

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

CP No.406/2014

IN

OA NO.3030/2012

Order Reserved on:20.01.2016

Pronounced on:02.03.2016.

**HON'BLE MR. A.K. BHARDWAJ, MEMBER (J)  
HON'BLE MR. K.N. SHRIVASTAVA, MEMBER (A)**

1. Mr. Ramesh Singh Chouhan  
Administrative Officer  
Office of DDG (E)  
All India Radio HPT, AIR  
Kingsway, Delhi-9
2. Mr. Pallab Chowdhury  
Senior Administrative Officer  
Doordarshan Kendra  
Mandi House, New Delhi-01.
3. Mr. R.S. Bhandari  
Senior Administrative Officer (Retd)  
Central Production Centre,  
Khel Gaon, New Delhi.
4. Mr. Ashok Kumar Sharma  
Senior Administrative Officer (Retd.)  
Central Production Centre  
Khel Gaon, New Delhi
5. Mr. V Prasad  
Administrative Officer  
Prasar Bharti Sectt. (BCI)  
Parliament Street, New Delhi
6. Mr. Chandra Mohan,  
Senior Administrative Officer  
Doordarshan Commercial Services  
Mandi House, Copernicus Marg,  
New Delhi-1.

6. Mrs. Sashi Kala Bhardwaj  
Senior Administrative Officer  
Prasar Bharti Sectt. (BCI),  
Parliament Street, New Delhi.
8. Mr. Vinod Kumar  
Senior Administrative Officer  
DD News  
Doordarshan, Mandi House  
New Delhi-1

-Petitioners

(By Advocate: Shri Yogesh Sharma)

### **Versus**

1. Shri Jawahar Sircar,  
The Chief Executive Officer  
Prasar Bharati (Broadcasting Corporation of India)  
PTI Building, Parliament Street  
New Delhi
2. Director General Doordarshan  
All India Radio, Akashwani Bhawan,  
Parliament Street, New Delhi-1.

..Respondents

(By Advocate: Mr. Rajeev Sharma)

### **ORDER**

#### **MR. K.N. SHRIVASTAVA, MEMBER (A):**

Through this Contempt Petition (CP) filed under Sections 11, 12 and 13 of the Contempt of Courts Act, 1971 readwith Section 17 of the Administrative Tribunals Act, 1985, the petitioners have prayed for initiating contempt proceedings against the respondents (alleged contemnors) for not implementing the order of this Tribunal passed in OA No.3030/2012 dated 31.03.2014.

2. The brief facts of this case are as under.

The petitioners had filed OA-3030/2012 in which they had prayed for the following reliefs:

- “(i) Quash and set aside the Order dated 18.7.2012 being non-speaking order (ANNEXURE A-1).
- (ii) Direct the respondents to constitute a committee for examining the conditions of service of the applicants for recommending the appropriate pay scales/grade pay to the applicants which is non-prejudicial and during the pendency of the acceptance of the recommendations of such a committee, consider the case of the Administrative Officers, who are discharging same duties and responsibilities as Senior Administrative Officers for grant of grade pay of Rs.4800/- and Rs.5400/- after four years from 1.1.2006 or on completion of 4 years whichever is later.
- (iii) Grant the arrears of pay with interest as applicable.
- (iv) Pass any other orders/directions as may be deemed necessary and fit in the facts of this case.”

The aforementioned OA-3030/2012 was disposed of by the Tribunal on 31.03.2014 with certain directions to the respondents therein. The operative part of the order of the Tribunal containing the directions given, reads as under:

“5. In view of the stand taken by the learned counsel for the parties, the Original Application is disposed of with direction to the respondents to take a final decision on the claim of the applicants in the present Original Application as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order. In case the grievance of the applicant still subsists, it would be open to them to workout their rights in accordance with law and procedure. No costs.”

The contempt petitioners have alleged in this CP that the *ibid* order of the Tribunal has not been complied with by the respondents and hence this Tribunal may be pleased to initiate contempt of court proceedings against the alleged contemnors, namely Shri Jawahar Sircar, Chief Executive Officer, Prasar Bharti and Shri F. Sheheryar, Director General, All India Radio, who are respondents in this CP and who were responsible for complying with the order of the Tribunal. When this matter came up for consideration on 14.10.2015, Shri Rajeev Sharma, learned counsel for the respondents submitted that the Prasar Bharti have sent a proposal to the Ministry of Information and Broadcasting regarding amendment to the recruitment rules for the post of Administrative Officer, so as to enable them to get the Grade Pay of Rs.5400/- to the Administrative Officers after putting in 04 years of regular service. The learned counsel had also prayed that it may take about three months for completing the entire process of approval. Giving due regard to the said submission of the learned counsel, this Tribunal extended the time for compliance by three months.

3. The case was taken up for hearing on 20.01.2016. Shri Rajeev Sharma, learned counsel for the respondents drew our attention to the reply filed by the respondents and submitted that Prasar Bharti have already constituted a

Cadre Review Committee for their administrative cadre. It was also submitted that the Ministry of Information and Broadcasting vide their letter dated 15.05.2015 have conveyed their approval to the grant of the Grade Pay of Rs.5400/-, on completion of four years of service in the Pay Band of Rs.7500-12000+Grade Pay of Rs.4800/-, to Administrative Officers of Prasar Bharti and as such all the eligible applicants will be placed in the Grade Pay of Rs.5400/- w.e.f. 1.1.2006. The learned counsel also submitted that the Cadre Review Committee has since submitted its report to Prasar Bharti and the same is under examination by a Review Committee constituted by the Prasar Bharti and headed by Dr. Symal Sarkar, former Secretary, DoP&T and the Ministry of Information and Broadcasting vide their Annexure 'D' letter dated 16.07.2015 to Prasar Bharti have informed that after the receipt of the recommendations of the Review Committee, they will take up the matter with the Department of Expenditure, Ministry of Finance, who are the nodal department for recommending pay scales. Concluding his arguments, the learned counsel stated that all the necessary action required at the end of the respondents for compliance of this Tribunal's order dated 31.03.2014 in OA-3030/2012 have been taken, and as such the CP may be closed.

4. The learned counsel for the petitioners (original applicants) submitted that the respondents have not complied with the order of the Tribunal fully and hence the contempt proceedings should be initiated against them.

5. We have considered the arguments of the learned counsel for the parties and have perused the pleadings. This Tribunal while disposing of the OA-3030/2012 had directed the respondents to take a final decision on the claims of the applicants in the OA as expeditiously as possible and preferably within a period of four months; which has been extended by another three months by the Tribunal vide order dated 04.10.2015. The main prayer in the OA was to direct the respondents to constitute a Committee for examining the conditions of service of the applicants and for recommending the appropriate pay scales/grade pay for the applicants and during the pendency of the acceptance of the recommendations of such committee, consider grant of grade pay of Rs.4800/- to the Administrative Officers and after four years place them in the grade pay of Rs.5400/- w.e.f. 1.1.2006 or on completion of four years, whichever is later.

6. From the records produced by the respondents, it is quite clear that the Prasar Bharti had constituted a Cadre Review Committee for their administrative cadre employees.

The said committee has since submitted its recommendations. The recommendations are being examined by a Review Committee headed by Dr. Symal Sarkar, former Secretary, DoP&T. The nodal Ministry, i.e., Ministry of Information and Broadcasting have already permitted Prasar Bharti to grant Grade Pay of Rs.4800/- to the Administrative Officers of Prasar Bharti and to place them in the Grade Pay of Rs.5400/- after four years from 01.01.2006 or on completion of four years of service by them. In this regard, we take note of a speaking order passed by the Deputy Director (Administration) of Prasar Bharti bearing No.C-18013/36/2012-S.II/140-1223 dated 19.06.2015 (Annexure 'B'). We also note that the Ministry of Information and Broadcasting vide their letter No.A-56012/9/2012-BAP dated 16.07.2015 (Annexure 'D') have written to Prasar Bharti that after the receipt of the recommendations of the Review Committee from Prasar Bharti, they will take up the matter with the Department of Expenditure, Ministry of Finance for recommending pay scales to the administrative cadre employees of Prasar Bharti vis-a-vis the recommendation of the Review Committee.

7. In view of the above, we are quite satisfied that the order of this Tribunal has been substantially complied with

by the respondents. There are certain action to be taken by the Ministry of Information and Broadcasting and Department of Expenditure, Ministry of Finance and the same are in the process. Hence, we hold that no contempt lies against the respondents and, therefore, we order that the contempt proceedings may be closed and the notices issued may be discharged. No costs.

**(K.N. Srivastava)**  
**Member (A)**

**(A.K.Bhardwaj)**  
**Member (J)**

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