

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 1479 of 1993

(2)

New Delhi this the 28th day of February, 1994

Mr. Justice S.K. Dhaon, Vice-Chairman
Mr. P.T. Thiruvengadam, Member

Shri Lal Bahadur
R/o B-II/167, Madangir,
New Delhi-110062.

...Applicant

By Advocate Shri J.C. Madan

Versus

1. Union of India
through its Secretary,
Min. of Information & Broadcasting,
Shastri Bhawan,
New Delhi.
2. Director General,
Doordarshan,
Govt. of India,
Mandi House,
New Delhi-110001.
3. The Director,
Central Production Centre,
Doordarshan,
Govt. of India,
Asiad Village Complex,
New Delhi-110049. Respondents

By Advocate Shri P.H. Ramchandani

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

The applicant, a Casual Artist, has come up to this Tribunal with a number of reliefs.

2. The question to be considered is whether the applicant is entitled to the benefit of the scheme framed by the Doordarshan for regularisation of services of Casual Artists. This scheme has been approved by this Tribunal in O.A. No.563 of 1986 decided on 14.02.1992 in the case of Shri Anil Kumar Mathur Vs. Union of India & Others. One of the requirements in the scheme is that only those Casual Artists who had been engaged for an aggregate period of 120 days in a year (Calendar year) will be eligible for regularisation.

3. The applicant has come up with a case that he had worked for a total period of 60 days in the year 1990, 120 days in the year 1991 and 120 days in the year 1992. In paragraph 4.2 of this application he has stated

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that in certain months, he had been engaged twice for a period of 10 days each, i.e., for 20 days in a month with or without break in each spell of 10 days. We may at once note that the contents, as discernible, are vague. No details of the month in which he had been engaged twice have been given.

4. A counter-affidavit has been filed on behalf of the respondents. In it, it is admitted that the days of engagement of the applicant varied from 10 to 20 days from programme to programme as per requirement of work. It is also stated that for the years 1990, 1991 and 1992 he had rendered service for 60, 119 and 110 days respectively. It is categorically stated that the applicant had not completed 120 days in any of the years, as claimed.

5. Under our directions Shri Ramchandani, appearing on behalf of the respondents, and has produced the relevant records. This record has been examined by the counsel for the applicant. The counsel has stated at the Bar that he has examined the record pertaining to the year 1991. He is unable to satisfy us that the version of the respondents that during that period the applicant had rendered service for 119 days is incorrect. So far as the year 1992 is concerned, the record of that year too is before us. The learned counsel for the respondents has made very fair offer to the learned counsel for the applicant that he may specifically and clearly state the particular month during which the applicant had rendered service for more than 20 days. Learned counsel for the applicant states that this happened in the month of January, 1992. Shri Ramchandani states after perusing the record that during the month of January, 1992 the applicant had rendered services for 110 days. We, therefore, record the finding that the applicant has been unable to satisfy us that during the year 1992, he had rendered service for 120 days.

6. This application fails and is, therefore, rejected. No costs.

P.T. Thiruvengadam

(P.T. THIRUVENGADAM)
MEMBER (A)

S.K. Dhaon
(S.K. DHAON)
VICE CHAIRMAN