

**Central Administrative Tribunal
Ernakulam Bench**

OA/180/00592/2015

Friday, this the 28th day of September, 2018

CORAM

Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member

T.Christopher
CB Mandiram, Melkola
Dhanuvachapuram, Nediyaamcode
Thiruvananthapuram-695 503.

Applicant

[Advocate: Sri Vishnu S.Chempazhanthiyil]

versus

1. The Deputy Director General
Regional Training Institute, All India Radio
Vazhuthacaud, Thiruvananthapuram-695 014
2. The Director General
Directorate General, All India Radio
Akashvani Bhavan, Parliament Street
New Delhi-110 001.
3. Prasar Bharati Coproaration represented by
its Chief Executive Officer
2nd Floor, PTI Building, Parliament Street
New Delhi-110 001.
4. Union of India represented by the Secretary
Ministry of Information and Broadcasting
New Delhi-110 001.

Respondents

[Advocate: Sri K.C.Muraleedharan rep by Sri Sinu G.Nath, ACGSC]

This OA having been heard on 28th September, 2018, the Tribunal on the same day delivered the following order:

ORDER**By E.K.Bharat Bhushan, Administrative Member**

Mr.Vishnu S.Chempazhanthiyil, learned counsel for the applicant submits that the applicant was engaged as a Casual Labour in the departmental canteen of All India Radio and later on engaged by the Regional Training Institute, All India Radio, Thiruvananthapuram, against a vacant post from 1996 onwards. He seeks regularization and submits that steps had been initiated by the respondents as per Annexure A5. Details pertaining to his service had also been included as per Annexure A6 and further action as per Annexure A8 is also seen from the copies of the various annexures appended.

2. Sri K.C.Muraleedharan, ACGSC rep by Sri Sinu G.Nath for the respondents submits that the applicant had not been engaged as a casual worker and had only been allowed to work on a need basis. He has not completed 240 days during the year as per records available with the respondents.

3. It is seen that the applicant has filed a representation to respondent No.2, copy of which is available at Annexure A11. We are of the view that the OA can be disposed of and ends of justice will be met if a direction is issued to respondent No.2 to consider the representation on merits and dispose of the same within three months from the date of receipt of this order. The applicant ought to be given an opportunity to present any document which he may have in his possession to prove his claim. OA stands disposed of. No order as to costs.

(Ashish Kalia)
Judicial Member

(E.K.Bharat Bhushan)
Administrative Member

Annexures filed by the applicant:

- Annexure A1: Copy of the experience certificate No.TVM/Per/2005 dated 25.4.2005 issued from All India Radio, Thiruvananthapuram.
- Annexure A2: Copy of the experience certificate dated 27.4.2005 issued by the Regional Training Institute, All India Radio, Thiruvananthapuram.
- Annexure A3: Copy of the communication No.RTI.TVM.ADMN/09 dated 24.11.2009 issued by the Regional Training Institute, All India Radio, Thiruvananthapuram.
- Annexure A4: Copy of the communication No.7/30/2009-SVI/233 dated 23.4.2010 issued by the Directorate General, All India Radio.
- Annexure A5: Copy of the communication No.10/12/2012-S.VI/472 dated 25.6.2012 of the Directorate General, All India Radio.
- Annexure A6: Copy of the communication No.RTI/TVM/ADMN/12-13/200 dated 1.8.2012 issued by the Regional Training Institute, All India Radio, Thiruvananthapuram.
- Annexure A7: Copy of the communication No.5/6/2013-SVI dated 25th April, 2013 issued by the Directorate General, All India Radio.
- Annexure A8: Copy of the communication No.RTI.TVM 19(3) 2013-14/90 dated 30.4.2013 issued by the Regional Training Institute, All India Radio, Thiruvananthapuram.
- Annexure A9: Copy of the communication No.TVM-14(2)/2014-RTI-2678 dated 26.8.2014 issued by the All India Radio, Thiruvananthapuram.
- Annexure A10: Copy of the communication No.RTI/TVM.Admn/10 dated 14.1.2011 issued by the Regional Training Institute, All India Radio, Thiruvananthapuram.
- Annexure A11: Copy of the representation dated 10.7.2015 addressed to the Director General, All India Radio.

Annexures with the reply statement:

- Annexure R1: Copy of the judgment
- Annexure R2: Copy of the O.M.. dated 10.9.1993.
- Annexure R3: Copy of the circular dated 3.10.2012.