

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Common Order in O.A.1044/01, 1057/01 and 2402.

Monday this the 19th day of April 2004.

CORAM:

HON'BLE MR.A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR.H.P.DAS, ADMINISTRATIVE MEMBER

O.A.1044/01:

G.Mohandas, SDE(Phones) External,
Ambalamuku, Thiruvananthapuram.

Applicant

(By Advocate Shri S.Radhakrishnan)

Vs.

1. Union of India represented by
the Secretary, Ministry of Health and
Family Welfare, (Department of Health),
Government of India, Nirman Bhavan,
New Delhi.
2. The Director, CGHS, Nirman Bhavan,
New Delhi.
3. The Joint Director,
Central Government Health Scheme,
3/45 Kesavadasapuram, Trivandrum-695 004.
4. The General Manager, BSNL, Telecom District,
Thiruvananthapuram.
5. The Accounts Officer (PC),
BSNL, Office of the GMTD,
Thiruvananthapuram.

Respondents

(By Advocate Smt.P.Vani, ACGSC)

O.A.1057/01:

K.P.Prathapachandran Nair, Sr.TOA (P),
O/o SDE(Spl.Svc),
Central Telephone Exchange,
Thiruvananthapuram-1.

Applicant

(By Advocate Shri S.Radhakrishnan)

Vs.

1. Union of India represented by
the Secretary, Ministry of Health and
Family Welfare, (Department of Health),
Government of India, Nirman Bhavan,
New Delhi.
2. The Director, CGHS, Nirman Bhavan,
New Delhi.

3. The Joint Director,
Central Government Health Scheme,
3/45 Kesavadasapuram, Trivandrum-695 004.
4. The General Manager, BSNL, Telecom District,
Thiruvananthapuram.
5. The Accounts Officer (PC),
BSNL, Office of the GMTD,
Thiruvananthapuram.

Respondents

(By Advocate Shri TC Krishna, ACGSC)

O.A.2/2002:

P.K.Kumaradas,
Sub Division Engineer,
Office of the Sub Division Engineer, Telecom,
Kanjiramkulam. Applicant

(By Advocate Mr.S.Radhakrishnan)

Vs.

1. Union of India represented by
the Secretary, Ministry of Health and
Family Welfare, (Department of Health),
Government of India, Nirman Bhavan,
New Delhi.
2. The Director of Health Services,
Directorate of Health Services,
Thiruvananthapuram.
3. The General Manager, BSNL, Telecom District,
Thiruvananthapuram.
4. The Accounts Officer (PC),
BSNL, Office of the GMTD,
Thiruvananthapuram.

Respondents

(By Advocate Shri TC Krishna, ACGSC)

The application having been heard on 19th April 2004,
the Tribunal on the same day delivered the following:

O R D E R

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

The common question that arises in all these cases is whether this Tribunal has jurisdiction to entertain an application in regard to the employees of the erstwhile Telecommunication Department absorbed in Bharat Sanchar Nigam Limited (BSNL for short) or not. The respondents have contended

that this Tribunal has no jurisdiction in view of the fact that BSNL has not been notified and being brought under the jurisdiction of the Tribunal. Learned counsel of the applicants taking note of this contention states that since the Tribunal has no jurisdiction, these applications may be rejected without prejudice to the right of the applicants to seek appropriate reliefs before the proper forum. Under these circumstances reserving applicants' right to seek appropriate reliefs before the proper forum these applications are rejected without any prejudice to the applicants' right. No costs.

Dated the 19th April 2004

Sd/-
H. P. DAS
ADMINISTRATIVE MEMBER

Sd/-
A. V. HARIDASAN
VICE CHAIRMAN

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