
37. Vibha Taylor W/o Pradeep Taylor, aged 42 adult, R/o 2-F-8, Dadabari, District Kota, Casual Announcer/ Compere/ Production Assistant, All India Radio.
38. Pramila Jain W/o Tanmay Jain, aged 44 adult, R/o 3, Porwal Bhawan, Saraogi Nohra, Behind Rampura Kotwali, Vijaypada, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.

39. Rekha Rathore D/o Late Govind Narayan, aged 43 adult, R/o Ganpati Computers, D.C.M. Road, Raipura, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
40. Rajendra Kumar Rawal S/o Late Ram Kalyan Rawal, aged 39 adult, R/o C-13/1, Pragati Nagar, Deoli Arab Road, Borkheda, District Kota, Casual Announcer/ Compere/ Production Assistant, All India Radio.
41. Sarita Bohra W/o Subhash Bohra, aged 38 adult, R/o 1-Na-1, Teachers Colony, Keshavpura, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
42. Sunita Jain W/o Ajay Bahadur Singh, aged 39 adult, R/o F-22, Sarovar Nagar, Ballabhbadhi, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio,
43. Alka Dixit W/o Sunil Dixit, aged 36 adult, R/o F-7, 51, Railway Housing Society, Mala Road, District Kota Junction, Casual Announcer/Compere/Production Assistant, All India Radio.
44. Anjana Sharma W/o Hemant Sharma, aged 37 adult, R/o Plot No. 320, Basant Vihar, Dadabari, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
45. Ram Bharose Meghwal S/o Kesari Lal Meghwal, aged 40 adult, R/o Gordhanpura, Ward No. 2, Tehsil Ladpur, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
46. Kavita Sharma W/o Vinit Sharma, aged 44 adult, R/o 2-T-30, Talwandi, District Kota, Casual Announcer/ Compere/Production Assistant, All India Radio.
47. Mahendra Kumar Nagar S/o Shri Prabhu Lal Nagar, aged 37 adult, R/o C/o Shri Jagdish Prasad Nagar, Behind Montesari School, Ward No. 24, Nehru Colony, Nayapura, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
48. Trisha Jha W/o Hemant Jha, aged 42 adult, R/o R-24, Royal City, Aditya Avas Vistar, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
49. Mukesh Kumar Morwal S/o Shri Heera Lal Morwal, aged 41 adult, R/o Bhavya Mens Parlour, Chawala Circle Road, Shop No. 5, Santoshi Nagar Chouraha, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
50. Mamta Tripathi W/o Sudhir Narayan Tripathi, aged adult 40, R/o 28/280, Shiv Sadan, Kethunipole (Behind Masjid), District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
51. Nisha Dhoot W/o Shri Ramcharan Dhoot, aged 39 adult, R/o 870, Mahaveer Nagar-I, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
52. Ishan Johari S/o Shri Dinesh Kumar Saxena, aged 41 adult, R/o Plot No. B-48, Behind Akashwani Kendra, Akashwani, Nayapura, District Kota, Casual Announcer/ Compere/Production Assistant, All India Radio.
53. Neetu Kumawat S/o Shri Sushil Kumawat, aged 44 adult, R/o Plot No. 643, Mahaveer Nagar-II, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
54. Archana Vyas W/o Shri Aman Tiwari, aged 45 adult, R/o Plot No. 5-K-14, Mahaveer Nagar-III, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.

