

No. 03/04/2019-LC  
PRASAR BHARATI  
(India's Public Service Broadcaster)  
Prasar Bharati House, Copernicus Marg,  
New Delhi – 110001

Dated: 16.12.2020

**CIRCULAR**

**Subject: Launching of IARS (Inviting applications under regularisation Scheme) IT Portal for "Scheme for regularisation of irregular appointments/engagements in Prasar Bharati (All India Radio & Doordarshan) in pursuance of Department of personnel & Trg. O.M. No. 49019/1/2006-Estt(C) dated 11.12.2006 as per parameters laid down by the Hon'ble Supreme Court in CA 3595-3612 of 1999 in Secretary, State of Karnataka and ors vs Uma Devi ors as interpreted in its subsequent judgments".**

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Prasar Bharati Secretariat had circulated Circular No. 03/04/2019-LC dated 05.09.2019 enclosing therewith a "Scheme dated 22nd August, 2019 for regularisation of irregular appointments/engagements in Prasar Bharati (All India Radio & Doordarshan) in pursuance of Department of Personnel & Training O.M. No. 49019/1/2006-Estt(C) dated 11.12.2006 as per parameters laid down by the Hon'ble Supreme Court in CA 3595-3612 of 1999 in Secretary, State of Karnataka and Ors. vs Uma Devi and Ors as interpreted in its subsequent judgments in SLP (C) 15774 of 2006 in State of Karnataka and Ors. vs M.L. Kesari and Ors.; CA 486 of 2011 [arising out of SLP(C) 1927 of 2005] in State of Rajasthan & Ors. Vs Daya Lal & Ors.; Secretary to Government, CA 2726-2729 of 2014 in School Education Department, Chennai vs Thiru R. Govindaswamy & Ors. and CA 3770 of 2017 [arising out of SLP(C) 17702 of 2014 in Secretary to Govt. Commercial Taxes and Registration Department, Secretariat and Anr. vs Singamuthu.

1. Above scheme was formulated and was to be implemented within a fixed period with definite time lines for various activities prescribed for consideration of claims for regularisation of irregular appointees/ engagees by inviting applications physically through post. But because of non-clarity and inconvenience experienced by claimants due to certain instructions issued in this regard subsequently, which have since been

withdrawn/rescinded vide Order No. 03/04/2019-LC dated 27.07.2020 and it was decided to make the entire process of receipt of applications all over India online. Hence an IT Portal has been developed so that all applications are received online in a transparent manner.

2. Before submitting applications, the applicants are also advised to refer to the Department of Personnel & Training O.M. No. 49014/7/2020-Estt(C) dated 07.10.2020 explaining the Supreme Court judgment in CA 3595-3612 of 1999 in Secretary, State of Karnataka and Ors. vs Uma Devi and Ors.

3. Accordingly, IT Portal has been developed for this purpose with URL as **<http://iars.prasarbharati.org>**. Those who are desirous to apply for consideration of their claim for regularisation as per the criteria laid down in the Scheme may submit their applications online on URL <http://iars.prasarbharati.org> latest by 14.01.2021.

4. A 'Help file' is also attached in IT Portal for convenience of applicants. Applicants may first create their login credentials. Thereafter go through requirements of Registration Form. Please keep all files of following documents scanned in pdf format beforehand (max file size 512KB and type pdf.):

- (i) DOB proof document.
- (ii) Educational & professional qualifications.
- (iii) PAN Card.
- (iv) Aadhar Card.
- (v) Copy of Engagement letter.
- (vi) Nature of engagement: Whether ad-hoc/casual/contractual or through outsourced basis (through private contractor).
- (vii) Whether the appointment/ engagement is on a full time/ Part time/assignment basis. If so attached document.
- (viii) Date on which initially engaged/appointed.
- (ix) Details of engagement/appointment from time to time with duration of each engagement/appointment.
- (x) Job description.
- (xi) Allowances received on each engagement/appointment.
- (xii) Whether the Casual Appointee/Engagee is under the cover of Court or Tribunal order as on 10.4.2006? If so attach a copy of relevant court order.
- (xiii) Applicant may attach additional Documents in support of his/her claim.

