

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

Central Administrative Tribunal
Circuit Bench, Lucknow
Date of Filing: 17/11/89
Date of Receipt by Post: ...

Registration No. 326 of 1989 (L)

Deputy Registrar (J)

APPLICANT(S) A. K. Dwivedi
RESPONDENT(S) Union of India & others

Particulars to be examined

Endorsement as to result of examination

1. Is the appeal competent?
2. a) Is the application in the prescribed form?
b) Is the application in paper book form?
c) Have six complete sets of the application been filed?
3. a) Is the appeal in time?
b) If not, by how many days it is beyond time?
c) Has sufficient case for not making the application in time, been filed?
4. Has the document of authorisation/Vakalatnama been filed?
5. Is the application accompanied by B.D./Postal Order for Rs.50/-
6. Has the certified copy/copies of the order(s) against which the application is made been filed?
7. a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed?
b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly?
c) Are the documents referred to in (a) above neatly typed in double space?
8. Has the index of documents been filed and paging done properly?
9. Have the chronological details of representation made and the outcome of such representation been indicated in the application?
10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal?

Yes

Yes

Yes

Five sets filed

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Yes

Particulars to be ExaminedEndorsement as to result of examination

1. Application/duplicate copy/spare copies signed?
12. Are extra copies of the application with Annexures filed?
- a) Identical with the Original?
- b) Defective?
- c) Wanting in Annexures
13. Have the file size envelopes bearing full addresses of the respondents been filed?
14. Are the given address the registered address?
15. Do the names of the parties stated in the copies tally with those indicated in the application?
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true?
17. Are the facts of the case mentioned in item no. 6 of the application?
- a) Concise?
- b) Under distinct heads?
- c) Numbered consecutively?
- d) Typed in double space on one side of the paper?
18. Have the particulars for interim order prayed for indicated with reasons?
19. Whether all the remedies have been exhausted.

Yes

Yes

Yes

-

-

-

Yes

Yes

-

Yes

Yes

Yes

Yes

Yes

-

Yes

dinesh/

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL,
(CIRCUIT BENCH), L U C K N O W.

Application No. 326 of 1989. (4)

~~XXXXX~~

Adarsh Kumar Dwivedi

.. Applicant

Versus

Union of India & others

.. Respondents.

I N D E X.

<u>Sl.No.</u>	<u>Contents</u>	<u>Page Nos.</u>
1.	Application	1 to 12
2.	Annexures	
	Annexure No.1: Certificate from the office	13-14
	Annexure No.2: Chart showing number of days worked	15-16
	Annexure No.3: Impugned order dated 6.7.1989	17
	Annexure No.4: Order dated 3.6.1989	18
	Annexure No.5: Direction issued by the Director General for regularisation of casual employees.	19
	Annexure No.6: Office Memorandum	20
	Annexure No.7: Standing Orders of the department.	21

*Filed by
Writ for 19-12-89
K.K. Srivastava
O/o J.D. + Secy
17/11/89*

Lucknow:

Date: 18-11-1989.

J. H. Farooqui
(J. H. Farooqui)
Advocate
Counsel for the Applicant

3781
A3

CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT BENCH, LUCKNOW

...

Registration O.A. No. 326 of 1989(L)

A.K. Dwivedi Applicant
Vs.

Union of India and ors..... Respondents


Hon' Mr. Justice Kamleshwar Nath, V.C.

Hon' Mr. K. Obayya, A.M.

(By Hon' Mr. Justice Kamleshwar Nath, V.C.)

The above application under section 19 of the Administrative Tribunals' Act No. XIII of 1985, has been filed by the applicant seeking relief to quash the impugned order dated 6.7.89, contained in Annexure No. 2.

2. We have heard the learned counsel for the applicant and perused the documents on record. An identical case registered as O.A. No. 322 of 1989(L) Angad Lal Vs. Union of India and ors., has been dismissed in limine, today by us for reasons recorded there in, and those very reasons would apply to the present case also, with the difference that the maximum length of performing duties by the applicant at any one time amongst the various broken periods is only 19 days. The application is dismissed in limine with no order as to costs.


MEMBER (A)


VICE CHAIRMAN

(sns)

December 19, 1989

Lucknow.

Recd
29/12

AG

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL,
CIRCUIT BENCH, L U C K N O W.

(APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNALS ACT, 1985)

Adarsh Kumar Dwivedi, aged about
30 years, son of Shri Prakash
Chandra Dwivedi, r/o B-2138,
Indira Nagar, Lucknow.

