

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00059/2021

Jabalpur, this Friday, the 22nd day of January, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



P.S.Bais, S/o Shri Late N.S. Bais,
 Aged about 59 years, Occupation: Retired PS
 BSNL Employee R/o 94, Abhinav Regal Homes,
 Awadhpu, Bhopal -Applicant

(By Advocate – **Shri Anoop Nair**)

V e r s u s

1. Bharat Sanchar Nigam Ltd.
 Through Chairman-cum-Managing Director,
 Corporate Office Bharat Sanchar Bhawan,
 Harish Chandra Mathur Lane,
 Janpath New Delhi-110001
2. Director (HRD), Bharat Sanchar Nigam Ltd.,
 Corporate Office Bharat Sanchar Bhawan,
 Harish Chandra Mathur Lane,
 Janpath New Delhi-110001
3. The Chief General Manager, Bharat Sanchar Nigam Ltd.
 Madhya Pradesh Telecom Circle,
 BSNL Bhawan, Hoshangabad Road,
 Bhopal-462015 - Respondents

(By Advocate – **Shri S.P.Singh**)

O R D E R(ORAL)

By Ramesh Singh Thakur, JM:-

Heard.

2. Through this Original Application the applicant is challenging the in action of the respondents in not promoting

the applicant to the post of Principal Private Secretary (PPS) from Private Secretary (PS).

3. From the pleadings the facts of the case are that the applicant was appointed in BSNL in the year 1985 on the post of Steno and was promoted to various posts throughout his career and retired from the post of Principal Secretary, Bhopal Telecom Circle after taking VRS in January 2020.



4. The Corporate Office of respondent organization vide order dated 13.04.2016 has created certain post of Senior PPS and PPS by upgradation in various circles of the organization. That 48 posts of PS were upgraded to PPS throughout India and 2 such posts well within the jurisdiction of MP Circle Bhopal one at CGM Inspection & QA Circle Jabalpur and another one at MP Telecom Circle Bhopal. The DPC to the post of PPS was to be done by MP Telecom Circle and recommendation was sent to the Head Quarter at Delhi for promotion order. The applicant was working in the office of CGM Bhopal on the post of PS and person senior to him one Ms. K. Omana who was working on the post of PPS retired in February 2017 and since then till retirement of the applicant in January 2020 the applicant performed the work of PPS at the office of CGM Bhopal.



5. The applicant has specifically submitted that promotion to the post of PPS is post based promotion i.e. respondent are required to promote as and when the post become vacant. As per Annexure A-1 there were two candidates in the seniority list namely one Shri A.K.Arya who was working on the post of PS at Indore Circle and the applicant. The respondent No.3 conducted the DPC in the month of March 2019 for one post at Bhopal CGM office but no recommendations was sent for Jabalpur Telecom Circle. Shri A.K.Arya was offered the post of PPS at CGM office Bhopal which he refused for his personal reasons. Thereafter officials at respondent No.3 office vide letter dated 20.05.2019 (Annexure A-2) wrote to the Head Office at Delhi for promoting the next candidate in the DPC (i.e. the applicant) for the post of PPS at CGM Office, Bhopal, but till date no action was taken by the respondents. The applicant submitted a representation dated 11.10.2019 (Annexure A-3) which was forwarded by the office of respondent No.3 vide letter dated 21.10.2019 (Annexure A-4). The applicant again made representation on 18.12.2019 and 17.01.2020 (Annexure A-6 & Annexure A-7) to the respondent No.2 but till date no action has been taken.

6. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide representations at Annexures A-3, A-6 & A-7 in a time bound manner.

7. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

8. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents is directed to decide representations at Annexures A-3, A-6 & A-7 in a time bound manner.

9. Resultantly, the competent authority of the respondents is directed to decide the representation filed at Annexures A-3, A-6 & A-7 within a period of 60 days after receiving the copy of this order.

10. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in the appeal filed at Annexures A-3, A-6 & A-7.

11. With these observations, this Original Application is disposed of at admission stage itself.



12. Applicant is directed to make available copy of order of this Tribunal as well as copy of Original Application to the competent authority of the respondents.

(Naini Jayaseelan)
Administrative Member
rn



(Ramesh Singh Thakur)
Judicial Member