

PRASAR BHARATI
प्रसारभारती, भारत का लोक सेवा प्रसारक
Prasar Bharati House, Tower "C"
Mandi House, Copernicus Marg, New Delhi-110001

File No. 3/3/2019-LC

Dated: 22nd January, 2020

Subject: - Responsibility and Procedure for Handling of Litigations by the Directorates – Guiding Factors reg.

It has been observed that disputes often arises amongst Directorates as to who would own and take responsibility for servicing a particular litigation viz., filing counter replies/affidavits in cases instituted by employees in service matters. This not only leads to avoidable delay in handling litigation but often results in adverse decision against Prasar Bharati.

2. The issue has been examined in Prasar Bharati Secretariat. It is observed that such cases broadly fall in the following types:

- (i) The first ones are those in which the applicant(s) posted in Doordarshan Directorate or its lower formation would seek relief from Court/Tribunal on matters concerning the conditions of service, pay related issues including pay scale, recruitment (including promotion), cadre related issues but would not array either the cadre controlling authority or Prasar Bharati as a respondent;
- (ii) The second type of cases are those in which both the Directorates are arrayed as respondents as a result the responsibility for defending may keep shifting from one directorate to the other;
- (iii) The third type of cases are those in which the litigant would neither array the Director General of AIR or Director General of Doordarshan or DGs of News Directorates as respondents; instead would make the local Head of Office as respondent even though matter requires a decision by the cadre controlling authority.

3. It has also been observed that when one Directorate is the cadre controlling authority concerned with the core issue under litigation, no action

is taken to defend the case by preparing counter replies/affidavits on the ground that the service records of the litigant(s) are in other Directorates or their field formation.

4. Another discrepancy that is frequently observed is in regard to servicing of litigations instituted by the employees or casuals working at RNUs of Doordarshan and AIR. Often it has been observed that local Kendras/Stations to which the RNUs are attached or associated, do not take the responsibility of handling the litigations which essentially relate to service matters.

5. The matter has been examined in Prasar Bharati Secretariat at length and the following procedure is prescribed for strict adherence by the Directorates:

- (i) In regard to cases where reliefs are sought from Courts/Tribunal on matters concerning the conditions of service, pay related issues including pay scale, recruitment (including promotion) or cadre related issues it shall be the responsibility of the concerned Section in DG:AIR/DG:Doordarshan which deals with the cadre of the litigant(s) irrespective of whether the Directorate is impleaded as a respondent or not.
- (ii) The concerned Section of DG:AIR/DG:Doordarshan dealing with cadre of the litigant(s) would examine the case and prepare para-wise comments, where necessary by calling the detailed information/facts from the office where the litigant(s) is/are posted.
- (iii) Where it is considered necessary, comments/views of the concerned subject matter Division/Section of Prasar Bharati Secretariat (HR-PPC/PBRB Cell) would be obtained while preparing the para-wise comments.
- (iv) In all cases where relief is sought from Court/Tribunal on matters concerning the conditions of service, pay related issues including pay scale, recruitment (including promotion) or cadre related issues, the concerned Directorate shall examine the contents of the OA in order to check whether the relief sought by the applicant(s) is in conflict with any rule/instruction/policy of the Government of India issued by nodal

authorities like DoPT, Deptt. of Expenditure, Ministry of Health & FW etc. and if so, the Counsel engaged to defend such cases shall be instructed to raise objection to the OAs on ground of not challenging such rule/instruction/policy on the first available opportunity and seek dismissal of the OA on this ground, among others.

- (v) The draft counter replies/affidavits prepared by the Counsel engaged for the purpose shall, invariably, be sent to the Ministry of I & B for approval before filing the same unless the relief sought by the applicant(s) does not concern the Union of India or the Ministry of I & B has specifically directed for exclusion/deletion of its name from the list of respondents.

6. The Station/Kendra shall follow the following procedure in respect of cases filed by the litigant(s) working in respective Station/Kendra, including the RNUs:

- (i) As soon as a Notice is received from any Court/Central Administrative Tribunal in a case filed by the employees of Prasar Bharati (including those on deemed deputation) a copy thereof shall be forwarded by the Station/Kendra Head/Head of Office to the DG:AIR and/or DG:Doordarshan, as the case may be. Copy of such Notices shall also be sent to the Prasar Bharati Secretariat (Legal Cell) irrespective of whether the CEO, Prasar Bharati is arrayed as a respondent or not. This will include the litigations instituted by regular employees posted in the RNUs and casuals /contractuals engaged in RNUs.
- (ii) It shall be the responsibility of the concerned Station/Kendra Head/Head of Office of AIR/Doordarshan as well as the designated Nodal Officers of the respective Station/Kendra to act as the first/primary source to carry out the required functions, coordinate with Headquarters, interact with the local Counsels and also to keep track of the developments in cases on regular basis. These would also include the cases filed by employees/engagees in RNUs. The concerned Station/Kendra Head/Head of Office of AIR or Doordarshan shall keep informed the DG:AIR and/or DG:Doordarshan, as the case may be, and Prasar Bharati Secretariat (Legal Cell) apart from the concerned RNUs (wherever necessary), about the developments in court cases on regular basis. **A list of such Nodal Officers is enclosed.** Nodal officers

and the Station/Kendra heads will work in close coordination with each other.

7. The above procedure is required to be followed in addition to the instructions issued by Prasar Bharati Secretariat vide letters No. 3/3/2019-LC and 3/7/2019-LC dated 15.07.2019.

