

CENTRAL ADMINISTRATIVE TRIBUNAL

CIRCUIT BENCH, LUCKNOW

ANNEX

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 examinedEndorsement as to result of examination

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

Particulars to be ExaminedEndorsement as to result of examination

1. Is the application/duplicate copy/spare copies signed ? Yes

2. Are extra copies of the application with Annexures filed ? Yes

a) Identical with the Original ? Yes

b) Defective ?

c) Wanting in Annexures

3. Are the annexures ?

4. Have the file size envelopes bearing full addresses of the respondents been filed ?

5. Are the given address the registered address ? Yes

6. Do the names of the parties stated in the copies tally with those indicated in the application ? Yes

7. Are the translations certified to be true or supported by an Affidavit affirming that they are true ?

a) Concise ? Yes

b) Under distinct heads ? Yes

c) Numbered consecutively ? Yes

d) Typed in double space on one side of the paper ? Yes

8. Have the particulars for interim order prayed for indicated with reasons ?

9. Whether all the remedies have been exhausted. Yes

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

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

Application No. 326 of 1989. (L)

MR. K. K. SRIVASTAVA

Adarsh Kumar Dwivedi .. Applicant

versus

Union of India & others .. Respondents.

I N D E X.

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Lucknow:

Date: 18-11-1989.

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

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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

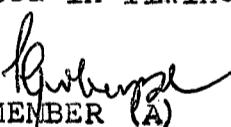
Hon' Mr. Justice Kamleshwar Nath, V.C.

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)

(sns)

December 19, 1989

Lucknow.


VICE CHAIRMAN

26

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 Dwivedi

(ii) Name of father : Shri Prakash Chandra
Dwivedi.

(iii) Designation & Office : Lightening Assistant,
in which employed Doordarshan Kendra,
Lucknow.

(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. ~~xxxxxx~~ Secretary to the Govt. of India, Information & Broadcasting, 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 (Respondent 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

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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 Lightening Assistant (Casual) and a panel was prepared of these persons.

(2) That there were six permanent posts ~~xx~~ of Lightening Assistant in the Department and on one post of Lightening Assistant four casual Lightening 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

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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 aforesaid 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.

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9. That it would not be out of place to mention here that at present twelve permanent posts of Lightening 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 Lightening 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 Lightening 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, issue

AF Dated

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.

Abdullah

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

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

17. That the Applicant was required to sign on the same duty register in which other regular Lightening 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 no on contract basis and treating

A. D. Deekshatulu

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 would be punitive in nature and would also tantamount to retrenchment of services of the Applicant.

GROUND

I.

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

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

III. 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.

Abdullah

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 :

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

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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) : 7-10-87

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 relied 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 ~~xxx~~ 3.6.1989.

(v) Direction issued by the Directorate General for regularising the casual employees.

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Deo

(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.

Place: Lucknow,

Date : 15-11-89

Signature of the Applicant

To

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

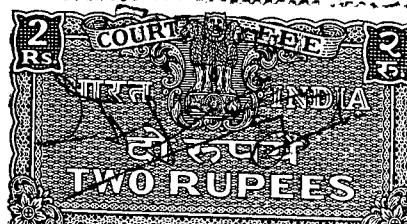
AK Dwivedi

2/6/1968 K. A. T. Lucknow A/6

ब अदालत धीमान

महोदय

[वादी] अपीलान्ट



प्रतिवादी [रेस्पान्डेन्ट]



(टिकट)

पारा (अपीलान्ट)

मुकदमा नं०

सन्

पेशी की वार०

१६ ई०

अपर लिखे मुकदमा में अपनी ओर से श्री

J. H. Faruqi Adv
A. K. Shukla Adv

वकील
महोदय
एडवोकेट

J. A. Siddiqui Adv

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 बसूल 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 पुक्त (दस्तखती) रसीद लेवें या यंच नियुक्त करें—वकील महोदय द्वारा कोई वह सब कार्यवाही हमको सर्वशा स्वीकार है और होगी मैं यह भी स्वीकार करता हूँ कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूँगा अगर मुकदमा अदम पैरवी में एक तरफ मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह बालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे।

हस्ताक्षर

साक्षी (गवाह)

साक्षी (गवाह)

महीना

सन् १६ ई०

१८

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दिनांक

Adv.

IN THE HONORABLE CENTRAL ADMINISTRATIVE TRIBUNAL
(CIRCUIT BENCH), LUCKNOW

Application No.

41989

ADARSH KM DWIVEDI

--- Applicant

Versus.