55. Tejmohan Kaur W/o Shri Rishpal Singh, aged 46 adult, R/o 77/78, Saini Sadan, Gali No. 7, Shastri Colony, Ganeshpura Road, Near Railway Cutting Yard, Kota Junction, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
56. Kavita Sharma W/o Hari Om Sharma, aged adult 44, R/o 206, Laxmi Aawas, Raipura, DCM Road, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
57. Rajni Sharma W/o Shri Upendra Kumar Sharma, aged 44 adult, R/o Plot No. 6, Gopal Vihar Special, Near Arihant Hospita, Police Line, Baran Road, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
58. Tarannum Naaz W/o Shri Abdul Shaqil Khan, aged 43 adult, R/o 55, Road No. 4, Pili Kothi, Dadwada, Kota Junction, District Kota, Casual Announcer/ Compere/Production Assistant, All India Radio.
59. Nasiban Bano W/o Mubariq Ali, aged 41 adult, R/o Near Shamshan Gate, Gali No. 5, Sanjay Nagar, Kota Junction, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
60. Seema Arya W/o Shri Hemant Arya, aged 39 adult, R/o C-38, shri Ram Nagar Colony, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
61. Chitra Sharma W/o Shri Suresh Chandra Sharma, aged 38 adult, R/o 812,-B, Shrinathpuram, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
62. Anita Sharma W/o Omprakash Tiwari, aged 37 adult, R/o 366-B, R.K. Puram, District Kota, Casual Announcer/ Compere/Production Assistant, All India Radio.
63. Dhanveer Meena S/o Shri Gopal Lel Meena, aged 36 adult, R/o Plot No. 3-A-13, Rajasthan Housing Board, Kunhadi, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
64. Gigyasa Gautam W/o Shri Gyanprakash Gautam, aged 40 adult, R/o 4-B-24, Dadabari Vistar Yojana, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
65. Hemant Kumar Bhardwaj S/o Late Shri Shiv Gopal Bhardwaj, aged 41 adult, R/o Plot No. 2-Chh-10, Teachers Colony, Keshavpura, Rangbari Road, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
66. Pankaj Mahawar S/o Jagdish Mahawar, aged 41 adult, R/o Plot No. 4-G-5, Mahaveer Nagar-III, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
67. Mamta Kumari W/o Shri Nand Kishore Mahawar, aged 42 adult, R/o Kjand Ganwadi, Civil Line, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
68. Prathma Soni W/o Shri Sharad Soni, aged 44 adult, R/o 207/7, Keshavpura, District Kota, Casual Announcer/ Compere/Production Assistant, All India Radio.
69. Nisha Bhatoria D/o Ramesh Dutt Bhatoria, aged 40 adult, R/o Opp. Pandit Bhawan, Lakheri Walon Ka Makan, Chhawani Ramchandrapura, District Kota, Casual Announcer/ Compere/Production Assistant, All India Radio.
70. Santosh Kumari Saini W/o Nitesh Kumar Suman, aged 39 adult, R/o Sakatpura, District Kota, Casual Announcer/ Compere/Production Assistant, All India Radio.

71. Kiran Bala W/o Rakesh Kumar Gautam, aged 37 adult, R/o 13/44, Shivpura Chouraha, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
72. Renuka Gautam W/o Mukesh Kumar Gautam, aged 39 adult, R/o Near Kushwaho Ka Mandir, Kheda Rasulpur, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
73. Manisha Kanwar W/o Shri Jitendra Singh Hada, aged 34 adult, R/o Gali No. 12, New Colony, Sogariya, Near Chouth Mata Mandir, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
74. Abhilasha Pareek W/o Shri Rajneesh Pareek, aged 40 adult, R/o 28, Soni Ka Bagh, Behind Alka Cinema, V.K.I. Sikar Road, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
75. Asha Dhabhai W/o Shri Rajesh Dhabhai, aged 38 adult, R/o Plot No. 2351, Near Dhula House, Near Rathi Dharamshala, Bapu Bazar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
76. Surbhi Malik W/o Shri Rajeev Malik, aged 37 adult, R/o 'Surmya' C-109, Model Town, Malviya Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
77. Mamta Tiwari D/o Shri S.N. Tiwari, aged 39 adult, R/o 1042, Barkat Nagar, Tonk Phatak, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
78. Rakhi Shukla W/o Shri Ajay Shukla, aged 40 adult, R/o L-5-B, Krishna Marg, C-Scheme, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
79. Archana Chouhan W/o Shri Madan Mohan Singh Chouhan, aged 42 adult, R/o 4-Ta-4, Jawahar Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
80. Chanchal Sharma W/o Shri Deepak Kumar Sharma, aged 42 adult, R/o D-204, Murlipura Scheme, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
81. Neeraj Kumar Sharma S/o Shri Prahlad Sharma, aged 44 adult, R/o 788, Ganesh Nagar Main, Niwaru Road, Jhotwara, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
82. Ravi Mathur S/o Shri Govind Lal Mathur, aged 45 adult, R/o 32/47, 1st Floor, Swaran Path, Mansarovar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
83. Madhushri Chatterjee W/o Shri K.K. Chatterjee, aged 43 adult, R/o 18, Moti Lal Atal Road, Near Poly Victory Cinema, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
84. Ragini Panwar D/o Shri Anand Singh Panwar, aged 39 adult, R/o 71/81, Paramhans Marg, Near K.V. No. 5, Mansarovar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
85. Pooja Mahur D/o Shri Hanuman Prasad Mahur, aged 41 adult, R/o 189, Mohan Nagar, Near Triveni Nagar, Gopalpura Bye Pass, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
86. Shankar Pareek S/o Shri Manmohan Pareek, aged 42 adult, R/o 45/196, Moti Path, Kiran Path, Mansarovar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.

