

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.No.1400/1999

Thursday, this the 21st day of December, 2000

HON'BLE SHRI S.A.T. RIZVI, MEMBER (A)

(2A)

1. Hajari Lal,
S/O Shri Gori Shahai,
Aged about 34 years,
R/O D-371, JJ Colony,
Khyala, New Delhi-18.
2. Vijay Kumar,
S/O Shri Nank Chand,
Aged about 38 years,
R/O P-38, Srinivas Puri,
Private Colony,
New Delhi-65.
3. Rajesh Kumar Tanwar,
S/O Shri Sho Ram Singh Tanwar,
Aged about 29 years,
R/O SQ-32, Pratap Chowk, Delhi Cant.,
New Delhi-10.

...Applicants

(By Advocate: None)

VERSUS

1. Union of India
through Secretary,
Ministry of Information & Broadcasting,
Shastri Bhawan,
New Delhi.
2. Director General,
Doordarshan,
Mandi House,
New Delhi.

..Respondents

(By Advocate: Sh. A.K.Bhardwaj)

O R D E R (ORAL)

When this case was called out, none appeared on behalf of the applicants. The learned counsel for the respondents has argued that none of the applicants is entitled for the grant of relief asked for by them in this OA.

2. The applicants, I find, have asked for the following set of reliefs:-

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- a) Call for the records of the case;
- b) Direct the respondents to regularise the applicants as Painters from the due date;
- c) Quash and set aside the action of the respondents in insisting upon the applicants to sign the declaration form as a condition precedent for continuing them on casual basis;
- d) direct the respondents to give all consequential benefits to the applicants including arrears of pay and allowances;"

3. Giving the background of litigation in this OA, the learned counsel has explained that the respondents have, following litigation, framed a scheme for Regularisation of Casual Artists in Doordarshan including Painters. The said scheme was, two years later, modified and an OM was issued on 17.3.94 spelling out the terms of modification. In short, the aforesaid scheme provided for regularisation of casual artists based on 120 days working in a typical year. Following the framing of the aforesaid scheme, the respondents have drawn up lists of Artists found eligible for regularisation in accordance ~~& seventy~~ with the policy. According to him, the list of ~~of~~ odd persons was drawn up and by this time most of those listed have been regularised. The applicants have never protested against their non-inclusion in the aforesaid list. Instead, what they seek through this OA is regularisation as Painters and quashing of the action on the part of the respondents by which the applicants have been asked to sign a declaration form as a condition precedent to the applicants being employed on casual basis from month to month. I have perused the aforesaid declaration form and find nothing wrong with the same and

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in all fairness, the applicants should be prepared to sign the declaration form before they are causally employed.

4. The aforesaid scheme of regularisation was a one time concession and, therefore, having not been enlisted thereunder, the applicants cannot at this stage claim to be enlisted thereunder. Moreover, they have also not asked for enlistment under the scheme and have instead chosen to ask for regularisation.

5. The learned counsel for the respondents has clarified that subject to their signing the aforesaid declaration, there would be no difficulty in employing the applicants for 10 days in a month on casual basis as per the old arrangement subject to availability of suitable work.

6. The OA is disposed of in the aforestated terms.
No costs.

S.A.T. Rizvi
(S.A.T. Rizvi)
Member (A)

/sunil/