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

Manju
22/01/2020
(Manju Bala Manwani)
AE(Legal) & Nodal Officer(Legal),
Prasar Bharati Secretariat
Ph: 23118523

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 Chief Engineer, Civil Construction Wing (CCW), All India Radio, 6th Floor. Sochna Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.
- (6) Addl.D.G., National Academy of Broadcasting and Multimedia (NABM), Radio Colony, Kingsway, Delhi-110009

Copy for kind information to: SO to CEO/PS to Member (Finance)/ADG(A)/ADG(HR) Prasar Bharati Sectt.

✓ Copy to Shri D.C.Shukla, DDG(Tech), Prasar Bharati Sectt. for uploading in Prasar Bharati website.

Manju
22/01/2020
(Manju Bala Manwani)
AE(Legal) & Nodal Officer(Legal),
Prasar Bharati Secretariat
Ph: 23118523

**LIST OF DESIGNATED NODAL OFFICERS OF ALL INDIA RADIO STATIONS/DOORDARSHAN KENDRAS
ENTRUSTED WITH THE RESONSIBILITIES TO DEAL WITH LITIGATIONS**
(Ref. Prasar Bharati Secretariat letters No. 3/3/2019-LC dated 15.07.2019, 22.01.2020 & 23.01.2020)

S. No.	Name of the High Court and CAT Bench	Name of the Regional Office/ Station/Kendra in which the Field Level Nodal Officer is posted	Name, Designation, email ID and Contact numbers of the Field Level Nodal Officer (Tel. & Mobile No.)
1.	High Court of Orissa (Odisha), Cuttack CAT Cuttack Bench, Cuttack	Doordarshan Kendra, Bhubaneshwar	Shri N.L. Chand, Sr. A.O. ddoddkbbsr@gmail.com 06742301457 09853562294
2.	Guwahati High Court and CAT (Guwahati Bench)	All India Radio, Guwahati	Shri Uttam Bhujail, Sr. A.O. Uttambhujail64@gmail.com 094935114602
3.	Rajasthan High Court at Jaipur (including Jodhpur Bench) and CAT Benchs at Jaipur and Jodhpur	All India Radio, Jaipur	Shri D.K. Jain, A.O. airjprzonal@gmail.com 0141-2361845
4.	Karnataka High Court at Bengaluru and CAT, Bangalore Bench	All India Radio, Bengaluru	Smt. Ashwini B.N., A.O. ashwiniairblr@gmail.com 080-22342390 09480166602
5.	Madras High Court and CAT (Madras Bench)	All India Radio, Chennai	Shri A.K. Manoj, Sr. A.O. saoairadm@gmail.com 044-24984450 09496244786
6.	High Court of Delhi at Delhi and CAT, Principal Bench, New Delhi	All India Radio, Delhi	Shri G.K. Acharya, Sr. A.O. Gopalks59@rediffmail.com 011-23467361 9013367650
7.	Gujarat High Court at Ahmedabad, CAT (Ahmedabad Bench)	All India Radio, Ahmedabad	Shri Trilok Sanghani, PEX & DDO tbsanghani@prasarbharati.gov.in 07927542475 09824670995
8.	Bombay High Court and CAT, Bombay Bench	All India Radio, Mumbai	Shri S.K. Sinku, Sr. A.O. saozonalmumbai@gmail.com 09969184053

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(Ref. Prasar Bharati Secretariat letters No. 3/3/2019-LC dated 15.07.2019, 22.01.2020 & 23.01.2020)

9.	Patna High Court, Jharkhand High Court and CAT (Patna & Ranchi Bench)	All India Radio, Patna/ Doordarshan Kendra, Daltonganj	Shri Anthonis Kujur, Sr. A.O. DDK, Daltonganj (Jharkhand) kujuranthonis@gmail.com 09006206001
10.	High Court of Madhya Pradesh at Jabalpur & CAT Bench at Jabalpur	All India Radio, Bhopal/ All India Radio, Raipur	Shri Yogendra Singh, Sr. A.O. AIR, Raipur singhyogendra@prasarbharati.gov.in 09424648900
11.	High Court for the State of Telangana and CAT (Hyderabad Bench), High Court for the State of Andhra Pradesh	All India Radio, Hyderabad	Shri Ch. Nagaraju, IA/Sr. A.O. AIR, Hyderabad aoairhyd@yahoo.com 09440294737 040-29704285
12.	Punjab & Haryana High Court, Chandigarh , Himachal Pradesh High Court, Shimla, Jammu & Kashmir High Court, Srinagar, Jammu CAT, Bench Chandigarh and Shimla	All India Radio, Jalandhar	Shri A.K. Sandhu, Sr. A.O. anilsandhu@prasarbharati.gov.in 0181-2342155
13.	Allahabad High Court (including Lucknow Bench), Uttarakhand High Court and CAT Benches at Lucknow, Allahabad and Nainital	All India Radio, Lucknow	Shri K.M. Rastogi, Sr. A.O. kmrastogi@prasarbharati.gov.in 09415546465 0522-2237465
14.	High Court of Kerala, Ernakulam, CAT, Ernakulam	All India Radio, Thiruvananthapuram	Smt. Rakhi Krishnan, Sr. A.O. aoairtvpm@gmail.com 07907866486 0471-2325164
15.	Calcutta High Court and CAT (Calcutta Bench) and Circuit Bench at Port Blair	All India Radio, Kolkata	Shri Bijeshwar Xess, Sr. A.O. airkolkata@gmail.com 07005861630 033-22135645