87. Chandrakala Sihag W/o Shri Sunil Kumar, aged 41 adult, R/o B-25, Mother Teressa Nagar, Behind NWR Office, Malviya Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
88. Bhumika Pareta D/o Shri Chetan Prakash Pareta, aged 40 adult, R/o 79, Shri Krishna Colony, Near Patrakar Colony, Mansarovar, Casual Announcer/Compere/Production Assistant, All India Radio.
89. Vinita Goswami W/o Shri Shailesh Sharma, aged 41 adult, R/o 9-A, M.G. Nagar, Behind Elements Mall, D.C.M., Ajmer Road, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
90. Jaivikum W/o Shri P.K. Mishra, aged 42 adult, R/o C-24, Krishnapuri, Sodala, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
91. Reena Joshi W/o Shri Sunil Joshi, aged 44 adult, R/o 92-Kha, Bal Mandir Colony, Man Town, Tehsil and District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.

All are working as Casual Announcer at AIR in respective places.

....Applicants

Shri Abhay Jain, counsel for applicants.

## **VERSUS**

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Govt. of India, New Delhi.
2. Prasar Bharti Broadcasting Corporation of India through the Chief Executive Officer, New Delhi.
3. Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi.

....Respondents

Shri N.C. Goyal and  
Ms. Vertika Sharma, counsels for respondents.

## **OA No. 291/360/2017**

1. Upendra Mehra S/o Shri Narendra Kumar Mehra, aged 41 adult, R/o Naya Bass, Near Jai Paltan, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
2. Sumit Sharma S/o Late Shri Dharmendra Kumar Sharma, aged 42 adult, R/o 71-A, Arawali Colony, Jaipur Road, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
3. Pankaj Sharma S/o Shri Jai Bharat Sharma, aged 40 adult, R/o 432-B, Lajpat Nagar, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
4. Dharmendra Atri S/o Shri Surendra Kumar Atri, aged 39 adult, R/o 5-K-391, Shivaji Park, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.

5. Prakash Sharma D/o Shri Babul Lal Sharma, aged 38 adult, R/o Munshi Bagh, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
6. Shammi Setia D/o Shri Kailash Chand Setia, aged 40 adult, R/o Setia General Store, 98-A, Hope Circus, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
7. Narendra Simatwal S/o Shri Mool Chand Simatwal, aged 44 adult, R/o 7, Siddharth Vihar, 60 Feet Road, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
8. Sarla Jain W/o Shri Nirmal Kumar Jain, aged 45 adult, R/o 75, South West Block, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
9. Uma Khandelwal W/o Shri Rajesh Kumar Gupta, aged 36 adult, R/o 1/73, Shanti Kunj, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.

All are Casual Announcer at AIR working at the respective places.

....Applicants

Shri Abhay Jain, counsel for applicants.

### **VERSUS**

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Govt. of India, New Delhi.
2. Prasar Bharti Broadcasting Corporation of India through the Chief Executive Officer, New Delhi.
3. Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi.

....Respondents

Shri N.C. Goyal and  
Ms. Vertika Sharma, counsels for respondents.

### **OA No. 291/366/2017**

1. Narendra Mishra S/o Late Shri Radhe Shyam, aged 43 years, R/o 80, Jawahar Nagar, Truck Union, Cement Factory Road, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
2. Monika Nama W/o Shri Deepak Sharma, aged about 34 years, R/o E-6, M.M. Stone, Kherda Industrial Area, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
3. Bharti Sharma W/o Shri Manoj Kumar, aged about 35 years, R/o Bhopal Nagar, Adarsh Nagar-B, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
4. Hema Sindhi D/o Shri Khub Sindhi, aged about 30 years, R/o Near Suman School, Manihari Mohalla, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.

5. Shrishti Meena D/o Late Shri Prahlad Meena, aged about 26 years, R/o Plot No. 26, Behind Sevika Vidya Ashram School, Near Akashwani, Bajaria, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.
6. Lalita Jat W/o Shri Ramesh Jat, aged about 29 years, R/o Thingla Maantown, District Sawai Madhopur, Casual Announcer/Compere/Production Assistant, All India Radio.

All are Casual Announcers at AIR at the respective cases.

....Applicants

Shri Abhay Jain, counsel for applicants.

## **VERSUS**

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Government of India, New Delhi.
2. Prasar Bharti Broadcasting Corporation of India through the Chief Executive Officer, New Delhi.
3. Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi.

....Respondents

Shri N.C. Goyal and  
Ms. Vertika Sharma, counsels for respondents.