5. Above information is being collected to examine claim of the applicant. Applicant may be required to submit additional information that may be asked any time during consideration of the claim.
6. The process may be stopped at any time, with the approval of the CCompetent Authority. Mere submission of application would not make anyone eligible for regularisation. Submission of the application and/or additional information as asked subsequently shall not be treated/imply as suitability for job.
7. HOO of all units of PB may give wide publicity to this campaign including putting its copy on their Notice Board, Scrolls, Announcements, through Posts on social media.
8. All HOO of all units of Prasar Bharati make sure this circular is further circulated to all concerned.

Applicants may contact IT Division, Prasar Bharati Sectt. for technical help in filling the applications at mail address : [ddgitpb@prasarbharati.gov.in](mailto:ddgitpb@prasarbharati.gov.in).

This issues with the approval of CEO.



**Deputy Director General  
(Legal & CA)**

To

1. The Director General of All India Radio, Akashvani Bhawan, New Delhi-110001.
2. The Director General of Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi-110001.
3. The Director General (News Service Division), Akashvani Bhawan, New Delhi-110001.
4. The Director General (Doordarshan News), Doordarshan Bhawan, Copernicus Marg, New Delhi-110001.
5. E-in-C(BO), All India Radio, Akashvani Bhawan, New Delhi-110001.
6. E-in-C(SI&CS), PB House, Copernicus Marg, New Delhi-110001.
7. The CE, CCW, AIR Sochna Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.
8. All ADG's of Prasar Bharati Secretariat.

9. ADG(NABM)/ ADG(Archives)/ ADG(R&D)/ DDG(Sports)/DDG(DCS)
10. All Zonal Head(BO)/Head(Content)/Head(Administration).
11. All Stations/ Kendras of AIR/DD, CCW Units.

**Copy for kind information to:**

1. PS to CEO ,Prasar Bharati Sectt.
2. PS to M(F) ,Prasar Bharati Sectt.
3. ADG (IT), Prasar Bharati Sectt.
4. DDG (T) – Prasar Bharati Sectt. with request to upload in Prasar Bharati website/Eoffice.



90

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PRASAR BHARATI  
(India's Public Service Broadcaster)  
PRASAR BHARATI SECRETARIAT,  
Prasar Bharati House, Copernicus Marg,  
New Delhi – 110001.

Dated: 5<sup>th</sup> September, 2019

**CIRCULAR**

**Subject: Scheme for regularisation of irregular appointments/engagements in Prasar Bharati (All India Radio & Doordarshan) in pursuance of Department of personnel & Trg. O.M. No. 49019/1/2006-Estt(C) dated 11.12.2006 as per parameters laid down by the Hon'ble Supreme Court in CA 3595-3612 of 1999 in Secretary, State of Karnataka and ors vs Uma Devi and ors as interpreted in its successive judgments.**

A Scheme for regularisation of irregular appointments/engagements in Prasar Bharati (All India Radio & Doordarshan) has been prepared by Prasar Bharati in pursuance of Department of personnel & Trg. O.M. No. 49019/1/2006-Estt(C) dated 11.12.2006 as per parameters laid down by the Hon'ble Supreme Court in CA 3595-3612 of 1999 in Secretary, State of Karnataka and ors vs Uma Devi and ors as interpreted in its successive judgments.

2. The Scheme has been approved by the Ministry of Information & Broadcasting in consultation with the Department of Personnel & Trg. and the Ministry of Law (Department of Legal Affairs).

3. A copy of the Scheme dated 22<sup>nd</sup> August, 2019 is enclosed with the request that the same may be given wide publicity, including uploading in the websites of the respective directorates, displaying it in the Notice Boards of all Offices/Stations/Kendras of the Directorate General of AIR/Directorate General of Doordarshan/ DG(NSD)/DG:DD(News) and Civil Construction Wing of AIR.

4. Those irregular appointees/engagees who claim to fulfill the above criteria may submit their applications to the Heads of Office of the respective offices/ Stations/Kendras **by 04.11.2019** clearly indicating the posts against



89

which they claim to be regularised. No irregular appointees/engagees shall be permitted to stake his/her claim against more than one post.

5. The Heads of Office of the respective offices/ Stations/Kendras and other offices of All India Radio and Doordarshan, CCW and News Directorates, including RNUs shall compile all applications so received and forward the same alongwith copies of the relevant records, duly certified by the Heads of Office, to the Directorate General of AIR/Directorate General of Doordarshan/ DG(NSD)/DG:DD(News) or CE,CCW, as the case may be **by 04.12.2019**.

