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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 1758 of 1995

New Delhi this the 20th day of September, 1995

HON'BLE SHRI A. V. HARIDASAN, VICE CHAIRMAN (J)

HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Shri Aziz Hasan S/O Late
Shri Hamid Hasan,
R/O 32-D, CGH Complex,
Vasant Vihar,
New Delhi.

... Applicant

(By Shri S. Y. Khan, Advocate)

Versus

1. Union of India through
Secretary, Ministry of
Information & Broadcasting,
Shastri Bhawan,
New Delhi.

2. Director General,
All India Radio,
Aakashvani Bhawan,
Sansad Marg,
New Delhi.

3. Director General,
News Service Division,
All India Radio,
Parliament Street,
New Delhi - 110001.

... Respondents

O R D E R (ORAL)

Shri A. V. Haridasam, VC(J) :

The applicant is working as News Reader-cum-Translator in the All India Radio. He is aggrieved by the fact that the respondents are refusing to forward his name for consideration for selection and appointment as Hindi Language Specialist under Radio Japan NHK, Tokyo. It is alleged that the applicant had once been selected and appointed for secondment work for three years under the Radio Japan NHK during the years 1986-1989. Now that the present incumbent to that post ⁱⁿ to Japan is to be repatriated at the end of January, 1996, the Radio


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Japan NHK has requested the All India Radio to nominate a new candidate. Pursuant to this information, the applicant made an application for sponsoring his name. Finding no response, he made a reminder. In response to this reminder, he was given an order dated 23.8.1995 by which he was informed that his candidature is not being forwarded, as the Directorate had asked for names of new candidates. The applicant states that the refusal on the part of the respondents to forward his name in spite of his repeated reminders as also legal notice amounts to violation of equality in the matter of appointment guaranteed under Articles 14 and 16 of the Constitution. The applicant, therefore, prays in the application for a direction to the respondents to withdraw the impugned order and to allow the applicant to appear for the test/audition/interview for secondment as Hindi Language Specialist in Radio Japan NHK on 21.9.1995 and 22.9.1995 being held at New Delhi by the respondents under the supervision of the representatives of the Radio Japan NHK, Tokyo.


2. On a perusal of the application and after hearing the learned counsel at considerable length, we find that the applicant has not even prima facie made out a case that there is any violation of his fundamental rights. The applicant has no fundamental right in respect of an appointment under the Radio Japan. The learned counsel argued that when the respondents are forwarding the names of candidates for appointment under Radio Japan, he as a citizen of the country and as an employee of the respondents, has got an equal right for being considered alongwith

others. The respondents have considered his request and they thought that for an equitable distribution of the opportunities among their staff, they should sponsor only new candidates. We do not even prima facie find any reason why we should interfere with the exercise of this discretion by the respondents.

3. Under these circumstances, we find no reason to admit this application. We reject the same at the stage of admission itself.


(R. K. Ahooja)
Member (A)

/as/


(A. V. Haridavan)
Vice Chairman(J)