## **OA No. 291/390/2017**

1. Deepesh Yadav S/o Shri Mangilal Yadav, aged 34 years, R/o 2-C-2, Housing Board Colony, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
2. Lalit Ram S/o shri Tulsi Ram, aged 39 years, R/o Panchmukhi Balaji Road, Dhurpura Mohalla, Bus Stand, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
3. Dharamraj Singh Chouhan S/o Shri Bahadur Singh, aged 33 years, R/o Opp. Chandravati Hotel, Patan Road, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
4. Meghna Vaishnav D/o Shri Dinesh Kumar, aged 27 years, R/o Gayatri Colony, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
5. Meena Nagar S/o Shri Pragyanand Nagar, aged 37 years, R/o Gayatri Nagar, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
6. Nikita Meena W/o Dr. Ravindra Meena, aged 31 years, R/o Near Gayatri Mandir, District Jhalawar (Raj.) Dr. O.P. Patidar Flat No. 1, Casual Announcer/Compere/Production Assistant, All India Radio.
7. Dhanna Lal S/o Shri Mohan Lal, aged 33 years, R/o Gokul Dental, Khasa Radi, N.H. 12, Patan Road, District Jhalawar

(Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

8. Rakesh Kumar Meena S/o Shri Sita Ram Meena, aged 31 years, R/o Behind Panchmukhi Balaji, Bus Stand, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
9. Shalini Pareek W/o Shri Sanjay Pareek, aged 39 years, R/o 3-A, Rajlaxmi Nagar, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
10. Roshni Chourasia W/o Shri Mahesh Chourasia, aged 29 years, R/o Near Old Jail, Rituvriya Niketan, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
11. Bajrang Lal Meena S/o Shri Birdhi Lal Meena, aged 44 years, R/o Khandiya Colony, District Jhalawar (Raj), Casual Announcer/Compere/Production Assistant, All India Radio.
12. Versha Sharma D/o Shri Rajendra Sharma, aged 25 years, R/o Chanda House, 67-A, Jawahar Colony, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
13. Kuldeep Sharma S/o Shri Mathura Lal Sharma, aged 37 years, R/o Kherasi House, Mangalpura, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
14. Khushboo Jogi D/o Shri Puri Lal Jogi, aged 34 years, R/o 10, Subhash Colony, Near New Block, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
15. Sonika Khalora W/o Shri Kapish Khalora, aged 28 years, R/o Near Swastik Telecom, Mangalpura, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
16. Rajesh Vaishnav W/o Shri Mahaveer Vaishnav, aged 26 years, R/o 110-A, Jawahar Colony, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
17. Mathura Lal Lavvanshi S/o Shri Ghasi Lal, aged 39 years, R/o Nai Basti, Gagron Road, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
18. Anoop Shourie S/o Shri Om Dutt Shourie, aged 51 years, R/o Senior Secondary School Road, Jhalarapatan, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
19. Badri Lal S/o Shri Mangi Lal, aged 39 years, R/o 102-B, Jawahar Colony, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
20. Amar Lal S/o Shri Ram Gopal, C/o Shri Mahaveer Prasad Gupta, aged 40 years, R/o Jail Road, Bus Stand, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
21. Devendra Soungaria S/o Shri Moti Lal Verma, aged 50 years, R/o Pasina Press Ke Pass, Mangalpura, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
22. Mohd. Sajid S/o Shri Abdul Majid, aged 49 years, R/o Mastan Shah Ki Masjid Ke Pass, Paygah Mohalla, District

Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

23. Lokesh Vyas S/o Shri Dev Ballabh Vyas, aged 39 years, R/o Tabela Road, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

24. Hariom Vaishnav S/o Shri Rameshwar Vaishnav, aged 37 years, R/o Jail Road, Bus Stand, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

25. Pushplata Dubey S/o Shri Narendra Dubey, aged 42 years, R/o Jail Road, Bus Stand, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

26. Pinki Rawal D/o Shri Ghanshyam, aged 30 years, R/o Radi Ke Balaji, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

27. Sunita Bairwa D/o Shri Ram Prasad Bairwa, aged 25 years, R/o Mangalpura, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

28. Harshita Rajawat D/o Shri Dhanraj Singh, aged 25 years, R/o 2-B-19, Housing Board, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

29. Raviraj Singh S/o Shri Dhanraj Singh, aged 23 years, R/o 2-B-19, Housing Board, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

30. Ashok Kumar Sharma S/o Shri Ramesh Chand Sharma, aged 31 years, R/o Indra Colony, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

31. Chanda W/o Shri Jayant Mehta, aged 41 years, R/o Chanda Prabhuji Ki Gali, Jhalarapatan, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

