



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

CP No.84 of 2005
IN
OA No.493 of 2003

This the 20th day of April, 2015

**Hon'ble Mr. G.George Paracken, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)**

Rati Ram,
S/o Shri Kala Ram,
R/o 283, C-58/28,
Varun Apartments,
Sector-62, Noida
(U.P.).

...Petitioner
(Petitioner in person)

Versus

1. Sh. Naveen Chawla, Secretary,
Ministry of Information & Broadcasting,
Govt. of India, Shastri Bhawan,
New Delhi.
2. Sh. Brijeshwar Singh,
Director General,
All India Radio, Aakashvani Bhawan,
Parliament Street, New Delhi.

...Respondents
(By Advocate: Sh. M.R. Junadi for Sh. S.M. Arif for R-3, Sh. Naresh Kaushik for R-2 and Sh. Sameer Aggarwal for R-1)

ORDER (ORAL)

SHRI G. GEORGE PARACKEN, MEMBER (J) :

This contempt petition has been filed by the petitioner alleging non-compliance of order dated 12.7.2004 passed by this Tribunal in OA No.493 of 2003. The operative part of the said order reads as under:-

“27. In view of the above we set aside the impugned order dated 30.12.2002 and direct the respondents that applicant's promotion to the grade of Station Director (Group 'A' Scale of pay Rs.3700 – 500/- revised) in All India Radio/ Doordarshan in the Ministry of I&B which



had been recommended for the year 1989 by the DPC of 23.11.1989 should be read as recommendations for promotion for the vacancies for the year 1988. His seniority should be refixed accordingly, and promotions to the Grade of JAG (NFSG) and SAG should be granted according to this re-fixed seniority, by holding review DPCs, if the applicant is otherwise eligible as per rules/instructions.

28. For the purpose of consideration for promotion to JAG (NFSG) and SAG the ACRs that have been downgraded and not communicated should be ignored. If, the applicant is found suitable and promoted to JAG (NFSG) and SAG grades as per his restored seniority then he will be paid the difference between the pay in the higher grades and the salary actually drawn by the applicant, as arrears. The above exercise should be completed within six months from the date of receipt of the certified copy of this order."

2. The respondents have filed their reply stating that the aforesaid order has been complied with. However, the petitioner invited our attention to the respondents' Order No.F.No.32018/01/2009 BAP dated 17.2.2010 treating him for promotion for the vacancies for the year 1988 as directed by this Tribunal. The said order reads as under:-

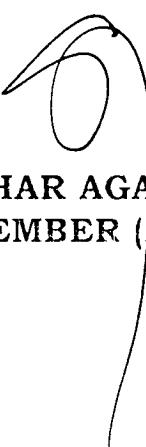
"In pursuance of the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi order dated 12.7.2004 in OA No.493 of 2003, the President is pleased to approve the recommendations for the year 1989 (implemented vide order No.32013/5/89-B(A) dated 31.01.1990) for promotion to the Grade of Station Director (Group 'A' Scale of pay of Rs.3700-5000 (pre-revised) to be treated as recommendations for promotion for the vacancies for the year 1988 in respect of Shri Rati Ram, Station Director (STS Grade of IB(P)S) and consequent placement of his seniority position above Shri P.R. Reddy (No.1 in the panel of 1989 of JAG Grade of IB(P)S)."

3. His grievance is that in the said order, he has been placed above one Shri P.R. Reddy (no.1 in the panel of 1989 of JAG Grade of IB(P)S whereas the respondents should have



placed him below Shri H.L. Malik and above Shri Lasa Kaul of the panel for the year 1988.

4. In our considered view, the respondents have complied with the aforesaid Order of this Tribunal substantially. However, the dispute where the petitioner will be placed in the seniority list is an issue which requires detail examination. We, therefore, close this Contempt Petition with liberty to the petitioner to file a fresh OA if so advised. Notices issued to the alleged contemnors are discharged. There shall be no order as to costs.


(SHEKHAR AGARWAL)
MEMBER (A)

/ravi/


(G. GEORGE PARACKEN)
MEMBER (J)