

IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC NO.1308 OF 2018

Radhakanta Champati and others ***Petitioners***

Mrs. Sujata Jena, Advocate

-versus-

Badrinarayan Patra & another ***Opp. Parties***

Mr. B.K.Dash, Advocate.

CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S.SAHOO

Order No.

ORDER (Oral)
06.01.2022

04. 1. This matter is taken up through hybrid mode.

Seven petitioners are the employees of Odisha Renewable Energy Development Agency (OREDA), they had filed W.P.(C) No.15932 of 2011, seeking a direction to the OREDA and the Government for framing Pension Schemes/Rules for the employees of OREDA, at par with Rules applicable to the Government Servants. The said writ petition was disposed of vide order dated 09.01.2013 with the direction that the representation made by the petitioners in the aforesaid regard shall be considered by the Governing Body, i.e., the Board of OREDA in its next meeting positively.

The present contempt has been filed alleging that the opposite parties-contemnors have violated the order dated 09.01.2013. Upon notice, an affidavit of the

opposite parties has been filed. Paragraphs-3 to 7 thereof, read as under:

“3. That is respectfully submitted that pursuant to the direction of this Hon’ble Court dated 09.01.2013, the order/direction of Hon’ble Court was placed in 34th governing body meeting held on 05.02.2013 and appropriate decision was taken as per the rules and procedure. (Copy of the extract of proceeding of 34th G.B. held on dated 05.02.2013 is annexed as Annexure-A/2).

4. That as per the decision of the Governing Body, OREDA has prepared it’s Pension rules indicating the total financial implication and submitted to the State Government for approval vide letter dated 23.3.2013. (Copy of the letter is annexed as Annexure-B/2).

5. That it is humbly submitted that after carefully consideration on the proposal of OREDA, regarding implementation of Pension Scheme, Government has rejected the aforesaid proposal vide letter dated 27.01.2015. (Copy of the letter dated 27.01.2015 is annexed as Annexure-C/2).

6. That thereafter the said proposal was placed in 36th G.B. meeting held on 12.03.2015 and it was decided that OREDA is an agency registered under the Societies Registration Act, 1860 under the administrative control of Science & Technology Department, Govt. of Odisha. As per the pension rules prescribed by Govt. of Odisha, OREDA is not coming under pensionable establishment at par with the employees of the State Government. Besides, New Pension Scheme-2005 is also not

*applicable to the employees of OREDA. **The extract of proceeding of 36th G.B. held on 12.03.2015 is filed herewith as Annexure-D/2.** It is humbly submitted that, the aforesaid process has been done in due time.*

7. That the decision of the G.B. has been communicated to the petitioners vide this office letter no.282(54) dated 14.01.2020. (copy of the said letter dated 14.01.2020 is annexed as Annexure-E/2)”

2. After hearing the learned counsel for the parties and in view of above contents, we find that the orders passed by this Court have been fully complied with. As such, no case of contempt is made out.

3. In view of the above, the contempt proceeding is dropped.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

January 6th 2022
Cuttack

Gs/Radha