

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

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Bited by Mr. K. K. Das A.A.V.

Bom
15/07/2015
SECTION OFFICER (JUDL.)

✓ 8.7.2015

FORM NO. 4

[see Rule II (b)]

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

1. Original Application No. 56 / 2009

2. Mise Petition No. /

3. Contempt Petition No. /

4. Review Application No. /

Applicant(S) Sp. A. Lok Kar & ors.

-VS-

Respondent(S) 22. O. T. & ors.

Advocate for the applicant(S) Mr. N. Dhar, Mr. B. Chakraborty,
Mr. B. Malakar & Miss R. Kakati

Advocate for the respondent(S) Standing Counsel, BSNL.

Notes of the Registry	Date	Order of the Tribunal
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31.03.2009

Heard Mr N. Dhar, learned counsel appearing for the Applicant, Mr G. Baishya, learned Sr. Standing counsel for Govt. of India (to whom a copy of this Original Application has already been supplied) and Mr B.C. Pathak, learned counsel representing BSNL (on whom a copy of this Original Application has already been served) and perused the materials placed on record.

For the reasons recorded separately, this Original Application stands disposed of with observation and directions.


(M.R. Mohanty)
Vice-Chairman

25.3.2009
6 copies of Application
with envelope received
for issue notice to the
Respondents. Extra charge
for excess respondents No.
6 deposited with Receipt
No. 57.
A copy of the Application
served upon the Standing
Counsel for BSNL. pg

4/5/09
Received copy of
order dt. 31.3.09
Ranu Shrikhande
Del. vocal
21/4/09
Recd. 6/4/09

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

O.A. No.56/2009

MP No.28/2009

31th day of March 2009

Shri Alok Kar & others

Applicants

By Advocate Mr. N.Dhar

Versus

The UOI & others

Respondents

By Advocates Mr. G.Baishya, Senior C.G.S.C.

Mr. B.C.Pathak for BSNL

CORAM: The Hon'ble Mr. Manoranjan Mohanty, Vice-Chairman

1. Whether reporters of local newspapers may be allowed to see the Judgment?
2. Whether to be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgment ?

Yes/No ✓

Yes/No ✓

Yes/No ✓

Vice-Chairman

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI**

**O.A.No. 56/2009
M.P.No.28/2009**

31st day of March 2009

Present: The Hon'ble Shri Manoranjan Mohanty, Vice-Chairman

1. **Shri Alok Kar,**
Son of late Atul Chandra Kar,
House No.15 A1, Shankar Nagar,
Adagudam, PO Guwahati-34,
District Kamrup, Assam
2. **Shri Mohon Chandra Modak,**
Son of late Sudarshan Modak,
Triveni Complex, Flat No.100/D,
Adabari Tinali, PO Guwahati-12,
District Kamrup, Assam
3. **Shri Debobrata Das,**
Son of late Debendra Kumar Das,
House No. 15 A1, Shankar Nagar,
Udayan Compex, Das Colony,
Post Office Silchar-5,
District Cachar, Assam
4. **Shri Maheswar Bhuyan,**
Son of late Bhugi Ram Bhuyan,
Barahalia, PO Tezpur
District Sonitpur, Assam.

Applicants

By Advocate Mr. N. Dhar

Versus

1. **The Union of India,**
represented by the Secretary to the Govt. of India,
Ministry of Communications,
New Delhi-1.
2. **The Under Secretary to the Govt. of India,**
Department of Telecommunications,
Ministry of Communications,
New Delhi-1.
3. **Bharat Sanchar Nigam Limited,**
represented by the Chairman-cum-
Managing Director,
Bharat Sanchar Nigam Limited,
Bharat Sanchar Bhawan,
Janpath, New Delhi-1.



4. The Director [HRD],
 Bharat Sanchar Nigam Limited,
 Bharat Sanchar Bhawan, Janpath, New Delhi-1

5. The Assistant General Manager [DPC],
 Bharat Sanchar Nigam Limited,
 Bharat Sanchar Bhawan, Janpath, New Delhi-1

6. The Chief General Manager,
 Bharat Sanchar Nigam Limited,
 Assam Telecom Circle, Panbazar,
 PO Guwahati-1,
 District Kamrup, Assam.

Respondents

By Advocates Mr. G. Baishya, Senior C.G.S.C.
 Mr. B.C. Pathak for BSNL

O.A.No.56/2009
M.P.No.28/2009
ORDER[ORAL]
 31/03/009

Manoranjan Mohanty, Vice-Chairman:-

Heard Mr. N.Dhar, learned Counsel appearing for the Applicants; Mr.G.Bashya, learned Senior Standing Counsel for the Govt. of India [to whom a copy of this Original Application has been supplied] and Mr. B.C. Pathak, learned Counsel who has filed a Vakalatnama for BSNL [on whom a copy of this O.A. has also been served] and perused the materials placed on record.

2. Applicants, who are claiming to be members of Group-B of Telecom Engineering Service, being aggrieved by change of their position in the gradation/seniority list have represented to their authorities under Annexure-9 Series all dated 16.02.2009 and immediately thereafter approached the Hon'ble Guwahati High Court in W.P.[C] No.985 of 2009; which was closed on 09.03.2009 with liberty to them [Applicants] to approach this Tribunal. Thereafter [on 25.03.2009] they have approached this Tribunal with the present Original Application filed under Section 19 of the Administrative Tribunals Act, 1985; wherein they have prayed as under:-

"[A] To pass an order directing the respondent authorities to revise the seniority of the applicants in the cadre post of the T.E.S.[Group-B] Officers on the basis of the year of their passing in the qualifying departmental examination held in

the year 1985 for appointment/promotion to the said post; and/or,

[B] To pass an order directing the respondent authorities to provide for promotion of the applicants to the post of the S.T.S.[D.E.] in the department on the basis of the revised seniority of the applicants in the cadre post of the T.E.S. [Group-B] Officers and with retrospective effect from the date when their juniors were promoted in the post of the S.T.S.[D.E.] in the department and with all other service benefits available to the applicants in accordance with the law; and/or,

[C] To pass such further and other orders as your Lordships may deem fit and proper under the facts and circumstances of the case in the interest of justice.

AND

Pending disposal of the instant application the respondent authorities may kindly be directed not to give any promotion to the posts of the S.T.S.[D.E.] Officers in pursuance to the letter dated 6.2.2009 [Annexure-7A], since modified vide letter dated [Annexure-7B], till the seniority of the petitioners in the cadre post of the T.E.S.[Group] Officers in the department are revised.”

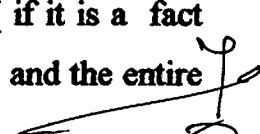
3. At the outset it is noted that this Original Application has not been filed in proper form prescribed under the Central Administrative Tribunal [Procedure] Rules, 1987. The Applicants, however, have filed a petition [Regd. as M.P.No.28/2009] seeking permission [under Rule 4[5][a] of the C.A.T.[Procedure] Rules, 1987] to prosecute this case jointly.

4. It is stated by the learned Counsel appearing for the Applicants [a] that under the Guidelines dated 27.05.1994 of govt. of India, the Applicants, on passing in the Departmental Examination, were to be considered for promotion; [b] that all the Applicants passed in the Departmental Examination held in the year 1985; [c] that a seniority list, on the basis of the year of passing in the Departmental Examination, was drawn on 15.11.2004; [d] that by a communication dated 30.03.2007, the Govt. of India intimated [the authorities of BSNL & MTNL] that the effect of the order dated 28.09.2006 of the Hon'ble

Supreme Court of India rendered in I.A.No.16 in C.A. No.4339 of 1995 would only be admissible to those who were parties before the Apex Court; [e] that the seniority list was revised on 19.05.2008 and, again, on 21.05.2008; [f] that Applicant No.2 submitted a representation on 10.09.2008; [g] that on the basis of the revised seniority list, the case of the juniors [who passed in the Departmental Examination, only in the year 1988] of the Applicants have been taken up for consideration for promotion to S.T.S.[D.E.] cadre/posts vide a communication dated 06.02.2009/10.02.2009; [h] that, in the said premises, the Applicants, individually, represented to their authorities [in BSNL] on 16.02.2009 and [i] that, in order to protect their own interests, the Applicants approached [initially the Hon'ble Guwahati High Court] this Tribunal without any waste of time.