.. Applicant

Versus

1. Union of India through the
Secretary to the Government of
India, Information & Broadcast-
ing, New Delhi.
 2. Doordarshan through its Director
General, Sansad Marg, New Delhi.
 3. Doordarshan Kendra, through its
Director, 24, Ashok Marg, Lucknow. .. Opposite parties,
Respondents
-

Details of the Application

1. Particulars of Applicant :

- (i) Name of the Applicant : Adarsh Kumar M Dwivedi
- (ii) Name of father : Shri Prakash Chandra
Dwivedi.
- (iii) Designation & Office : Lightening Assistant,
in which employed Doordarshan Kendra,
Lucknow.
- AK Dwivedi

(iv) Office address : Doordarshan Kendra,
24, Ashok Marg,
Lucknow.

(v) Address for service : House No. B-2138, Indra
of all notices Nagar, Lucknow.

2. Particulars of Respondents :

- (1) Name and/or designation of the Respondents :
1. ~~Director~~ Secretary to
the Govt. of India,
Information & Broadcast-
ing, New Delhi.
 2. Director General,
Doordarshan,
Sansad Marg, New Delhi.
 3. Director, Doordarshan
Kendra, 24, Ashok Marg,
Lucknow.

- (ii) Office address of Respondents :
1. Ministry of Information
& Broadcasting, New Delhi.
 2. Sansad Marg, New Delhi.
 3. 24, Ashok Marg, Lucknow.

(iii) Address for service : As given in sub-para (ii)
of all notices above.

3. Particulars of the order against which
application is made :

(1) The application is directed against order dated
6.7.1989, issued by the Director, Doordarshan (Respon-
dent No.3), by which empanelled persons like petitioner/
applicant are restrained to be re-employed at the time
when they have become ~~xxxxxx~~ overage and at the time
when they have become ineligible to serve elsewhere.

(ii) Subject in brief : The applicant is being denied
the regular appointment as the
Office Order dated 6.7.1989

AK Divul

imposes a restriction that the empanelled persons shall not be considered for re-employment in future.

4. Jurisdiction of the Tribunal ;

The Applicant declares that the subject matter of the advertisement against which he wants redressal is within the jurisdiction of the Tribunal.

5. The Applicant further declares that the application is within the limitation prescribed in Section 21 of the Administrative Tribunals Act, 1985.

6. Facts of the case ;

(1) That the Applicant was selected through a selection committee, duly constituted by the Department, alongwith thirteen other persons on the post of Lightning Assistant (Casual) and a panel was prepared of these persons.

(2) That there were six permanent posts ~~xx~~ of Lightning Assistant in the Department and on one post of Lightning Assistant four casual Lightning Assistants were assigned work term by term almost equally whose names were there in the panel.

(3) That the work and conduct of the Applicant have always been satisfactory and nothing adverse was ever communicated to him. His work and conduct have been appreciated by his superior officers. A true copy

AK Devis Kalh

of the certificate, issued in this connection, is being filed as Annexure No.1 to this application.

4. That it may be stated here that the Applicant was allotted work from time to time and at the end of the same month payments were made to him.

5. That the Applicant was appointed on the afore-said post in the month of September 1984 and he continued to work upto 20.7.1989 and as such he has completed/ worked more than 240 days on the said post. A chart showing the days worked by the Applicant is being filed as Annexure No.2 to this Application.

6. That the grievance of the Applicant is that an Office Order has been issued on 6.7.1989 by the Respondent No.3 by which it was ordered that empanelled persons like the Applicant shall not be engaged in future. Besides this the Respondents have retained some persons of their choice in service while the services of the Applicant have been discontinued. A true copy of this impugned order is being filed as Annexure No.3 to this application.

7. That it would not be out of place to mention here that prior to passing of the order dated 6.7.1989, an order was passed on 3.6.1989 by the same authority i.e., Director, Doordarshan, Lucknow, to the effect that only the eligible and experienced persons should be engaged on the basis of contract. A true copy of this document is being filed as Annexure No.4 to this application.

AK Divede

9. That it would not be out of place to mention here that at present twelve permanent posts of Lightning Assistants are there in the Department and the Respondents have appointed 4 to 5 inexperienced persons and whose names are not borne in the panel.

10. That at the time of the appointment of the applicant, he was told that he ~~should~~ should not make himself engage elsewhere so as to be regularised in the department.

11. That the Casual Lightning Assistants engaged in Doordarshan, Delhi, who have become over-age while remaining in service in the department, have been regularised by the direction issued by the Director General. A true copy of the direction, issued by the Director General, Doordarshan, Delhi, on the basis of which the Casual Lightning Assistants, engaged in Doordarshan, Delhi, were regularised in service, is being filed as Annexure No.5 to this application.

