

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 438 of 1996

Friday, this the 21st day of November, 1997

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER
HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

1. G. Limson,
Puthenvila Veedu,
Decent Junction PO,
Mukhathala, Kollam. .. Applicant

By Advocate Mrs Sumathi Dandapani

Versus

1. Union of India represented by
Secretary,
Ministry of Information and Broadcasting,
New Delhi.
2. The Director General,
Doordarshan Kendra, New Delhi.
3. The Director,
Doordarshan Kendra, Trivandrum.
4. Shri B. Sreekumar,
Amballur Veedu, Konchiravila,
Manacaud, Trivandrum. .. Respondents

By Advocates Mr. PR Ramachandra Menon, ACGSC (R1-3) and
Mr. P. Ramakrishnan (R4)

The application having been heard on 21-11-1997, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks for a direction to respondents
1 to 3 to regularise him as Floor Assistant with effect from
16-10-1995 and also to extend him the benefit of the order
passed in O.A.No. 894/90 dated 8-2-1991 by the Principal
Bench of the Tribunal.

contd..2

2. The applicant was engaged for various spells as Floor Assistant in Doordarshan Kendra at Trivandrum. Floor Assistants are engaged in assisting the artists and technicians in the shooting floor and such casual artists are engaged on contract basis for a certain number of days every month, which is the pattern of employment of Floor Assistants throughout India adopted by the respondents 1 to 3. The applicant was engaged from 3-6-1985 to 28-2-1990 and the applicant says that he has put in a total service of 254 days.

3. Respondents 1 to 3 resist the OA by contending that the applicant was engaged as Floor Assistant on casual basis for an aggregate period of 195 days during the years 1985, 1988, 1989 and 1990, that as per the scheme for regularisation formulated on 9-6-1992 as per the directions of the Apex Court and of the Principal Bench of the Tribunal, it is specifically stipulated that the casual artist should have worked at least 120 days in a calendar year for being regularised in accordance with the scheme, and since the applicant has not worked for 120 days in any of the calendar years, he is not entitled to any of the reliefs claimed.

4. Annexure R1(b), the scheme for regularisation of casual artists, says that:

"Casual Artists who have worked for 120 days in any calendar year as per Revised Scheme too upto the period ending on 31st December, 1991 should be considered for regularisation. The casuals who have completed 120 days after 31-12-1991 are not currently counter for regularisation."

contd...3

5. It is admitted by both sides that the applicant has not worked for 120 days in any calendar year for period ending on 31-12-1991 and the period worked by him is only 116 days in the year 1989 and that is the maximum number of days worked by the applicant in a particular year. That being so, the applicant is not covered by the scheme.

6. The applicant is seeking the reliefs based on this scheme. Since the scheme is not applicable to the applicant, the applicant is not entitled to any of the reliefs claimed.

7. Accordingly, the original application is dismissed.
No costs.

Dated the 21st of November, 1997



S.K. GHOSAL
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

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LIST OF ANNEXURE

Annexure R-1(b) : Office Memorandum dt.5-7-94 issued
by the 2nd respondent.

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