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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH NEW DELHI

O.A. NO.2418/2001

NEW DELHI THIS THE 9TH DAY OF APRIL 2002

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)

1. Mahipal Singh S/o Daya Chand,  
D-758, Kidwai Nagar, New Delhi.
2. Smt. Leela Devi W/o Sh. Suresh,  
32/80, Maulana Azad Medical College,  
New Delhi
3. Manoj Kumar S/o Shyam Lal,  
E-505, Kidwai Nagar, New Delhi
4. Satish Kumar S/o Sh. Rajesh  
R/o 439 Trilok Puri Delhi

(By Shri R K Shukla, Advocate) ....Applicants

VERSUS

1. Union of India through  
The Secretary M/o Telecom.  
Sanchar Bhawan, 20 Ashoka Road, New Delhi
2. The Joint DDG (Admn), Bharat Sanchar Nigam Ltd.  
20 Ashoka Road, New Delhi
3. The Under Secy. (Telecom)  
Dept. of Telecom  
Sanchar Bhawan, New Delhi
4. Joginder Singh,
5. Sandeep
6. Ram Baboo
7. Banveer  
(Service through respondent No. 3)

.....Respondents  
By Shri Parvinder Chauhan, Advocate)

O R D E R (ORAL)

These four applicants challenge the order of  
termination dated 01.02.2001 issued to them.

2. M.A. No. 2020/2001 for joining is allowed.

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3. Heard S/Shri R.K. Shukla and Shri Parvinder Chauhan learned counsel for the applicants and respondents respectively.
4. Applicants one and two were engaged by the respondents between 01.03/2001 and 30.06.2001, having been sponsored by the Employment Exchange. Applicants No. 3 and 4 were similarly employed from 17.02.2001 to 30.6.2001. The services of all the four have been disengaged on 1.7.2001 by oral communication. Subsequently on 4.9.2001 four other persons, also sponsored by the Employment Exchange have been engaged as Casual Sweepers in the respondents' organisation. This was improper and incorrect as juniors and freshers have been preferred, which was against the rationale of the orders of the Hon'ble Supreme court in the case of State of Haryana and Others Vs Piyara Singh and Central Welfare Board & Others Vs Anjali Bepari & Ors.
5. Respondents M/S Bharat Sanchar Nigam Ltd. (BSNL) have pointed out in their reply that the Tribunal has no jurisdiction at all to deal with the case as the newly formed organisation was an independent of the Department of Telecom. and was not notified in terms of section 14 of the AT Act 1985; as falling within the jurisdiction of the Tribunal
6. On consideration of the above I find that the point raised by the respondents is correct. Bharat Sanchar Nigam Limited (BSNL), though was originally part of Department of Telecommunication is no longer so and the same has not so far been notified under section 14

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of the AT Act and has thus fallen outside the jurisdiction of this Tribunal, the applicants relief, if any, therefore lies elsewhere. I am therefore, dismissing this O.A. due to lack of jurisdiction. The applicant may approach the appropriate forum for redressal of their grievances within a period of 2 months from now, in which case their application or petition will not be hit by limitation.

(Govindan S. Tampi)  
Member (A)

Patwal/