6. A list of all such irregular appointees/engagees whose cases are forwarded to the Directorate General of AIR /Directorate General of Doordarshan /DG(NSD) /DG:DD(News)/ CE,CCW shall be displayed in the Notice Board by the respective Heads of Office.

7. The concerned Directorate General of AIR/Doordarshan/DG(NSD)/ DG:DD(News)/ CCW will thereafter carryout detailed scrutiny of these applications. Scrutiny of applications with regard to the eligibility of the claimants for regularisations may be completed by the respective Directorates **by 04.02.2020**.

8. After scrutiny, lists of such irregular appointees/engagees who fulfill the eligibility criteria as stipulated at para 3 above will be sent to Prasar Bharati Secretariat with specific approval of respective Director Generals for consideration and approval of the CEO, Prasar Bharati.

9. Those who do not meet the eligibility criteria for regularisation will be informed of the decision by the respective Directorate Generals through their Stations/Kendras/Offices. Station/Kendra/Office wise lists of such unsuccessful candidates will also be uploaded by Directorate Generals in their respective sites.

10. This issues with the approval of the CEO, Prasar Bharati.

Encl: As above.



**(Srideb Nanda)**  
**Director (Admn)**

To

(1) The Director General of All India Radio, Akashvani Bhawan, New Delhi-110001.

- (2) The Director General of Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi-110001.
- (3) The Principal Director General (News Service Division), Akashvani Bhawan, New Delhi-110001.
- (4) The Director General (Doordarshan News), Doordarshan Bhawan, Copernicus Marg, New Delhi-110001.
- (5) The CE, CCW, AIR.

**Copy with a copy of the Scheme for kind information to:**

SO to CEO/PS to Member (Finance)/ADG(A)/ADG(HR) Prasar Bharati Sectt.

Copy with a copy of the Scheme to Shri Deepak Joshi, DDG(Tech), Prasar Bharati Sectt. for uploading in Prasar Bharati website.

Copy to Guard file.



**(Srideb Nanda)**  
**Director (Admn)**

87

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PRASAR BHARATI SECRETARIAT,  
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New Delhi – 110001.

Dated: 22<sup>nd</sup> August, 2019

**Scheme for regularisation of irregular appointments/engagements in Prasar Bharati (All India Radio & Doordarshan) in pursuance of Department of personnel & Trg. O.M. No. 49019/1/2006-Estt(C) dated 11.12.2006 as per parameters laid down by the Hon'ble Supreme Court in CA 3595-3612 of 1999 in Secretary, State of Karnataka and ors vs Uma Devi and ors as interpreted in its successive judgments.**

A Constitution bench of the Supreme Court in Civil Appeal No. 3595-3612/1999 etc. in the case of Secretary State of Karnataka and Ors. Vs. Uma Devi and ors. has reiterated that any public appointment has to be in terms of the Constitutional scheme. However, as an exception to this ratio, the Supreme Court in para 44 of the aforesaid judgement dated 10.04.2006 has directed that the Union of India, the State Governments and their instrumentalities should take steps to regularize as a one-time measure the services of such irregularly appointed, who are duly qualified persons in terms of the statutory recruitment rules for the post and who have worked for ten years or more in duly sanctioned posts but not under cover of orders of courts or tribunals. The Apex Court has clarified that if such appointment itself is in infraction of





the rules or if it is in violation of the provisions of the Constitution, illegality cannot be regularized.

2. Following the aforesaid judgment of the Hon'ble Supreme Court, the Department of personnel & Trg. have issued instructions to the various Ministries/Departments of the Government of India for implementation of the judgment vide its O.M. No. 49019/1/2006-Estt(C) dated 11.12.2006.

3. The issue has been examined in the light of various judgments/order of Courts/Tribunal as well as the pending litigations across the country and it has been decided with the approval of the Ministry of I & B, Government of India that claims for regularisation of irregular appointments/engagements made by All India Radio and Doordarshan, including the respective News Directorates and CCW, shall be considered as a one-time measure as per following parameters laid down in Uma Devi Case as further interpreted by the apex court in its various judgments:

