

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 411 of 2013

Friday, this the 29th day of January, 2016

CORAM:

**Hon'ble Mr. Justice N.K. Balakrishnan, Judicial Member
Hon'ble Mrs. P. Gopinath, Administrative Member**

1. Ramachandran P., aged 53 years, S/o. Kesavan Nambeesan, residing at Geethalayam, PO Mayanad, Calicut – 673 008, now working as Junior Telecom Officer (Officiating), Customer Service Centre, Telephone Exchange, Mananchira, Calicut – 673 001.
2. Bhuvanraj P., aged 53 years, S/o. Parameswaran, residing at SREE, Kara Link Road, Karaparamba, Calicut – 673 010, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Malaparamba, Calicut – 673 009.
3. C. Vijayakrishnan, aged 51 years, S/o. Ayyappankutty, residing at Vandananam, PO Parappanangadi, Malappuram District – 676 303, now working as Junior Telecom Officer (Officiating), BSS Mobile Services, Tirur, Malappuram District.
4. Vinodkumar M.S., aged 53 years, residing at Madathil House, Kannur Road, West Nadakkavu, Calicut – 673 011, now working as Junior Telecom Officer (Officiating), Office of Sub Divisional Engineer (SDE), A/T Inspection Circle, Telecom Bhavan, Vellayil, Calicut – 673 032.
5. Jayan B., aged 48 years, S/o. T.G. Balakrishna Pillai, 3-D Asset City Bay, Chathari, Tripunithura – 682 301, now working as Junior Telecom Officer (Officiating), Groups, Telephone Exchange, Nedumkandam – 685 553.
6. Soman C.V., aged 52 years, S/o. Narayanan Adigal C.P., residing at Sreelakshmi, Narukara, Manjeri, Malappuram District, now working as Junior Telecom Officer (Officiating), Office of the Divisional Engineer, Transmission, Malappuram.
7. Benny P. Varghese, aged 49 years, S/o. P.P. Varghese, residing at Peringattu House, Mulanthuruthy PO, Ernakulam District, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Maneed, Ernakulam District.
8. K. Venugopalan, aged 49 years, S/o. K. Sankaran, residing at

Areekat House, PO Manjeri, Malappuram District – 676 121, now working at Junior Telecom Officer (Officiating), Broadband, Officer of the Divisional Engineer, (Broad band), OCB Telephone Exchange Building, Manjeri, Malappuam District.

9. T. Abdul Basheer, aged 52 years, S/o. T. Ali Kutty, residing at Thottathil House, Telephone Exchange Road, PO Parappanangadi, Malappuram District – 676 303, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Kunnumpuram, Malappuram District.
10. Mammadisa Kutty M.K., aged 53 years, S/o. Mohammed M.P., residing at Pannikuzhiyil House, PO Omanoor, Malappuram District- 673 645, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Edavannapara PO, Cheruvayoor – 673 645, Malappuram District.
11. Remadevi C.V., aged 50 years, D/o. Govindan Kutty Nair C.V., residing at Sisira Palace Road, PO Mankave, Calicut – 673 007, now working as Junior Telecom Officer (Officiating), Bharat Sanchar Nigam Limited, Telephone Exchange, Mankave, Calicut – 673 007.
12. Sunitha T.V., aged 50 years, D/o. Damodaran Nair, residing at Kitchu Nivas, Rockvalley Housing Colony, Kolagappara PO, Wayanad District – 673 592, now working as Junior Telecom Officer (Officiating), Office of the Sub Divisional Engineer (Internal), Bharat Sanchar Nigam Limited, Sulthan Bathery, Wayanad District.
13. K.K. Sasidharan, aged 55 years, S/o. K.G. Kuttappan, residing at Kaithamattathu House, Thorarinmala PO, Manivayal, Sulthan Bathery, Wayanad District, now working as Junior Telecom Officer (Officiating), Bharat Sanchar Nigam Limited, Telephone Exchange, Ambalavayal, Wayanad District.
14. Sureshan M.P., aged 55 years, S/o. Choyikkutty, residing at Neelambari, Manjakkad, Ring Road, Shoranur, Palakkad District - 679 121, now working as Junior Telecom Officer (Officiating), Office of the Sub Divisional Office, OFC-1, Tirur, Bharat Sanchar Nigam Limited, Malappuram District.
15. Sudheevan E., aged 53 years, S/o. Sankaran, residing at Vysakh Nivas, Puthur PO, Vatakara, Kozhikode – 673 104, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Villiappally, Vatakara Sub Division, Kozhikode District.
16. E.P. Viswanathan, aged 54 years, S/o. P. Appu Nair, residing at Sopanam, PO Makkada, via Kakkodi, Calicut District – 673 611,

now working at Junior Telecom Officer (Officiating), Office of the Sub Divisional Office, Transmission Maintenance, Tele Bhavan, Vallayil PO, Calicut Beach – 673 032.

