

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH**

O.A. No. 97/2021

CORAM:

HON'BLE MR. SWARUP KUMAR MISHRA, MEMBER(J)
HON'BLE MR. T. JACOB, MEMBER(A)

Amos Suna, aged about 47 years, Son of Late Dayamali Suna, At: Dungripada, P.O. Rajendra Collage, P. S. Blangir Dist : Balangir - 767002

.....Applicant

VERSUS

1. Union of India represented through its Secretary, Ministry of Information and Broadcasting, Government of India, A-wing, Shastri Bhawan, New Delhi – 110001.
2. Chairman, Prasar Bharati Board, Akashvani Bhavan, Parliament Street, New Delhi – 110001.
3. Director General, Akashvani Bhavan, Parliament Street, New Delhi – 110001.
4. Additional Director General (Engg), (East Zone), All India Radio & Doordarshan, Akashvani Bhavan, Eden Gardens, Kolkata – 1.
5. Head of Officer, All India Radio, Palace Line, Balangir, 767001.

.....Respondents.

For the applicant : Ms. S. Soren, advocate.

For the respondents: Mr. G. R. Verma, advocate

Heard & reserved on : 02.03.2021

Order on :26.04.2021

O R D E R

Per Hon'ble Mr. Swarup Kumar Mishra, Member (J):-

This Original Application has been filed by the applicant challenging the order dated 03.07.2020 (Annexure A/14) passed by Respondent No. 5 inter alia seeking the following relief(s):-

- i. *To quash the impugned letter/order dated 03.07.2020 issued by the Respondent No. 5 under Annexure A/14.*
- ii. *To direct the respondents to give all consequential service and financial benefits;*

- iii. *Or pass any other order/orders as this Hon'ble Tribunal may think fit and proper in this case;*
- iv. *Allow this Original Application.*

2. The order dated 03.07.2020 which is impugned in this case is a letter addressed by Assistant Director (P) to Head of Office, AIR, Balangir reads as under:

"on going through the prima facie report received from Head of Office, AIR, Balangir it is intelligible that Amos Suna, Assignee, Kishan Vani, AIR Balangir created an atmosphere which is hindering the smooth function of Kishan Vani Programme broadcast from AIR Balangir.

In view of the above and considering the prevailing situation it is advised to temporarily suspend booking of Shri Suna for six months. The case may be reviewed after six months"

3. It is the case of the applicant is that the applicant was selected as casual compere (Kisan Vani) for All India Radio, Bolangir. The respondents without giving any opportunity issued order suspending booking him as casual compere temporarily. The order is illegal and arbitrary is liable to be quashed and by way of interim order had prayed for direction that the pendency of the application shall not stand as a bar to consider his case for such booking. On the other hand Mr. G. R. Verma, Learned counsel who entered appearance on behalf of respondents has vehemently opposed besides on the very maintainability of the OA as also on the merit of the OA.

4. Having considered the rival submission of respective parties, we also perused the records, it is seen that very engagement of the applicant was not on casual or adhoc or temporary basis. He has been included in the panel for booking purely temporarily on casual assignment basis. There is no prayer in the OA for

regularization against the civil post of the department. Besides it is seen that the impugned order is a letter addressed by the Asst. Director (P) to the Head of Office, Balangir advising temporary suspension of the booking of applicant for a period of six months taking into consideration the prevailing situation at AIR, Balangir.

4. The provision of AT Act is very clear to the extent that "*to provide for the adjudication or trial by Administrative Tribunals of disputes and complaints with respect to recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of any State or of any local or other authority within the territory of India or under the control of the Government of India or of 1 [any corporation or society owned or controlled by the Government in pursuance of article 323A of the Constitution] and for matters connected therewith or incidental thereto.*"

5. In view of the above the OA is dismissed but in the circumstances without order to cost.

(T. JACOB)
MEMBER (A)

(csk)

(SWARUP KUMAR MISHRA)
MEMBER (J)