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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2469/2004

New Delhi, this the 8th day of October, 2004

Hon'ble Mr. S. K. Malhotra, Member (A)

Biswajeet Sain,
R/o A-93, Chitrajan Park,
New Delhi - 19.

....Applicant.

(By Advocate Shri Yogesh Sharma)

Versus

1. Union of India through the Secretary,
Ministry of Information and Broadcasting,
Shastri Bhawan, New Delhi-1.

2. The Director General,
Doordarshan, Mandi House, New Delhi.

3. The A.D.G.
DD News, CPC Doordarshan,
New Delhi.

...Respondents.

O R D E R (ORAL)

This OA has been filed by the applicant with the prayer that the respondents may be directed to consider the case of the applicant for regularization as Graphic Artist in the respondents' department (Doordarshan).

2. The facts of the case in brief are that the applicant was initially appointed as casual Graphic Artist in January 2001. He has been continuously working till his services were dis-engaged w.e.f. 1-7-2004. The reason for this dis-engagement is stated to be that a private agency has since taken over the Graphic Section of News Division of Doordarshan. It is stated that all regular Graphic Artists are still working on the same posts. Many other Graphic Artists who were engaged on casual basis have already been regularized except two including the applicant, waiting for their regularization. Applicant has made a

representation against the termination of services vide letter dated 1-8-2004 but till date no reply has been received.

3. I have heard the learned counsel for the applicant and have also gone through the pleadings.

4. It is observed that the applicant was being engaged as casual Graphic Artist on assignment basis for ten days in a month depending upon the work requirement. Now that the Graphic Section of New Division of Doordarshan has been taken over by a private agency, there would apparently be not much work for Graphic Artists. This must have necessitated termination of the services of the applicant. The Tribunal cannot direct a Government Department to engage the services of the applicant on casual basis, irrespective of the fact whether there is enough work or not. The question of regularization does not arise at this stage as he is not even presently employed with the respondents' department. In any case the applicant has not made any averment to the effect that any junior to the applicant working in the organization as Graphic Artist, has been regularized and his claim has been ignored.

5. In view of the foregoing, the OA is disposed of with the directions that the respondents' department may consider the engagement of the applicant as a casual Graphic Artist, as and when the work is available in the respondents' department and give him preference over fresh persons taking into consideration his past service.

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(S.K. Malhotra)
Member (A)

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