

**Central Administrative Tribunal
Principal Bench**

OA No.4667/2014

New Delhi, this the 25th day of October, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Rudranath Sanyal, Age 54 years,
S/o Late Somenath Sanyal,
Presently working as TV ANC,
Room No.513, Tower B,
Doordarshan Bhavan,
Mandi House, Copernicus Marg,
New Delhi-110001.

R/o B-403, M.S. Apartments,
Curzon Road, K.G. Marg,
New Delhi-110001.

...Applicant

(By Advocate : Shri S.K. Das)

Versus

1. Union of India,
Through the Secretary,
Ministry of Information &
Broadcasting Shastri Bhawan,
New Delhi.
2. The Director General of Doordarshan,
Mandi House, Copernicus Marg,
New Delhi.

...Respondents

(By Advocate : Shri D.S. Mahendru)

ORDER (ORAL)**Justice L. Narasimha Reddy, Chairman :-**

The applicant was appointed as T.V. Assistant News Correspondent (TV ANC) on 18.08.1988. This OA is filed with a prayer to direct the respondents to provide a specific cadre and other service conditions for that post, with promotional avenues; or in the alternative, to direct the respondents to amend the Gazette notification dated 24.03.2014 appropriately to include the post of TVANC, held by the applicant in Group 'A' in Pay Band-III. It is claimed by the applicant that though he was appointed in pursuance of an advertisement and continued for long in the same post, there are no promotional avenues and there is long stagnation. Reference is made to the orders passed in certain OAs which were decided by the Coordinate Benches of this Tribunal.

2. Respondents filed counter affidavit opposing the OA. It is stated that Prasar Bharati (Broadcasting Corporation of India), TV News Correspondent Recruitment Rules, 2014 were published on 24.03.2014 and the post held by the applicant is very much part of those rules and that a

promotional avenue is also provided. Other grounds are also pleaded.

3. Heard Shri S.K. Das, learned counsel for applicant and Shri D.S. Mahendru, learned counsel for respondents.

4. The necessity for us to deal with the various aspects in details is obviated on account of the fact that as recently as on 26.09.2018, the Hon'ble Supreme Court, in Civil Appeal Nos.11948-11950 of 2016, dealt with various aspects pertaining to the very question involved in this OA. As a matter of fact, the applicant herein was an intervener in the Civil Appeals and his contention was also taken into account. After referring to the judgment rendered by this Tribunal and the Hon'ble High Court on this subject, the Hon'ble Supreme Court held as under :-

“10 While affirming the judgment of the Tribunal, we clarify that

(i) promotions which have already been effected and the existing seniority shall not be affected;

(ii) in the case of employees who have retired, a notional pay fixation shall be carried out and retiral benefits, including pension, if any, shall be determined on that basis; and

(iii) individual cases for promotion would be considered against vacancies available, keeping seniority in view.”

5. Both the learned counsel for the parties submit that with the directions issued by the Hon'ble Supreme Court as mentioned above, the grievance of the applicant no longer subsists. The OA is accordingly, disposed of. There shall be no order as to costs.

(Pradeep Kumar)
Member (A)

(L. Narasimha Reddy)
Chairman

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