12. That the case of applicant further gets strength from the fact that an Office Memorandum, issued

AK Dhillon

from the Directorate General, Doordarshan, New Delhi, by which it was required from all the Doordarshan Kendras to furnish the information regarding the total number of Casual bookings during the financial years 1980-81 to 1987-88 so as to regularise them. A true copy of this document is being filed as Annexure No.6 to this application.

13. That on 12.1.1988 the Applicant was assigned work by the then Section Officer which was forwarded to C.B.V. thereafter to A.S.D. which endorsed a remarks stating therein that the Applicant has been engaged as many as 242 days in the department as such he should not be engaged any more. Besides this he was assigned a contract for 19 days. This assignment was made on 21.7.1988, the payment of which was consolidated.

14. That a number of juniors to the Applicant who have been appointed in the manner as the Applicant was appointed have been regularised - two of them are Shri Ram Singh and Shri Charu Chandra Joshi. It is important to mention here that father of Shri Charu Chandra Joshi is Head Clerk in the department.

15. That it is pertinent to mention here that the Applicant was always given an ~~xxxxxxxxxx~~ artificial break in service, with the sole intention not to regularise him, while his juniors, mentioned above, have been regularised.

16. That the D.A. for the last assignment as well

A10

as of some other period has not yet been paid to the Applicant, due to mala fide intentions of the Respondents.

17. That the Applicant was required to sign on the same duty register in which other regular Lightning Assistants also put their signature.

18. That as per Standing Orders of the department only the empanelled persons should be assigned work alternatively. A true copy of this document is being filed as Annexure No.7 to this application.

19. That according to contract whenever any programme is telecast, the name and designation of the employees involved in the shooting of that particular programme, are to be shown in screen. The name of the Applicant was also shown many times, which makes it clear that the Applicant was also a member of that unit which did the shooting of that programme.

20. That the action of the Respondents is to oust the Applicant and to give room to persons of their liking on the basis of their pick and choose policy. The intention of the Respondents is to give appointment to new incumbents of their own choice so that they may gain experience and may get their appointment on regular basis.

21. That the Applicant is entitled to be appointed on regular basis and not on contract basis and treating

At D. D. K. K. K.

111

him still on contract basis is against the statutes.

22. That the action of the Respondents of regularising the juniors, without considering the case of a senior person - Applicant in the instant case - is against the provisions of Articles 14 and 16 of the Constitution of India.

23. That the action of the Respondents of discontinuing the services of the Applicant is also illegal and arbitrary, particularly when the Applicant has become overage for appointment in other Government departments also and taking into account that the Applicant has been working on casual basis in Doordarshan Kendra, Lucknow.

24. That the Respondents also violated the provisions of Section 2(ra) and fifth Schedule item No.1 (10) of the Industrial Disputes Act, 1947, as the Doordarshan has been held as an Industry.

25. That the order, contained in Annexure No.4, is arbitrary and malafide and the same ~~X~~ would be punitive in nature and would also tantamount to retrenchment of services of the Applicant.

GROUNDS

- I. Because the order dated 6.7.1989, contained in Annexure No. ~~X~~ 3, is against the provisions of Industrial Disputes Act and it would not give reemployment to the Applicant as he is overage

AK Desai

A12

: 9 :

and as such hits the provisions of Section 25-H of the I.D. Act.

- II. Because the Annexure No.3 would bring inaction which would be punitive in nature and would also be retrenchment in case it is made applicable.
- III. Because the action of the Respondents is violative of Articles 14, 16 and 21 of the Constitution of India.
- IV. Because the action of the Respondents is against the Section 2 (ra) of the Industrial Disputes Act and is also an unfair labour practice.
- V. Because the Respondents have put artificial break in service of the Applicant which is against the provisions of Industrial Disputes Act.
- VI. Because the action of the Respondents of appointing persons by adopting pick and choose policy is illegal and arbitrary.
- VII. Because the action of the Respondents are clearly discriminatory and is also abuse of power.
- VIII. Because the Applicant is entitled to be treated as a regular employee as he completed more than 240 days in service, ignoring the artificial break given by the Respondents.

Ak Qureshi

A13

7. Reliefs sought :

In view of the above, the Applicant prays for the following reliefs :

- (a) This Hon'ble Tribunal may be pleased to quash the order dated 6.7.1989, contained in Annexure No.3.
- (b) The Respondents may be directed to regularise the Applicant in service.
- (c) The Respondents may be further directed to release all the held up dues of the Applicant to him.
- (d) Cost of this Application may be allowed in favour of the Applicant.

8. Interim order prayed :

Pending final decision on the application, the Applicant seeks issue of the following interim order :-

This Hon'ble Tribunal may be pleased to stay the operation of the impugned order dated 6.7.1989, contained in Annexure No.3.