5. Learned Counsel, appearing for the Applicants, proceeded to point out that the names of the present Applicants were placed at Sl.Nos. 14474, 14676, 14695 & 14738 respectively, in the pre-revised seniority list and that [without revising their Sl. Nos.] in the revised seniority list, the names of their juniors [whose names were placed below the names of the Applicants in the pre-revised seniority list] have been placed above the names of the Applicants in the revised gradation list and it has been pointedly stated by the learned Counsel appearing for the Applicants that even no opportunities were given to the Applicants [to have their say in the matter] before changing the position of their juniors [in the revised seniority list] to their [Applicants] prejudice and that, thus, there were gross violation of the principles of natural justice in drawal of the revised seniority list.

6. Since it is the positive case of the Applicants that their positions in the revised gradation list has been changed [to their prejudice] in gross violation of the principles of natural justice and that their representations [dated 16.02.2009] are still pending with the authorities and since it is also the case of the Applicants that the process of giving consideration in the matter of promotion to S.T.S.[D.E.] has not yet reached its finality, this matter is hereby remitted to the authorities/Respondents, without any waste of time, with direction [to the Respondents] [1] to consider the representations dated 16.02.2009 of the Applicants and pass orders thereon as expeditiously as possible and pass orders under intimation to the Applicants and [2], at the same time, they ^{should} consider the case of the Applicants for promotion to S.T.S.[D.E.] cadre/posts [if it is a fact that they have passed the Departmental Examinations during 1985] and the entire



result of the said consideration be kept in sealed cover till disposal of their representations by the competent authorities/Respondents.

7. With the above observations and directions, this case is disposed of.
8. Send copies of this order to the Applicants and the Respondents [along with copies of this O.A.] and free copies of this order be also supplied to the Counsel for both parties.

Manoranj
31/03/09

[Manoranjan Mohanty]
Vice-Chairman

cm

District:- Kamrup

1. Alok Kaur
2. Mehamchandea Modak
3. Dabobrata Das
4. Maheswar Bhuyan

Filed by the applicant
through
Sekhar Chakraborty
Advocate.

24/3/09

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :: GUWAHATI

An application Under Section 19 of the Central administrative

Tribunal Act, 1985

Original Application No. of 2009

SYNOPSIS

In the instant case the respondent authorities vide order dated 21.5.2008 (Annexure-6) have revised the seniority of the T.E.S.(Group-B) Officers on the basis of the year of their passing in the qualifying departmental examination in pursuance of the principles laid down in the judgment and order dated 28.9.2006 (Annexure-3) passed by the Hon'ble Supreme Court of India and by letter dated 6.2.2009 (Annexure-8) called for the A.C.R. of the T.E.S (Group-B) Officers who passed in the qualifying departmental examination during the year 1988 for appointment of the said cadre post of the T.E.S (Group-B) Officers for consideration of promotion in the higher posts in the department, but without revising the seniority and considering the case promotion of the applicants working in the Cadre post the T.E.S (Group-B) Officers in the department on the same principles although, the applicants had passed in the departmental qualifying examination earlier during the year 1985 for appointment to the cadre post of the T.E.S (Group-B) Officers in the department as mentioned in the seniority list of the T.E.S (Group-B) Officers dated 15.11.2004 (Annexure-2), which is resulting in denial of justice to the applicants.

Sekhar Chakraborty
(Sekhar Chakraborty)
Advocate.

25 MAR 2009

গুৱাহাটী ন্যায়পাঠ
Guwahati Bench

1. Alok Karz
2. Mohanchandra Naskar
3. Debabrata Das
4. Mohanwar Bhuyan

LIST OF DATES

27.5.1994:- The Director (Staff-II), Department of Telecommunications, Govt. of India, promoted the applicants to the cadre posts of the T.E.S (Group-B) officers on their qualifying in the departmental examination in the year 1985 for promotion to the said cadre post. (Annexure-1, Page 15)

15.11.2004:- The Deputy Director General (Establishment), Department of Telecommunications, Govt. of India, published the seniority list of the applicants on the basis of the year of their passing in the qualifying departmental examination for promotion to the said cadre post of the T.E.S (Group-B) Officers vis-à-vis their initial recruitment year in feeder post in the department. (Annexure-2, Page 20)

28.9.2006:- The Hon'ble Supreme Court of India passed judgment and order in L.A. No. 16 in Civil Appeal No. 4339 of 1995 (Union of India -Versus- Madras SC and ST Social Welfare Association) was pleased to hold that those who qualified in the departmental examination earlier were entitled to be promoted to the higher posts prior to those qualified later irrespective the year of their initial recruitment in the department. (Annexure- 3, Page 29)

28.9.2000:- The Under Secretary to the Govt. of India, Department of Telecommunications, issued a letter stating that the benefits of the aforesaid judgment and order dated 28.9.2006 passed by the Hon'ble Supreme court of India would be admissible to the applicants who were party in aforesaid appeal before the Hon'ble Supreme Court. (Annexure- 4, Page 41)

19.5.2008:- The Under Secretary to the Govt. of India, Department of Telecommunications, revised seniority of T.E.S.(Group-B) Officers in pursuance of the aforesaid judgment and order dated 28.9.2006 passed by the Hon'ble Supreme Court although they were not parties in the aforesaid appeal before the Hon'ble Supreme Court of India. (Annexure- 5, Page 42)

25 MAR 2009

गुवाहाटी न्यायालय
Guwahati Bench

-page 2.-

1. Alok K. Das
2. Mahendra Naskar
3. Dabobrata Das
4. Mahender Bhuyan

13

21.5.2008:- The Under Secretary to the Govt. of India, Department of Telecommunications, also revised the seniority of the T.E.S. (Group-B) Officers on the basis of their qualifying year in the departmental examination for promotion to the said posts in accordance with the principles laid down in the aforesaid judgment and order dated 28.9.2006 passed by the Hon'ble Supreme Court. (Annexure- 6, Page 46)

10.9.2008 :- The Applicant No. 2 submitted a representation before the Secretary to the Govt. of India, Telecommunications Department, praying, interalia, to revise his seniority in the posts of the T.E.S (Group-B) Officers on the basis of the year of his passing in the qualifying departmental examination in accordance with the law, but it was without any result till to date. (Annexure- 7, Page 48)

6.2.2009 :- The Assistant General Manager (DPC), Bharat Sanchar Nigam Limited, revised the seniority of the T.E.S Service (Group-B) Officers on the basis of the year of their passing in the qualifying departmental examination who are below the petitioners in the seniority list and passed the departmental examination later on and called for their A.C.R. for consideration of their promotion to the posts of the STS (D.E.) in pursuance of the judgment and order passed by the Hon'ble Supreme Court. (Annexure- 8, Page 50)

16.2.2009:- The Applicants submitted their representations dated 16.2.2009 before the Director (H.R.D), Bharat Sanchar Nigam Limited, to revise their seniority in the cadre posts of T.E.S (Group-B) Officers on the basis of the year of their passing in the qualifying departmental examination for promotion to the said cadre post, but it was also without any result till to date. (Annexure- 9, Page 56)

Sekhar Chakraborty
(Sekhar Chakraborty)
Advocate.

