

CENTRAL ADMINISTRATIVE TRIBUNAL: LUCKNOW BENCH:

LUCKNOW

Lucknow this the 24th day of September 1997.

Original Application No.399 of 1991(L)

**HON. MR. V.K. SETH, MEMBER(A)**

**HON. MR. D.C. VERMA, MEMBER(J)**

**NIRANJAN PRASAD S/o Sri Madho Ram**

**R/o 59, Type-III, Kendranchal, Sector-K, Aliganj,  
Lucknow.**

..Applicant

Versus

1. Union of India - through -

Secretary, Ministry of Information & Broadcasting,  
Shastri Bhawan, New Delhi.

2. Director General,

All India Radio, Akashwani Bhawan, Parliament  
Street, New Delhi.

3. Station Director,

All India Radio, Lucknow.

4. Secretary,

Union Public Service Commission,  
Dholpur House, Shahjahan Road, New Delhi.

..Respondents

For applicant: Sri Surendran (P), Adv.

For respondents: Sri A.K. Chaturvedi, Adv.

ORDER (ORAL)

**V.K. SETH, MEMBER(A)**

By this O.A. the applicant has prayed for directions to the respondents to appoint him on the post of Station Director, All India Radio against reserved quota.

2. The claim of the applicant has been resisted by the respondents and the pleadings have been exchanged between the two sides, which we have carefully gone through. We have also taken note of the rival contentions of the learned counsel for the

parties advanced during the course of hearing.

3. The relevant facts in brief, inter alia, are that the applicant is a flute player, who was appointed initially in the All India Radio, New Delhi. He is also a Graduate in Music and as per averments in the O.A. he was given grade 'A' pay scale of Rs.2000-3500. The respondents issued an advertisement inviting applications for recruitment of 11 Station Directors for All India Radio/Doordarshan, out of which 2 posts were reserved for Scheduled Caste and one for Scheduled Tribe. An official circular was also issued to the Heads of all stations/offices of the All India Radio to suggest the names of the persons, who fulfill the requirement of the posts and were willing to be considered for the same. In response to these, the applicant applied and he was also interviewed. The applicant claims that as per his knowledge he was selected against the reserved quota. He, however, contends, as mentioned in para 4.18 of the O.A. that after his selection he was not issued the appointment letter on the ground that he belonged to the musicians cadre and, therefore, he was incapable to supervise and control the administration of All India Radio Station. Being aggrieved with the non-issue of the appointment letter, the applicant has preferred this O.A. before this Tribunal.

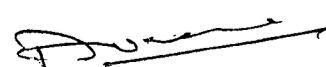
4. The learned counsel for the applicant strenuously urged before us the sole contention mentioned in the preceding para viz. that despite his selection he was not appointed as he belonged to the musician cadre. The learned counsel elaborated this argument at the bar and mentioned that as per the applicant's information a letter was written by the Director General, All India Radio to the Chairman, U.P.S.C. to this effect. On a query from the Bench the learned counsel for the applicant fairly conceded that neither the applicant nor he could

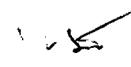
adduce any evidence in support of this contention.

5. Learned counsel for the applicant has filed a miscellaneous petition for summoning of records relating to the selection for the aforesaid post of Station Directors. The respondents, therefore, in compliance of the orders of this Tribunal produced for the perusal of the Bench the letter of the Director General, All India Radio by which the application of the applicant was forwarded to the Secretary, U.P.S.C., New Delhi for consideration of his candidature for the post of Station Director. They also produced for our perusal the relevant recruitment file as also the report of the Interview Board of the U.P.S.C. convened to select candidates for the posts of 11 Station Directors(ordinary grade), All India Radio/Doordarshan held on various dates in April 1991. We have perused these documents and do not find any letter claimed by the applicant to have been written by the D.G., All India Radio to U.P.S.C. advising against the selection of the applicant on the record produced before us or any noting making any mention of such a letter. We also notice that the select list prepared by the Board does not include the name of the applicant. It is, therefore, obvious that as mentioned by the respondents in their C.A.(paras 10 & 11) the name of the applicant did not figure in the list of the selected candidates for the post of Station Directors and as a consequence there was no question of issue of an appointment letter.

6. In view of the foregoing discussions, we hold that the present O.A. is devoid of merit and is therefore, hereby dismissed.

7. In the circumstances of the case, the parties shall bear their own cost.

  
MEMBER (J)

  
MEMBER (A)

Dated: Lucknow: September 24, 1997.

Narendra/