

**Central Administrative Tribunal, Lucknow Bench, Lucknow**

**Original Application No. 320/2009**

This the 12/5 day of August, 2009 ✓

**Hon'ble Ms. Sadhna Srivastava, Member (J)**  
**Hon'ble Dr. A.K. Mishra, Member(A)**

Amit Kumar Srivastava, Aged about 43 years, S/o Sri Shyam Lal Srivastava, R/o 4/21 Vishesh Khand, Gomti Nagar, District Lucknow.

.....Applicant

By Advocate: Sri Y.S. Lohit.

**Versus**

1. Union of India through Secretary, Ministry of Information & Broadcasting, Central Secretariat, New Delhi.
2. Director General, All India Radio, Akashwani Bhawan, Sansad Marg, New Delhi.
3. Station Director, All India Radio, 18 Vidhan Sabha Marg, Lucknow.
4. Chairman, Prasar Bharti (Broadcasting Corporation of India) Doordarshan Bhawan, Copernicus Marg, New Delhi.
5. Chief Executive Officer, Prasar Bharti (Broadcasting Corporation of India) Doordarshan Bhawan, Copernicus Marg, New Delhi.

.....Respondents

By Advocate: Sri Deepak Shukla

**ORDER**

**By Dr. A.K. Mishra, Member-A**

This is an application seeking a direction to the respondents not to empanel the casual artistes/announcers/comperes pursuant to an approval, which was given on 24.7.2009 in the office file of respondent no.3.

2. The applicant is an empanelled casual Radio Announcer working with respondent no.3. He has been seeking regularization of his services for a long time and in that connection, filed O.A. no. 1100 of 1998. The Tribunal in its order dated 6.2.2002 directed the applicant to file a detailed representation and asked the respondents to take a reasoned decision on his representation, which, however, was rejected by

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the respondents on 19.7.2002. The applicant filed O.A. no. 62 of 2003 in which the Tribunal directed the respondents to provide atleast six days' work in a month. The applicant has alleged that even in spite of such directions of the Tribunal, his engagement of six days in a month was not being ensured by the respondent-authorities. It is further alleged that the respondents had not formulated any scheme for regularization of casual artistes/announcers, notwithstanding specific directions from Patna High Court. All these pleas were taken by the applicant for his regularization in O.A. no. 160 of 2006, which was dismissed in our judgment/ order dated 29.1.2009. It was held that the claim of the applicant for regularization could not be admitted for want of any provision to that effect in the Recruitment Rules. Similarly, the claim for appointment under reserved quota meant for handicapped persons could only be considered when the applications for direct recruitment were invited by the respondent-authorities and the applicant formally applied for it. A Review application filed on 9.2.2009 against this order was dismissed by our judgment/order dated 13.2.2009 in R.A. no. 9 of 2009.

3. Since all these issues have already been considered in our judgment/order dated 29.1.2009 in O.A. no. 160 of 2006, there is no occasion to consider them again.

4. The applicant is now challenging some decision, which is alleged to have been taken in the office file for empanelment of announcers/Comperes in respect of the programmes related to Farm and Home Division. No notification has been issued by the respondent-authorities in this regard. The applicant has brought to our notice the order dated 17.12.2008 in O.A. no. 612 of 2008 passed by Patna Bench of the Tribunal granting interim relief to the effect that any panel prepared by the respondent-authorities would be subject to final order in the O.A. Nevertheless, the selection process was not stayed by the Patna Bench

5. The applicant apprehends that his engagement of atleast six days in a month would be adversely affected if fresh candidates are empanelled. We cannot take cognizance of this



apprehension at the present point of time. If the applicant is denied his engagement, which has been granted under the directions of the Tribunal, he is at liberty to initiate appropriate steps for compliance of the Tribunal's directions. But that is no ground to stay the selection process, which is yet to start.

6. In the circumstances, we find this application as bereft of merits; hence dismissed. No costs.

  
(Dr. A.K. Mishra)  
Member-A

12/08/09

  
(Ms. Sadhna Srivastava)  
Member-J

Girish/-