

**BEFORE THE HON'BLE CENTRAL ADMINISTRATIVE  
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI**

**C.P. (Civil) No. 297/2011**

**IN OA No. 2940/2010**

In

Praveen Kumar, EA & Ors

.....Petitioners

Versus

Shri Raghu Menon & others

....Respondent/Contemnor

**PROGRESS REPORT IN THE MATTER OF MERGER AND  
FINALISING THE RECRUITMENT RULES OF ENGINEERING  
ASSISTANT ON BEHALF OF RESPONDENT, UDAY KUMAR  
VARMA, SECRETARY, MINISTRY OF INFORMATION AND  
BROADCASTING**

I, S.P. Bhattacharya, S/o Late B.C. Bhattacharya, aged 59 years residing at New Delhi, working as Under Secretary (BA-E), Ministry of Information & Broadcasting, Shastri Bhawan, New Delhi do solemnly affirm and state as follows:-

2. I am duly authorized by the Respondent/Contemnor in the above Contempt Petition No. 297/2011 in O.A. No. 2940/2010 to file the progress report in the matter of merger and finalizing the recruitment rules of Engineering Assistant on behalf of Respondent No.1, Shri Uday Kumar Varma, Ministry of Information and Broadcasting

3. I swear to this statement on the basis of the said authorization and I am fully conversant with the facts and circumstances of the case, as disclosed by relevant records and files.

4. That the action to finalize the merger and framing of Recruitment Rules of the merged categories of posts of Senior Engineering Assistant and Engineering Assistant, as directed by the Hon'ble Tribunal vide its order dated 30.11.2010, was required to be initiated by Respondent No.2 and 3 i.e., Director General, AIR and CEO, Prasar Bharati.

5. That a representation dated 10.12.2010 was submitted by the petitioner Shri Praveen Kumar along with Hon'ble Tribunal's Order dated 30.11.2010 directing the respondents in OA No. 2940/2010 MA No. 2295/2010 and MA No. 2922/2010 i.e. Secretary, Ministry of I&B, Respondent-Contemnor No.1, DG AIR, Respondent-Contemnor -2 and CEO, Prasar Bharati, Respondent-Contemnor No.3 to finalize the merger and also the RRs in consultation with whatever authorities involved and thereafter consider the claim of the applicants for promotion through departmental competitive examination on the basis of vacancies available.

6. That in deference to the Hon'ble Tribunal's Order dated 30.10.2010 , the copy of representation of the applicant dated 10.12.2010 was forwarded by Respondent-Contemnor No.1 to Deputy Director General, Doordarshan on 24.12.2010 for taking necessary action to comply with the orders of Hon'ble Tribunal dated 30.11.2010 .

7. That the proposal dated 14.3.2011 from Respondent-Contemnor No.2 regarding framing of Recruitment Rules of the merged post of Sr. Engineering Assistant and Engineering Assistant for examination and taking up with DoPT and other nodal departments, duly approved by Respondent -Contemnor No.3, was received by the Respondent - Contemnor No.1 on 31.3.2011.

8. That the proposal submitted by Respondent -Contemnor No. 2 &3 required detailed examination in terms of Ministry of Finance, Department of Expenditure ( **Ann. R-1**) on the subject.

9. That after a thorough examination of the proposal from various aspects involved it was decided by Respondent -Contemnor No.1 on 18.8.2011 to refer the proposal first to DoPT for its, in principle, approval of merger of EA and SEA before it could be sent to Department of Expenditure for their, in principle approval.

10. That the Hon'ble Tribunal while hearing the contempt petition under reference on 24.8.2011 was also apprised through the Government Counsel, Shri D.S. Mahendru about the steps taken by the Respondent-Contemnors in the case and at that time the file had already gone to DoPT for their consideration.

11. That the file containing observations of DoPT dated 30.8.2011 that it was not concerned with the merger of posts in view of 6<sup>th</sup> Pay Commission and it was for the Ministry of Information and Broadcasting to decide the merger in consultation with Department of Expenditure through their Internal Finance Division, was received in the concerned section of the Ministry of Information and Broadcasting on 20<sup>th</sup> September, 2011.

12. That as per observations of DoPT, the concerned file was sent to Department of Expenditure, Ministry of Finance through the Internal Finance Division of this Ministry on behalf of Respondent- Contemnor No.1 on 29.9.2011.

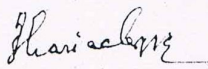
13. That the concurrence of Department of Expenditure, Ministry of Finance for the merger of cadre of Engineering Assistant with Sr. Engineering Assistant in AIR and Doordarshan was received on 16.2.2012 . A copy of each of the Note containing observation of DoPT dated 30.8.2011 (**received in the nodal Ministry on 20.9.2011**) and that of Ministry of Finance dated 14.2.2012 (**received on 16.2.2012**), are placed at **Annexures R-II and R-III** respectively.

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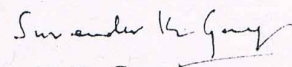
14. That with the approval of DoPT and Ministry of Finance, one action i.e. merger of SEA and EA is complete. However, the follow up action for amendment of the Recruitment Rules, has also been initiated. As regards further course of action i.e. amending the recruitment rules, the proposal for amending the Recruitment Rules on the basis of the decision to merge the posts of Engineering Assistant and Senior Engineering Assistant received from DG. Doordarshan is presently under examination in the Ministry of Information and Broadcasting. The framing of Recruitment Rules of the merged posts of SEA and EA will again require approval of DoPT and thereafter, the proposal would go to Ministry of Law and UPSC before these are notified after finalization. As such, the process and procedure involved may take considerable time and it may not be possible to commit any precise date for the notification of the finalized Recruitment Rules. Nevertheless the Respondents are making all out efforts to finalize the Recruitment Rules as early as possible.

15. That in the backdrop of the steps taken by the Respondent-Contemnors it is prayed that this Hon'ble Tribunal may graciously be pleased to dispose of the contempt or may grant at least six months time to finalize the amended recruitment rules for the merged cadre.

All the facts stated above are true and correct to the best of my knowledge, information and belief.

  
(P. Bhattacharya) (RYA)  
Under Secretary  
Min. of Information & Broadcasting  
Govt. of India, New Delhi

Solemnly affirmed and signed before me by the Deponent,  
who is personally known to me.

  
(S.K. Garg)

Under Secretary to the Government of India,  
(S.K. GARG)  
Under Secretary  
Min. of Information & Broadcasting  
Govt. of India, New Delhi