

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.132/03

Wednesday this the 15th day of October 2003

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T.NAYAR, ADMINISTRATIVE MEMBER

1. M.Sukumaran
S/o.P.C.M.Raja,
Chief Technical Supervisor,
Telephone Exchange, Ponnani.
2. N.Lakshamanan Nambiar
S/o.K.K.Nambiar,
Chief Technical Supervisor,
Telephone Exchange, Ponnani.
3. K.G.Janardhanan Pillai
S/o.late E.Achuthan Nair,
Chief Technical Supervisor,
Telephone Exchange, Haripad.

Applicants

(By Advocate Mr.M.R.Rajendran Nair)

Versus

1. Bharat Sanchar Nigam Limited,
represented by its General Manager,
Telecom, Kerala Circle,
Trivandrum.
2. Union of India, represented by
its Secretary to Government,
Ministry of Communications,
New Delhi.

Respondents

(By Advocate Mr.C.Rajendran,SCGSC)

This application having been heard on 15th October 2003
the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

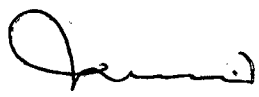
The applicants three in number are aggrieved that they are not being considered for promotion as Higher Grade Technicians with effect from 15.4.1976, the date on which their junior Shri.Jaya Prakash Narayanan was given the benefit and therefore they have filed this application for a declaration that he is entitled to be granted revised dates of promotion as Higher Grade

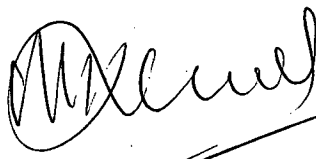
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Technician with effect from 15.4.1976 and for a direction to the respondents to revise the dates of promotion of applicants accordingly with the consequential benefits.

2. The respondents in the reply statement contended that the Tribunal has no jurisdiction to entertain this application as the Bharat Sanchar Nigam Limited (BSNL in short) is a corporation which has not been notified under the 14(2) of the ~~Central~~ Administrative Tribunal Act and the applicant are employees of the corporation with effect from 1.10.2000 and therefore this Tribunal cannot exercise jurisdiction in regard to the grievances of its employees. That the applicants are Group 'C' employees absorbed in the BSNL with effect from 1.10.2000 is not in dispute. The BSNL which is a corporation as is seen from R1 (1) ~~Since BSNL~~ has not been notified under 14(2) of the Central Administrative Tribunal Act, we are of the considered view that this Tribunal does not have the jurisdiction to entertain the ~~grievances~~ *grievances* of the employees of the corporation. Accordingly the application is rejected under section 19(3) of the Administrative Tribunals Act for want of jurisdiction. The applicants will be at liberty to seek appropriate relief before proper forum in accordance with law.

(Dated the 15th day of October 2003)


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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