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal

25 MAR 2009

गुवाहाटी न्यायालय
Guwahati Bench

1. Alok Kar
2. Mohan Chandra Modak
3. Debobrata Das
4. Mohendar Bhuyan.

District:- Kamrup

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :: GUWAHATI

An application Under Section 19 of the Central administrative
Tribunal Act, 1985

Original Application No. 56 of 2009

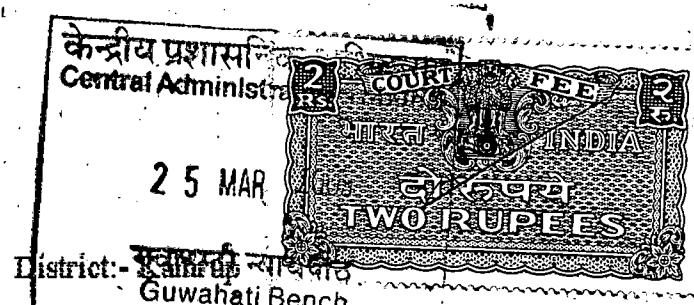
Shri Alok Kar and others	-----	Applicants
-Versus-		
Union of India and others	-----	Respondents.

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Filed by

Sekhar Chakraborty
(Sekhar Chakraborty)



District: - কামৰূপ নগর বিধানসভা
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :: GUWAHATI

(An application Under Section 19 of the Central administrative
Tribunal Act, 1985)

Original Application No. 56 of 2009

1. Particulars of the applicants:-

1. Shri Alek Kar,
Son of late Atul Chandra Kar,
House No. 15 A1, Shankar Nagar,
Adagudam, P.O. Guwahati- 34,
District Kamrup, Assam.
2. Shri Mohon Chandra Modak,
Son of late Sudarshan Modak,
Triveni Complex, Flat No. 100/D,
Adabari Tinali, P.O. Guwahati-12,
District Kamrup, Assam.
3. Shri Debobrata Das,
Son of late Debendra Kumar Das,
House No. 15 A1, Shankar Nagar,
Udayan Complex, Das Colony,
Post Office Silchar-5,
District Cachar, Assam.
4. Shri Maheswar Bhuyan,
Son of late Bhugi Ram Bhuyan,
Barahalia, P.O. Tezpur, P.N. - 3
District Sonitpur, Assam.

APPLICANTS.

2. Particulars of the:-

1. Union of India,
Respondents (Represented by the Secretary to the Govt. of India,
Ministry of Communications, New Delhi-1)

2. The Under Secretary to the Govt. of India,
Department of Telecommunications,
Ministry of Communications, New Delhi-1.

State of
Assam

Filed by the applicant - Prasenjeet Bhuyan
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गुवाहाटी न्यायालय
Guwahati Bench

1. Alok Kishore
2. Mahan Chandra Mohan
3. Debenita Das
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4. Maheswar Bhuyan

3. Bharat Sanchar Nigam Limited,

(Represented by the Chairman-Cum-Managing

Director, Bharat Sanchar Nigam Limited,

Bharat Sanchar Bhawan, Janpath, New Delhi-1

4. The Director (HRD),

Bharat Sanchar Nigam Limited,

Bharat Sanchar Bhawan, Janpath, New Delhi-1

5. The Assistant General Manager (DPC),

Bharat Sanchar Nigam Limited,

Bharat Sanchar Bhawan, Janpath, New Delhi-1

6. The Chief General Manager,

Bharat Sanchar Nigam Limited,

Assam Telecom Circle, Panbazar,

P.O. Guwahati-1, District Kamrup, Assam.

----- RESPONDENTS.

3. Particulars of the order against which this application is made

This application is made against the order issued vide letter 6.2.2009 (Annexure-7A) modified by letter dated 10.2.2009 (Annexure-7B) issued by the respondent authority calling for the A.C.R of the T.E.S (Group-B) Officers for considering of their promotion without revising the seniority and considering promotion of the petitioners who are seniors in service in the cadre post of the T.E.S (Group-B) Officers in the department as per the principles laid down by the Hon'ble Supreme Court of India.

4. Limitation -

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4. Limitation:-

The applicant declares that the application is made within the prescribed period of limitation.

5. Jurisdiction:-

The applicant further declares that the cause of action for the present application arose within the jurisdiction of this Hon'ble Tribunal and in view of the order dated 9.3.2009 passed by the Hon'ble Gauhati High Court in Writ Petition (C) No. 985 of 2009 (Alok Kar and others-Versus-Union of India and others)

6. FACTS OF THE CASE :-

6.1. That the Director (Staff-II), Department of Telecommunications, Govt. of India, vide order dated 27.5.1994 promoted the applicants to the posts of the Telecommunication Engineering Service (in short T.E.S) (Group-B) Officers on their passing in the qualifying departmental examination in the year 1985 for promotion to the said cadre post from the feeder post of the Junior Telecommunication Officers in the department.

A copy of the aforesaid order dated 27.5.1994 is annexed hereto as Annexure-1 of this application

6.2. That --

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6.2 That the Deputy Director General (Establishment), Department of Telecommunications, Govt. of India, thereafter, vide letter dated 15.11.2004 published the seniority list of the T.E.S (Group-B) Officers on the basis of the year of their passing in the qualifying departmental examination for promotion to the said cadre post of the T.E.S (Group-B) Officers vis-à-vis their initial recruitment year in the feeder post of the Junior Telecommunication Officers in the department.

A copy of the aforesaid letter dated 15.11.2004 is annexed hereto as Annexure-2 of this application

6.3 That the Hon'ble Supreme Court of India, thereafter, by judgment and order dated 28.9.2006 passed by the in L.A. No. 16 in Civil Appeal No. 14339 of 1995 (Union of India -Versus- Madras SC and ST Social Welfare Association) was pleased to hold that the principles laid down in the Allahabad High Court judgment in Paramand Lal's case holding that those who qualified in the departmental examination earlier were entitled to be promoted to the higher posts prior to those qualified later irrespective of the year of their initial recruitment in the department and seniority fixed on that basis cannot be altered has attained finality and accordingly subsequent judgment of any other court taking a contrary view will not adversely affect the those in whose case the orders have attained finality.

A copy of the aforesaid judgment and order dated 28.9.2006 is annexed hereto as Annexure- 3 of this application.

6.4. That --

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6.4 That the Under Secretary to the Govt. of India, Department of Telecommunications, thereafter, vide letter dated 30.3.2007 arbitrarily stated that the benefits of the aforesaid judgment and order dated 28.9.2000 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 4339 of 1995 would be admissible to the applicants who were party in aforesaid Civil Appeal No. 4339 of 1995 before the Supreme Court.

A copy of the aforesaid letter dated 30.3.2007 is annexed hereto as Annexure- 4 of this application.

6.5 That the Under Secretary to the Govt. of India, Department of Telecommunications, thereafter, vide order dated 19.5.2008 revised the seniority of the T.E.S.(Group-B) Officers in pursuance of the aforesaid judgement and order dated 28.9.2006 (Annexure-3) passed by the Hon'ble Supreme Court of India in L.A. No. 16 in Civil Appeal No. 4339 of 1995. It is pertinent to mention here that the T.E.S.(Group-B) Officers whose seniority were revised as per the aforesaid order dated 19.5.2008 passed by the authority concerned were not parties in the aforesaid L.A. No. 16 in Civil Appeal No. 4339 of 1995 (Union of India -Versus- Madras SC and ST Social Welfare Association) before the Hon'ble Supreme Court of India.

A copy of the aforesaid order dated 19.5.2008 is annexed hereto as Annexure- 5 of this application.

6.6 That -

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6.6 That the Under Secretary to the Govt. of India, Department of Telecommunications, thereafter, vide order dated 21.5.2008 also revised the seniority of the T.E.S.(Group-B) Officers on the basis of their qualifying year in the departmental examination for promotion to the said posts in accordance with the principles laid down in the aforesaid judgment and order dated 28.9.2006 (Annexure-3) passed by the Hon'ble Supreme Court of India in LA. No. 16 in Civil Appeal No. 4339 of 1995 (Union of India -Versus- Madras SC and ST Social Welfare Association).

