

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 45/1997

New Delhi this the 29th day of May, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SMT. SHANTA SHASTRY, MEMBER (A)

1. Anshul Sharma S/O G.P.Sharma,
R/O 1455, Gali Thatheran,
Kachhi Sarak, Mathura (UP).
2. Shruti Khanna D/O J.P.Khanna,
R/O Dampier Nagar,
Mathura (UP).
3. Sanjay Saraswath S/O V.K.Saraswath,
R/O 16 Krishan Vihar,
Radha Nagar, Mathura (UP).
4. Manish Srivastava S/O Vishwanath,
R/O Mohini Kunj,
Dampier Nagar,
Mathura (UP).

... Applicants

(By Shri Shyam Babu, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of
Information & Broadcasting,
Shastri Bhawan,
New Delhi.
2. Director General,
All India Radio,
Parliament Street,
New Delhi.
3. Station Director,
All India Radio,
Mathura (UP).

... Respondents

(Shri N.S.Mehta, Advocate)

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Applicants in the present O.A. are Casual Announcers in All India Radio, Mathura. They have been in employment since 1991. They have come up with a prayer for regularisation of their services on the same basis as has been done by the respondents in respect of other Casual Artists of All India Radio. A

36

further prayer is made by the applicants for issue of a direction to the respondents to frame a scheme as has been framed in relation to Casual Production Assistants, General Assistants and Casual Artists of Doordarshan and all India Radio. It has inter alia been brought to our notice that as late as in July, 1997 respondents have issued an advertisement inviting applications for employment of Casual Announcers in All India Radio, Mathura where the applicants are at present working. Based on the advertisement it is inter alia contended that it cannot be disputed that there is sufficient workload not only to continue the services of the applicants on regular basis but also to employ additional Announcers, may be on casual basis.

2. It has been brought to our notice that in pursuance of various directions issued by this Tribunal in different O.As., different schemes have been framed by the Government of India in relation to certain categories of employees of Doordarshan and All India Radio. In pursuance of the directions issued on 18.9.1992 in O.A No.822/91 filed by Production Assistants and General Assistants, a scheme has been framed. Similarly, in pursuance of directions issued by this Tribunal on 8.2.1991 in O.A. No.894/98 filed by Casual Artists a separate scheme has already been framed. By yet another direction issued on 14.2.1992 in O.A. No.563/86 also filed by Casual Assistants, a separate scheme dated 9.6.1992 appears to have been framed.

37

3. The plea raised in the present O.A. was also raised by Announcers of All India Radio before the Patna Bench in O.A. No.541/97 and before the Jodhpur Bench in O.A. No.182/99. By orders, respondents were directed to consider the claim of the ^{casual} Announcers for regularisation either by framing a scheme for ^{casual} Announcers or by following the schemes for regularisation of Casual Production Assistants and General Assistants in the All India Radio. The claim made in the present O.A., we find, is similar to the claim raised in the aforesaid O.A. Nos.541/97 (Patna Bench) and 182/99 (Jodhpur Bench).

4. In the circumstances, we do not find any justification on the part of the respondents in the present O.A. to resist the claim of applicants herein for regularisation on the plea that no scheme can be framed for Announcers and the nature of their duties is not such as to justify regularisation of their services. Similarly, the plea that there is no work available justifying regularisation of their services cannot stand in the teeth of the advertisement issued for appointment of Announcers. The nature of duties performed by Announcers is similar to the nature of duties performed by Casual Production Assistants, General Assistants and Casual Artists. Hence, no distinction can be made so as to give a discriminatory treatment to the ^{casual} Announcers.

5. In the circumstances, we dispose of the present O.A. with a direction to the respondents to consider the claim of the applicants for regularisation on the basis of a scheme to be framed

38

for ^{annul} Announcers or on the basis of the scheme already framed for Casual Production Assistants, General Assistants and Casual Artists. There shall, however, be no order as to costs.

6. Present directions be complied with by the respondents within a period of five months from the date of service of this order.

Shanta

(Shanta Shastri)
Member (A)

Ashok Agarwal
(Ashok Agarwal)
Chairman

/as/