32. Balmukund S/o Shri Kanhaiya Lal, C/o Chhagan Singh Shaktawat, aged 43 years, R/o Jail Road, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

33. Rajkumar Guta S/o Shri Rambilas Gupta, aged 33 years, R/o Subhash Colony, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

34. Tanwar Hada D/o Shri Bhim Singh Hada, aged 37 years, R/o Dwarkadheesh Mandir, Jhalarapatan, District Jhalawar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

35. Neha Sharma W/o Shri Ajay Sharma, aged 33 years, R/o Plot No. 24, Sab Jail Ke Piche, Karamchari Colony, District Sawai Madhopur (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

36. Rukmani Meena W/o Shri Rajesh Meena, aged 39 years, R/o Plot No. 14, Sab Jail Ke Piche, Karamchari Colony, District Sawai Madhopur (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

37. Priti Goyal W/o Shri Vithal Gupta, aged 39 years, R/o Sab Jail Ke Piche, Karamchari Colony, District Sawai Madhopur (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

All are Casual Announcer at AIR working at the respective places.

....Applicants

Shri Abhay Jain, counsel for applicants.

## **VERSUS**

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Government of India, New Delhi.
2. Prasar Bharti Broadcasting Corporation of India through the Chief Executive Officer, New Delhi.
3. Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi.

....Respondents

Shri N.C. Goyal and  
Ms. Vertika Sharma, counsels for respondents.

### **OA No. 291/616/2017**

1. Govind Singh Chhipa S/o Shri Harishwar Prasad, aged about 47 years, R/o 4/147, Malviya Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
2. Anita Prajapati W/o Shri Sushil Verma, aged about 30 years, R/o A-31, Arjun Marg, Rana Colony, Nahari Ka Naka, Shastri Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
3. Mahesh Poonia S/o Bhagwan Singh Poonia, aged about 28 years, R/o B-6/373, Sector-6, Chitrakoot Ajmer Road, Vaishali Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
4. Pooja Chandwani W/o Kamlesh Kumar Chandwani, aged about 53 years, R/o 220-B, Sindhi Colony, Raja Park, Jawahar Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
5. Bhawna Sharma W/o Sunil Sharma, aged about 38 years, R/o 681-A, Ground Floor, Vidhyut Nagar-A, Shantanu Path, Vaishali Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
6. Asha Jain D/o Amolak Chand Gangawal, aged 51 years, R/o 1-Ch-3, Near Jain Hospital, Jawahar Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
7. Priya Nandwani W/o Harish Nandwani, aged about 41 years, R/o 711, K.K. Tower, Ghiya Marg, Near Space Cinema, Jhotwara Road, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
8. Babita Hirani W/o Ramesh Kumar Hirani, aged about 42 years, R/o 939, Meer Bakshi Ka Mohalla, Pano Ka Dariba, Subhash Chowk, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.

9. Deepika Khanchandani D/o Dayal Das Khanchandani, aged about 35 years, R/o 112/51, Agarwal Farm, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
10. Manisha W/o Chandrabhan, aged about 42, R/o 6-Gh-8, Jawahar Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
11. Daulat Pareek S/o Madan Lal Pareek, aged about 33 years, R/o 698, Jat Ke Kuwe Ka Rasta, Imli Ki Gali, Chandpole Bazar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
12. Priyanka Shekhawat W/o Rishi Raj Singh Purawat, aged about 37 years, R/o Rawla Mohalla, Mangrop, Bhilwara, Casual Announcer/Compere/Production Assistant, All India Radio.
13. Pranaya Bhardwaj C/o Harswaroop Sharma, aged about 42 years, R/o B-82, Near National Handloom, Vaishali Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
14. Pooja Mahur D/o Hanuman Prasad Mahur, aged about 27 years, R/o 189, Sohan Nagar, Near Triveni Nagar, Gopalpura Bye Pass, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
15. Khalid Khan S/o Ikram Rajasthani, aged about 42 years, R/o D-36, Sanjay Nagar Bhatta Basti, Shastri Nagar, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
16. Aditi D/o Ravindra, aged about 31 years, R/o 413, Bada Akhada, Brahmputri, Jaipur, Casual Announcer/Compere/Production Assistant, All India Radio.
17. Krishan Kumar Purohit S/o Badri Prasad Nirala, aged about 35 years, R/o 320, Basant Vihar, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
18. Bhawana Sharma W/o Vijay Gautam, aged about 37 years, R/o 4-Ta-26, Ashok Block, Vigyan Nagar, Indrapura, P.I.P. Kota, Ladpura, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
19. Pradumn Kumar S/o Radhe Shyam Sharma, aged about 42 years, R/o 3-F-18, Talwandi, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
20. Monika Jain W/o Anil Kumar, aged about 35 years, R/o Nemi Pushp Vihar, Gulab Badi, Arya Samaj Road, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
21. Shashi Kala Soni W/o Kailash Chand Soni, aged about 41 years, R/o 2, Atwal Nagar, New Gopal Vihar, Nayapura, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
22. Nisha Rawal D/o Ram Prasad, aged about 23 years, R/o 726, Hanuman Nagar, Dadabari, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
23. Neha Rathore D/o Ashok Kumar Rathore, aged about 27 years, R/o Plot No. 272, Ganesh Ji Mandir Ke Pass, Ajay Ahuja Nagar, Anandpura @ Phoota Talab, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.
24. Pooja Naraniya D/o Prahlad Chandra Verma, aged about 30 years, R/o 2/3, New P & T Colony, Vigyan Nagar,