A copy of the aforesaid order dated 21.5.2008 is annexed hereto as Annexure- 6 of this application.

6.7 That the applicant No. 2, thereafter, submitted a representation dated 10.9.2008 before the Secretary to the Govt. of India, Telecommunications Department, praying, interalia, to revise his seniority in the cadre post of the T.E.S (Group-B) Officers in the department on the basis of the year of his passing in the qualifying departmental examination for promotion to the said cadre post of T.E.S (Group-B) Officers in pursuance to the aforesaid judgment and order dated 28.9.2006 (Annexure-3) passed by the Apex Court, but the aforesaid representation dated 10.9.2008 submitted by the applicant No. 2 was not responded by the respondent authority concerned till to date.

A copy of the aforesaid representation dated 10.9.2008 is annexed hereto as Annexure- 7 of this application.

6.8 That --

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6.8 That Assistant General Manager (DPC), Bharat Sanchar Nigam Limited, thereafter, vide letter dated 6.2.2009 (since modified by letter dated 10.2.2009), called for the A.C.R. of the T.E.S Service (Group-B) Officers, who passed in the qualifying departmental examination later during the year 1988 for appointment to the post of the T.E.S Service (Group-B) Officers, on the basis of their revised seniority in the post of the T.E.S Service (Group-B) Officers for consideration of their promotion to the higher post of the STS (D.E.) in terms of the judgment and order dated 28.9.2006 (Annexure-3) passed by the Hon'ble Supreme Court of India, but without revising the seniority and considering promotion of the applicants who had passed the qualifying departmental examination earlier during the year 1985 as mentioned in the seniority list dated 15.11.2004 (Annexure-2) of T.E.S Service (Group-B) Officers in the department

2. A copy of the aforesaid letters dated 6.2.2009/10.2.2009 are annexed hereto as Annexure- 8 (series) of this application.

6.9 That the applicants, thereafter, also submitted their representations dated 16.2.2009 before the Director (H.R.D), Bharat Sanchar Nigam Limited, requesting the authority to revise their seniority in the post of T.E.S (Group-B) Officers on the basis of the year of their passing in the qualifying departmental examination for appointment to the post of the T.E.S (Group-B) Officers in pursuance to the judgment and order dated 28.9.2006 (Annexure-3) passed by the Apex Court, but it without any result till to date which is resulting in denial of justice to the applicants.

3. A copy of the aforesaid representations dated 16.2.2009 are annexed hereto as Annexure- 9 (series) of this petition.

6.10 That

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6.8. That the applicants under the aforesaid circumstances had filed the Writ Petition (C) No. 985 of 2009 in the Hon'ble Gauhati High Court against the aforesaid orders communicated vide letter dated 6.2.2009 (since modified by letter dated 10.2.2009) issued by the respondent authority concerned. However, the Hon'ble Gauhati High Court as per order dated 9.3.2009 passed in aforesaid Writ Petition (C) No. 985 of 2009 was pleased to direct the applicants to approach the appropriate forum for appropriate reliefs. Hence, the present application is being filed by the applicants before this Hon'ble Tribunal.

A copy of the aforesaid order dated 9.3.2009 is annexed hereto as Annexure- 10 of this application.

7. Reliefs sought for in the application:-

Under the facts and circumstances stated above the applicants pray for the following reliefs:-

A) To pass an order directing the respondent authorities to revise the seniority of the applicants in the cadre post of the T.E.S. (Group-B) Officers on the basis of the year of their passing in the qualifying departmental examination held in the year 1985 for appointment/ promotion to the said post; and/or,

B) To -

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B) To pass an order directing the respondent authorities to provide for promotion of the applicants to the post of the S.T.S (D.E.) in the department on the basis of the revised seniority of the applicants in the cadre post of the T.E.S. (Group-B) Officers and with retrospective effect from the date when their juniors were promoted to the post of the S.T.S (D.E.) in the department and with all other service benefits available to the applicants in accordance with the law; and/or,

C) To pass such further and other orders as your Lordships may deem fit and proper under the facts and circumstances of the case in the interest of justice.

AND

Pending disposal of the instant application the respondent authorities may kindly be directed not to give any promotion to the posts of the S.T.S.(D.E.) Officers in pursuance to the letter dated 6.2.2009 (Annexure-7A), since modified vide letter dated (Annexure-7B), till the seniority of the petitioners in the cadre post of the T.E.S (Group) Officers in the department are revised.

And for this act of kindness your applicants, as in duty bound, shall ever pray.

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गुवाहाटी न्यायपीठ
Guwahati Bench

-page 11.-

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1. Afok Kar
2. Niranjan Modak
3. Debabrata Deka
4. Maheswar Bhupan

8. The above reliefs are prayed on the following grounds:-

GROUND

A) For that in the instant case the seniority list dated 15.11.2004 (Annexure-2) of the T.E.S.(Group-B) Officers with the petitioner No. 1 at Serial No. 232 (Seniority No. 14474), the petitioner No. 2 at Serial No. 434 (Seniority No. 14676), the petitioner No. 3 at Serial No. 453 (Seniority No. 14695) and the Petitioner No. 4 at Serial No. 496 (Seniority No. 14738) was prepared on the basis of the year of their passing in the qualifying departmental examination for appointment/promotion to the post of the T.E.S. (Group-B) Officers vis-a-vis the year of their initial recruitment year in the feeder post of the Junior Telecommunication Officers in the department.

B) For that the letter dated 30.3.2004 (Annexure-4) issued by the authority concerned stating that the benefits of the judgment and order dated 28.9.2006 (Annexure-3) for would be admissible to the persons who were party in the case before the Hon'ble Supreme Court of India and on the other hand revising the seniority of the T.E.S.(Group-B) officers only on the basis of the year of passing in the qualifying departmental examination as per order dated 19.5.2008 (Annexure-5), order dated 21.5.2008 (Annexure-6), letter 6.2.2009 (Annexure-7A) and letter dated 10.2.2009 (Annexure-7B) passed by the authority concerned, in pursuance of the aforesaid judgment and order dated 28.9.2006 (Annexure-3) passed by the Hon'ble Supreme Court of India, are contradictory in nature.

C) For -

1. Alok Khar

2. Mahan Chandra Modak

3. Debbarata Das

4. Maheswar Bhuyan

C) For that the letter dated 6.2.2009 (Annexure-7B), since modified by letter dated 10.2.2009 (Annexure-7A), calling for the A.C.R. of the officers in the seniority list dated 15.11.2004 (Annexure-2) of the T.E.S. (Group-B) Officers, at Serial No. 1040 (Seniority No. 15282), Serial No. 1066 (Seniority No. 15308), Serial No. 2019 (Seniority No. 16261), Serial No. 3004 (Seniority No. 17246) for consideration of their promotion to the higher post, who passed later on during the year 1988 in the qualifying departmental examination for appointment to the post of the T.E.S. (Group-B) officers, and on the other hand declining to revise the seniority of the applicants for consideration of their promotion to the higher post who had passed earlier during the year 1985 in the qualifying departmental examination for appointment to the post of the T.E.S. (Group-B) officers, are unsustainable in law.

9. Details of the remedy exhausted:-

The remedy exhausted in the case has been detailed above and there is no other remedy left other the instant application before this Hon'ble Tribunal.

10. Matter not pending in any other court/ tribunal:-

The applicants declare that the matter is not pending in any other court or tribunal at present.

