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IN THE CENTRAL ADMINISTRATIVE TRIBUAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION 1199 OF 1999

DATE OF ORDER: 23.8.2000

Between

1. R.C. Prem Sagar
2. A.V. Nageswara Rao.
3. D. Madhusudhan Rao.
4. S.A. Rajendra Prasad.
5. S. Ravi Kumar

.....APPLICANTS

AND

1. The Director
Doordarshan Kendra
Ramanthapur, Hyderabad.
2. The Deputy Director(Admn)
Prasar Bharathi (Broad Casting Corporation of India)
Doordarshan Kendra,
P.B. Marg, Warli, Mumbai
3. The Director General,
Prasar Bharathi(Broad Casting Corporation of India)
Copernicus Marg,
New Delhi.
4. The Union of India, rep. by its Secretary to the
Ministry of Information and Broad Casting,
New Delhi.
5. Directorate General of Employment and Training,
Ministry of Labour,
14/11, Jamnagar House, Shahjahan Road,
New Delhi.

..... RESPONDENTS

Learned Counsel for the applicants : Mr. V. Ajay Kumar,
Learned Counsel for the respondents : Mr. B.N. Sharma, SGSC

CORAM

HON'BLE SHRI R. RANGARAJAN : MEMBER(A)
HON'BLE SHRI B.S.JAI PARAMESHWAR : MEMBER(J)

(Order per Hon'ble Shri R. Rangarajan, Member(A))

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...2/-

(Order per Hon'ble Shri R. Rangarajan, Member (A))

None for the applicant. Mr. M.C. Jacob for Mr B.N.Sharma learned standing counsel for the respondents. Even though this OA is posted for dismissal, the counsel for the applicant is absent. Hence the OA is disposed of under rule 15(1) of the CAT(Procedure) Rules, 1985.

2. There are 5 applicants in this OA. They are all working as Casual Make up Assistants , Doordarshan Kendra, Ramanthapur, Hyderabad. The Central Employment Exchange issued advertisement No. 23/99 for filling up one post of Make up Assistant(Un-reserved) in Doordarshan Kendra, Mumbai(Notification is enclosed at IV page 18). The applicants requested for regularising them instead of issuing notification.

3. This OA is filed to call for the records relating to and connected with Item No. 117/9 in Advertisement No. 23/99 published in Employment News dt. 12-18 June, 1999 and praying for declaration that the action of the respondents in trying to fill up the post of Make Up Assistant in the 2nd respondent Doordarshan Kendra from freshers through Employment Exchange ignoring the claims of the empanelled departmental candidates is illegal, arbitrary and violative of principles of natural justice and fair play and also violative of Articles 14, 16 and 21 of the Constitution of India and also against to the directions of the Tribunal in OA No. 431/89 dt. 7.6.1991 and batch and consequently direct the respondents to fill up the post of Make Up Assistant from the applicants as per their panel seniority.

4. The only point for consideration is whether they are entitled for regularization in Mumbai Doordarshan Kendra when they are working as casual Make Up Assistants in Doordarshan Kendra, Hyderabad. In this connection, the respondents

have enclosed the memorandum whereby scheme for regularization of all casual artists in Doordarshan has been issued bearing No. 2(3)/86-S I dt 9.6.1992. That Memorandum was issued on the basis of the judgement of the Principal Bench in OA 563/86. As per the scheme, the persons who are in the eligibility panel of one Kendra will have no right for claiming regularization in another Kendra as these are General Group C posts and selection is made Kendra-wise.

5. The learned counsel for the respondents submits that Mumbai Doordarshan Kendra has no relation to Hyderabad Doordarshan Kendra in regard to the filling up of Group C posts in Mumbai Kendra. Hence, as per the scheme, the applicants have no right to claim for that post when they are not working as Casual Make up Assistants with Mumbai Doordarshan Kendra.

6. We agree with the statement of the respondents. However, the applicants are at liberty to apply for the same as an outside candidate to Mumbai Doordarshan Kendra against the advertisement and take their choice ^{chance} in the selection.

7. In view of the above, we see no merit in this OA. Hence the OA is dismissed.

(B.S. JAI PARAMESHWAR)
MEMBER(J) 23/8/2000

(R. RANGARAJAN)
MEMBER(A)

DATED 23RD AUGUST, 2000
DICTATED IN OPEN COURT

Asl/

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH: HYDERABAD.

~~1ST AND 2ND COURT~~

COPY TO

1. HDH NJ
2. HRRN (AD MN.) MEMBER
3. HBSJP (JUD L.) MEMBER
4. D.R. (AD MN.) ✓
5. SPARE ✓
6. ADVOCATE

7. STANDING COUNSEL

TYPED BY CHECKED BY
COMPARED BY APPROVED BY

THE HON'BLE MR. JUSTICE D.H. NASIR
VICE-CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN:
MEMBER (AD MN.) ✓

THE HON'BLE MR. B.S. JAI PARAMESHWAR
MEMBER (JUD L.)

DATE OF ORDER 23/8/2000

MA/RA/CP. NO.

IN
OA. NO. 1199/99.

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

(9 pages)