District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.

25. Leena Sharma W/o Devki Nandan Sharma, aged about 43 years, R/o A-6, Laxman Vihar, Kunhari, Thermal Colony, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.

26. Vani Jain W/o Manish Jain, aged about 41 years, R/o Shree Ram Nagar Colony, District Kota, Casual Announcer/Compere/Production Assistant, All India Radio.

All are Casual Announcers at AIR at respective places Jaipur and Kota.

....Applicants

Shri Abhay Jain, counsel for applicants.

### **VERSUS**

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Government of India, New Delhi.
2. Prasar Bharti Broadcasting Corporation of India through the Chief Executive Officer, New Delhi.
3. Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi.
4. Center Director, Prasar Bharti, 5, Park House, M.I. Raod, All India Radio, Jaipur-302001.

....Respondents

Shri N.C. Goyal and  
Ms. Vertika Sharma, counsels for respondents.

### **OA No. 291/200/2018 with MA No. 291/701/2019 & MA No. 291/702/2019**

1. Vandana Yadav W/o Manoj Yadav, aged about 36 years, R/o 438, Bagar Ka Bass, Near Police Line, District Alwar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
2. Anita Sharma D/o Shyam Sunder Sharma, aged about 35 years, R/o 4/201, Kala Kuan Housing Board, District Alwar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.
3. Rekha Sharma W/o Pramod Sharma, aged adult, R/o Mahtab Singh Ka Nohra, Nai Basti, K.K. Tent Wali Gali, District Alwar, Casual Announcer/Compere/Production Assistant, All India Radio.
4. Vandana Tyagi W/o Navneesh Tyagi, aged about 37 years, R/o Satya Niketan, Plot No. 5, Hardev Vihar, Jai Palton Road, Near Old R.T.O. Office, District Alwar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

5. Divya Khandelwal W/o Amit Kumar Gupta, aged about 35 years, R/o Sector No. 10, A-32, District Alwar (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio.

All are Casual Announcer at AIR working at Alwar.

....Applicants

Shri Abhay Jain, counsel for applicants.

### **VERSUS**

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Govt. of India, New Delhi-110001.
2. Prasar Bharti Broadcasting Corporation of India through the Chief Executive Officer, New Delhi-110001.
3. Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi-110001.
4. Programme Head, Prasar Bharti All India Radio Alwar, Scheme No. 5, Alwar (Raj.) - 301001.

....Respondents

Shri N.C. Goyal and  
Ms. Vertika Sharma, counsels for respondents.

### **OA No. 291/273/2018**

Shipra W/o Shri S.S. Yadav, aged about 46 years, R/o 123, Mahatma Gandhi Nagar, D.C.M., Ajmer Road, Jaipur (Raj.), Casual Announcer/Compere/Production Assistant, All India Radio. Casual Announcer at AIR working at Jaipur.

....Applicants

Shri Abhay Jain, counsel for applicants.

### **VERSUS**

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Govt. of India, New Delhi-110001.
2. Prasar Bharti Broadcasting Corporation of India through the Chief Executive Officer, New Delhi-110001.
3. Director General, All India Radio, Akashwani Bhawan, Parliament Street, New Delhi-110001.

....Respondents

Shri N.C. Goyal and  
Ms. Vertika Sharma, counsels for respondents.

**ORDER**

With the consent of learned counsels for the parties, OA No. 291/359/2017, OA No. 291/360/2017, OA No. 291/366/2017, OA No. 291/390/2017, OA No. 291/616/2017, OA No. 291/200/2018 and OA No. 291/273/2018, are taken up together for disposal as a common question of law and fact is involved in all these cases.

