

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH**

Original Application No.180/00033/2016

Friday, this the 31st day of May, 2019

C O R A M :

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

M.V.Sasikumar,
Programme Executive (In-situ/Personnel),
All India Radio, Thycaud P.O., Vazhuthacadu,
Thiruvananthapuram – 695 014.
Residing at Sreelakham, MRAT 17/1. Kuzhivila,
Chennassery Lane, Kanjirampara P.O.,
Thiruvananthapuram – 695 030.

...Applicant

(By Advocate – Mr.Vishnu S Chempazhanthiyil)

v e r s u s

1. Union of India represented by the Secretary,
Ministry of Information & Broadcasting,
New Delhi – 110 001.
2. Prasar Bharati Broadcasting Corporation of India,
represented by its Chief Executive Officer,
Prasar Bharati Secretariat, 2nd Floor, PTI Building,
Sansad Marg, New Delhi – 110 001.
3. The Director General,
All India Radio, Akashvani Bhavan,
Parliament Street, New Delhi – 110 001.
4. The Deputy Director General,
All India Radio, Thiruvananthapuram – 695 014.

...Respondents

(By Advocate Mr.N.Anilkumar, SCGSC)

This application having been heard on 31st May 2019, the Tribunal on the same delivered the following :

ORDER (ORAL)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

The applicant has been recruited as Transmission Executive (Science Reporting) pursuant to notification by Staff Selection Commission inviting applications in respect of various specialized categories of Transmission Executives in various regions/zones of All India Radio/Doordarshan. The applicant was a reserve candidate when selection was made to the sole post of Transmission Executive (Science Reporting) and had been called upon to join when the originally selected candidate did not join the service. From the publication of the draft seniority list as on 1.1.2004 onwards, learned counsel for the applicant submitted, the applicant had been raising his objection regarding his placement as per Annexure A-3 through various representations. The applicant's primary contention is that he ought to be considered as originally recruited and not as a reserve candidate and hence he is entitled to be accorded seniority in line with the regularly recruited candidates and not among the persons belonging to the reserve pool.

2. Heard Shri.N.Anilkumar, learned SCGSC for the respondents. We understand that the various representations the applicant has made are remained unresponded to. After having heard the counsel on both sides, we dispose of the O.A with a direction to the 3rd respondent to consider and dispose of the representations, copies of which are available at Annexure

.3.

A-16 and Annexure A-18 within a period of two months from the date of receipt of a copy of this order. In order to facilitate this, the applicant is directed to furnish fresh copies of the representations stated to have been filed by the applicant.

3. The O.A stand disposed of accordingly. In view of the above order, M.A.No.180/405/2019 is closed.

(Dated this the 31st day of May 2019)

(ASHISH KALIA)
JUDICIAL MEMBER

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures in O.A.No.180/00033/2016

- 1. Annexure A-1** – True copy of the notification No.2/13/92-P&P (relevant portion) issued by the Staff Selection Commission.
- 2. Annexure A-2** – True copy of the order No.TVM-9(1)96-S/(MVS) dated 27.5.1996 issued by the Station Director, AIR.
- 3. Annexure A-3** – True copy of the representation dated 3.8.2005 to the 3rd respondent.
- 4. Annexure A-4** – True copy of the letter No.1(22)/2005-S/901 dated 14.6.2005 issued by the O/o.4th respondent.
- 5. Annexure A-5** – True copy of the representation dated 3.10.2006 to the 3rd respondent.
- 6. Annexure A-6** – True copy of the request dated 1.5.2007 under RTI Act to the Public Information Officer, Staff Selection Commission.
- 7. Annexure A-7** – True copy of the communication No.4/13/2007-SR dated 5.6.2007 issued by the Assistant Director, Staff Selection Commission.
- 8. Annexure A-8** – True copy of the communication No.1/14/2008-S.VII dated 26.6.2008 (relevant portion) issued by the 2nd respondent.
- 9. Annexure A-9** – True copy of the seniority list circulated by the All India Radio, Thiruvananthapuram (relevant portion).
- 10. Annexure A-10** – True copy of the order No.04/01/2013-SI(B)/1280 dated 29.11.2013 issued by the 3rd respondent.
- 11. Annexure A-11** – True copy of the communication No.TVM-1(22)2011-S dated 31.5.2011 issued by the O/o.4th respondent.
- 12. Annexure A-11(a)** – True copy of the draft Zonal Seniority List as on 1.1.2014.
- 13. Annexure A-12** – True copy of the request dated 27.1.2015 under RTI Act.
- 14. Annexure A-13** – True copy of the reply issued by the CPIO/Dy. Director (Admn) to the applicant.

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15. Annexure A-14 – True copy of the relevant portion of the Final Seniority List of TREX, Farm Radio Reporters and Field Reporters as on 1.1.2010 issued by the 3rd respondent.

16. Annexure A-15 – True copy of the communication No.04/19/2015/SI(B) dated 16.11.2015 issued by the 3rd respondent.

17. Annexure A-16 – True copy of the representation dated 27.11.2015 to the 3rd respondent.

18. Annexure A-17 – True copy of the communication No.PF.1/17/2016-S.VII/595 dated 26.9.2018 issued by the 3rd respondent.

19. Annexure A-18 – True copy of the representation dated 9.10.2018 to the 3rd respondent.

20. Annexure R-1(a) – True copy of the OM No.9/23/7-Estt.(D) dated 6.6.1973 of DOPT.
