

CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

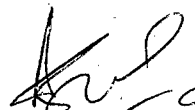
CP No. 26/2004

OPEN COURT / PRE DELIVERY JUDGMENT/IN OA 202/2000

Hon'ble Vice Chairman / Member (J) / Member (A)

may kindly see the above Judgment for

approval / signature.


(A.K. Agarwal) /
V.C. / Member (J) / Member (A)

Hon'ble Vice Chairman

✓ Hon'ble Member (J)

(SG.D)

mv

Hon'ble Member (A)

CENTRAL ADMINISTRATIVE TRIBUNAL,
BOMBAY BENCH.

CONTEMPT PETITION NO.26/2004
IN
ORIGINAL APPLICATION NO.202/2000.

Dated : 10-2-2005

Hon'ble Shri A.K.Agarwal, Vice-Chairman (A),
Hon'ble Shri S.G.Deshmukh, Member (J).

A.B.Pereira & Ors.
(By Advocate Shri S.Ramamurthy)

...Applicants.

v.

Union of India & Ors.

...Respondents.

A N D

Mr.S.K.Shrivastava,
Director General,
India Meteorological Department,
Mausam Bhavan,
Lodi Road,
New Delhi - 110 003.
(By Advocate Shri R.R.Shetty)

...Contemner.

: ORDER ON CONTEMPT PETITION :

{A.K.Agarwal, Vice-Chairman (A)}

This Contempt Petition has been filed alleging that directions issued by the Tribunal while disposing of Review Petition No.15/2002 in OA No.202/2000 have not been implemented by the respondents. The learned counsel

...2.

for petitioner stated that the Tribunal in its order dt. 18.6.2002 had directed that decision on the recommendation made by Sampat Committee should be taken within a period of three months. That Contemners have not accepted any recommendations of the committee. Hence this Petition.

2. We notice that the Tribunal in its aforementioned order dt. 18.6.2002 had given the following direction :

"In the circumstances, we feel that ends of justice will be met if we direct respondents to take a decision on the recommendations made by Prof. Sampat Committee and also on the anomalies arising out of the recommendations of Fifth Pay Commission, within a period of three months from the date of receipt of copy of the order."

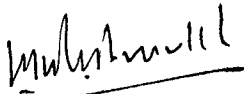
3. The order issued by the respondents on 17.9.2002 which has been enclosed by the contemners as Annexure - R-2 indicates that Prof. Sampat Committee was set up in 1990 and submitted its report in June, 1992 i.e. much before the recommendations of the Vth Pay Commission. Secondly, the recommendations of the committee could not be implemented on account of different views on its recommendations from the Union representing the employees belonging to Group 'B', 'C' and 'D'. Subsequently, the pay scales of the employees have been revised based on the recommendations of Vth Central Pay Commission. There were certain representations about anomalies arising out of the implementation of the Vth Central Pay Commission recommendations and for sorting out anomalies a committee has been constituted on 8.7.2002.

...3.



4. From the language of the C.P. it appears that the main grievance of the petitioner is about the non-implementation of the Sampat Committees Report. We are of the considered view that there was no specific direction by the Tribunal for the implementation of the recommendations of Sampat Committee. The direction given to the Department was limited to taking a decision on the Sampat Committees recommendations within a stipulated period. There was no such direction that all or some of the recommendations of the committee should be accepted.

5. In view of above, we hold that the department vide its order dt. 17.9.2002 has done substantial compliance of the Tribunal's order. The C.P. has no merit and is dismissed accordingly.


(S.G.DESHMUKH)
MEMBER (J)


(A.K.AGARWAL)
VICE-CHAIRMAN (A)

B.