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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NOS. 176 OF 2006
Cuttack, this the 21st day of January, 2009

Panchanan Sahoo..... Applicant


Vs.

Union of India & Others Respondents

FOR INSTRUCTIONS

1. Whether it be referred to reporters or not?
2. Whether it be circulated to Principal Bench, Central Administrative Tribunal or not?


(C. R. MOHAPATRA)
ADMINISTRATIVE MEMBER


(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER

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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 176 OF 2006
Cuttack, this the 25th day of January, 2009

CORAM:

**Hon'ble Mr. Justice K. Thankappan, Judicial Member
&
Hon'ble Mr. C.R. Mohapatra, Administrative Member**

.....

Panchanan Sahoo, aged about 38 years, S/o Late Bhagaban Sahoo, a permanent resident of Vill/P.O.-Padmapur, Via-anandpur, Dist-Keonjhar, Working as Copyist on Casual basis in the Doordarshan Kendra, Chandrasekharpur, Bhubaneswar..... **Applicant**

By the Advocate(s) M/s. Samarendra Pattnaik
M.R. Das,
D.K. Mohanty,

Vs.

1. Union of India, represented through its director General, Government of India, Office of the Directorate General Doordarshan, Doordarshan Bhawan, Mandi House, New Delhi-110 001.
2. Prasar Bharati Broadcasting Corpn. Of India, represented through its Director Gneral, Doordarshan, Doordarshan Bhawan, Copernicus Marg, Mandi House, New Delhi-110 001
3. Secretary to Government of India, Ministry of Information & Broadcasting, Sastri Bhawan, New Delhi.
4. Director, Doordarshan Kendra, Chandrasekharpur, Bhubaneswar.

..... **Respondent(s)**

By the Advocate(s).....Mr. S. Barik.

HON'BLE MR. JUSTICE K. THANKAPPAN, MEMBER(J)

The short question involved in this O.A. is whether the applicant is entitled to regularization^{of} his services under the Respondents Department or not.

2. This case has got a checkered history. Applicant is a similarly placed person with those who were engaged on daily wages rather than casual basis as General Assistant/LDC under Doordarshan Kendra since 04.03.1991. The applicant is stated to have approached this Tribunal earlier. It is also stated that similarly situated persons had also approached the C.A.T., Principal Bench, New Delhi as well as Chennai Bench. Ultimately, the matter was carried to the Hon'ble Apex Court in SLP Nos.3510/89 and along with other connected matters of 1989 and as per the direction issued by the Hon'ble Apex Court as well as the C.A.T., Principal Bench, New Delhi, a scheme was initiated for regularization of casual General Assistant, Copiest and other employees so engaged in Doordarshan Kendras at different regions, and finally, as per circular dated 11.08.1997, the Respondents Department and the Government accepted the position to the following effect:

“ It is now clear that after dismissal of SLP filed in the Hon'ble Supreme Court against the Hon'ble Central Administrative Tribunal, Cuttack judgement dtd.16.11.1993 in O.A. Nos.356/92, 441/92 and 562/92, Government has accepted the above judgement dtd.16.11.1993 for implementation. Accordingly Dte. General, Doordarshan vide letter No.2/40/94- SI dated 13.05.97 has issued instructions to prepare seniority list, as per judgement for regularization of casuals.

Hence, the eligible and in-eligible formula for regularization of casuals adopted by the

Dte. General, Doordarshan prior to above judgement stands inoperative.

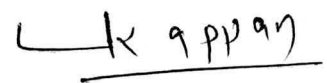
In view of above, in future all the casual bookings on assignment basis may be made strictly on rotational basis impartially by giving equal days of booking as prescribed by Government to every body available in the list prepared as per Hon'ble CAT, Cuttack judgement dated 16.11.1993.

Any deviation will be viewed seriously and personal responsibility will be fixed for such deviation".

3. On the basis of the above decision arrived, Doordarshan Kendra has prepared two lists i.e., eligible and ineligible persons for regularization of their service or re-engagement in service. The present application is for a direction to consider the case of the applicant in the light of the decision taken by the Government.

4. On considering the entire case of the applicant in detail and also the stand taken in the counter filed for and on behalf of the Respondents, it is to be noted that the applicant has been included in the ineligible list and hence his representation has been rejected applying the principle pronounced by the C.A.T., Principal Bench, New Delhi. Admittedly, the applicant is now over aged and he is not entitled for any relief as there is no evidence that the applicant had worked for 240 days as stipulated in the circular and also in the light of the decision taken by the C.A.T., Principal Bench, New Delhi. We are, therefore, of the view that this O.A is devoid of any merit. Accordingly, the O.A. is dismissed. No order as to costs.


(C. R. MOHAPATRA)
ADMINISTRATIVE MEMBER


(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER