

PRASAR BHARATI

प्रसारभारती, भारत का लोक सेवा प्रसारक

Prasar Bharati House, Tower "C"

Mandi House, Copernicus Marg, New Delhi

File No. 3/3/2019-LC

Dated: 15th July, 2019

Subject: - Steps to avoid Contempt cases – Instructions reg.

Of late it has been observed that there is increase in Contempt Petitions filed in various benches of Central Administrative Tribunals/High Courts. This prima-facie indicates that the directions passed by Court are not implemented or challenged within stipulated time. In some cases, it is observed that OA is disposed of at the admission stage itself with the directions to pass a speaking order or to dispose of the representation of the applicant therein. But even in such cases where the litigation is pivoted around settled policy matters, the speaking orders are not issued in time, not to speak of filing of compliance affidavit in the Tribunal/Court.

2. At times, Contempt Notices are issued to the Secretary, MIB and CEO, Prasar Bharati due to non-compliance of simple directions of the Courts/Tribunals. These instances have evoked sharp observations from CEO, Prasar Bharati and the Ministry. CEO, Prasar Bharati has expressed concern on the growing incidences of contempt cases which may be due to missing accountabilities on the part of the officers in dealing with such Tribunal/Court orders. A need has been felt to put in place a system with defined responsibilities and accountabilities for monitoring and handling of the Courts matters.

3. The matter has been reviewed in Prasar Bharati Secretariat and the following procedure is reiterated for strict observance by all the Directorates:

(a) In order to avoid instance of Contempt cases, it is hereby made clear that orders passed by the Courts/Tribunals are to be accorded highest priority. These are either to be implemented in consultation/with the approval of the Government of India, wherever necessary (especially those relating to the service conditions, recruitment rules or pay etc. of the central government employees on deemed deputation or involve expenditure from the



public exchequer) or have to be challenged at the appropriate level within the prescribed time limit.

(b) Often the time taken to decide further course of action on court orders exceed the time allowed in the orders. In such cases, it is incumbent on the part of the concerned Directorate to seek more time from the Courts/Tribunals well before the expiry of the prescribed time limit.

4. If these simple steps as outlined above are followed in time, there will be fewer occasions for contempt petitions.

5. There may be occasions when the orders are passed by the Courts/Tribunal (mostly in places outside Delhi) at the admission stage when Prasar Bharati or any of its subordinate offices arrayed as respondent remain unrepresented by its Counsels or the designated Central Government Counsels accept the Notices on behalf of the respondents (which include MIB and CEO Prasar Bharati). It has been noticed that orders (including interim orders) passed by the Courts/Tribunal along with OA/WP in such cases often do not reach the appropriate authorities in DG:AIR/DG:DD or Prasar Bharati Secretariat.

6. In order to handle above situations effectively, it has been decided to put in place a system of Nodal Officers across the country with appropriate responsibilities and accountabilities. Accordingly, it has been decided that DG:AIR shall designate officers of the rank of Administrative Officer or above (as detailed at **ANNEXURE-I**) as Field Level Nodal Officers with following responsibilities –

- (i) Watch the **Cause Lists** of the High Court(s) and the bench(s) of Central Administrative Tribunal on daily basis for cases filed against CEO, Prasar Bharati, Director General of All India Radio/Doordarshan [including DG(News & CA) and DG:NSD), CCW, AIR and/or Heads of AIR Stations/DD Kendras (including RNUs) and;
- (ii) Maintain close liaison with the concerned Central Government Counsels or Counsel empanelled (or specifically engaged, if any) and contact them for the outcome of the cases listed every day (fresh as well as ongoing cases), including



orders/interim orders passed by the Courts/Tribunals alongwith OA/WP and connected applications in such cases.

- (iii) Promptly inform simultaneously through e-mail the concerned Nodal Officers (Legal) of the respective Directorates (to be communicated by DG:AIR in consultation with DG:DD) for further needful action and monitoring at their end on priority basis. Copies of such intimations shall also be sent to the Nodal Officer (Legal) in Prasar Bharati Secretariat for record and overall supervision (**email: aelegalpbs@gmail.com**).

