(15)

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDER SHEET

ORDERS OF THE TRIBUNAL

23.11.2012

CP 35/2011 (OA No. 203/2010)

Mr. C.B. Sharma, Counsel for applicant.
Mr. Mukesh Agarwal, Counsel for respondents.

Heard learned counsel for the parties.

The CP is disposed of by a separate order.

Anil Kumar
(Anil Kumar)
Member (A)

K.S. Rathore
(Justice K.S.Rathore)
Member (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 23rd day of November, 2012

CORAM :

HON'BLE MR.JUSTICE K.S.RATHORE, JUDICIAL MEMBER
HON'BLE MR.ANIL KUMAR, ADMINISITRATIVE MEMBER

1. CONTEMPT PETITION NO. 33/2011
IN
ORIGINAL APPLICATION No. 204/2010

Sujeet Kumar son of Shri K.K. Prasad aged about 47 years, resident of 15/114, Malviya Nagar, Jaipur and presently working as Assistant Hydro-Geologist, Central Ground Water Board (Western Region), Jaipur.

... Applicant

(By Advocate : Mr. C.B. Sharma)

Versus

1. Shri Dhruv Vijay Singh, Secretary, Ministry of Water Resources, Shram Shakti Bhawan, New Delhi.
2. Dr. S.C. Dhiman, Chairman, Central Ground Water Board, Central Head Quareter Office NH-IV, Faridabad.
3. Shri Manoj Srivastava, Regional Director, Central Ground Water Board, (Western Region), 6-A, Jhalana Doongari, Jaipur.

... Respondents

(By Advocate : Mr. Mukesh Agarwal)

2. CONTEMPT PETITION NO. 34/2011
IN
ORIGINAL APPLICATION No. 206/2010

H.S. Namdeo son of Shri R.R. Namdeo, aged about 52 years, resident of 7/158, Malviya Nagar, Jaipur and presently working as Scientist C (Junior Geophysicist), Central Ground Water Board (Western Region), Jaipur.

... Applicant

(By Advocate : Mr. C.B. Sharma)

Versus

1. Shri Dhruv Vijay Singh, Secretary, Ministry of Water Resources, Shram Shakti Bhawan, New Delhi.
2. Dr. S.C. Dhiman, Chairman, Central Ground Water Board, Central Head Quareter Office NH-IV, Faridabad.
3. Shri Manoj Srivastava, Regional Director, Central Ground Water Board, (Western Region), 6-A, Jhalana Doongari, Jaipur.

... Respondents

(By Advocate : Mr. Mukesh Agarwal)

3. CONTEMPT PETITION NO. 35/2011
IN
ORIGINAL APPLICATION No. 203/2010

S.K. Pareek son of Late Shri N.L. Pareek aged about 47 years, resident of 82/58, Mansarovar, Jaipur and presently working as Assistant Hydro-Geologist, Central Ground Water Board (Western Region), Jaipur

... Applicant

(By Advocate : Mr. C.B. Sharma)

Versus

1. Shri Dhruv Vijay Singh, Secretary, Ministry of Water Resources, Shram Shakti Bhawan, New Delhi.
2. Dr. S.C. Dhiman, Chairman, Central Ground Water Board, Central Head Quareter Office NH-IV, Faridabad.
3. Shri Manoj Srivastava, Regional Director, Central Ground Water Board, (Western Region), 6-A, Jhalana Doongari, Jaipur.

... Respondents

(By Advocate : Mr. Mukesh Agarwal)

4. CONTEMPT PETITION NO. 36/2011
IN
ORIGINAL APPLICATION No. 202/2010

S.S. Sasraswar son of Late Dr. J.S. Sharma, aged about 46 years, resident of 111/453, Mansarovar, Jaipur and presently working as Assistant Hydro-Geologist, Central Ground Water Board (Western Region), Jaipur.

... Applicant

(By Advocate : Mr. C.B. Sharma)

Versus

1. Shri Dhruv Vijay Singh, Secretary, Ministry of Water Resources, Shram Shakti Bhawan, New Delhi.

2. Dr. S.C. Dhiman, Chairman, Central Ground Water Board, Central Head Quareter Office NH-IV, Faridabad.
3. Shri Manoj Srivastava, Regional Director, Central Ground Water Board, (Western Region), 6-A, Jhalana Doongari, Jaipur.

... Respondents

(By Advocate : Mr. Mukesh Agarwal)

ORDER (ORAL)

Since all the Contempt Petitions have been filed for non compliance of similar orders dated 24.12.2010 passed in OA No. 204/2010, 206/2010, 203/2010 and 202/2010, as such these are being disposed of by this common order.

2. We have heard the rival submissions of the respective parties, material available on record and the order passed by this Tribunal on dated 24.12.2010. In Para No. 5 of the order dated 24.12.2010, this Tribunal has held as under:-

> "5. In view of the judgment rendered by the Hon'ble Andhra Pradesh High Court in Writ Petition No. 24398/2010 in the case of M. Ramakrishna Reddy & Others vs. Government of India, Ministry of Water Resources, New Delhi & Others, this OA is also disposed in the aforesaid terms and the respondents are directed to proceed in the matter in accordance with the order dated 10.09.2008 rendered in Writ Petition No. 22349 of 1999."

3. By way of additional affidavit, the respondents have submitted that they have considered the observations made by this Tribunal vide order dated 24.12.2010 and in view of these observations, the case of the applicants has been considered. The Department of Legal Affairs vide their Note dated 15.07.2011 has also agreed with the view of the DOPT. CGWB was instructed vide Ministry's letter No. 22/44/2010 DOPT dated 01.08.2011 to take necessary action as advised by the DOPT.

Proposal in this regard was forwarded by the Board to the Ministry. The proposal was discussed with the UPSC under the single window system on 25.06.2012. The UPSC pointed out certain deficiencies in the proposal. The deficiencies were rectified and the proposal was again discussed with the UPSC under Single Window System on 18.07.2012.

4. The learned counsel for the respondents submitted that this proposal has been accepted by the UPSC. The learned counsel for the respondents further submitted that in view of the decision taken with the consultation with the UPSC, the respondents have decided to consider the case of the applicants for the post of Scientist 'B' as & when promotions are made and vacancies are available.

5. In view of the averments made in the Additional Affidavit and submissions made on behalf of the learned counsel for the respondents that the respondents have agreed to consider the case of the applicants for the posts of Scientist 'B', it is for the respondents to consider the case of the applicants as early as possible but not later than a period of six months from the date of receipt of a copy of this order.

6. With these observations, we find that substantial compliance has been made by the respondents. Accordingly, the Contempt Petitions stand dismissed. Notices issued to the respondents are hereby discharged.

Copy given vide
No 1300 To 1307
27/11/12

(Anil Kumar)
Member (A)

(Justice K.S.Rathore)
Member (J)