

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

TUESDAY THE SEVENTH DAY OF JULY
ONE THOUSAND NINE HUNDRED AND EIGHTY SEVEN

: PRESENT :

THE HON'BLE MR. B. N. JAYA SIMHA: VICE-CHAIRMAN
AND
THE HON'BLE MR. D. SURYA RAO: MEMBER. (Judl)

ORIGINAL APPLICATION NO. 394/87.

81
Between:-

G. Chandra Mohan.

And

.....Applicants.

(Separate Sheet attached).

.....Respondents.

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Application under Section 19 of the Administrative Tribunals Act, 1985 praying that in the circumstances stated therein the Tribunal will be pleased to declare as permanent in the light of the instructions given by the Dte. General vide its Memo no. 57/2/85 - SI dt. 6.5.85 in the form of its circulation to all the Director of Doordarshan Kendras.

Respondents Address in OA-394/87.

- (1) The Union of India, ref by its Secretary, Ministry of Information and Broadcasting, Govt. of India, New Delhi.
- (2) The Director General, DTE General, Doordersham, Mandi House, Auro Copernicus Marg, New Delhi-110001.
- (3) The Director, Doordersham Kendra, Somajiguda, Hyd.
- (4) The Director, Doordersham, Lucknow, Uttar Pradesh.
- (5) The Director, Central Institute of English and Foreign Languages, Osmania University Campus, Hyderabad.
- (6) Smt. Vijayalaxmi Giri, Producer, Central Institute of English and Foreign Languages, Osmania University Campus, Hyderabad.
- (7) Shri. Smt. Ram, Producer in SIET, State Institute of Educational Technology, Lucknow (Earlier Production Assst., Doordersham, Lucknow) Uttar Pradesh.
- (8) Smt. Maya Bhaduria, ^{Producer in SIET.} State Institute of Educational Technology, Lucknow, (Earlier Production Assst. in Doordersham, Lucknow, Uttar Pradesh).
- (9) Shri. Shaster Budhe, Administrative Officer All India Radio, Vijayawada, Krishna dist (Earlier in Doordersham Kendra, Hyderabad.)

ORIGINAL APPLICATION NO.394 of 1987

(ORDERS OF THE TRIBUNAL)

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The applicant herein is a Carpenter employed in Doordarshan Kendra, Hyderabad. He was appointed on a contract basis in the year 1974. According to the applicant, he is entitled to be made quasi-permanent with effect from the year 1982 pursuant to the order of the second respondent, viz., Director-General, Doordarshan, New Delhi dated 6-5-1985 in Memo.no.57/2/85-SI. In 1986, he sought an appointment in S.I.E.T., Hyderabad and requested for relief from Upgrah Doordarshan Kendra, Hyderabad stating that he has been selected for the post of Scenic Designer in SIET, Hyderabad. He also submitted his resignation and requested that he may be relieved with effect from 8-1-1986. He also requested the Department to consider sympathetically the retention of his lien and other benefits arising from lien. The applicant, by a letter dated 31-1-1986 was informed by the Upgrah Doordarshan Kendra, Hyderabad that he has been declared quasi permanent with effect from 6-3-1982 instead of from 19-2-1985. The applicant states that he would not have been resigned if his quasi-permanency was known to him and that he is

entitled to a declaration of quasi-permanency keeping his lien in the Department. The Department however informed him in February, 1986 that he has been relieved to join the new office and he cannot be given the benefit of ^a lien. The applicant has been making further representations for keeping his lien and ~~seeks~~ a direction from this Tribunal to grant him lien with effect from 9-1-1986, that is, the date of his joining as Scenic Designer in S.I.E.T., Hyderabad.

2. We have heard the Learned Counsel for the applicant and Mr. N.R. Devaraj, Standing Counsel for the Central Government. The Standing Counsel for the Department ^{states} ~~informed~~ that the Department cannot keep a lien as they will have to make substitute arrangements in the place of the applicant who has left the Department, ~~and~~ ^{The department is however} ~~that they are~~ prepared to take him back as Carpenter

provided the applicant is willing to join immediately

^{In that event} ~~and~~ his quasi-permanency ^{will be} ~~is~~ also granted. ^{The learned Counsel for} ~~the~~ applicant ^{states that the applicant} is willing to join the Upgrah Doordarshan Kendra,

contd..3

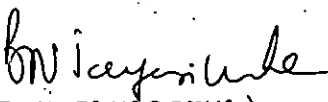
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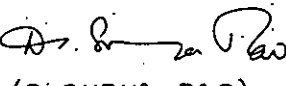
Hyderabad. In these circumstances, we direct that the applicant be taken back by the Doordarshan Kendra, Hyderabad after his relief from the S.I.E.T. He ~~is~~ ^{will} be taken in as a quasi-permanent carpenter. The applicant shall get himself relieved from S.I.E.T. and join the Doordarshan Kendra, Hyderabad not later than 1st August, 1987. In the event of his not joining the Doordarshan Kendra within the stipulated time, the application will stand dismissed, and he will not have any claim for rejoining the Department or retention of lien.

3. With these directions, the application is disposed of at the stage of admission itself.

(There will be no order as to costs)

(dictated in open court)


(B.N. JAYASIMHA)
Vice-Chairman


(D. SURYA RAO)
Member (Judl.)

7th July, 1987.

RSR°