11. Details -

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Central Admin.	Guwahati Bench
25 MAR 2009	
গুৱাহাটী ন্যায়পীঠ	
Guwahati Bench	

1. Alex Kar
2. Nahan Chandra Modak
3. Debabrata Das
4. Narenrao Bhupriya

page 13.-

11. Details of Postal orders:-

Postal Order No. :- 399 404391

Date of Issue:- 23.3.09

Issued from:- G.P.O., Guwahati

Payable at:-

12. Details of Index:-

An index showing the particulars of documents is enclosed.

13. List of Enclosures:-

As per index.

Verification -----

25 MAR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

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VERIFICATION

I, Shri Mohan Chandra Modak, son of late Sudershan Modak, resident of Triveni Complex, Flat No. 100/D, Adabari Tinai, P.O Guwahati-12 district Kamrup, Assam. I am the Applicant No. 2 in the above case and as such, I am acquainted with the facts and circumstances of the case. I was authorized by the other applicants in this case to verify the statements made in the above application. I, do hereby verify that statements made in paragraphs 1, 2, 3, 4, 5, 6.1, 6.2, 6.4, 6.5, 6.6, 6.7, 6.8, and 6.9 of the above application are true to my knowledge and those made in paragraphs 6.3 and 6.10 are true to my information based on records which I also believe to be true and I have not suppressed any material facts of the case.

26th
And I sign this verification this 26th day of March, 2009 in Guwahati.

Mohan Chandra Modak,

Signature

25 MAR 2009.

Guwahati Bench
No.2-41/94-STG.IIGovernment of India,
Ministry of Communications,
Department of Telecommunications,
XXX

New Delhi, dated the 27 May, 1994.

ORDER

Subject: Promotion and posting of Junior Telecom Officers to TES Group B.

Member, Telecommunications Commission, is pleased to appoint the Junior Telecom Officers as per the list enclosed to Telecommunications Engineering Service, Group B from the date they take over the charge of the post and until further orders and to post them in the Circles/Districts/Units etc as indicated against their names.

1. The heads of Circle concerned shall decide the station of posting of officers allotted to him within 20 days from the date of receipt of this order. All the officers concerned shall be required to join the new assignments within 40 days from the date of issue of posting orders failing which the orders of promotion in respect of such officers shall be cancelled without any further notice.

2. In case any disciplinary/vigilance case is pending against any of the officials mentioned in the list or where in respect of any of these officials any punishment like stoppage of increment/promotion etc is current, the fact should be reported to this office immediately and the concerned officer should not be promoted or relieved for posting without specific orders from this office.

3. The Heads of Circle concerned shall ensure that no leave is granted to any one of the officials promoted till they join their new station of posting/circle/districts. Relief of the officers shall also not be withheld on the grounds that the officials has submitted a representation for change of posting.

4. The heads of Circle concerned shall furnish consolidated list of officers indicating their date of release/joining and date of issue of posting orders immediately on expiry of period mentioned in para 2 above. Charge reports need not be endorsed to this office.

5. Proforma promotion orders of following officers who are out of cadre will be issued separately and posting orders will be given on their reappointment to parent Department.

ANNEXURE-1

F.382

28

1
1

carried to be
true copy
S. Chakrabarti
27/3/94

Not legible
Pl. submit one
type and
Signature

No. 2-42/94-STG.II
GOVERNMENT OF INDIA
Ministry of Communications,
Department of Telecommunications.

New Delhi, dated the 27th May 1994

ORDER

Subject:- Promotion and posting of Junior Telecom Officers to TES Group-B.

1. Member Telecommunication Commission is pleased to appoint the Junior Telecom. Officers as per the list enclosed to Telecommunications Engineering Services, Group B from the date they take over the charge of the post and until further orders and to post them in the Circles/ Districts/ Units etc. as indicated against their names.
2. The heads of the Circle concerned shall decide the station of posting of officers allotted to him within 20 days from the date of receipt of this order. All the officers concerned shall be required to join the new assignments within 40 days from the date of issue of posting orders failing which the orders of promotion in respect of such officers shall be cancelled without any further notice.
3. In case any disciplinary/ vigilance case is pending against any of the officers, mentioned in the list or where in respect of these officials any punishment like stoppage of increment/ promotion etc. is current, the fact should be reported to this office immediately and the concerned officer should not be promoted or relieved for posting without specified orders from this office.
4. The Heads of Circle concerned shall ensure that no leave is granted to any one of the officials promoted till they join their new station of posting/ circle/ district. Relief of the officers shall also not be withheld on the grounds that the officials has submitted a representation for change of posting.
5. The heads of circle concerned shall furnish a consolidated list of officers indicating their date of release/ joining and date of issue of promotion orders immediately on expiry of period mentioned in para 2 above. Charge reports need not be endorsed to this office.
6. Proforma promotion orders of following officers who are out of cadre will be issued separately and posting orders will be given on their repatriation to parent Department.

-page 2-

<u>S. No.</u>	<u>El. No.</u>	<u>Name</u>	<u>Unit</u>
1.	12463	SUNDARARAMAN P.S.	MTD.
2.	12552.0	GUNASEKARAN. V.	MTD.
3.	16599.0	P. EERABHADRAM	AP.

6. The seniority of the officials promoted in this order shall be determined in accordance with the Rules in force and will be issued separately.

(Sd./- V.K. Mahandra)

Director (Staff II)

Copy to :-

1. All Chief General Managers Telephones of Circles/ Metro Telephone Circle/ Maintenance Circle/ TTC, Jabalpur/ Telecom. Stores, Cal/ NETF/ QA/ MTNL, Delhi and Bombay/ Railway Electrifications/ DNW.
2. All Chief Account Officers of Circles/ Districts/ units concerned.
3. Pay and Accounts Officers (HQ), DOT, New Delhi.
4. Sr. OA to Advisor, (HRD).
5. Pay Bill Section, DOT.
6. DDB ()/ Dio (ST.I)/ (ST.II)/ ADG(SGT)
7. SO (STG. I) NCG Section/ ALL Assistants in STG. II Section.
8. Guard File/ Order Bundle.
9. General Secretary, JTO Association.
10. General Secretary, TSEA.

Sd./- Vincent Barla.
Section Officer. (STG. II)

Contd./- page 3-

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

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25 MAR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

S.No.	El. No.	Name	Unit
1.	12463	SUNDARAMAN.P.S.	MTD
2.	12552.0	SUNAREKARAN.V.	MTD
3.	13599.0	P. S. ERAMAHARAK	AP

5. The seniority of the officials promoted in this order shall be determined in accordance with the Rules in force and shall be issued separately.

(V.K.Mahendra).
Director(Staff.II)

Copy to:

1. All Chief General Managers Telephones of Circles/Metro Telephone Circles/Maintenance Circles/Project Circles/ATTC/TAD Circle/TTC, Jabalpur/Telecom Stores, Cal/NETF/QA/MTD, Delhi and Bombay/Railway Electrifications/DNW/.
2. All Chief Account Officers of Circles/Districts/Units concerned.
3. Pay and Accounts Officer(HQ), DOT, New Delhi.
4. Sr. CA to Advisor(HRD).
5. Pay Bill Section, DOT
6. PDS(Circle)/Dir(ST.I)/ST.II)/ADG(SGT)
7. SC(STG.I)/NCG Section/All Assistants in STG.II Section.
8. Guard File/Order Bundle
9. General Secretary, JTC Association.
10. General Secretary, TESA

Barla
(Vincent Barla)
Section Officer(STG.II)

