

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**Original Application No.180/00113/2019**

**Monday, this the 16<sup>th</sup> day of March, 2020**

**C O R A M :**

**HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

1. Vijaya Mohandas.K.G.,  
Aged 58 years,  
S/o.K.K.Gopalan,  
Junior Telecom Officer,  
Bharat Sanchar Nigam Ltd./Ernakulam.  
Residing at Kozhuvanmakkal House,  
TTRA-104, Netaji Nagar, Thiruvankulam – 682 305.
2. Premkumar.V.,  
Aged 58 years,  
S/o.T.N.Viswambaran Nair,  
Junior Telecom Officer/  
Bharat Sanchar Nigam Ltd., Kottayam.  
Residing at Revathy, North Gate,  
Vaikom – 686 141, Kottayam District.
3. Jayagovindan.S.,  
Aged 58 years,  
S/o.P.Sekhar,  
Junior Telecom Officer,  
Bharat Sanchar Nigam Ltd.,  
Office of the Divisional Engineer, DTAX, Ernakulam.  
Residing at Gopimandiram, Panavally P.O.,  
Cherthala – 688 566.
4. M.M.Purushothaman,  
Aged 57 years,  
S/o.Mukundan,  
Junior Telecom Officer,  
Bharat Sanchar Nigam Ltd.,  
Office of the Divisional Engineer, SRRC,  
Panampilly Nagar, Telephone Exchange, Ernakulam.  
Residing at Mullaparambil House, Maradu P.O.,  
Maradu, Kochi – 682 304.

5. Vincent.K.M.,  
Aged 57 years,  
S/o.Mathew,  
Junior Telecom Officer,  
Bharat Sanchar Nigam Ltd.,  
Telephone Exchange, Kottappady.  
Residing at Kadukkanmakal, Kottappady P.O.,  
Kothamangalam – 686 692.
6. Vijayan.P.R.,  
Aged 56 years,  
S/o.Raghavan,  
Junior Telecom Officer/(Extl.),  
Bharat Sanchar Nigam Ltd.,  
Telephone Exchange, Kothamangalam.  
Residing at Purathal House, Thrikariyoor P.O.,  
Kothamangalam, Ernakulam District – 686 692.
7. Suja Paulose,  
Aged 56 years,  
W/o.Sajji Abraham,  
Junior Telecom Officer,  
Bharat Sanchar Nigam Ltd., Telephone Exchange,  
Cheruvattoor, Ernakulam District.  
Residing at Chammakkattu House,  
Kuruppampady, Ernakulam District – 683 545.
8. Hemachandran Nair,  
Aged 56 years,  
S/o.V.K.Gopinathan Nair,  
Junior Telecom Officer,  
Bharat Sanchar Nigam Ltd.,  
Office of the Sub Divisional Engineer (FTTH),  
Telephone Exchange Building, Palarivattom, Ernakulam.  
Residing at Sreepadam, St. George LPS Road,  
Edappally, Ernakulam – 682 024.
9. Sreedevi.T.P.,  
Aged 54 years,  
W/o.Vijaya Mohandas,  
Junior Telecom Officer/  
Bharat Sanchar Nigam Ltd.,  
Office of the Sub Divisional Engineer (FTTH/LCO),  
Co-ordinator, Idukki.  
Residing at Kozhuvanmakal House,  
TTRA 104, Netaji Nagar, Thiruvankulam,  
Ernakulam – 682 305.

10. Mathew K.Y.,  
Aged 54 years,  
S/o.K.M.Yoyack,  
Junior Telecom Officer,  
Bharat Sanchar Nigam Ltd.,  
FTTH-I, Telephone Exchange Building,  
Palarivattom, Ernakulam.  
Residing at Kummanackal House,  
Pazhamthottam P.O., Ernakulam District – 683 656. ...Applicants

**(By Advocate Mr.T.C.Govindaswamy)**

**v e r s u s**

1. Union of India  
represented by the Secretary to the Government of India,  
Ministry of Heavy Industries & Public Enterprises,  
Department of Public Enterprises, New Delhi – 110 001.
2. The Secretary to the Government of India,  
Ministry of Communication & Information Technology,  
Department of Telecommunications, New Delhi – 110 001.
3. The Chairman and Managing Director,  
Bharat Sanchar Nigam Ltd.,  
Corporate Office, Harishchandra Mathur Lane,  
Janpath, New Delhi – 110 001.
4. The Chief General Manager (Telecommunications),  
Bharat Sanchar Nigam Ltd., Thiruvananthapuram – 695 001.
5. The Principal General Manager (Telecom),  
BSNL Bhavan, Kalathi Parambil Road,  
Kochi – 682 016.
6. The Accounts Officer (P&A),  
BSNL Bhavan, Kalathi Parambil Road,  
Kochi – 682 016.
7. The Controller of Communication Accounts,  
Department of Telecommunications,  
Kerala Circle, Door Sanchar Bhavan,  
Thiruvananthapuram – 695 033. ...Respondents

