

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH : JODHPUR

Date of order : 16.3.2000

O.A. No. 182/99

1. Shri Nasir Ali Zaidi son of Shri Munawwar Ali Zaidi resident of House opp. Loharan Masjid, Bikaner (Raj.).
2. Shri Shahid Ali son of Shri Abdul Mugani, resident of F-263(B) Beechwal, Bikaner (Raj.)
3. Shri Ravi Mathur son of Shri Govind Lal Mathur R/o. Naya Kuan, Darzio Ka Mohalla, Bikaner (Raj.)
4. Shri Ravindra Kumar Harsh son of Shri Chanchal Harsh, resident of Harshaon Ka Chowk, Bikaner (Raj.)

All are working as casual Announcers in All India Radio, Bikaner.

... Applicants.

v e r s u s

1. Union of India through the Secretary, Ministry of Information and Broadcasting, Prasar Bharti, Shastri Bhavan, Parliament Street, New Delhi.
2. Director General, All India Radio, Akashvani Bhawan, Parliament Street, New Delhi - 110 001.
3. Station Director, All India Radio, Bikaner (Raj.)

... Respondents.

Mr. S.Y. Khan, Counsel for the applicants.

Mr. K.S. Nahar, Counsel for the respondents.

CORAM:

Hon'ble Mr. A.K. Misra, Judicial Member.

Hon'ble Mr. Gopal Singh, Administrative Member.

: O R D E R :

(Per Hon'ble Mr. Gopal Singh)

Applicants, abovenamed, working as casual Announcers in All India Radio, have prayed for a direction to the respondents to

*Gopal Singh*

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prepare a Scheme for regularisation of Staff Artists-Announcers as per direction given by the Principal Bench of the Central Administrative Tribunal in case of Suresh Sharma & Ors. vs. Union of India & ors. (OA No. 822/91) and further the applicants may be deemed to have been regularised as Announcer from the date they filled regular posts of Announcer.

2. Applicants' case is that they are being engaged by the respondent-department on casual contract basis for 6 days in a month and that they are discharging the duties as that of regular Announcers. On the basis of the order dated 8.2.91 of the Principal Bench of the C.A.T. reported in (1991) 17 ATC 679, Vasudev and Others vs. Union of India & Anr., and further order dated 18.9.92 in OA No. 822/91, Shri Suresh Sharma & Ors. vs. Union of India & Ors., the applicants are seeking regularisation on the post of Announcers. Feeling aggrieved, they have approached this Tribunal through the present O.A.

3. Notices were issued to the respondents and they have filed the reply. It is submitted by the respondents in their reply that casual Announcers are booked to make announcements in a particular transmission on a particular day that too for six or less occasions in a month. Hence this type of booking does not come under the term casual contract basis engagement and, therefore, the casual Announcers have no right to get their services regularised.

4. We have heard the learned counsel for the parties and perused the records of the case.

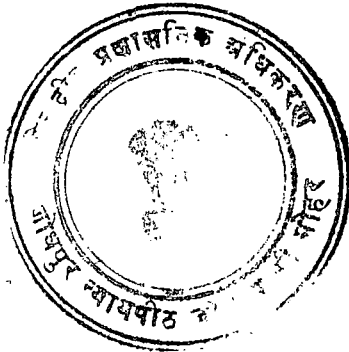
5. This controversy had come up earlier before the Principal Bench of C.A.T. in the case of Doordarshan Casual Artists and subsequently in All India Radio Casual Artists. In Vasudev & Ors. vs. Union of India & Another, (1991) 17 ATC 679, the Principal Bench of C.A.T. has held as under :-

"Casual Employees-Regularisation-Persons employed on contract basis are also entitled to regularisation-Applicants employed by Doordarshan as 'Casual Artists' and 'Artists booked on Assignment basis'- Services not regularised they had worked for more than 10 years-Government directed to prepare a panel of employees with 120 days service in a single or broken spells- Panel to include even those who were not now in service- No fresh recruitment to be made till empanelled persons were absorbed."

*Urpal Singh*



In this case, Casual Artists ~~Artists~~ booked on assignment basis in the Doordarshan had approached the Tribunal for regularisation of their services. In O.A. No. 822/91, Shri Suresh Sharma & Ors. vs. Union of India & Ors., decided on 18.9.92, Production Assistants or General Assistants working on casual/assignment basis had approached the Tribunal for regularisation of their services. Following the order of Principal Bench of C.A.T. in Vasudev's case (supra), this O.A. was disposed of with a direction to the respondents that the case of the applicants should be considered in accordance with the scheme formulated and implemented by the respondents for regularisation of all the casual workers. Following the above direction of the Principal Bench of C.A.T., in case of regularisation of Casual Artists of All India Radio, Patna Bench of the Central Administrative Tribunal in OA No, 541/97, decided on 3.12.99, has observed as under:-



"We dispose of this O.A. with the direction to the respondents to consider the case of the applicants for regularisation and eventual absorption against the regular vacancy in due course in terms of the scheme formulated for regularisation of casual Production Assistant and General Assistant in the All India Radio pursuant to the judgement of the Principal Bench of the Central Administrative Tribunal in OA No. 822/91 dated 18.9.92, as at Annexure A/3, or according to the scheme to be formulated and implemented by the respondents for regularisation of the eligible applicants in the light of the schemes already formulated by the Department pursuant to the aforesaid orders passed in OA No. 563/86 and in OA No. 822/91 by the Principal Bench of the Central Administrative Tribunal."

6. Thus, a consistent view has been taken by the various Benches of the Central Administrative Tribunal that Doordarshan and All India Radio should frame a scheme for regularisation Casual Artists/Announcers of various nomenclature and regularise all the casual Artists on the available vacancies. We do not find any strong reason to deviate from the view already taken in the matter. We accordingly dispose of this application with a direction to the respondents to consider regularisation of all the Casual Announcers (whether they are applicants before us or not) under the existing scheme or a scheme to be formulated in terms of the order of the Principal Bench (supra), within a period of four months from the date of issue of this order.

7. Parties are left to bear their own costs.

*Gopal Singh*  
(GOPAL SINGH)  
Adm. Member

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*16/3/2000*  
(A.K. MISRA)  
Judl. Member

Hostel member A  
List } 29/3

Received copy  
*[Signature]*

(NASIR ALI Zaidi)  
24.3.2000

Received  
*[Signature]*

22/3/2000

Part II and III destroyed  
in my presence on 20.12.95  
under the supervision of  
section officer (J) as per  
order dated 23.12.96

*[Signature]*  
Section officer (Record)