'B' ON

PRESENT POSITION

HOLDING POSITION

RECEIVED
UNIT

ST. NAME OF THE OFFICER
NO. NO. 6/SHRI

301 17531 K. K. ABUBACKER
302 17532 RAJENDRA PRASAD
303 17533 BALMUKUND GUPTA
304 17534 BALARISHNAN NAIR.B
305 17535 KRISHNAMOORTHY SAMALADEVI
306 17536 P. AYYASAMY
307 17537 C. APPA RAO
308 17538 ALOK KAR *Petition No. 1*
309 17539 R. SUBBIAH
310 17540 VENUGOPALAN.T.P
311 17541 SUNDARAMURTHY.P
312 17542 AVNASH KUMAR
313 17543 P. VIJAYALAKSHMI
314 17544 S. VARADARAJAN
315 17545 BURESH CHAND SHARMA
316 17546 FRANCIS DEVAIRAKKAM.D
317 17547 BALAJI B.
318 17548 ABDUL MAJEED KHAN
319 17549 K. VIJAYACHANDRA
320 17550 GANAPATHY.M.BHAT
321 17551 RAVEENDRAN.E.K
322 17552 ACHHE LAL SINGH
323 17553 T. S. PRASADA SASTRY
324 17554 MITHILESH KUMAR SINHA
325 17555 M. DURAI RAJ
326 17556 S. L. BORAKHADIKAR
327 17557 B. D. YADAV
328 17558 S. KRISHNAMURTHY
329 17559 G. BANGARA RAO
330 17560 S. GOPINATHAN
331 17561 A. V. SRIKANTAN
332 17562 S. D. JOSHI
333 17563 K. VEERAIAH
334 17564 M. R. SURESH
335 17565 VISHWANATHAN.K.
336 17566 B. BALAIAH
337 17567 S. SWAMIPILLAI
338 17568 K. UYYARI
339 17569 P. B V R KRISHNAVATARAM
340 17570 T. M. SRINIVASAN
341 17571 MADHIRAJU. LAKSHMAN RAJU (EX SM)
342 17572 K. SUBRAMANI
343 17573 D. G. KARALE
344 17574 K. PRASADA RAO
345 17575 R. UMA
346 17576 M. NAGARAJA
347 17577 B. G. ANGULKAR
348 17578 K. RAMGANGATHAN
349 17579 YASHVIR SINGH
350 17580 S. PANDIYAN

KR	CGMM, MS	CGMM, MS
UP	UP	UP
MP	MP	MP
KR	MP	CGMM, MS
TN	CGMM, MS	CGMM, MS
TN	TN	TN
AP	CGMM, MS	CGMM, MS
AS	AS	AS
TX	TN	TN
KR	CGMM, MS	CGMM, MS
MTD	MTD	MTD
PB	PB	PB
TN	CGMM, MS	CGMM, MS
TN	CGMM, MS	CGMM, MS
MTNL, ND	MTNL, ND	MTNL, ND
MTD	MTD	MTD
CGMP, MS	CGMP, MS	CGMP, MS
KTK	KTK	KTK
AP	AP	AP
KTK	KTK	KTK
KR	CGMM, MS	CGMM, MS
UP	UP	UP
AP	AP	AP
ER	ER	ER
TN	TN	TN
MH	MH	MH
UP	UP	UP
TN	CGMM, MS	CGMM, MS
AP	AP	AP
KTK	KTK	KTK
KTK	KTK	KTK
MTNL BY	MTNL BY	MTNL BY
AP	AP	AP
KTK	KTK	KTK
CGMP, MS	CGMP, MS	CGMP, MS
KTK	KTK	KTK
TN	TN	TN
TN	CGMM, MS	CGMM, MS
AP	AP	AP
TN	CGMM, MS	CGMM, MS
AP	AP	AP
TN	CGMM, MS	CGMM, MS
MTNL BY	MTNL BY	MTNL BY
AP	AP	AP
TN	TN	TN
KTK	KTK	KTK
MH	MH	MH
TN	TN	TN
MTNL, ND	MTNL, ND	MTNL, ND
TN	TN	TN

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Page No.
03/28/93***** SL ST NAME OF THE OFFICER
NO NO S/SHRI***** REC. PRESENT POSTING
UNIT POSTING FROM

गवाहाटी स्थायी पीठ

Gawahati Bench

451 17681 N. SANKARAN
 452 17682 V. RAJENDRAN
 453 17683 RAM KUMAR
 454 17684 R. RAMACHANDRAN
 455 17685 GOBINDA CHANDRA BASAK
 456 17686 JAGTAR SINGH
 457 17687 A. SANKARAN
 458 17688 ONKAR NATH
 459 17689 BHASKAR BASU
 460 17690 SARMA CH. V.R
 461 17691 S. MARIAJOTHIRAJ
 462 17692 N. RAMAKRISHNAN
 463 17693 G.R. PATILKULKARNI
 464 17694 R. SOWRIRAJAN
 465 17695 RIPEN KUMAR SEN SHARMA
 466 17696 PARMANAND JHA
 467 17697 A.V. JAKATI
 468 17698 LAXMAN BALANI
 469 17699 J.N. NETANKAR
 470 17700 NASEER AHMAD
 471 17701 S. VENKATARAMANI
 472 17702 M. RASHURAMAIAH
 473 17703 SHEETAL PRASAD GUPTA
 474 17704 NANDA KR BANDYOPADHYAY
 475 17705 ASHIM SARMA
 476 17706 R. VARADHAN
 477 17707 SANKAR MUKHOPADHYAY
 478 17708 ANUPAM KUL
 479 17709 SIB NARAYAN PAL
 480 17710 R.N. GAUR
 481 17711 K. PARAMASIVAM
 482 17712 ASOK KUMAR SHARMA
 483 17713 LAXMAN DAS AGARWAL
 484 17714 PRITAM SINGH
 485 17715 SADANANDAN CHETTIYAR P.C
 486 17716 S.A. WAHAB
 487 17717 B.S. KUSHWAHA
 488 17718 ASHIT KUMAR GOSH
 489 17719 JAGDISH SINGH
 490 17720 MAHENDRA SINGH
 491 17721 TAPASH CHANDRA BOSH
 492 17722 D.R. KADAM
 493 17723 V.G. JOSHI
 494 17724 APURBA BANERJEE
 495 17725 R APPADOURAI
 496 17726 RAMESH KUMAR TIWARI
 497 17727 MCHUN CH. MODAK
 498 17728 D.N. SAXENA
 499 17729 KANHAIYA LAL SRIVASTAVA
 500 17730 SATHI SURENDRA N.M

TN TN TN TN TN TN
 UP CGMM, MS CTD PB CGMP, MS CGMP, MS
 TN CTD PB TN CGMM, MS CGMM, MS
 CTD PB TN CGMM, MS CGMM, MS
 UP UP CTD CGMP, MS CGMP, MS
 AP TN CTD CGMM, MS CGMM, MS
 TN KTK TN KTK TN KTK
 CTD BR KTK RJ CGMM, BY MH
 BR KTK RJ CGMM, BY MH
 KTK RJ CGMM, BY MH
 TN AP UP AP AP
 CTD AP AP AP AP
 NE AP CGMM, ND CGMM, ND
 TN CTD CGMM, CAL CGMM, CAL
 CTD NE CGMM, MS CGMM, MS
 CTD TN CGMM, MS CGMM, MS
 CTD JIK CTD CGMM, ND CGMM, ND
 CTD CTD CTD CTD CTD CTD
 CTD UP UP UP UP UP
 TN CGMM, MS CGMM, MS
 UP UP UP UP UP
 PB CGMP, ND CGMP, ND
 KR CGMM, MS CGMM, MS
 AP AP AP AP
 MP MP MP MP
 CTD CTD CTD CTD
 HR HP HP UP
 UP UP UP UP
 UP UP CGMM, ND CGMM, ND
 MH MH MH MH
 MH MH MH MH
 CTD CTD CTD CTD
 MTNL BY MTNL BY MTNL BY
 UP UP UP
 AS AS AS AS
 MP CGMP, BY CGMP, BY
 UP UP UP
 KR CGMM, MS CGMM, MS