**(By Advocates Mr.Thomas Mathew Nellimoottil (R 1, 2 & 7)  
& Mr.George Kuruvilla [R 3-6])**

.4.

This application having been heard on 16<sup>th</sup> March 2020, the Tribunal on the same day delivered the following :

**ORDER (ORAL)**

When the matter came up for consideration today, learned counsel for the applicant submitted that M.A.No.180/230/2020 has been filed by the applicants seeking permission to withdraw the O.A with liberty to take up the matter before the appropriate departmental authorities. M.A is allowed.

2. In view of the above, the O.A is dismissed as withdrawn. Consequently, M.A.No.180/443/2019 is also closed. There shall be no order as to costs.

(Dated this the 16<sup>th</sup> day of March 2020)

**ASHISH KALIA  
JUDICIAL MEMBER**

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**List of Annexures in O.A.No.180/00113/2019**

- 1. Annexure A-1** – A copy of the relevant extract of the common order in TA Nos.84 to 97 of 2008, dated 15.7.2009.
- 2. Annexure A-2** – A copy of the common judgment in W.P.(C) No.23407/2010 and connected cases dated 15.9.2017 of the Hon'ble High Court of Kerala.
- 3. Annexure A-3** – A copy of the order dated 20.7.2018 in SLP (C) Diary No.19274/2018 and connected cases of the Hon'ble Supreme Court of India.
- 4. Annexure A-4** – A copy of the order bearing No.ST-III/2-5/posting/2008 dated 1<sup>st</sup> February 2008 issued from the office of the 4<sup>th</sup> respondent.
- 5. Annexure A-5** – A copy of the chart prepared by the applicants indicating their respective service details, material for adjudication of the issues involved in the O.A.
- 6. Annexure A-6** – A copy of the Office Memorandum bearing No.2(70)/08-DPE(WC) dated 26.11.2008 issued by the 1<sup>st</sup> respondent.
- 7. Annexure A-7** – A copy of the order bearing No.61-01/2009-SU dated 27.2.2009 issued by the 2<sup>nd</sup> respondent.
- 8. Annexure A-8** – A copy of the Office Order No.1-50/2008-PAT (BSNL) dated 5.3.2009 issued by the 2<sup>nd</sup> respondent.
- 9. Annexure A-9** – A copy of the Order bearing No.3-8/2010-Estt-IV(Pt.) dated 18.9.2018, issued from the office of the 3<sup>rd</sup> respondent.
- 10. Annexure A-10** – A copy of the letter bearing No.3-32/2013/Estt.IV dated 22.12.2015 referred to in Annexure A-9.
- 11. Annexure A-11** – A copy of the pay fixation orders bearing No.CA/MRX/RP-2007(NE)/JTO/15 dated 17.5.2020 issued by the G.M(T), Malappuram.
- 12. Annexure A-12** – A copy of the representation submitted by the 3<sup>rd</sup> applicant dated 23.7.2018 addressed to the DGM Finance.
- 13. Annexure R-5(a)** – A copy of the order dated 22.8.16 in R.A.No.30/2015 in O.A.No.1022/2012 and connected cases.
- 14. Annexure R-5(b)** – A copy of the order dated 6.2.17 in O.A.No.306/2013 & connected cases.

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**15. Annexure R-5(c)** – A copy of the Clarification dated 16.3.09 of the Kerala Circle.

**16. Annexure R-5(d)** – A copy of the Clarification dated 31.3.09 of the BSNL Corporate Office.

**17. Annexure R-5(e)** – A copy of the pay revision order for Non-Executives of BSNL dated 7.5.10.

**18. Annexure R-5(f)** – A copy of the Clarification dated 31.1.11 of the BSNL Corporate Office.

**19. Annexure R-5(g)** – A copy of the order dated 11.10.12 of the CGM Kerala Circle.

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