

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.494/2003.

Thursday this the 19th day of June 2003.

CORAM:

HON'BLE MR.T.N.T.NAYAR, ADMINISTRATIVE MEMBER
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

C.Muraleedharan,
Telecom Office Assistant,
Telecom Revenue Accounts,
Bharat Sanchar Nigam Limited,
Calicut - 4. Applicant

(By Advocate Shri NN Sugunapalan)

Vs.

1. The Assistant General Manager(Commercial)
Office of the General Manager,
Bharat Sanchar Nigam Limited, Calicut.
2. The Deputy General Manager (Operation),
Office of the General Manager,
Bharat Sanchar Nigam limited,
Calicut.
3. The Chief General Manager,
Bharat Sanchar Nigam Limited,
Kerala Circle, Thiruvananthapuram.
4. Union of India, represented by its
Secretary, Ministry of Communications,
New Delhi. Respondents

(By Advocate Shri C.Rajendran, SCGSC)

The application having been heard on 19th June, 2003,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR.T.N.T. NAYAR, ADMINISTRATIVE MEMBER

The applicant, Shri C.Muraleedharan presently working as Telecom Office Assistant (TOA for short) in Telecom Revenue Accounts, BSNL, Calicut, seeks promotion to the post of Senior TOA. He is aggrieved against the order (A4) of the Assistant General Manager Telecom, Calicut dated 8.3.2001, in as much as it has been held that he was not entitled for any type of promotion as per rules.

2.

2. When the matter came up for consideration for admission, Shri N.N.Sugunapalan learned counsel appeared for the applicant and Shri C.Rajendran, SCGSC took notice for the respondents. Shri C.Rajendran, learned SCGSC pointed out that the applicant belongs to the absorbed group 'C' category of the employees of BSNL and that therefore, unless there be a notification under Section 14(2) of the Administrative Tribunal's Act, this Tribunal could not exercise jurisdiction over the case.

3. On a consideration of the facts, we find that this Tribunal has no jurisdiction over this case. The applicant being a group 'C' employee, absorbed in the BSNL, a Corporate entity, cannot invoke jurisdiction of this Tribunal in the absence of a notification under Section 14(2) of Administrative Tribunal's Act. This matter has already been discussed and decided upon in great detail vide this Tribunal's order dated 15.5.2003 in O.A.492/02 and other connected O.As.

4. In the light of the above position, we decline to exercise jurisdiction. Application is therefore, rejected in limine under Section 19(3) of the Administrative Tribunals' Act, 1985, with liberty to the applicant to approach the appropriate forum for necessary relief.

Dated the 19th June, 2003.



K.V.SACHIDANANDAN
JUDICIAL MEMBER



T.N.T.NAYAR
ADMINISTRATIVE MEMBER