9. Details of remedies exhausted :

It may be stated here that there is no remedy that can be availed against the Annexure No.3.

A. D. D. D. D.

114

10. Matter not pending with any other court, etc.

The Applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other Bench of the Tribunal.

11. Particulars of Bank Draft/Postal Order in respect of the Application Fee :

1. Name of the Bank on which drawn :
2. ~~NAME~~ Demand Draft No.

OR

1. Number of Postal Order(s) : 1
2. Name of the issuing Post Office : G.P.O. Lucknow
3. Date of issue of Postal Order(s) : 7-10-89
4. Post Office at which payable : G.P.O. Allahabad

12. Details of index.

An index in duplicate containing the details of the documents to be relief upon is enclosed.

13. List of enclosures :

- (i) Certificate issued by the Office.
- (ii) Chart showing number of days worked.
- (iii) Impugned order dated 6.7.1989
- (iv) Order dated ~~XXXX~~ 3.6.1989.
- (v) Direction issued by the Directorate General for regularising the casual employees.

A. D. Mishra

1
A/S

- (vi) Office Memorandum from the Directorate General.
- (vii) Standing orders of the department.

In verification:

I, Adarsh Kumar Dwivedi, son of Shri Prakash Chandra Dwivedi, aged about 30 years, working as Lightening Assistant, ~~XXXXXX~~ on casual basis, resident of B-2138, Indra Nagar, Lucknow, do hereby verify that the contents of paragraphs 1 to 13 are true to my personal knowledge and belief and that I have not suppressed any material facts.

AK Dwivedi

Place: Lucknow,

Date : 15-11-89

Signature of the Applicant

To

The Registrar,
Central Administrative Tribunal,
Allahabad (Lucknow Circuit Bench),
Lucknow.

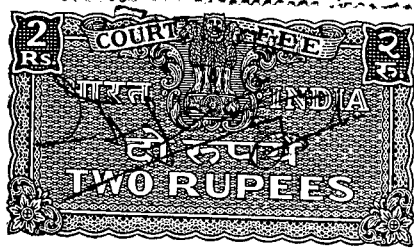
AK Dwivedi

ब अवालत श्रीमान

महोदय

[वादी] अपीलान्त

प्रतिवादी [रेस्पान्डेन्ट]



(टिकट)

वादा (अपीलान्त)

Adarsh Kr Divekar

Applicant

बनाम

प्रतिवादी (रेस्पान्डेन्ट)

Union of India

Respondent

मुकदमा नं०

सन्

पेशी की त्वा०

१६

ई०

ऊपर लिखे मुकदमा में अपनी ओर से श्री

J. H. Farooqui Adv

A. K. Shinde Adv

J. A. Siddiqui Adv

वकील

महोदय

एडवोकेट

नाम अवालत
मुकदमा नं० नाम
फरीकन बनाम

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूँ और लिखे देता हूँ कि इस मुकदमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जबाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटावें या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारे या अपने हस्ताक्षर से दाखिल करें और तसदीक करें या मुकदमा उठावें या कोई रुपया जमा करें वा हमारी या विपक्षी (फरीकासनी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद लेवें या पंच नियुक्त करें-वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा छपर मुकदमा अबम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह बकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

हस्ताक्षर

A. K. Shinde

साक्षी (गवाह)

साक्षी (गवाह)

दिनांक

१६

महीना

॥

सन् १६

ई०

Accepted
J. H. Farooqui
A. K. Shinde
J. A. Siddiqui

IN THE HON'BLE CENTRA ADMINISTRATIVE TRIBUNAL
(CIRCUT BENCH), LUCKNOW

Application No 41989

ADARSH KM DWIVEDI

--- Applicant

Versus.

UNION OF INDIA AND OTHERS

--- Respondents

INDEX

<u>Sl No.</u>	<u>CONTENTS</u>	<u>Page Nos</u>
1.	Application	1 - 12
2.	Annexures	
	<u>Annexure 1</u> & 1A Certificate from the Office	13 - 14
	<u>Annexure 2</u> chart showing	15 - 16
	<u>Annexure 3</u> Impugned order 6.7.89	17
	<u>Annexure 4</u> order dated 3.6.1989.	18
	<u>Annexure 5</u> Direction issued by the Director General for regularization of casual employees	19
	<u>Annexure 6</u> Office Memorandum	20
	<u>Annexure 7</u> Standing order of the department	21

Lucknow

Date: 11/11/1989.



Advocate

(Counsel for the Applicant)

2 1st Floor HAT Lucknow

Adarsh Ku Dwivedi

— Applicant

(13)

Union of India Ltd.

