

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

CP No.371 of 2014
IN
OA No.498 of 2013

Orders reserved on : 4.11.2015

Orders pronounced on : 05.11.2015.

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. SHEKHAR AGARWAL, MEMBER (A)**

D.S. Mehra
Aged about 59 years
S/o Sh. I.S. Mehra
R/o AG-1/63-B, Vikas Puri,
New Delhi

... Petitioner

(By Advocate: Shri M.K. Bhardwaj)

Versus

UOI & Ors, through

1. Sh. Vijay Kumar,
Chief Executive Officer,
Delhi Jal Board,
Varunalaya Building-II,
Jhandewalan, New Delhi
2. Sh. Jaidev Sarangi,
Member (Administration)
Delhi Jal Board, Varunalaya Building-II,
Jhandewalan,
New Delhi.

... Respondents

(By Advocate : Shri Pratap Shanker with Ms. S. Shantanu
and Ms. A Shivani)

O R D E R

MR. SHEKHAR AGARWAL, MEMBER (A) :

This Contempt Petition has been filed for alleged non-compliance of Order of this Tribunal dated 17.3.2014, the operative part of which reads as follows:-

“7. Considering the entire conspectus of the case, the decisions of the Hon'ble Supreme Court quoted above and from the aforesaid reasons, we direct the respondents to undertake cadre restructuring for the cadre of Foreman with a view to remove

stagnation, including the feasibility of integrating it with any other cadre with similar qualification in DJB like that of J.E. This exercise shall be undertaken within a period of three months from the date of receipt of a copy of this order. The OA is allowed in the aforesaid terms. No costs.”

2. The respondents have filed an affidavit in which they have stated that they have complied with the Order of this Tribunal by passing an Order dated 18.7.2014.

3. Heard counsel for both sides and perused the records with their assistance.

4. Learned counsel for the petitioner submitted that the Order of this Tribunal remains un-complied with as the respondents have only upgraded few posts instead of conducting a cadre review as directed by this Tribunal and also examining the feasibility of integrating it with any other cadre with similar qualification in DJB like that of J.E. The respondents have, however, maintained that the Order of the Tribunal stands fully complied with after passing of the Order dated 18.7.2014 which is available at page 25 of the CP file. A perusal of the same reveals that in compliance of this Tribunal's Order, the respondents had constituted a Departmental Committee comprising of seven officials which held several meetings on 4.6.2014, 18.6.2014 and 25.6.2014 and thereafter taking into consideration all relevant aspects, judgment of Hon'ble Supreme Court in various matters and directions of this Tribunal in the aforesaid OA, they decided to upgrade 5 posts of Foreman in distribution side and 28 posts of Foreman at Bulk side to the level of Foreman Grade I in PB-II with Grade Pay of Rs.4600 in the ratio prescribed by the DOP&T. It was also decided that Foreman Grade-I will function at major plants either in Water Treatment Plants and Sewage Treatment Plants and Foreman will work in Booster Pumping Station and Sewerage Pumping Station.

5. After perusal of the aforesaid Order, we are satisfied that Orders of this Tribunal have been substantially complied with and there is no contempt subsisting in this case. Accordingly, this Contempt Petition is closed and notices issued to the alleged contemnors are discharged.

(SHEKHAR AGARWAL)
MEMBER (A)

(V. AJAY KUMAR)
MEMBER (J)

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