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25 MAR 2009 34

Guwahati Bench

ST	NAME OF THE OFFICER	REC.	PRESENT	POSTING OR
NO	S/SHRI	UNIT	POS/CLN.	PRODUCTION
501	17731 M. HAJA NAJIMUDDIN	TN	CGMM, MS	CGMM, MS
502	17732 MUNNA LAL	UP	UP	UP
503	17733 V. B. BAND	MH	MH	MH
504	17734 M. PRAGALATHAN	TN	CGMP, MS	CGMP, MS
505	17735 PRAPASH CH. SUR	AS	AS	AS
506	17736 DINESH KUMAR KEWADA	CGMM, BY	CGMM, BY	CGMM, BY
507	17737 V. RAMANATHAN IYER	CGMM, BY	CGMM, BY	CGMM, BY
508	17738 R.R. TIKANDAR	KTK	KTK	KTK
509	17739 C.L. RATHORE	MP	CGMM, BY	MP
510	17740 A. SINGAIK	AP	AP	AP
511	17741 R.M. VAGHELA	GJ	GJ	GJ
512	17742 DEBAERATA DAS ✓ P.C. 1000 no. 2	AS	AS	AS
513	17743 M.L. APRAWAL	RJ	RJ	RJ
514	17744 KAMHAIYA RAM	UP	UP	UP
515	17745 K.A. BHATT	GJ	GJ	GJ
516	17746 MONCRANJAN PAUL	NE	NE	NE
517	17747 RAJ CHANDRA JHA	BR	BR	BR
518	17748 T. RAGHURAM REDDY	AP	AP	AP
519	17749 BABURAO MARAYAN TORASKAR	MTNL, BY	MTNL, BY	MTNL, BY
520	17750 K.V. SARASWATHI	KTK	KTK	KTK
521	17751 TARLOCHAN SINGH	PB	PE	PB
522	17752 R. RASHMAN	TN	TN	TN
523	17753 SAYUDJAL ZAFAR KHAN	UP	CGMM, ND	CGMM, ND
524	17754 G.N. JOSHI	MH	MH	MH
525	17755 P.V.S.C. REDDY	AS	RE PROJ	RE PROJ
526	17756 GEORGE. P.G	KR	CGMM, MS	CGMM, MS
527	17757 RAMACHANDRAN. G	KR	KR	KTK
528	17758 G.S. RAMACHANDRA RAO	KTK	KTK	CGMM, MS
529	17759 R.K. CHOURASIA	MP	MP	MP
530	17760 A.S. RATHORE	RJ	RJ	RJ
531	17761 R. PONNAMBALAM	TN	TN	TN
532	17762 MOLOY DAS GUPTA	NE	NE	NE
533	17763 R. KUMARESAN	TN	TN	TN
534	17764 RAJESHWAR PRASAD SINGH	UP	UP	UP
535	17765 P.R. SHANMUGAKANI	TN	CGMM, MS	CGMM, MS
536	17766 A.K. PATIL	MH	MH	MH
537	17767 A.L. GADHWAL	RJ	CGMM, ND	CGMM, ND
538	17768 J.R. YADAV	UP	GA	GA
539	17769 MELAKANTAN NAIR. A.K	KR	CGMM, MS	CGMM, MS
540	17770 AMAR KR. MONDAL	W	WR	WR
541	17771 SUSANTA KUMAR ROY	STD	STD	STD
542	17772 S. AEKANTHALINGAN	TN	CGMM, MS	CGMM, MS
543	17773 SATISH CHAND RAI	UP	UP	UP
544	17774 RAM CHANDRA PRASAD SINGH	BR	BR	BR
545	17775 JAI NARAYAN SINGH	UP	GA	GA
546	17776 P. SUBBURAJ	TN	TN	TN
547	17777 S. GOPALASUBRAMANIAM	AS	CGMP, MS	CGMP, MS
548	17778 MAHESWAR BHUYAN ✓ P.C. 1000 no. 1	AS	AS	AS
549	17779 JAI PRAKASH SINGH	UP	UP	UP
550	17780 GOVIND SINGH BISHT	UP	UP	UP

Guwahati Administrative Tribunal
Guwahati Bench
No. 16-1/2004-STG.II
Government of India

25 MAR 2009
Guwahati Bench
No. 16-1/2004-STG.II
Government of India
Ministry of Communications & Information Technology
Department of Telecommunications

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ANNEXURE-2

421, Sanchar Bhawan,
20-Ashoka Road,
New Delhi-110 001.

Dated the 15th November, 2004.

To

1. CMD, BSNL, New Delhi.
2. CMD, MTNL, New Delhi.

Subject : Circulation of seniority list of TES Group 'B' officers.

Sir,

I am directed to send herewith the following seniority lists of TES Group 'B' officers for circulation among all concerned :-

(i) Revised Seniority List No. 3
(ii) Revised Seniority List No. 4
 (iii) Revised Seniority List No. 5
(iv) Seniority List No. 6
(v) Provisional Seniority List No. 7

2. All the objections/errors/omissions etc., received against provisional seniority list No. 7 may be forwarded to DoT, latest by 15.12.2004 after verifying the service particulars of the concerned officers.

3. This seniority lists are issued subject to final outcome of CMP No. 35256/2001 in OP No. 21656/2001 and CMP No. 60734/2001 in OP No. 37134/2001 pending before Hon'ble High Court of Kerala at Ernakulam.

Yours faithfully,


[Satish Tondan]
DDG (Estt.)
Tele No. 23036361

Encl : As above

Copy to : CGM, BSNL, Karnataka Circle, Bangalore. The enclosed seniority lists mentioned above may be filed before the Hon'ble CAT, Bangalore Bench in compliance of their order dated 21.07.2003 in OA Nos 1031/2001 & 849/2002.