17. Dasan P.P., aged 42 years, S/o. Velayudhan P.P., residing at Padinhare Purakkal House, PO Chullippara, via Valakkulam, Malappuram District, now working as Junior Telecom Officer (Officiating), Office of the Sub Divisional Engineer, Installation, OCB Telephone Exchange, Tirur, Malappuram District.
18. P. Vineeth, aged 50 years, S/o. K.P. Raghavan, residing at 5/2394-A, Opp. Koniyl Temple, Asokapuram, Calicut – 673 001, now working as Junior Telecom Officer (Officiating), Office of the Sub Divisional Engineer, Transmission (Internal), Bharat Sanchar Nigam Limited, Vellayil, Calicut.
19. Shylaja P., aged 54 years, D/o. Appu P., residing at Arappil House, 32/2489-A, Kottamparamba, Calicut – 673 008, now working at Junior Telecom Officer (Officiating), Kuruvattoor Telephone Exchange, Calicut – 673 017.
20. V. Parameswaran Nair, aged 49 years, S/o. P. Vasudevan Nair, residing at Abheda Sree, Nadoorkolla, Amaravila, Amaravila PO, Thiruvananthapuram District, Pin – 695 122, now working as Junior Telecom Officer (Officiating), (A&MM), Office of General Manager, Mobile Services, RTTC Campus, Kaimanam, Kiamanam PO, Thiruvananthapuram – 40.
21. N. Sureshkumar, aged 48 yeears, S/o. V. Narayanan, residing at T.C. 8/559(4), Rainbow, Odankuzhy, Thirumala, Thiruvananthapuram – 695 006, now working as Junior Telecom Officer (Officiating), E-10-B, Repair Centre, RRC, 4th Floor, Telecom Bhavan, Medical College, Thiruvananthapuram – 11.
22. V. Sasikumar, aged 53 years, S/o. P. Vasu Pillai, residing at Sreyas, Chandanathoppu PO, Kollam – 14, now working at Junior Telecom Officer (Officiating), Office of the Sub Divisional Engineer P., Central, Vazhuthacaud, Thiruvananthapuram – 14.
23. J. Sajan, aged 48 years, S/o. Janárdhanan Pillai, residing at Uthradam, T.C. 11/764(2), Mosque Lane, Kesavadasapuram, Pattom PO, Thiruvananthapuram – 695 004, now working as Junior Telecom Officer (Officiating), (BSS), Office of Divisional Engineer, BSS, Mobile Services, RTTC Campus, Kaimanam, Kaimanam PO, Thiruvananthapuram – 695 040.
24. John Thomas, aged 52 years, S/o. C.J. Thomas, residing at 32/56-A, Naroth Road, Thammanam PO, Cochin – 682 032, now working as Junior Telecom Officer (Officiating), Brad Band,

Telephone Exchange, Boat Jetty, Ernakulam.