2. For the sake of convenience, the facts are being taken from O.A. No. 291/359/2017 (**Krishan Sharma & Others vs. Union of India & Ors.**). It has been pleaded that an identical issue was raised by similarly situated persons in O.A. No. 1182/2012 (**Purushothaman C. & Ors. vs. Union of India & Ors.**) before the Ernakulam Bench of this Tribunal wherein the respondents made a statement that a scheme for regularization shall be finalized as early as possible and, accordingly, the said O.A. was disposed of vide order dated 22.11.2013 with a direction to respondents to finalise the scheme for regularisation and implement the same expeditiously. The said order passed by the Ernakulam Bench was affirmed by the Hon'ble High Court of Kerala at Ernakulam vide its judgment and order dated 27.10.2015 passed in O.P. (CAT) No. 38 & 175 of 2015. The respondents, still not satisfied, approached the Hon'ble Supreme Court by way of filing Special Leave to Appeal (C) No. 13876-13877/2016 wherein the leave was granted on 05.09.2016 and a direction was issued to maintain the status quo. It has further been averred that the issue of regularisation of Casual

Announcers of All India Radio was pending before the Hon'ble Supreme Court and instead of implementing the scheme of regularisation, the respondents issued the impugned orders dated 21.02.2017 and 18.04.2017 (Annexure A/1 and A/2 respectively) for conducting fresh audition/rescreening of Casual Announcers with an oblique motive to remove them from their services.

3. Aggrieved by the aforesaid orders dated 21.02.2017 and 18.04.2017 issued by the respondents, the applicants have filed the present Original Application seeking therein a direction to respondents to implement the scheme for regularisation of their services as per the orders passed by the Ernakulam Bench of this Tribunal in the case of **Purushothaman C.** (supra).

4. The respondents, in order to oppose the applicants' claim, have filed an affidavit of Shri Sudhir Rakecha, Station Director, Parsar Bharti, (Broadcasting Corporation of India), All India Radio, Jaipur. On 31<sup>st</sup> July, 2019, on a statement made by learned counsel for the respondents, the said affidavit was treated as reply on behalf of all the respondents. The applicants did not file any rejoinder to said reply controverting the facts stated therein.

5. During pendency of the O.A., the respondents also filed a Misc. Application No. 487/2017 along with a copy of the order dated 11.08.2017 passed by the Principal Bench of this Tribunal

in PT/100/207/2017. It was stated in the said Misc. Application that the Principal Bench has ordered that the proceedings in O.A. No. 291/359/2017 pending before this Bench shall remain in abeyance till the similar matters including OA No. 2154/2017 are considered by the Principal Bench. While allowing the said Misc. Application, the order dated 11.08.2017 passed by the Principal Bench was taken on record as Annexure MA/1 and the matter was adjourned sine die.

6. Learned counsels for the respondents, at the very outset, submitted that identical issue was involved in O.A. No. 96/2018 (**Pradnya Raghunath Mirgal & Ors. vs. Union of India & Ors.**) before the Principal Bench of this Tribunal in which similarly situated persons had laid a challenge to the orders dated 21.02.2017 and 18.04.2017, which have also been challenged in all the afore-stated Original Applications. Learned counsels further submitted that O.A. No. 96/2018 has been dismissed by the Principal Bench vide order dated 10.04.2019. The relevant portion of the said order is reproduced here as under: -

“3. The applicants in this case are impugning the order dated 21.2.2017 vide which the respondents have allowed all AIR stations to conduct auditions for selection of presenters/Comperes/Announcers/RJs etc. booked on assignment basis and also impugning the subsequent order dated 18.4.2017 slightly modifying the aforesaid order dated 21.2.2017 page-5, Para-2 under the heading Rescreening of Assignee, the existing panel of assignees will pass through the same 3-tier process, i.e., Written Test followed by Audition, further followed by interview as is warranted for a panel of fresh assignees except, of course, the relaxation of age, which should not be more than 50 years as the maximum possible entry level age and exemption from the requirement of paying the audition fee for those in the existing panel and also direction to the

respondents to extend the benefit of the scheme in pursuance of which employees of Doordarshan were regularized or frame a scheme for regularization of the casual announcer/compare/progreamme assistants of All India Radio.

