

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-2762/2018

New Delhi, this the 15th day of October, 2018

**Hon'ble Sh. V. Ajay Kumar, Member(J)
Hon'ble Sh. A.K. Bishnoi, Member(A)**

1. Ajit Mahto, aged 42 years, Group-C,
s/o Sh. Malik Mahto
Working as Investigator Gr.-I,
Posted in Directorate General, AIR, New Delhi.
r/o H.No.5, Gali No. 12B, OM Nagar, Meethapur,
Badarpur, New Delhi-44

2. Sudhanshu Shekhar, aged 51 years, Group-C
s/o Sh. P.P. Singh.
Working as Investigator Gr. I
Posted in the office of DG. Doordarsan, New Delhi.
r/o F 4/11, 1st Floor, Model Town-II, Delhi-9.

3. Dinkar Yadav, aged 51 years, Group-C,
s/o Sh. Yashwant Yadav,
Working as Investigator Gr.-I
Posted in the office of AIR, Panaji.
r/o H.No.5/207/GN, SRS Bhavan Verem,
Bardez-Goa, 403114

4. Santosh Kumar, aged 50 years, Group-C,
s/o Sh. P. Balakrishnan,
Working as Investigator Gr.-I
Posted in the office of AIR, Thiruvananthanpuram.
r/o Chithrakailas, Edakkad South, Kadampadan (P.O.),
PO- Kollam Distt., Kerala-6915552

5. Saibha Majhi, aged 54 years, Group-C,
s/o Late Sh. Jadze Majhe,
Working as Investigator Gr.-I
Posted in the office of AIR, Raipur.
r/o Kukudimunid, Gorumaiani, Mayurbhanj. Orissa.

6. Anil Kumar Mandi, aged 46 years, Group-C,
s/o Sh. Subhash Ch. Mandi,

Working as Investigator Gr.-I
 Posted in the office of AIR, Ranchi.
 r/o AIR colony, CD/C-2, Kathiand, Ratu, Ranchi.

7. Deepak Kumar Sachdeva, Aged 48 Years, Group-C,
 s/o Haveli Ram Sachdeva

Working as Investigator Gr.-I
 Posted in the office of AIR, Bhopal
 r/o 62, C-1, Park View Kolar Road, Bhopal-462042

8. Pradip Kumar Das, aged 53 years, Group-C

s/o Late Sh. Phanidhar Das,
 working as Investigator Grade-I
 Posted in All India Radio,
 r/o Block B, 3rd Floor, Royal Heritage,
 Radhanagar, Chachal, VIP road, Sixmile,
 Khanapara, Guwahati-781022

.....Applicants

(through Sh. Yogesh Sharma)

Versus

1. Union of India through its Secretary,
 Ministry of Information and Broadcasting,
 Govt. of India, Shastri Bhawan, New Delhi-1.

2. The Chief Executive Officer,
 Prasar Bharti, Prasar Bharati House,
 Tower-C, Copernicus Marg, Mandi House, New Delhi-1.

3. The Director General,
 All India Radio, Akashvani Bhawan,
 Parliament Street, New Delhi-1.

4. The Director General,
 Doordarshan, Doordarshan Bhawan,
 Tower 'A' Copernicus Marg, New Delhi-1

.....Respondents

(through Sh. S.M. Arif and Sh. S.M. Aatif for R. No. 2 to 4)

ORDER(ORAL)**Hon'ble Sh. V. Ajay Kumar, Member(J)**

Heard learned counsel for the applicants.

2. The applicants, working as Investigator Grade – 1 under respondent no.3, Director General of All India Radio, New Delhi filed the OA seeking the following reliefs:

"(i)That the Hon'ble Tribunal may graciously be pleased to pass an order directing the respondents to amend/notified the Rules for the post of Assistant Research officer Grade-II and other posts at an early date within stipulated time."

(ii)That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not conducting the DPC for filling up the posts by way of promotion from the post of Investigator-I to the post of Assistant Research Officer Grade-II; and further higher post is illegal, arbitrary and against the Govt. of India Instructions on the subject and consequently, pass an order directing the respondents to consider the applicants for their promotion from the present post to the next higher post on regular basis from the due dates i.e. from date of availability of the post with all the consequential benefits including the arrears of difference of pay and allowances

(iii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant."

2. When this matter was taken up for hearing, learned counsel for the applicant submits that in the impugned speaking order dated 25.05.2018, the respondents have categorically stated that – "a proposal for framing/amendment in the recruitment rules of Audience Research cadre, for the government employees who are on deemed deputation to Prasar Bharti, was taken up with the Ministry of Information and Broadcasting by the Prasar Bharti, which is being rigorously followed up by Prasar Bharti and this Directorate." and in view of the same, the applicants would be satisfied if the OA is disposed of with a direction to the respondents to take a final view on the issue within a fixed time frame.

3. Sh. S.M. Arif, learned counsel for the respondents while seeking time to file counter submits that the OA itself can be disposed of after the counter is filed.

4. However, in view of the submissions made by applicants' counsel and in view of the observations made by the respondents themselves in the speaking order dated 25.05.2018, we dispose of the instant OA without going into the merits of the case by directing the respondents to take a final view on the claims for framing/amendment of recruitment rules, of the applicants, within four months from the date of receipt of a certified copy of this order, in accordance with law.

Let a copy of the OA be enclosed to this order.

(A.K. Bishnoi)
Member(A)

(V. Ajay Kumar)
Member(J)

/ns/