— Respondent

Annexure-1

A17

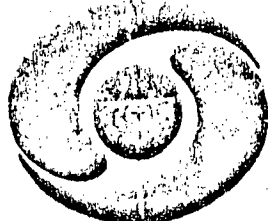
दूरदर्शन
कार का पता : दूरदर्शन

अ. शा. पत्रिका

कार्यालय : निदेशक दूरदर्शन केन्द्र

५, मोरबाई मार्ग, लखनऊ।

दिनांक.....



सत्यम् शिवम् सुन्दरम्

TELEPHONE :
TELEGRAM : DOORDARSHAN

V.V. Krishna Sastry
Ly. Director

D. O. No.

OFFICE OF THE DIRECTOR
DOORDARSHAN KENDRA
5, Mirabai Marg, Lucknow.

Date 24.1.1986

CERTIFICATE

Certified that Shri A.S. Kumar Dwivedi has been working at this Kendra as Lighting Assistant (casual) w.e.f. 13.6.1984. His work has been found satisfactory in all respect.

(Signature)
24/1/86
(V.V. Krishna Sastry)

उप निदेशक
दूरदर्शन केन्द्र, लखनऊ

Adarsh Ku Dwivedi

Attested true Copy

G. H. ...
Advocate (High Court)
9, Abdul Aziz Road,
LUCKNOW.

In the High Court Lucknow

Adarsh Kumar Dwivedi — Applicant

Union of India — Respondents

14
A/8

Annexure 1 A

31.3.87

TO WHOM SOEVER IT MAY CONCERN

This is to certify that Shri Adarsh Kumar Dwivedi has been working at this Kendra as Casual Lighting Assistant with effect from 13.9.84 to 18.3.87 to the entire satisfaction of his superiors. During this period, he has been found very obedient and hard working. His fees per day for the above period was @ Rs.39.25/- .

(DR. R. A. KHAN)

Programme Executive
DOORDARSHAN KENDRA
LUCKNOW.

Adarsh Kumar Dwivedi

Attest here by

S. H. L.

Advocate (High Court)
9, Abdul Aziz Road,
LUCKNOW.

2 the Halsey .C.A.T. We know

Adarsh Kumar Dwivedi

Union of India & Or

Annexure 2

Respectable

Respectable

दिनांक 1984 से जुलाई 1989 तक किये गये कुछ दिनों का विवरण ।

उपलब्ध रिकार्ड के अनुसार

15

क्र. सं.	दिनांक से दिनांक	दिनों का योग	भुगतान
1.	13/9/84 to 18/9/84	6	198.00
2.	22/9/84 to 27/9/84	6	198.00
3.	9/10/84 to 14/10/84	6	396.00
4.	24/10/84 to 29/10/84	6	
5.	21/11/85 to 30/11/85	10	375.00
6.	5/11/84 to 10/11/84		
7.	17/11/84 to 22/11/84	12	396.00
8.	20/11/84 to 1/12/84	6	
9.	11/12/84 to 16/12/84	6	405.00
10.	23/12/84 to 28/12/84	6	
11.	3/1/85 to 8/1/85	6	
12.	10/1/85 to 15/1/85	6 + 6	621.00
13.	23/1/85 to 28/1/85	6	207.00
14.	11/2/85 to 16/2/85	6	207.00
15.	28/2/85 to 5/3/85	6	207.00
16.	16/3/85 to 21/3/85	6	213.00
17.	5/4/85 to 10/4/85	6	213.00
18.	18/4/85 to 23/4/85	6	213.00
19.	6/5/85 to 11/5/85	6	213.00
20.	17/6/85 to 22/6/85	6	213.00
21.	26/6/85 to 29/6/85	4	142.00
22.	17/7/85 to 22/7/85	6	213.00
23.	28/7/85 to 31/7/85	4	142.00
24.	11/8/85 to 20/8/85	10	355.00
25.	11/9/85 to 20/9/85	10	375.00
26.	11/10/85 to 20/10/85	10	375.00
27.	11/12/85 to 20/12/85	10	375.00
28.	11/1/86 to 20/1/86	10	375.00
29.	27/2/86 to 28/2/86	2	75.00
30.	21/2/86 to 26/2/86	6	225.00
31.	17/3/86 to 24/3/86	8	368.00
32.	25/3/86 to 26/3/86	2	75.00
33.	11/4/86 to 20/4/86	10	375.00
34.	11/5/86 to 20/5/86	10	477.00
35.	1/6/86 to 10/6/87	10	392.00
36.	11/7/86 to 20/7/86	10	392.00
37.	11/8/86 to 20/8/86	10	392.00
38.	11/9/86 to 20/9/86	10	392.00

Al. Dwivedi

Attorney for Contd....2.