4. The applicants in this case, who were appointed as casual Announcers in All India Radio, are further seeking direction to the respondents to extend the regularization scheme as adopted by second respondent for the employees of Doordarshan or to form other similar scheme for them and also contended that the impugned orders have been passed by the respondents in violation of interim order passed in SLP (Civil) CC No.13876-13877/2016/ Civil Appeal Nos.8859-8860/2016 (titled as **Director General, All India Radio vs. Purushottaman C. & others etc** dated 5.9.2016 in which the Hon"ble Apex Court had granted status quo, obtaining as of today shall be maintained.

xxx      xxx      xxx

15. In view of the above facts and circumstances of this case, and the fact that the respondents have constituted a Committee, in pursuance of the aforesaid directions of the Ernakulam Bench of this Tribunal and High Court of Kerala, which comprises of ADG (A&P), DDG (SW) and Director A-II of the respondents" organization and the same Committee after exhaustive deliberation on the issues gave recommendations to the effect that any attempt for regularization of the services of the applicants is fraught with complications and would jeopardize the interests of the broadcasting organization and further observed that the said Idea is neither administratively feasible nor economically viable and against the principles of natural justice and against the larger public interest and the fact that the said recommendations were accepted by the competent authority.

16. Hence, we do not find any merit in the present OA as the issue of creation of posts has been squarely dealt with by the Hon"ble Supreme Court in the case of **P.U. Joshi** (supra), relevant portion of the same has already been quoted above, and the manner of regularization has also been dealt with by the Apex Court in **Uma Devi** (supra) and also the fact that the aforesaid decision of the Hon"ble Delhi High Court still holds sway, this OA is disposed of in terms of the detailed order passed by the Hon'ble Delhi High Court in Batch of cases (C.W.P No.319/2001 and others) vide judgment dated 13.2.2002, which has already been affirmed by the Hon'ble Apex Court in SLP No.11855/2002 vide Order dated 11.7.2002.

17. In the result, for the foregoing reasons, the present OA being devoid of merit is dismissed. There shall be no order as to costs."

7. Learned counsels for the respondents still further submitted that the Hon'ble High Court of Jammu and Kashmir at Srinagar has also taken a similar view vide judgment dated 29.07.2019 rendered in **SWP No. 1742/2018 (Shakeela Andrabi & Ors. vs. Union of India & Ors.)**. The relevant portion of the said judgment is also reproduced here as under: -

**"08.** Looking at the petition of the petitioners from yet another perspective, it has not been disputed that those who are empaneled as Casual assignees were free to take employment on other days and in their spare time even on the day when they perform in the respondent Radio Kashmir. It is also not in dispute that they used to be given a fixed fee for each programme. In that situation, it is evident that the petitioners were not even appointed on casual basis as the employees who could be rendering regular and continuous services to the respondents and, as such, no scheme for their regularization can be evolved having regard to the provisions of Article 309 of the Constitution.

**09.** A scheme of regularization can be evolved or a Statue or Statutory rules framed for regularization of the casual employees, who would answer the criteria of holding a civil post in terms of Article 309 of the Constitution. A person who renders service on 29 days a month, and presently 6 days a month, cannot be a holder of a civil post. It is beyond controversy that the petitioners have been working with the respondents on assignment basis and that they are, at present, being engaged for six days in a month. The services of the petitioners were never utilized by the respondents for any continuous period, but they were being engaged only as and when such services were required. In fact, it is clear that the services of the petitioners were being utilized for different forms of work to cope up with temporary increase of work, as it was not at all feasible for the Department to keep regular staff which may incur huge expenditure. At the present moment, due to non-availability of work, the respondents are well within their rights to curtail the number of bookings with regard to the petitioners as per their requirement strictly in terms of circular dated 09<sup>th</sup> June, 2010.

**10.** Coming to the recommendations of the Parliamentary Standing Committee on Labour, as relied upon by the petitioners, the same stand already rejected by the competent authority, i.e. the Government of India and, therefore, the said recommendations cannot come to the aid or rescue of the petitioners.

**11.** For all what has been said and done above, I am of the considered view that there is no merit in the petition of the petitioners. Accordingly, the same fails and shall stand

**dismissed** alongwith all connected CMs. Interim directions, if any, subsisting as on date, shall stand vacated."

8. Learned counsel for the applicants herein could not cite any order/judgment contrary to the view taken by the Principal Bench of this Tribunal in the case of **Pradnya Raghunath Mirgal** (supra) and the Hon'ble High Court of Jammu and Kashmir at Srinagar in the case of **Shakeela Andrabi** (supra).

9. Accordingly, all these Original Applications are dismissed in terms of the order passed by the Principal Bench of this Tribunal in the case of **Pradnya Raghunath Mirgal** (supra).

10. There shall be no order as to costs.

11. Since all the aforesated Original Applications have been dismissed, therefore, nothing survives in the pending Misc. Applications and those are also disposed of accordingly.

**(SURESH KUMAR MONGA)  
JUDICIAL MEMBER**

Kumawat