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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 1191/2023**

**GURGAON GRAMIN BANK WORKERS ORGANIZATION
& ANR.**

..... Petitioners

Through: None.

versus

GAURAV DWIVEDI CEO OF PRASAR BHARATI Respondent

Through: Mr. S.M. Arif, Advocate.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

23.01.2024

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1. None appears for the petitioner when the matter is called out.
2. The present contempt petition has been filed alleging non-compliance of the order dated 1st May, 2023 passed in *W.P.(C) No. 5551/2023*, wherein the Court had directed the chairperson of Prasar Bharti Broadcasting Corporation of India to look into the allegations made in the said writ petition and take decision on the same. It had further been directed that the said decision shall be brought to the notice of the Prasar Bharti Board and the same shall also be communicated to the petitioner within three months.
3. Mr. S.M. Arif, Advocate appears on behalf of respondent and draws the attention of this Court to the compliance affidavit filed on behalf of the respondent. He submits that the order dated 1st May, 2023 has since been complied with.
4. He submits that the allegations made by the petitioner were



considered by the Committee set up by the respondent and that the Committee has found no irregularity. The copy of the report has been placed on record along with compliance affidavit.

5. He further submits that the report has already been accepted by the CEO of the Prasar Bharti. He submits that in compliance of the directions passed by this Court, the report has been placed before the Prasar Bharti Board and the same shall be considered by the Board.

6. Learned counsel for the respondent confirms that the copy of the report has been sent to the petitioner on 8th January, 2024.

7. I have heard learned counsel for the respondent and have perused the record.

8. Perusal of the compliance affidavit on behalf respondent shows that after the order dated 1st May, 2023 passed in *W.P.(C) No. 5551/2023*, the Prasar Bharti Secretariat had set up a Committee for thorough examination of the allegations made in the present case and for ascertaining the veracity of the allegations vide Doordarshan Directorate's letter dated 31st August, 2023.

9. The allegations made in the petition were that the bank had published a notice for construction of the building at the approximate cost of Rupees fifteen crores. However, the bank had awarded the building work of construction to the Civil Construction Wing of All India Radio for Rupees twenty five crores.

10. However, it is submitted by learned counsel for the respondent that after investigation, it has come to the fore that there was no irregularity based on the documents produced before the respondent.

11. The relevant paragraphs of compliance affidavit dated 26th December,



2023 filed on behalf of the respondent read as under:

“xxx xxx xxx

3. That the Gurugram Cramin Bank Workers Organization & Others is represented by Shri Mukesh Kumar Joshi, being the Petitioner, they have filed a Writ Petition No. 5551/2023 before the Hon'ble High Court of Delhi in April 2023.

Through the aforementioned Petition, allegations in the Construction of Sarva Haraya Gramin Bank, Rohtak was made.

It is stated that the Construction of Sarva Haryana Gramin Bank, Rohtak was done by Civil Construction Wing, All India Radio during the year 2015-2017.

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8. That after the Order of the Hon'ble High Court of Delhi, the Prasar Bharati Secretariat set up a Committee for thorough examination of the allegations made in the subject case and for ascertaining the veracity of the allegations vide Doordarshan Directorate's letter No. 12(5)/Court Case/2023-24/E-II dated 31.08.2023. The committee was consisted of the following officers:

1. Shri Mukesh Kumar ADE (Admin)
2. Shri S.K Singh, ADG(HQ) Akashvani
3. Shri V.P. Yadav ADG (Procurement)

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10. That the allegation made in the petition was that the Bank published Notice for Construction of the building at the probable cost of Rs 15 crores. However, the Bank had awarded this Construction of Building Work to Civil Construction Wing, All India Radio [CCW, AIR] at cost of Rs 25 crores.

Accordingly, irregularities pertaining to financial aspects have been examined.

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13. That the Preliminary estimate considered for Office building was Ground Floor and two floors in RCC framed structures.

The work also included Earth quake resistance building, water roofing treatment, stronger base foundation to take additional floor. Stronger structural members to take heavy loads on account of



Public Building, Wet riser and water sprinkler system, Internal water supply and sanitary and electrical installations, external service connections, Currency Chest and special hinges for main door, Vault door, strong room etc. Development work included Underground sump well 100,000 litres, PVC Overhead tank of 20,000 litres, Rain water harvesting system, Sensor controlling flushing system.

The electrical works included Wiring for Internal and External Electrical Service connections. The provision were also made for Central Call bell system, Lighting Conductor, Telephone and Intercom system. Computer conducting. Provision were also made for Sub-station, DG set, Lift, Air Conditioning, Fire Alarm, Fire Fighting and Sprinkler system, Compound lighting, water pumps, Solar lighting and other miscellaneous works.

It is also seen that works were executed for LAN & Voice cabling network, UPS, LED luminaries, Guard Room, Parking area with shed, Horticulture work, Anti Termite treatment.

The CCW also executed the work of installation of Modular Workstations, Partition and Cubicles.

It is also seen that CCW has carried out the works in different agreements, the details of which have been covered in the report. CCW has incurred expenditure to the tune of Rs. 21 Crores till date which is also less than the sanction accorded by the SHGB Rohtak.

No irregularity has come to the notice of the Committee on the basis of documents produced before the Committee.

*The Copy of the Report is annexed as **Annexure CR-1**.*

In view of the above submissions, it is humbly prayed that the C.P. may kindly be disposed off and the notices to the alleged Contemnor/Respondent be discharged.

It is prayed accordingly.

xxx xxx xxx”

12. In view of the aforesaid, it is clear that the directions passed by this Court have substantially been complied with by the respondent. Further, this Court also takes on record the statement made by the learned counsel for the respondent that the report has already been submitted before the Prasar Bharti Board, which shall be considered by the Board in its next meeting.
13. Considering the facts of the present case, no further orders are



required to be passed in the present contempt petition.

14. Accordingly, the present contempt petition is disposed of.

MINI PUSHKARNA, J

JANUARY 23, 2024

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