7. The particulars of the Field Level Nodal Officers designated for this purpose may be furnished to Prasar Bharati Secretariat (Legal Cell) latest by **19.07.2019**.

8. Above instructions may be widely circulated in both the Directorates as well as the regional and field offices for strict compliance. Any lapse in this regard shall be viewed seriously including initiation of disciplinary proceedings.

9. Modalities for monitoring cases in Labour Courts (CGITs) will be issued separately.

10. This issues with the approval of CEO, Prasar Bharati.



(Srideb Nanda)
Director (Admn)

To

The Additional D.G. (Admn.), DG:AIR, Akashvani Bhawan, New Delhi-110001.

Copy to:

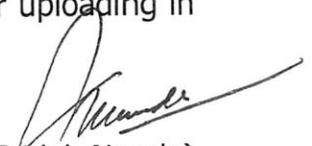
The Additional DG (Admn.), DG:DD, Doordarshan Bhawan, Copernicus Marg, New Delhi-110001.

Copy for kind information to:

SO to CEO, DG AIR, DG Doordarshan, DG DD News, DG NSD, CCW.

✓ Copy to Shri Deepak Joshi, DDG(Tech), Prasar Bharati Sectt. for uploading in Prasar Bharati website.

Copy to Guard file.



(Srideb Nanda)
Director (Admn)

ANNEXURE-I TO PRASAR BHARATI SECTT. LETTER No. 3/3/2019-LC DATED 15.07.2019

STEPS TO AVOID CONTEMPT CASES – PARTICULARS OF THE FIELD LEVEL NODAL OFFICERS DESIGNATED TO WATCH THE DAILY CAUSE LISTS OF THE HIGH COURTS AND CENTRAL ADMINISTRATIVE TRIBUNAL AND TO REPORT OUTCOME OF THE CASES LISTED ON DAILY BASIS

NAME OF THE HIGH COURT(S) AND THE CAT BENCHES	NAME OF THE REGIONAL OFFICE/STATION/KENDRA IN WHICH THE FIELD LEVEL NODAL OFFICER IS POSTED	NAME, DESIGNATION, E-MAIL ID & CONTACT NUMBER OF THE FIELD LEVEL NODAL OFFICER(Telephone & Mobile)
Delhi High Court and CAT (Principal Bench)		
Bombay High Court (including Nagpur circuit Bench) and CAT (Bombay and Nagpur Bench)		
Calcutta High Court and CAT (Kolkata Bench) & circuit Bench at Port Blair		
Madras High Court and CAT (Madras Bench)		
Patna High Court, Jharkhand High Court and CAT (Patna and Ranchi Bench)		
Gujarat High Court at Ahmedabad, CAT (Ahmedabad Bench)		
Karnataka High Court at Bangaluru and CAT (Bangalore Bench)		

Punjab & Haryana High Court, J&K High Court and Himachal Pradesh High Court CAT (Chandigarh and Shimla Bench)		
Orissa High Court at Cuttack and CAT (Cuttack Bench)		
Kerala High Court and CAT (Ernakulum Bench)		
Guwahati High Court and CAT (Guwahati Bench)		
Andhra Pradesh/ Telengana High Court, and CAT (Hyderabad Bench)		
Madhya Pradesh High Court, Chhattisgarh High Court and CAT Benches at Indore, Jabalpur, Gwalior and Bilaspur		
Allahabad High Court (including Lucknow Bench), Uttarkhand High Court and CAT Benches at Lucknow, Allahabad and Nainital		
Rajasthan High Court at Jaipur (including Jodhpur Bench) and CAT Benches at Jaipur and Jodhpur		

- The above grouping has been made considering the geographical proximity of the Courts/Tribunals and the number of cases presently under litigation.