

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

Jaipur, the 24th day of February, 2005

ORIGINAL APPLICATION NO.70/2001

CORAM :

HON'BLE MR.V.K.MAJOTRA, VICE CHAIRMAN (A)
HON'BLE MR.M.L.CHAUHAN, MEMBER (J)

G.P.Meena,
SDE (Trunks),
O/o GMTD, Alwar.

By Advocate : Shri Rajendra Soni

... Applicant

Versus

1. Union of India
Through Secretary,
Ministry of Communication,
Sanchar Bhawan,
New Delhi.
2. Member (Services),
Telecom Commission,
Ministry of Communications,
Department of Telecommunications,
Sanchar Bhawan,
New Delhi.
3. Chief General Manager,
Telecommunications,
Rajasthan Circle,
Jaipur.
4. Asstt. Director General (VM-IV),
Department of Telecommunications,
West Block-I, Wing-II, Ground Floor,
R.K.Puram,
New Delhi.

By Advocate : Shri Rajiv Bhatia, proxy counsel
For Shri Neeraj Batra

... Respondents

ORDER (ORAL)

Heard the learned counsel for the
applicant. The learned counsel for the



applicant stated that in the present matter the controversy has arisen prior to absorption of the applicant in BSNL i.e. prior to 1.10.2002 and as such this Tribunal will have jurisdiction over the matter. He maintained that such eventuality is not covered by the decision dated 24.3.2004 of the Full Bench, Jaipur, in OA Nos.401 to 408/2002, (B.N.Sharma etc etc V/s. Union of India and others).

2. Admittedly, the applicant has been absorbed in BSNL on 1.10.2002. In Full Bench decision, referred to above, following question had been ~~called~~ *posed for consideration* : h

"1. Whether the Tribunal has jurisdiction on all service matter in respect of service matters of Central government employees who are on deemed deputation to BSNL or only in respect of cause of action relating to their parent department e.g. disciplinary proceedings, retiral benefits, promotions, in their department etc and not for the cause of action wholly arisen from BSNL e.g. transfer, promotion etc by BSNL.


2. Whether the Tribunal has jurisdiction on all service matter in respect of service matter of Central government employees, the cause of action for which related to a period prior to the absorption of such employees in BSNL."


In answer to it, it was held;

"22. Resultantly, we answer the controversy, as already referred to above, holding that in cases in which the employees had been observed permanently with the BSNL, the Central Administrative Tribunal has no jurisdiction to adjudicate upon their service matters till a notification under sub-section (2) to Section-14 is issued."

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3. The issue raked up in these proceedings has been answered by the Full Bench. As the applicant has been absorbed w.e.f. 1.10.2002 in BSNL, this Tribunal shall not have any jurisdiction over the matter. As such, the OA is dismissed for want of jurisdiction. The Registry is directed to return the Paper Book to the learned counsel for the applicant by retaining one copy of the same.


(ML Chaudhary)
Member (A)


(V.K. Majotra)
Vice Chairman

24.2.05