

**Central Administrative Tribunal
Principal Bench, New Delhi**

C.P. No.154/2007 in O.A. No.2324/2004
With
M.A. No.1163/2007 in O.A. No.669/2005

Wednesday, this the 12th day of September 2007

Hon'ble Shri Shanker Raju, Member (J)
Hon'ble Smt. Chitra Chopra, Member (A)

1. The Song & Drama Division
Employees Association & others
Through Shri Jagan Nath Singh
Its General Secretary
2. Shri Narayan Telang
s/o Shri Ram Chandra Telang
r/o F-136, Laxmi Nagar
New Delhi
3. Shri Prasanjit Mitra
s/o Shri Laxmi Narayan Mitra
r/o F-136, Laxmi Nagar
New Delhi

..Petitioners

(By Advocate: Shri R.P. Sharma for Shri Sant Lal)

Versus

1. Smt. Asha Swaroop, Secretary
Ministry of Information & Broadcasting
Shastry Bhawan,
New Delhi-1
2. Dr. Sanjeev Mishra, Secretary
Ministry of Finance
(Department of Expenditure)
North Block,
New Delhi-1
3. Shri Mohan Chandok, Director
Song & Drama Division
MO Information & Broadcasting
Soochna Bhawan,
CGO Complex
Lodi Road,
New Delhi-3

..Respondents

(By Advocate: Shri B.K. Berera)

ORDER (ORAL)**Shri Shanker Raju, Member (J):**

Heard the learned counsel for the parties.

2. An order passed by us directed the respondents to reconsider the aspect of the matter whereby recommendation of 5th CPC to create promotional avenues to the applicants in Song & Drama Division was to be meticulously considered by the respondents. Thereafter avenues of promotion should have to be worked out and consequences are to follow. However, the decision taken by the respondents on 23.4.2007 on reconsideration wherein it is stated that having taken a decision to close Song & Drama Division, the ACP benefits have been granted to the employees to mitigate their stagnation.

3. On 6.7.2007 an order passed by the Tribunal directed the respondents to apprise the steps to the Court as to closing of the Song & Drama Division. A status report now filed by way of an additional affidavit shows that on 20.9.2000, on recommendation of closure of Song & Drama Division, the matter was referred to the Cabinet Secretariat vide their letter dated 17.1.2006, which was further referred to Department of Expenditure on 4.9.2006. It is stated in the additional affidavit that till Song & Drama Division is closed, the Ministry is pursuing the matter for allowing the Division to fill up vacancies falling to promotion quota.

4. In such view of the matter, we do not find any wilful or contumacious disobedience on part of the respondents. Accordingly, this CP is closed. Notices are discharged. However, the averment in





the additional affidavit filed by the respondents as to the filling up of promotion quota shall be meticulously complied with by the respondents. No costs.

MA-1163/2007 in OA-669/2005

In terms of the above order passed in CP-132/2007, this MA is also disposed of.

A copy of this order be placed in both the files.


(Chitra Chopra)
Member (A)


(Shanker Raju)
Member (J)

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