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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

CP 112/2007
in
OA 194/2004

New Delhi, this the 4th day of May, 2007

Hon'ble Shri Justice V.K. Bali, Chairman
Hon'ble Shri V.K. Agnihotri, Member (A)

1. Zile Singh
S/o Shri Ram Prasad
Doordarshan Asiad Village,
Sirifort, Delhi
working as Assistant Engineer in
Doordarshan,
R/o 99/GH-8, Paschim Vihar
New Delhi – 87.
2. Prabhu Dutt Sharma
AE, Doordarshan Kendra
Parliament Street, New Delhi – 1
working as Asstt. Engineer in Doordarshan.

...Applicants

(By Advocate Shri Sachin Chauhan)

VERSUS

1. Union of India through
Shri S.K. Arora
Secretary to the Govt. of India
Ministry of Information & Broadcasting
Shastri Bhawan, New Delhi – 110 001.
2. Prasar Bharti
Shri B.S. Lalli,
Through its Chief Executive Officer
Copernicus Marg, Mandi House
New Delhi – 110 001.
3. UPSC,
Shri Gurbachan Jagat
through its Secretary
Shahjahan Road, Dholpur House
New Delhi – 110 001.
4. Union of India through
Shri S.N. Mishra
Secretary, DoPT
Ministry of Personnel, Pension & Public
Grievances, North Block, New Delhi.
5. Shri Brijeshwar Singh
Director General,
All India Radio, Parliament Street
New Delhi.

...Respondents

(By Advocate Shri MM Sudan)

ORDER (ORAL)

Justice V.K. Bali,


The complaint in the present contempt petition is for non-compliance of the directions issued by this Tribunal in OA 194/2004 decided on 8.12.2004. The directions issued by this Tribunal read thus: -

"7. Resultantly, we allow the present application. Keeping in view that for the past 8 years no Departmental Promotion Committee meeting has been held, it is directed:

- a) that Respondents No.1 and 2 should initiate the procedure for convening the DPC for filling up the vacant posts of JTS after associating with the Union Public Service Commission.
- b) It may be done on year to year basis in accordance with the rules on the subject.
- c) If any of the applicants are found fit for promotion, necessary benefits should be accorded to such person (s) and they should be considered in accordance with law and instructions.
- d) This exercise should be completed preferably within six months from the date of receipt of a certified copy of the present order.

2. Pursuant to the notice issued by this Tribunal, respondents have entered appearance. Counsel for the respondents has handed over to the Tribunal and counsel opposite an order dated 24.4.2007, which would show that as many as 233 persons have been promoted as Assistant Engineer of AIR and Doordarshan to the Junior Time Scale of IB(E)S in the scale of pay of Rs.8000-275-13,500 with effect from the date they assume the charge of the post at their places of posting. Shri Sachin Chauhan, learned counsel for the applicant, however, contends that directions as stated in clause 'b', as reproduced above, would show that the DPC had to be convened for filling up the vacant posts on year to year basis in a span of 8 years, for which period, DPC had not met.

3. Shri M.M. Sudan, learned counsel for the respondents states that the order dated 24.4.2007 is in strict compliance of the order passed by the Tribunal as already mentioned above, as many as 233 persons have been promoted. The DPC, had considered entitled officers years wise from 1997-98 to 2003-04 even though it is a different matter that against the name of persons so promoted, the specific year has not been mentioned.







4. After hearing learned counsel for the parties, we are of the view that the stand taken by the respondents appears to be correct. It is not even the case of the applicant that 233 persons could have been promoted in one year. 233 persons who have been promoted thus could have been promoted from 1997-98 to 2003-04. No occasion arises to further proceed with the matter.

5. CP is hereby disposed of with an observation that the applicants may make an application to know as to under which year they have been promoted. The said information will be supplied by the respondents.

6. CP stands disposed of as above.


(V.K. Agnihotri)
Member (A)


(V.K. Bali)
Chairman

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