

प्रसार भारती /Prasar Bharati  
भारत का लोक सेवा प्रसारक/India's Public Service Broadcaster  
प्रसार भारती सचिवालय/Prasar Bharati Secretariat,  
प्रसार भारती हाउस, कोपरनिकस मार्ग/Prasar Bharati House, Copernicus Marg  
नई दिल्ली/New Delhi.

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No. 03/11/2020-LC

Dated: 11.01.2021

### **CIRCULAR**

**Subject: Scheme for regularisation of irregular appointments/engagements in Prasar Bharati (All India Radio & Doordarshan) – Clarification/removal of doubts.**

Attention is invited to the Prasar Bharati Circular No. 03/04/2019-LC dated 16.12.2020 uploaded in IARS Portal inviting online applications from ad-hoc, casual, contractual engagees/appointees working in the Directorate General of AIR/Directorate General of Doordarshan/ DG(NSD)/DG:DD(News) or CCW:AIR and their respective field formations who are desirous of being regularised in accordance with the "Scheme dated 22nd August, 2019 for regularisation of irregular appointments/engagements in Prasar Bharati (All India Radio & Doordarshan) circulated vide No. 03/04/2019-LC dated 05.09.2019.

2. As indicated in these Circulars the above Scheme for regularisation of irregular engagees/appointees was prepared 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 No. 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 No. 486 of 2011[arising out of SLP(C) 1927 of 2005] in State of Rajasthan & Ors. Vs Daya Lal & Ors.; CA No. 2726-2729 of 2014 in Secretary to Government, School Education Department, Chennai Vs Thiru R. Govindaswamy & Ors. and CA No. 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.

3. Representations have been received against prescription of 10.04.2006 as the cut off date as one of the parameters for determination of the eligibility of irregular appointees/engagees for regularisation under the Scheme. In this regard it is clarified that the said cut off date has been fixed as per the Supreme Court judgment in Umadevi case as explained by the Supreme Court in its subsequent

judgment in State of Karnataka & Ors Vs M.L. Kesari & Ors decided on 03.08.2010. The relevant extract from the said judgment is reproduced below:

"8. The object behind the said direction in para 53 of Umadevi is two- fold. First is to ensure that those who have put in more than ten years of continuous service without the protection of any interim orders of courts or tribunals, before the date of decision in Umadevi was rendered, are considered for regularization in view of their long service. Second is to ensure that the departments/instrumentalities do not perpetuate the practice of employing persons on daily-wage/ad-hoc/casual for long periods and then periodically regularize them on the ground that they have served for more than ten years, thereby defeating the constitutional or statutory provisions relating to recruitment and appointment. The true effect of the direction is that all persons who have worked for more than ten years as on 10.4.2006 (the date of decision in Umadevi) without the protection of any interim order of any court or tribunal, in vacant posts, possessing the requisite qualification, are entitled to be considered for regularization."

It is for this reason that the said judgment has been cited at Para 3(i) of the Scheme so that applicants may, if required, refer to the said judgment.

4. Doubts have also been raised in regard to the requirement of submitting information/documents relating to Points (ix), (x) & (xi) of Para 4 of the Circular dated 16.12.2020. It is hereby clarified that the information/documents sought in Para 4 of the Circular dated 16.12.2020 per-se are not conditions but are essentially to determine the eligibility of the applicants as per parameters laid down in the Scheme, as clarified at para 5 of the said Circular. Applicants are, therefore, advised to refer to the Circular dated 16.12.2020 carefully.

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.
2. The Director General of Doordarshan, Doordarshan Bhawan, Copernicus Marg, New Delhi.
3. The Director General (News Service Division), Akashvani Bhawan, New Delhi.
4. The Director General (Doordarshan News), Doordarshan Bhawan, Copernicus Marg, New Delhi.
5. E-in-C(B0), All India Radio, Akashvani Bhawan, New Delhi.
6. E-in-C(SI&CS), PB House, Copernicus Marg, New Delhi.

7. The CE, CCW, AIR Soochna Bhawan, CGO Complex, Lodhi Road, New Delhi
8. All ADG's of Prasar Bharati Secretariat.
9. ADG(NABM)/ ADG(Archives)/ ADG(R&D)/ DDG(Sports)/DDG(DCS)
10. All Zonal Head(B0)/Head(Content)/Head(Administration).
11. All Stations/ Kendras of AIR/DD, CCW Units.

**Copy for kind information to:**

1. PS to CEO, Prasar Bharati Secretariat.
2. PS to M(F), Prasar Bharati Secretariat.
3. ADG (IT), Prasar Bharati Secretariat.
- 4, DDG (T) — Prasar Bharati Secretariat with request to upload in Prasar Bharati website/e-office.

