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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 2545/2000
M.A. NO. 2996/2000

New Delhi this the 6th day of December, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

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

1. Association of UPSC Recruited Programme Officers of All India Radio & Doordarshan (AUPO) having its office at DDA Quarters No.8G, Basti Narnaul (CAG Scheme) Ajmeri Gate, Delhi through its Convenor Shri Jose Judge Mathew S/O Shri Antony Moraes.
2. Dr. G.R.Syed S/O S.M.Ali, working as Asstt. Station Director, All India Radio, P.S. New Delhi, R/O U-303 Taj Enclave, Geeta Colony, Delhi. ... Applicants

(By Shri A.K.Trivedi, Advocate)

-versus-

1. Union of India through Secretary, Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi.
2. Director General, All India Radio, Akashvani Bhawan, Parliament Street, New Delhi.
3. Director General, Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi. ... Respondents

O R D E R (ORAL)

Shri Justice Ashok Agarwal :

Applicant No.1 is an association of UPSC recruited Programme Officers of the All India Radio and Doordarshan. Applicant No.2 is working as an Assistant Station Director, All India Radio, New Delhi. Present application deals with promotion to the post of Assistant Station Director. Programme Executives and Staff Artists are the feeder posts for the aforesaid post of Assistant Station Director. ^{of Programme Executives} Applicants belong to the former category. One Shri Mohd. Ashraf Lone, an Assistant Station Director who

(2)

belongs to the Staff Artists category had approached the Jammu & Kashmir High Court by filing a writ petition being SWP No.1261/1991 claiming the reliefs which are similar to the ones claimed by the applicants herein. Aforesaid writ petition has been disposed of by an order passed on 16.7.1997 by passing the following directions :

"I call upon the respondents that they shall identify the post of Assistant Station Director which have become available from 5th March, 1982 to ending December, 1989 in the Programme Cadre of All India Radio and Doordarshan and after identifying the same, they shall under the exercise of of ratio of quota and placement of persons who shall become eligible thereto as per service rules. In case there has been any excess of recruitment to the cadre from any of source, they shall be adjusted accordingly. Further the respondents shall follow principles laid down by Hon'ble Supreme Court of India in AIR 1977 (251) and then issue the tentative seniority list to be published and circulated among the Asstt. Station Directors/promotees."

2. Applicants herein claim to be considered for promotion on the basis of the service rules. Rule 4A(1)(f) of All India Radio (Group 'A' Posts) Recruitment (Amendment) Rules, 1984 inter alia provides as under :

"(f) for the purposes of promotion there shall be separate lists of seniority of officers of regular programme cadre and that of staff artists who have become Government employees; promotion to the next grade from the two lists shall be on quota basis, the ratio of which shall be based on the existing number of posts in each category on the date of holding of the Departmental Promotion Committee."

3. Under the aforesaid rule the ratio is required to be fixed based on the existing number of

posts in each of the aforesaid two categories as on the date of holding of the DPC. Applicants in the instant case apprehend that aforesaid rule will not be followed and more than due weightage will be given to the Staff Artists category. In the circumstances, applicants have submitted their representation dated 19.9.2000 at Annexure A-4. In our view, ends of justice would be met by directing the respondents, more particularly, respondent No.1, to consider the said representation expeditiously and in any event before the review DPC is convened, and pass a speaking order. We direct accordingly.

4. Present OA is disposed of with the aforesaid directions.

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

Ashok Agarwal
(Ashok Agarwal)
Chairman

/as/