**Parameters for Determining Eligibility for Regularization:**

- (i) **Cut of Date: Only those irregular appointees/engagees who had put in 10 years of continuous service** against duly sanctioned vacant posts but not under the cover of order of Courts or Tribunals **as on 10.04.2006** (date of judgment in Uma Devi case) [*Secretary, State of Karnataka and ors vs Uma Devi and ors (10.04.2006); State of Karnataka and ors vs M.L. Kesari and ors decided on 03.08.2010*].
- (ii) **Only Full Time irregular appointees/engagees: Only full time irregular appointees/engagees would be**



**eligible to be considered.** Part time irregular appointees/engagees or those engaged through the contractor or any other agency would not be eligible. [*State of Rajasthan & ors vs Daya Lal & ors (decided on 13.01.2011); Secretary to Government, School Education Department, Chennai vs Thiru R. Govindaswamy & ors. (decided on 21.02.2014); Secretary to Govt. Commercial Taxes and Registration Department, Secretariat and anr. vs Singamuthu (decided on 07.03.2017)*].

- (iii) **Consideration of only those engaged against duly sanctioned posts:** Only such full time irregular appointees/engagees would be eligible to be considered who were initially engaged and continued against duly sanctioned posts. [*Secretary, State of Karnataka and ors vs Uma Devi and ors (10.04.2006); State of Rajasthan & ors vs Daya Lal & ors (decided on 13.01.2011); Secretary to Government, School Education Department, Chennai vs Thiru R. Govindaswamy & ors. (decided on 21.02.2014); Secretary to Govt. Commercial Taxes and Registration Department, Secretariat and anr. vs Singamuthu (decided on 07.03.2017)*].
- (iv) **Consideration of only those who were eligible for appointment to the post as per recruitment rules at the time of their initial engagement:** Only such full time irregular appointees/engagees would be eligible to be considered who were eligible for appointment to the post as per Recruitment Rules in vogue at the time of their initial engagement. [*Secretary, State of Karnataka and ors vs Uma*



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*Devi and ors (10.04.2006); State of Rajasthan & ors vs Daya  
lal & ors (decided on 13.01.2011); Secretary to Government,  
School Education Department, Chennai vs Thiru R.  
Govindaswamy & ors. (decided on 21.02.2014); Secretary to  
Govt. Commercial Taxes and Registration Department,  
Secretariat and anr. vs Singamuthu (decided on  
07.03.2017)].*

#### **Procedure for Consideration of Claims:**

4. Those irregular appointees/engagees who claim to fulfill the above criteria may submit their applications to the Heads of Office of the respective offices/ Stations/Kendras **by 04.11.2019** clearly indicating the posts against which they claim to be regulated. No irregular appointees/engagees shall be permitted to stake his/her claim against more than one post.

5. The Heads of Office of the respective offices/ Stations/Kendras and other offices of All India Radio and Doordarshan, CCW and News Directorates, including RNUs shall compile all applications so received and forward the same alongwith copies of the relevant records, duly certified by the Heads of Office, to the Directorate General of AIR/Directorate General of Doordarshan/ DG(NSD)/DG:DD(News) or CE,CCW, as the case may be.

6. A list of all such irregular appointees/engagees whose cases are forwarded to the Directorate General of AIR /Directorate General of Doordarshan /DG(NSD) /DG:DD(News)/ CE,CCW shall be displayed in the Notice Board by the respective Heads of Office.

7. The concerned Directorate General of AIR/Doordarshan/DG(NSD)/ DG:DD(News)/ CCW will thereafter carryout detailed scrutiny of these applications. Scrutiny of applications with regard to the eligibility of the claimants for regularisations may be completed by the respective Directorates **by 04.02.2020.**

8. After scrutiny, lists of such irregular appointees/engagees who fulfill the eligibility criteria as stipulated at para 3 above will be sent to Prasar Bharati Secretariat with specific approval of respective Director Generals for consideration and approval of the CEO, Prasar Bharati.

9. Those who do not meet the eligibility criteria for regularisation may be informed of the decision by the respective Directorate Generals through their Stations/Kendras/Offices. Station/Kendra/Office wise lists of such unsuccessful candidates may also be uploaded by Directorate Generals in their respective sites.

**Power to remove difficulties:**

10. If any procedural difficulty arises in giving effect to the Scheme, the CEO, Prasar Bharati may, by order, make such provisions not inconsistent with the general principles laid down by the Supreme Court, as he may deem necessary, for removal of such difficulty.

11. **The effective date of regularisation:** The date of judgment of the Uma Devi case i.e. 10.04.2006 will be treated as the date of regularisation of employees under this Scheme.

