

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT: HYDERABAD

O.A.No. 390/92

Date of Order: 10.6.1992

BETWEEN:

1. J.Srinivas
2. J.Chandra Sekhar
3. K.Rajaiah
4. B.Eshwar
5. N.Ram Mohan
6. B.Narasimha
7. K.Sham Sunder

.. Applicant.

A N D

1. The Director, Doordarshan Kendra, Ramanthapur, Hyderabad.
2. The Director General, Doordarshan, Mandi House, Kopernikas Marg, New Delhi.
3. The Union of India, rep. by its Secretary, Ministry of Information and Broad Casting, New Delhi. .. Respondents.

Counsel for the Applicant

.. Mr.K.Venkateswara Rao

Counsel for the Respondents

.. Mr.N.R.Devraj, *Adv.Cas*

COURT:

HON'BLE SHRI A.B.GORTHI, MEMBER (ADMN.)

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Division Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)).

--- *T.C.R.*

This is an application filed under Section 19 of the Administrative Tribunals Act by the applicants herein to direct the respondents to regularise the services of the applicants and to extend the benefit of the Judgement of this Hon'ble Tribunal dated 7.6.1991 which was rendered in OA No.447/90 and batch to the applicants and pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. The applicants are engaged as Casual Carpenters and casual floor assistants for various types of works from 1986 onwards by the respondents. They were engaged as per the requirement. It is their grievance that their services are not yet regularised and hence, the present OA for the relief as already indicated above.

3. When this OA came up for hearing none were present on behalf of the applicants. We have heard Mr NR Devraj, Standing Counsel for the respondents.

4. Similarly placed employees, like the applicants herein, had filed applications before the Principal Bench of Central Administrative Tribunal in OA 894/90, OA 2322/90 and OA 1775/90. On the basis of the Judgement rendered by the Principal Bench in the above said 3 OAs, OA 447/90 and batch before this Bench were filed by the applicants (therein) who were also similarly placed in all respects to the applicants in the said OA 894/90, OA 2322/90 and OA 1775/90. The said OA 447/90 had been disposed of by this Bench by giving the same directions as given in the batch OAs before the Principal Bench referred to above. The Principal Bench in the said OAs after considering all the aspects urged by the applicants therein and taking into consideration the plea of the respondents raised in the counter

on behalf of the respondents had disposed of the said OAs giving the following directions:

- i. Casual Artists who have been engaged for an aggregate period of 120 days, may be treated as eligible for regularisation. The broken period in between engagement and dis-engagement are to be ignored for this purpose.
- ii. The respondents shall prepare a panel of Casual Artists who had been engaged on contract basis, depending on the length of service. The names of those who have not been regularised so far, specially from 1980 onwards, though they may not be in service now, are to be included in the panel. Persons borne on the panel. Persons borne on the panel are to be considered for regularisation in the available vacancies.
- iii. For the purpose of regularisation, the upper age limit has to be relaxed to the extent of service rendered by the Casual Artists. One hundred and twenty days' service in the aggregate shall be treated as the service rendered in one year for this purpose.
- iv. Till all the Casual Artists who have been engaged by the respondents have been regularised, the respondents may not resort to fresh recruitment of such Artists through Employment Exchange or otherwise.
- v. Till the Casual Artists are regularised, the wage to be paid to them should be in accordance with the scale of pay of the post held by regular employee in an identical post. The amount of actual payment would be restricted to the actual number of days worked during a month.

In giving the said directions, the Principal Bench had taken into consideration, the various decisions given by the Supreme Court and observed that framing of suitable scheme for regularisation of the casual artists was imperative. As already pointed out, OA 447/90 and batch filed before this Bench was disposed of by giving the very same directions given by the Principal Bench in the said batch OAs. As the applicants are similarly placed to the applicants in OA 447/90 and batch before this Bench and also to the applicants in OA 894/90, OA 2322/90 and OA 1775/90 before the Principal Bench, we dispose of this OA by giving the very same directions.

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5. Hence we direct the respondents to extend the benefit of the Judgement of the Principal Bench in OA.894/90, OA.2322/90 and 1775/90 to the applicants herein also. The respondents shall implement the said directions within 4 months from the date of the receipt of this order. OA ~~all done of~~ is ~~disposed of~~ accordingly with no order as to costs.

Ansrys
(A.B.GORTHI)
Member (Admn.)

T. Chandrasekhar Reddy
(T.CHANDRASEKHARA REDDY)
Member (Jud1.)

8/7/92
Dated: 10th June, 1992
Deputy Registrar (J)

(Dictated in the Open Court)

To

1. The Director, Doordarshan Kendra, Ramantapur, Hyderabad.
2. The Director General, Doordarshan Mandi House, Copernicus Marg, New Delhi.
3. The Secretary, Union of India, Ministry of Information and Broad Casting, New Delhi.
4. One copy to Mr.K.Venkateswara Rao, Advocate, D-18, A.G.Colony, Hyderabad
5. One copy to Mr.N.R.Devraj, Addl.CGSC.CAT.Hyd.
6. One spare copy.

pvm.

sd

Viswanad
J. S. Devraj
16/6/92

TYPED BY

W
COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND A. B. Gorthi ✓

THE HON'BLE MR. R. BALASUBRAHMAMAN: M(A)

AND ✓

THE HON'BLE MR. T. CHANDRASEKHAR REDDY;
MEMBER (JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 10-6-1992. ✓

~~ORDER~~ ✓ JUDGMENT ✓

R.A./C.A./M.A. No.

in
O.A. No. 390/92

T.A. No.

(W.P. No.)

Admitted and interim directions
issued

Allowed ✓

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.