25. Mary P.P., aged 48 years, D/o. P.V. Poulose, residing at Theruviparambil House, Boat Jetty Road, Vaduthala PO, Kochi – 23, Now working as Junior Telecom Officer (Officiating), National Internet Backbone), Office of Divisional Engineer (Broadband and Information Technology), Telephone Exchange Building, Boat Jetty, Ernakulam.
26. John Mathew, aged 51 years, S/o. K.G. Mathai, residing at Kuzhuppillil House, Paingotoor PO, Muvattupuzha, Ernakulam District – 686 671, now working as Junior Telecom Officer (Officiating), (Group D), Telephone Exchange, Kaloor, Thodupuzha.
27. Shaju M. Paul, aged 50 years, S/o. Paulose, residing at Manayathu House, Pazhamthottam PO, Kumarapuram via, Ernakulam – 683 565, now working as Junior Telecom Officer (Officiating), Office of Sub Divisional Engineer WCL BTS, Boat Jetty, Ernakulam.
28. Ajithan K.R., aged 51 years, S/o. Ramakrishnan K.K., residing at Kaniyath House, PO Panangad, via Kodungallur, Thrissur District - 680 665, now working as Junior Telecom Officer (Officiating), Office of Sub Divisional Engineer (External), Telephone Exchange, Irinjalakuda, Thrissur District.
29. K.A. Jesson, aged 42 years, S/o. K.L. Anthony, residing at Kannampuzha House, Chemmunda, Karalam PO, Thrissur District, Now working as Junior Telecom Officer (Officiating), Telephone Exchange, Moorkanad, Thrissur District.
30. C.V. Mohanan, aged 53 years, S/o. C.L. Varunny, residing at Chemmunda House, Marathakara, Thrissur District, now working as Junior Telecom Officer (Officiating), Telephone Exchange, BSNL, Varandarappilly, Thrissur District.
31. Saleena M.S., aged 52 years, D/o. M.K. Subramanian, residing at Piramadathottathil House, North of GHSS, Perumbavoor PO, Ernakulam District, now working as Junior Telecom Officer (Officiating), Telephone Exchange, BSNL, Koovappady, Ernakulam District.
32. Zaina George, aged 49 years, D/o. P.T. George, residing at Thazhathekudy House, Pulluvazhi PO, Perumbavoor, Ernakulam District, now working at Junior Telecom Officer (Officiating), Office of C-DOT Exchange, BSNL, Perumbavoor, Ernakulam District.
33. Sarasu C.N., aged 49 years, D/o. Narayanan C.I., residing at Kavanakudiyil House, Vadayampady PO, Ernakulam District - 682 308, now working as Junior Telecom Officer (Officiating),

(External East), Office of the Sub Divisional Engineer (External), Perumbavoor, Ernakulam District.

34. Lilly E.D., aged 49 years, D/o. Devassy, residing at Kodiyattil House, 2/132, North Parur, Ernakulam District, now working at Junior Telecom Officer (Officiating), Telephone Exchange, Puthenvelikkara, Ernakulam District.
35. Baby C.K., aged 49 years, D/o. Kuriakose C.C., residing at Chakkiattil, Varikoly PO, Puthencruz via, Ernakulam District - 682 308, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Ayyappankavu, K.C. Avenue Building, Jacob Vallanattu Road, Ernakulam North, Ernakulam Dt.
36. Usha Paul, aged 51 years, D/o. T.T. Paulose, residing at Madathikudiyil House, Njaralloor, Kizhakkambalam, Ernakulam District, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Pattimattom, Ernakulam District.
37. Sathi K.V., aged 52 years, D/o. K.K. Vasu, residing at Ayanattu House, Kinginimattom PO, Kolanchery, now working as Junior Telecom Officer (Officiating), Telephone Exchange, BSNL, Kolenchery.
38. Rema B., aged 48 years, D/o. P. Narayana Pillai, residing at Ashokalayam, Kothakulangara, Angamaly, Ernakulam District, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Mookkannoor, Office of Sub Divisional Engineer, Angamaly, Ernakulam District.
39. Lalitha A.V., aged 53 years, D/o. A.S. Viswanatha Iyer, residing at Gurukripa, Puthenpura Road, Changannpuzha Nagar PO, Ernakulam District – 682 033, now working as Junior Telecom Officer (Officiating), CSC, Office of Sub Divisional Engineer (Internal), Telephone Exchange, Kalamassery, Ernakulam District.
40. Mohanan P.V., aged 53 years, S/o. K.C. Namboodiri, residing at Panangattukara Warriam, PO Panangattukara, via Wadakanchery, Thrissur District, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Thalassery, Arangottukara, Thrissur District.
41. Sasikala A.G., aged 53 years, D/o. A.N. Gangadharan Pillai, residing at Sree Sailam, Ponjassery PO, Perumbavoor, Ernakulam District, now working as Junior Telecom Officer (Officiating), Telecom Exchange, Kottappady, Ernakulam District.
42. Augusty M.P., aged 53 years, S/o. Poulose M.V., residing at Mazuvancherry House, Manjapra PO, Ernakulam District -

683 581, now working as Junior Telecom Officer (Officiating), BSNL, Telephone Exchange, Anappara, Anappara PO, Ernakulam District – 683 581.