UNION OF INDIA AND OTHERS

--- Respondents

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Lucknow

Date: 11/1/1989.

Advocate

Advocate

(Counsel for the Applicant)

2 to 10th Page KAT memo

(13)

Adarsh Kumar Dwivedi — Applicant

Union of India Adm. — Respondent

(A1)

Annexure

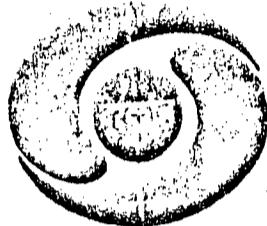
TELEPHONE:
TELEGRAM: DOORDARSHAN

V.V.Krishna Sastry
Dy. Director

D. O. No.

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

Date 24.1.1986



सत्यम् शिवम् सुन्दरम्

दूरध्वान
दूरध्वान का पदा : दूरदर्शन

ग्रा. शास पत्रिक

कार्यालय : निदेशक दूरदर्शन केन्द्र
५, मीराबाई भवन, लखनऊ।

दिनांक.....

CERTIFICATE

Certified that Shri A. S. Kumar Dwivedi has been working at this Kendra as Lighting Assistant (casual) w.e.f. 13.8.1984. His work has been found satisfactory in all respects.

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

उप निदेशक
दूरदर्शन केन्द्र, लखनऊ

A. S. Dwivedi

Attested true copy

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

In the Hague CAT Case

①

Adarsh Kumar Dwivedi — Appellant
vs.
Union of India — Respondent.

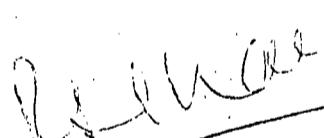
14
A/8

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

All the best for you

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

21st October 1984
 Adarsh Kumar Dwivedi
 Union of India & Ors
 Annexure 2

दिनांक 1984 से जुलाई 1989 तक किये गये कुछ दिनों का विवरण। (15)
 उपलब्ध रिकार्ड के अनुसार

क्र. सं.	दिनांक से दिनांक	दिनों का योग	मुग्तान
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

Altered by contd....2.

S. H.

Advocate (High Court)
 8, Akbarpur Road,
 KANPUR

A. K. Dwivedi

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(16)

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.	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 ।

A. K. Deo

Alleged miscreant
S. K.

Advocate S. K. Deo
Counsel for the Plaintiff

do the stable heat mechanism.

Union of India to Mr. *Response*
Attorney - 3

Annexure - 3

भारत सरकार

दूरदर्शन केन्द्रः लखनऊ।

दिनांक: 6. 7. 89

पत्रांक: डीटीसोएल/३/८९

काथलिय अदेश

कार्यक्रम अनुभाग में कार्य अनुबन्धन केजुअल ब्रुकिंग संबंधी 3 जून, 1989 के समर्थक आदेश के सन्दर्भ में तत्काल प्रभाव से निम्न नियमों का भी अनुपालन किया जायेगा।

४।४ किसी भी पिछले पैनल में सम्मिलित आकर्त्त्वक अनुबन्ध पर अनुबन्धित किये जाने वाले, व्यक्ति को भविष्य में अनुबन्धित नहीं किया जायेगा।

१२४ जान वाल,—व्यापार का कार्यक्रम अनुबन्ध पर अनुबन्धित किये जाने वाले व्यक्ति अब किसी एक प्रस्तुतकर्ता कार्यक्रम-निष्पादक अथवा कार्यक्रम अनुभाग के साथ ही अनुबन्धित प्रस्तुतियों और संबद्ध कार्यक्रम अधिकारी उनके अनुबन्धन के लिए पूर्णतया उत्तरदायी होंगे। इस प्रकार एक अनुभाग में अनुबंधित किया गया व्यक्ति दूसरे अनुभाग में किसी भी हालत में अनुबंधित नहीं किया जा सकता।

एक बार पूँज़: सभी कार्यक्रम अधिकारियों का ध्यान इस ओर दिलाया जा रहा है कि ये आकस्मिक अनुबन्धन संबंधी ३ जून, १९८९ के समरसंख्यक आदेश और नवीनतम आदेशों का कड़ाई से अनुपालन करेंगे और इसमें किसी भी प्रकार की लाप्तिराही के लिए वे स्थियं उत्तरदायी होंगे।

1945

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उपनिदेशक/घीरियो निष्पाठ/सदीयक केन्द्र निदेश/प्रस्तुतकर्ता ग्रेड-1/सभी प्रस्तुतकर्ता/ क्रार्यक्रम निष्पादक/प्रशासनिक अधिकारी/लेखाकार

Albionton City

A. D. DeMille

S. F. ~~Fair & Gui~~
M.A., LL.B.
Advocate (High Court)
9, Abdul Aziz Road,
LUCKNOW.

to the Hague CAT mechanism.

