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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

O. A.No. 245/2014 and M.A. No. 269/2016
Cuttack this the 12th day of July, 2016

CORAM

HON'BLE SHRI R.C. MISRA, MEMBER(A)
HON'BLE SHRI S.K.PATTNAIK, MEMBER(J)

1. Bhuban Mohan Das aged about 37 years S/o Shri Bimalendu Kumar Das at present working as a TTA (B/B), O/O, SDE (Internal), Telephone Bhawan, PO/Dist. Balasore at present residing AT/PO Hidigan, Via Chandipur, Distt. Balasore, Odisha.
2. Bimbadhar Pradhan aged about 40 years S/o Late Shri Madan Mohan Pradhan, at present working as a TTA (O/D), O/O SDOP-II, BJB Nagar, Bhubaneswar, resident of Qr. No. 07, Type III, Block No. 4, Microwave Colony, Bhubaneswar.
3. Naresh Kumar Mandal aged about 40 years S/o Shri Manmath Mandal at present working as TTA, O/O SDE (Group Exchange), Betanati, At/PO Betanati, Dist. Mayurbhanj at present residing at Sriram Chandrapur, Ward No. 16, PO Baripada, District Mayurbhanj, Odisha.

.....Applicants

(Advocate: Mr.N.R.Routray)

VERSUS

1. Union of India represented through the Secretary, Ministry of Communication, Department of Telecommunications, Sanchar Bhawan, New Delhi.
2. The Chairman-cum-Managing Director, Bharat Sanchar Nigam Limited, (Departmental Examination) Room No. 222, Eastern Court, Janpath, New Delhi.
3. Chief General Manager (Telecom), Odisha Circle, Bhubaneswar.
4. General Manager (HR & Admn.) Odisha Telecom Circle, Bhubaneswar.
5. Deputy General Manager (HR&Admn.), Odisha Telecom Circle, Bhubaneswar.

.... Respondents

(Advocates: Mr. K.C.Kanungo)

O R D E R

PER S. K. PATTNAIK:

Heard learned counsel for both sides in O.A. No. 245/2014 and M.A. No. 269/2016 simultaneously.

*S. K. PATTNAIK
12/7/16*

2. The applicants have filed this O.A. for a direction to the respondents to declare their results awarding Bonus Marks as granted to the similarly situated candidates of Chennai, Rajasthan, Andhra Pradesh and Madhya Pradesh Circles and, for quashing of the order dated 26th March, 2014 (Annex.A/15) by which, the Assistant General Manager (DE-II) of the Bharat Sanchar Nigam Limited (BSNL), New Delhi had passed a speaking order rejecting the claim of the applicants. In the meantime, the respondents' vide their letter dated 8th April, 2016 (Annex. 'B' attached to M.A. No. 269/2016) have issued a clarificatory letter regarding the procedure to be followed by the Expert Committee in respect of the departmental examinations conducted by the BSNL. It was brought to the notice of the BSNL Corporate Office that the Expert Committees appointed/nominated by the Circles are not adopting/following uniform method/standard while examining the Feedback received from the candidates/ Unions / Associations etc. and finalising the Answer Key, which is resulting in various litigations and thus delaying the recruitment process. Accordingly, the Assistant General Manager of the Recruitment Branch of the BSNL, has issued Guidelines stating therein that "where full marks to be awarded and under what contingency".

3. Learned counsel for the applicants fairly submitted that in view of the clarificatory letter dated 8.4.2016, if implemented in letter and spirit, the grievance of the applicants shall be redressed substantially. In view of the changed circumstances as explained by the learned counsel for applicants which is also not disputed by the learned counsel appearing on behalf of the respondents, we are of the opinion that this O.A. can be disposed of in view of the Circular issued by the Dy. Manager-III (Rectt.), BSNL, New Delhi dated 8th April, 2016 in the light of their own guidelines and revised instructions.

4. Hence the O.A. is disposed of with a direction to the respondents to look to the grievances of the applicants as claimed in the O.A. as per their Circular dated

SD/Attm
12/7/16

08.04.2016 and to pass a revised order in respect of the departmental examinations of the applicants and, if necessary to revise their marks in the respective papers, as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

5. There is no order as to costs.

S.R.Pattnaik
(S.R.Pattnaik)
Member (J)

R.C.Misra
(R.C.Misra)
Member (A)

mehta