- 43. M.K. Chandrasekharan, aged 55 years, S/o. M.C. Krishnan, residing at Mangalassery House, Vettekkal, Pattanakkad, Cherthala, Alappuzha District – 688 587, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Chellanam, Office of Sub Divisional Engineer (Groups), Kumbalangi, Ernakulam District.
- 44. T.G. Sasidharan, Nair, aged 57 years, S/o. Govindan Nair, residing at Sobhanam, Mana-Lane, Thottakkattukara, Aluva, Ernakulam District, now working as Junior Telecom Officer (Officiating), AXE Exchange, Telephone Exchange, Aluva, Ernakulam District.
- 45. N.M. Suresh, aged 53 years, S/o. P.C. Madhavan, residing at Surya, Nochur Village, Koduvayur PO, Palakkad – 678 501, now working as Junior Telecom Officer (officiating), Telephone Exchange, Kozhinjampara, Palakkad, Pin – 678 555.
- 46. C. Surendran, aged 51 years, S/o. P. Sankaran Nair, residing at Gayathri Nagar, Pullode PO, Palakkad, now working as Junior Telecom Officer (Officiating), Telephone Exchange, Alathur, Palakkad. **Applicants**

(By Advocate : Mr. M.P. Krishnan Nair)

V e r s u s

- 1. Union of India, rep. by Secretary, Department of Communications, New Delhi – 110 001.
- 2. The Director General, Telecommunications, Sanchar Bhavan, New Delhi – 110 001.
- 3. Bharat Sanchar Nigam Limited, Bharat Sanchar Bhavan, Harichandra Madhur Lane, Janapath, New Delhi – 110 001, rep. by its Chairman and Managing Director.
- 4. The Chief General Manager, Bharat Sanchar Nigam Ltd., Kerala Circle, Thiruvananthapuram – 695 001. **Respondents**

[By Advocates : Mr. N. Anilkumar, Sr. PCGC ® (R1&2) & Mr. George Kuruvilla (R3-4)]

This application having been heard on 29.1.2016, the Tribunal on the same day delivered the following:

ORDER

Hon'ble Mr. Justice N.K. Balakrishnan, Judicial Member -

Heard the learned counsel for the parties.

2. Counsel for the respondents Mr. George Kuruvilla has filed a statement on 5th January, 2016 in OA No. 378 of 2013 stating as under:

“2. It is submitted that the Board of Directors of BSNL in its 165th meeting held on 18/9/15 has approved the proposal for revision of Recruitment Rules for Junior Telecom Officer and accordingly JTO Recruitment Rules 2014 has been issued, wherein provision has been made for regularization of screening test qualified and phase-I trained Officiating JTOs, by method of absorption under the 50% internal (departmental) quota. A true copy of the Junior Telecom Officer Recruitment Rules, 2014 dated 14.10.2015 along with the communication in that regard dated 15/10/15 issued by the BSNL Corporate Office is produced and marked as Annexure R1(f). As per Annexure R1(f) all the officiating JTOs as on date of issue of Recruitment Rules of JTO-Telecom, 2014 like the applicants who qualified in the JTO Screening test conducted in the year 2000 and successfully completed the phase-I training are entitled to be regularized, as per the scheme and method stated therein.

3. It is also submitted that Smt. Ambikadevi, the 64th applicant in OA 561/13 who had already been reverted to her substantive post of TTA as per the request of the official w.e.f. 20/3/15 is not covered by the above JTO RR 2014. Further 14 other applicants who have either retired/expired/regularized are also not covered by the above 2014 Recruitment Rules. A copy of the list of such Applicants who are not covered by the JTO Recruitment Rules, 2014 is produced herewith and marked as Annexure R1(g). All the remaining Applicants in the aforementioned OAs are covered by JTO RR 2014 and they will be regularized as per the relevant rules on the subject.”

3. Learned counsel for the applicants submitted that in the light of the statements made by the respondents quoted above in OA No. 378 of 2013, this Original Application can be closed without prejudice to the residual

claims and other contentions which may be available to the applicants. This submission is recorded.

4. Original Application is accordingly closed. No order as to costs.


(MRS. P. GOPINATH)
ADMINISTRATIVE MEMBER


(N.K. BALAKRISHNAN)
JUDICIAL MEMBER

“SA”