S. M. L.

Advocate (High Court)
B. Abdul Kadir Road,
Lucknow.

34.	12/10/86 to 21/10/86	10	392.00
35.	1/11/86 to 10/11/86	10	392.00
36.	11/12/86 to 20/12/86	10	392.00
37.	1/1/87 to 10/1/87	10	392.00
38.	10/2/87 to 19/2/87	10	392.00
39.	11/3/87 to 18/3/87	8	314.00
40.	21/4/87 to 30/4/87	10	392.50
41.	11/5/87 to 20/5/87	10	392.50
42.	1/6/87 to 10/6/87	10	392.50
43.	1/7/87 to 10/7/87	10	700.00
44.	26/9/87 to 30/9/87	5	350.00
45.	8/10/87 to 17/8/87	10	700.00
46.	30 21/11/87 to 30/11/87	10	700.00
47.	21/12/87 to 30/12/87	10	700.00
48.	13/1/88 to 17/1/88	5	350.00
49.	26/2/88 to 29/2/88	4	280.00
50.	14/3/88 to 23/3/88	10	700.00
51.	18/4/88 to 27/4/88	10	700.00
52.	19/5/88 to 28/5/88	10	700.00
53.	5/6/88 to 23/6/88	19	1900.00
(With D.A.)			
54.	25/9/88 to 30/9/88	6	420.00
55.	26/10/88 to 31/10/88	6	420.00
56.	11/11/88 to 20/11/88	10	700.00
57.	11/12/88 to 20/12/88	10	700.00
58.	1/1/89 to 10/1/89	10	700.00
59.	11/2/89 to 20/2/89	10	700.00
60.	11/4/89 to 20/4/89	10	700.00
61.	5/3/89 to 14/3/89	10	700.00
62.	1/5/89 to 10/5/89	10	700.00
63.	1/6/89 to 10/6/89	10	700.00
64.	11/7/89 to 20.7.89	10	700.00

कुल दिनों का योग :- 561 दिन
1984 से जुलाई 1989 तक ।

Akumilch

Attested true copy
S. H. [Signature]
Adm. [Signature]
[Stamp]

2 de la table AT Lucknow

Adarsh Kumar Dwivedi

Applicant

Union of India & Ors

Respondent

Annexure - 3

भारत सरकार

दूरदर्शन केन्द्र: लखनऊ

121

दिनांक: 6.7.89

पत्रांक: डीटीसीएल/3/89

कार्यालय आदेश

कार्यक्रम अनुभाग में कार्य अनुबन्धन {कैजुअल बुकिंग} संबंधी 3 जून, 1989 के समसंख्यक आदेश के तन्दर्भ में तत्काल प्रभाव से निम्न नियमों का भी अनुपालन किया जायेगा।

§1§ किसी भी पिछले पैनेल में सम्मिलित आकस्मिक अनुबन्ध पर अनुबन्धित किये जाने वाले, व्यक्ति को भविष्य में अनुबन्धित नहीं किया जायेगा।

§2§ कार्य अनुबन्ध पर अनुबन्धित किये जाने वाले व्यक्ति अब किसी एक प्रस्तुतकर्ता कार्यक्रम-निष्पादक अथवा कार्यक्रम अनुभाग के साथ ही अनुबन्धित रहेंगे और संबद्ध कार्यक्रम अधिकारी उनके अनुबन्धन के लिए पूर्णतया उत्तरदायी होंगे। इस प्रकार एक अनुभाग में अनुबन्धित किया गया व्यक्ति दूसरे अनुभाग में किसी भी हालत में अनुबन्धित नहीं किया जा सकता।

एक बार पुनः सभी कार्यक्रम अधिकारियों का ध्यान इस ओर दिलाया जा रहा है कि वे आकस्मिक अनुबन्धन संबंधी 3 जून, 1989 के समसंख्यक आदेश और नवीनतम आदेशों का कड़ाई से अनुपालन करेंगे और इसमें किसी भी प्रकार की लापरवाही के लिए वे स्वयं उत्तरदायी होंगे।

Signature

§ विलायत जाफरी §
निदेशक

उपनिदेशक/वीडियो निष्पादक/सहायक केन्द्र निदेशक/प्रस्तुतकर्ता ग्रेड-1/सभी प्रस्तुतकर्ता/कार्यक्रम निष्पादक/प्रशासनिक अधिकारी/लेखाकार

Signature

Signature

S. J. J. J.
M.A., LL.B.
Advocate (High Court)
9, Abdul Aziz Road,
LUCKNOW.

& the Halted CAT Machine.