Adarsh Kr Dwivedi — Advocate (14)

Union of India for — Respondent (18)

American

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भारत सरकार
दरबारी फैसला लाभान्तर

पत्रांक: डोटोसीएल०-३/८९

दिनांक: ३ जून १९८९

कार्यालय आदेश

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

1. अनुबंधकता एवं योग्यता के आधार पर बूकेज़ुअल निदेशक के अधिकारों की द्यान में रखते हुए कार्य अनुबंध पर अनुबंधन किया जायेगा।
2. अनुबंधित व्यापक के संबंध में उसको ग्राहिक योग्यतायें, कार्य संबंधी योग्यतायें और अनुभदों 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/अधिकारों अनुबंधित किये जाने वाले व्यक्ति का प्रार्थना पत्र, प्रमाण पत्र तथा अन्य तंत्र विवरण प्राप्त करेंगे और अपने अनुभाग में इस प्रकार के अनुबंधित व्यक्तियों का लेखा-जोखा तथा अनुबंधन संबंधी विवरण इस प्रकार रखेंगे ताकि यहां ग्राहकता/तत्काल ग्राहकता पड़ने पर समर्थ विवरण प्रस्तुत कर सकें।
4. अनुबंधन करने वाले अनुभाग/अधिकारों यह भी सुनिश्चित करेंगे कि एक ही व्यक्ति का अनुबंध बार-बार अध्याता कम अन्तराल पर न हो।
5. इस प्रकार अनुबंधित व्यक्तियों का नाम लोग हुक्म, क्षेत्रोद्देश्यादि विवरणों में तथा स्क्रीन 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 समाप्तान हुने दियत करें।

A. K. Dwivedi

All brief for me

G. S. Faruqui
M.A. LL.B.
Advocate
9, Abdur Rehman Road,
Delhi-110002

2 Mr. Haider - C.A.T Lucken.
Adarsh Kumar Dwivedi is - - - - - Applicat
Union of India is - - - - - Respondent
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Annexure 5

MUST IMMEDIATE

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

NO:2(9)/87-SI

Dated: 9.3.1989

A27

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 continuing 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.

Sd/-
(P.S.RANGA)
Dy. Director of Admin.

Encl: As above.

A.K. Dwivedi

Attested truly
S.S. 

Quesar
B. Abd.
L.P.
A. LL B
Court
Road,
City

On the Handwritten CAT Letter.

Alam Kumar Dwivedi

Union of India

Appic
Recd.

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Amritsar 6

RECORDED AT 10 AM

DIRECTORATE GENERAL: DOORDARSHAN
MANOJI 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 Kawaljeet Singh	Make-up Assistant
2.	Shri Shiv Singh	Floor Assistant
3.	Shri Munawwar Verma	-do-
4.	Shri Abba Hassan Khan	-do-
5.	Mr. Maya Bhaduria	Production Assistant
6.	Shri Vimlesh Asthana	Translator-cum-Script writer
7.	Shri Akash Ashok Talreja	General Assistant

Sd/-
(B.P. Agarwal)
Deputy Director of Admin.

The Director,
Doordarshan Kendra,
Lucknow.

Alam Kumar Dwivedi

Attached hereto

g.

निर्धारित आधार पर आहरी लोगों को लगाया जाना

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4.6.1 कार्यक्रम निर्माण कर्मचारियों के अवकाश प्रशिक्षण या प्रतिनियुक्ति पर जाने के परिणाम स्वरूप हुई रिक्तियों या स्थिकृत 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 आहरी 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 समिक्षित रहे हैं।

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

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

4.6.6. पैनल पर रखे गए लोगों को बारी-बारी में 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 निर्यामित होने या समाविष्ट होने का योई अधिकार नहीं मिल जाता। यह बात प्रेस या दूरदर्शन के द्वारा आवेदन पत्र आगंति करते समय स्पष्ट कर देनी चाहिए।

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

(प्रधिकृत : दूरदर्शन महानिदेशालय जापन सं. 1/2/85-एम-1 दिनांक 11.1.85 और 13.5.85)

- 1 -

दूरदर्शन महानिदेशालय

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Accepted

Allied Law Co.

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