

(12)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. 485/91

Bharati Gokhale Rustom .. Applicant

Vs.

Union of India and Ors. .. Respondents

CORAM : Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri P.P. Srivastava

Appearances

1. Shri.V.T.Tulpule,
Advocate
for the applicant
2. Shri. V.S.Masurkar
Advocate
for the respondents

J U D G M E N T

DATED : 26/7/95

(Per. Shri. P.P.Srivastava, Member (A))

The applicant is working as Producer Grade II in Bombay Doordarshan Kendra from 1982 in the pay scale of Rs.2,000 - 3,500. The applicant's current duties consisted of producing daily news bulletin, current affairs and other programmes. The applicant is aggrieved by the posting of Respondent No. 5, one Shri. N.B. Karkhanis, Assistant News Editor in Bombay Doordarshan Kendra. The applicant contends that Respondent No. 5 does not possess requisite qualifications for the post which is a degree from a recognised university and degree/diploma in journalism. The applicant's grievance is that Respondent No. 5 is posted as Asstt. News Editor and therefore he is supervising the work of the applicant, who holds better qualification and is a Gazatted officer. She therefore prays that the applicant's supercession by Respondent No. 5 be declared as illegal, bad in law and the same be set-aside.



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(B)

2. The respondents have brought out that the Respondent No. 5, Shri. N.B.Karkhanis belongs to Indian Information Service Group 'B' and is governed by Central Information Service Rules, 1959, as amended from time to time. Respondent No. 5 was appointed to Grade-III of Central Information Service in the pay scale of Rs.2000-3500 on 23.2.89 and was posted as Commentary Writer in Films Division, Bombay on deputation which was extended later-on upto 31.12.89. He was transferred as posted as Assistant News Editor in Door-darshan Kendra, Bombay, again on deputation, on 18.10.89. His period of deputation was further extended from time to time. The respondents have also stated that the applicant is Producer Gr.II (News and current affairs) and she was initially appointed on contract basis in 1982 as per Doordarshan Staff Artists Recruitment Rules 1979. The applicant was subsequently converted as regular temporary Government servant in the post of Producer Grade-II in terms of Director General, All India Radio's letter dated 7/15.11.85.

3. The main argument of the respondents is that the applicant and Respondent No. 5 belong to two separate cadres and are governed by different Recruitment Rules and ~~have~~ no common seniority list and therefore applicant's superseding by Respondent No. 5 does not arise.

4. We have heard the arguments of both the parties and in view of the statement of respondents mentioned in para 3 above, we do not see any merit in the prayer made by the applicant regarding supersession by Respondent No. 5. O.A is therefore dismissed as devoid of merit. No order as to costs.


(P.P.SRIVASTAVA)
MEMBER (A)


(M.S.DESHPANDE)
VICE CHAIRMAN