Adarsh Kr Divedi

—Abdulla

Union of India for

—Keshav

American

A22

भारत सरकार
दूरदर्शन केन्द्र, लखनऊ

पत्रांक: डोटोसीएल0-3/89

दिनांक: 3 जून 1989

कार्यालय आदेश

कार्यक्रम अनुभाग में कार्य अनुबंध पर केन्द्र अल बुकिंग अनुबंधन संबंधी इस कार्यालय के पिछले सभी आदेशों को निरस्त कर महानिदेशालय में हुयी वार्ता के अनुसार निम्नवत नियमों का अनुपालन किया जायेगा:—

1. आवश्यकता एवं योग्यता के आधार पर केन्द्र निदेशक के अधिकारों को ध्यान में रखते हुए कार्य अनुबंध पर अनुबंधन किया जायेगा।
2. अनुबंधित व्यक्त के संबंध में उसकी शैक्षिक योग्यताएँ, कार्य संबंधी योग्यताएँ और अनुभवों के आधार पर अनुबंधित करने वाले अनुभाग प्रमुख/अधिकारी का यह दायित्व होगा कि वह सुनिश्चित करे कि अनुबंधित व्यक्ति अनुबंधन के सर्वथा योग्य है।
3. अनुबंध करने वाले अनुभाग प्रमुख/अधिकारी अनुबंधित किये जाने वाले व्यक्ति का प्रार्थना पत्र, प्रमाण पत्र तथा अन्य संबंधित विवरण प्राप्त करेंगे और अपने अनुभाग में इस प्रकार के अनुबंधित व्यक्तियों का लेखा-जोखा तथा अनुबंधन संबंधी विवरण इस प्रकार रखेंगे कि यथा आवश्यकता/तत्काल आवश्यकता पड़ने पर समस्त विवरण प्रस्तुत कर सकें।
4. अनुबंधन करने वाले अनुभाग/अधिकारी यह भी सुनिश्चित करेंगे कि एक ही व्यक्ति का अनुबंध बार-बार अथवा कम अन्तराल पर न हो।
5. इस प्रकार अनुबंधित व्यक्तियों का नाम लॉग बुक, क्यूशोर्ट इत्यादि विवरणों में तथा रजिोन पर नहीं दिया जायेगा।
6. अनुबंध करने वाले अनुभाग प्रमुखों/अधिकारियों का यह दायित्व होगा कि वे अनुबंधन से पूर्व अनुबंधन-प्रस्ताव अनुमोदित करवा लें और यथा समय समस्तान सुनिश्चित करें।

A. K. Divedi

A. K. Divedi

A. S. Farman
Advocate High Court
8, Abdulla Road,
Lakhnau.

2 Mr. Halder : CAT Lucknow
Adarm Kuma Dwivedi : - - - Applicat
Union of India : - - - Responds (6)
COPY

Annexure 5 MOST IMMEDIATE

(19)

GOVERNMENT OF INDIA
DIRECTORATE GENERAL: DOORDARSHAN
DOORDARSHAN BHAWAN: MANDI HOUSE
NEW DELHI-110 001

A23

NO:2(9)/87-SI

Dated: 9.3.1989

OFFICE MEMORANDUM

Subject:- Engagement of Casual Artists on assignment basis in Doordarshan.

With a view to assess the total strength of casual Artists on assignment basis being engaged and were on rolls on or before 31st March, 1980 and had some bookings during the period from 1.1.1988 to 31.3.1988, or still continging at various Doordarshan Kendras it has been decided to collect the information in the Directorate. All Doordarshan Kendras are accordingly requested to send above information in respect of all such casuals in the prescribed proforma enclosed herewith. While furnishing information, the total number of casual bookings during the financial years 1980-81 to 1987-88 may also please be given separately for each financial year. Requisite information in the proforma may be sent so as to reach the Directorate latest by 31st March 1989.

Encl: As above.

Sd/-
(P.S. RAJGA)
Dy. Director of Admn.

Al Quraishi

Al Quraishi

G.S.

ALL P
High Court
Road,
L...

Dr. H. H. CAT Lucknow

Alam Kumar Divedi
Union of India

Applicant
Remedy

20

Amend

THIRD
LTH

DIRECTORATE GENERAL DOORDARSHAN
MAHATMA HOUSE, NEW DELHI

.....

No. 1(23)/77-SI(V)

Dated the 8 November, 1978

MEMORANDUM

Subject:- Regularisation of long term Casual Artists in Doordarshan.

...

This is in continuation of this Directorate's Memo No. 1(23)/77-SI(Vol-IV) dated 4.9.1978 on the above subject.

