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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No.202 OF 2002

New Delhi, this the 7 th day of August, 2003

HON'BLE SMT. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)  
HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Luxmi Dutt Shukla,  
Phone Mechanic,  
Ghaziabad Telecom District  
District Ghaziabad

(By Advocate : Shri Susheel Kumar Sharma) .....Applicant

Versus

1. Union of India through  
Secretary,  
Ministry of Communications,  
Sanchar Bhawan,  
20, Ashoka Road,  
New Delhi-1
2. The Chief General Manager,  
UP(West) Telecom.Circle,  
Dehra Dun (UP)
3. The General Manager,  
Ghaziabad Telecom.District,  
District Ghaziabad (UP)

(By Advocate : Shri M.M.Sudan ) .....Respondents

ORDER (ORAL)

Shri R.K.Upadhyaya, Administrative Member

Heard learned counsel of both the parties.

2. The applicant has impugned order dated 28.12.2001 (Annexure-A) issued by Bharat Sanchar Nigam Limited (BSNL for short) in respect of seniority of the applicant. The applicant is an employee in the Office of Sub-Divisional Office(Phones), Ghaziabad. He has been absorbed vide an order dated 28.12.2001 (Annexure-R II to the short reply by the respondents).

3. The respondents have taken a preliminary objection that this Tribunal does not have jurisdiction to deal with the service matter relating


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to the employees of BSNL as the said BSNL has not been notified under Section 14(2) of the Central Administrative Tribunal Act, 1985.

4. Learned counsel of the applicant states that the impugned order is based on the orders issued by the respondent No.1. Therefore, according to him, this Tribunal has the jurisdiction.

5. After considering the arguments of learned counsel of both the parties, we are of the view that this Tribunal is not clothed with the jurisdiction to deal with the service matters of BSNL employees. In this connection, we may refer to the decision of the Hon'ble Bombay High Court in the case of Bharat Sanchar Nigam Limited Vs. A.R.Patil & Ors. 2002(3) ATJ 1. The Hon'ble Bombay High Court has held that this Tribunal has no jurisdiction to entertain the applications by the employees of BSNL regarding the grievances of the employees on service matters.

6. In view of reasons given above, the OA is disposed of on preliminary ground of lack of jurisdiction. In the circumstances, Registry is directed to return the copies of all the documents to the learned counsel of the applicant keeping one set of the same for record purposes, leaving it open to him to proceed in the matter as advised, in the appropriate forum in accordance with law.

  
(R.K. UPADHYAYA)  
ADMN.MEMBER

  
(SMT. LAKSHMI SWAMINATHAN)  
VICE CHAIRMAN (J)

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