2. A further list of long term casual artists who have been found eligible for regularisation in Doordarshan under the recent formulae approved by Government is sent herewith. This Directorate have no objection to their being offered booking on fortnightly contracts with one day's break in between the two contracts against vacancies. In case, the number of eligible candidates is more than the available vacancies, they may be booked on rotational basis along with others.

<u>S. No.</u>	<u>Name</u>	<u>Designation</u>
1.	Shri Kowaljeet Singh	Make-up Assistant
2.	Shri Shiv Singh	Floor Assistant
3.	Shri Munendra Verma	-do-
4.	Shri Abbas Hassan Khan	-do-
5.	Km. Maya Bhadoria	Production Assistant
6.	Shri Vinod Ashana	Translator-cum-Script writer
7.	Shri Akash Ashok Talreja	General Assistant

Sd/-

(B.P. Agarwal)

Deputy Director of Adm.

The Director,
Doordarshan Kendra,
Lucknow.

AKH

Atty of Lucknow

G.

निर्धारित आधार पर बाहरी लोगों को लगाया जाना

A25

(21)

4.6.1 कार्यक्रम निर्माण कर्मचारियों के अवकाश प्रशिक्षण या प्रतिनियुक्ति पर जाने के परिणाम स्वरूप हुई रिक्तियों या स्वीकृत संख्या के रिक्त पदों पर दूरदर्शन के लोगों को लगाना पड़ सकता है। निर्धारण के आधार पर कार्यक्रम की तात्कालिक आवश्यकता को पूरा करने के लिए इस प्रकार बाहरी लोगों को अत्यन्त अपवादात्मक स्थिति में लगाया जाना चाहिए।

4.6.2 निर्धारित आधार पर कार्य पर लगाने के लिए प्रत्येक केन्द्र को विभिन्न श्रेणियों के लिए उपयुक्त व्यक्तियों का एक पैनल तैयार करना चाहिए और आवश्यकता पड़ने पर इस पैनल के लोगों को बारी-बारी से लगाया जाना चाहिए।

4.6.3 पैनल तैयार करने के लिए खाली पद के लिए विहित आयु सीमा और शैक्षिक योग्यता वाले लोगों से समाचार पत्र या दूरदर्शन आदि में विज्ञापन देकर आवेदन पत्र आमंत्रित करने चाहिए। चयन समिति में उपनिदेशक (कार्यक्रम) और उपनिदेशक (प्रशासन) (या उनकी अनुपस्थिति में प्रशासनिक अधिकारी) द्वारा उम्मीदवारों का चयन किया जाना चाहिए। आवेदन पत्रों पर विचार करते हुए उन लोगों पर भी विचार किया जाना चाहिए जो पहले के पैनल में सम्मिलित रहे हों।

4.6.4 चयन प्रक्रिया में साक्षात्कार के साथ-साथ जहां आवश्यक हो ध्वनि तथा कैमरा परीक्षण भी किया जाना चाहिए।

4.6.5 चयन समिति द्वारा प्रत्येक दिन लगाये जा सकने वाले अनुमानित लोगों से चौगुना लोगों का पैनल तैयार किया जाना चाहिए।

4.6.6 पैनल पर रखे गए लोगों को बारी-बारी से नैमित्तिक निर्धारण के आधार पर एक महीने में 10 दिन से अधिक नहीं लगाया जाना चाहिए।

4.6.7 निर्धारण के आधार पर लोगों को रखते समय उन्हें लिखित रूप में यह स्पष्ट कर दिया जाना चाहिए कि इस प्रकार उन्हें काम पर रखे जाने से उन्हें दूरदर्शन में नियमित होने या समाविष्ट होने का कोई अधिकार नहीं मिल जाता। यह बात प्रेस या दूरदर्शन के द्वारा आवेदन पत्र आमंत्रित करते समय स्पष्ट कर देनी चाहिए।

4.6.8 जो लोग अवसर काम पर लगाए जाते हैं उनसे आरम्भिक नियुक्ति के समय दो आश्वासन प्रमाण-पत्र ले लिए जाने चाहिए। केन्द्र निदेशक को यदि किसी कलाकार की सत्यनिष्ठा पर जरा भी संदेह हो तो उसे तब तक नहीं लगाया जाना चाहिए जब तक कि उसके बारे में सत्यापन रिपोर्ट न प्राप्त हो जाए।

(संशोधित : दूरदर्शन महानिदेशालय जापान सं. 1/2/85-एस-1 दिनांक 11.1.85 और 13.5.85)

शुद्ध - 1

इससे न मनुष्य

रकड - I & II

Al Quirech

Alsteel Iron Coy

G. H. S. Proqui
M.A., LL. B.
Advocate (High Court)
9, Abdul Aziz Road,
LUCKNOW.