2

*Certified to be
true copy
Shrikhande Chaturbhanji
Advocate*

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25 MAR 2009

ANO	STNO	NAME	CAT	DOB	QLFEXM	RECYR	REM.	MARKS
14423	15008	G. JAYARAJ गवाहाटी ज्यायपुड	SC	07/02/45	12	85	79	
14424	17491	S. NAGOOR NANA MOHAMMED Guwahati Bench	OC	03/07/55	12	85	79	
14425	15009	N. D. THAPA	SC	05/02/52	12	85	79	
14426	17493	K. KRISHNAN II	OC	02/01/46	12	85	79	
14427	17494	L. CHANDRAMOHAN	OC	05/12/51	12	85	79	
14428	33562	K NAGARAJAN	OC	09/19/47	12	85	79	
14429	17496	M. A. JOY	OC	05/07/52	12	85	79	
14430	17497	SARASWATHY GUHAN	OC	04/03/52	12	85	79	
14431	17498	RANJIT KUMAR PAL X	OC	11/04/45	12	85	79	
14432	17499	S. RAJU	OC	09/04/55	12	85	79	
14433	17500	LAXMICHAND TINDWANI	OC	01/01/58	12	85	79	
14434	17501	K. P. BALASUBRAMANYAM	OC	04/10/48	12	85	79	
14435	17502	SANTANU GHOSH	OC	03/08/58	12	85	79	
14436	17503	GIRODHARI LAL	OC	02/18/55	12	85	79	
14437	17504	T. SAMBAMURTHY	OC	01/15/53	12	85	79	
14438	17505	SUJIT KR. NAG	OC	03/27/55	12	85	79	
14439	17506	K. THANGAVEL	SC	06/01/47	12	85	79	
14440	15010	R. DHANABAL	OC	07/09/53	12	85	79	
14441	17507	R. VEMBU	OC	10/26/53	12	85	79	
14442	15011	S. R. SHOLAPURAKAR	SC	11/20/54	12	85	79	
14443	17508	P. H. PRASADARAO	OC	06/15/49	12	85	79	
14444	17509	PURSHOTAM KUMAR	OC	10/07/55	12	85	79	
14445	17510	D. JAMES XAVIER MICHAEL	OC	06/24/58	12	85	79	
14446	17511	P. SURYA RAO	OC	07/01/51	12	85	79	
14447	15012	AKHIL FOUDAR	SC	08/01/57	12	85	79	
14448	17512	G. J. NAWATI	OC	06/01/53	12	85	79	
14449	17513	GOPAL E.	OC	04/07/53	12	85	79	
14450	17514	SUBASH CHANDRA	OC	08/20/46	12	85	79	
14451	17515	S. USHA	OC	05/16/58	12	85	79	
14452	17516	R. CHANDRIKA	OC	05/15/58	12	85	79	
14453	17517	P. R. ARSEKAR	OC	04/17/50	12	85	79	
14454	17518	KALAVATHI SUBRAMANIAN	OC	11/27/56	12	85	79	
14455	17519	THINAGARAJAN R.	OC	03/07/58	12	85	79	
14456	17520	S. SUBBARAMAN	OC	05/05/45	12	85	79	
14457	17521	V. V. L. RAMESHBABU	OC	06/09/57	12	85	79	
14458	17522	U.V.GOPAL RAO	OC	04/20/52	12	85	79	
14459	17523	R. SARADA	OC	06/04/60	12	85	79	
14460	17524	AHINDRA KR. CHAKRABORTY	OC	01/18/49	12	85	79	
14461	17525	RANA R. V.	OC	07/30/58	12	85	79	
14462	17526	SYED MASEEUDIN	OC	06/01/55	12	85	79	
14463	17527	N. VENKATESWARLU	OC	01/01/52	12	85	79	
14464	15013	G. RAMACHANDRAN	SC	09/05/54	12	85	79	
14465	17528	A. S. L. PRASAD	OC	01/01/47	12	85	79	
14466	17530	R. RAJENDRAN	OC	06/01/58	12	85	79	
14467	17531	K. K. ABOOBACKER	OC	08/27/52	12	85	79	
14468	17532	RAJENDRA PRASAD	OC	08/28/53	12	85	79	
14469	17533	BALMUKUND GUPTA	OC	12/01/59	12	85	79	
14470	17534	BALARISHNAN NAIR B.	OC	05/30/47	12	85	79	
14471	17535	KRISHNAMOORTHY SAMALADEVI	OC	08/16/54	12	85	79	
14472	17536	P. AVYASAMY	CC	08/20/40	12	85	79	
14473	17537	C. APPA RAO	OC	01/01/53	12	85	79	
14474	17538	ALOK KAR <i>Particulars of</i>	OC	02/01/59	12	85	79	
14475	17539	R. SUBBIAH	OC	06/15/56	12	85	79	
14476	17540	VENUGOPALAN T. P.	OC	03/20/50	12	85	79	
14477	17541	SUNDARAMURTHY P.	OC	02/15/58	12	85	79	
14478	17543	P. VIJAYALAKSHMI	OC	05/18/55	12	85	79	
14479	17544	S. VARADARAJAN	OC	12/16/46	12	85	79	
14480	17545	SURESH CHAND SHARMA	OC	10/06/56	12	85	79	
14481	17546	FRANCIS DEVAIRAKKAM D.	OC	02/15/51	12	85	79	
14482	15014	JEYAKUMAR B.	SC	06/01/50	12	85	79	

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SRNO	STNO	NAME	25 MAR 2009	CAT	DOB	QLFEXM	RECYR	
421	14603	17716 S A WAHAB	22	OC	01/02/50	12	85	79
422	14604	17717 B. S. KUSHWAHA	22	OC	11/10/53	12	85	79
423	14665	17718 ASHUTOSH KUMAR GOSWAMI	Bench	OC	02/14/46	12	85	79
424	14666	17719 JAGDISH SINGH		OC	04/02/46	12	85	79
425	14667	17720 MAHENDRA SINGH		OC	01/01/50	12	85	79
426	14668	15041 T JANARDHANA RAO		SC	05/14/51	12	85	79
427	14669	15042 SUNIL KUMAR BISWAS		SC	04/08/47	12	85	79
428	14670	17721 TAPASH CHANDRA BOSE		OC	01/01/45	12	85	79
429	14671	17722 D. R. KADAM		OC	11/01/52	12	85	79
430	14672	17723 V. G. JOSHI		OC	01/07/56	12	85	79
431	14673	17724 APURBA BANERJEE		OC	03/01/47	12	85	79
432	14674	17725 R. APPADORAI		OC	05/29/54	12	85	79
433	14675	17726 RAMESH KUMAR TIWARI		OC	08/19/51	12	85	79
434	14676	17727 MOHAN CH. MODAK	P. 47, 48, 49	OC	01/20/56	12	85	79
435	14677	15043 P. PANDIYAN		SC	06/07/46	12	85	79
436	14678	17728 D. N. SAXENA		OC	10/29/51	12	85	79
437	14679	17729 KANHAIYA LAL SRIVASTAVA		OC	08/26/49	12	85	79
438	14680	17730 SATHI SURENDRA M.		OC	06/02/37	12	85	79
439	14681	17731 M. HAJA NAJIMUDDIN		OC	06/05/51	12	85	79
440	14682	17732 MUNNA LAL		OC	01/01/52	12	85	79
441	14683	15044 K. PALANIVEL		SC	02/07/45	12	85	79
442	14684	17733 V. B. BAND		OC	08/24/49	12	85	79
443	14685	15045 T. M. RAJAVELU		SC	05/18/46	12	85	79
444	14686	17734 M. PRAGALATHAN		OC	02/05/55	12	85	79
445	14687	17735 PRABASH CH. SUR		OC	01/13/48	12	85	79
446	14688	17736 DINESH KUMAR KEWADA		OC	04/10/49	12	85	79
447	14689	17737 V. RAMANATHAN IYER		OC	07/24/52	12	85	79
448	14690	17738 R. R. TIKANDAR		OC	06/07/53	12	85	79
449	14691	15046 MANISH SAHA		SC	02/18/55	12	85	79
450	14692	17739 C. L. RATHORE		OC	01/01/49	12	85	79
451	14693	17740 A. SINGAIAH		OC	06/01/49	12	85	79
452	14694	17741 R. M. VAGHELA		OC	11/10/50	12	85	79
453	14695	17742 DEBABRATA DAS	P. 47, 48, 49	OC	02/01/54	12	85	79
454	14696	15047 B. M. S. ARVIND		SC	11/12/49	12	85	79
455	14697	17743 M. L. AGRAWAL		OC	10/10/54	12	85	79
456	14698	17744 KANHAIYA RAM		OC	08/13/47	12	85	79
457	14699	17745 K. A. BHATT		OC	10/28/45	12	85	79
458	14700	17746 MONORANJAN PAUL		OC	11/22/44	12	85	79
459	14701	15048 JHARI LAL RAM		SC	01/13/50	12	85	79
460	14702	17747 RAJ CHANDRA JHA		OC	04/01/53	12	85	79
461	14703	17748 T. RAGHURAM REDDY		OC	06/10/51	12	85	79
462	14704	15049 SIVARAMAN T.		SC	10/25/52	12	85	79
463	14705	17749 BABURAO NARAYAN TORASKAR		OC	04/12/47	12	85	79
464	14706	17750 K. V. SARASWATHI		OC	10/05/53	12	85	79
465	14707	17751 TARLOCHAN SINGH		OC	11/20/48	12	85	79
466	14708	17752 R. RASHAVAN		OC	07/01/47	12	85	79
467	14709	17754 G. N. JOSHI		OC	06/01/47	12	85	79
468	14710	17755 P. V. S. C. REDDY		SC	09/01/45	12	85	79
469	14711	15089 RAM SINGHASAN SUKLA SAIDYA		OC	02/10/53	12	85	79
470	14712	17756 GEORGE P. S.		OC	08/27/58	12	85	79
471	14713	30027 N. B. BHOGE		ST	08/24/49	12	85	79
472	14714	13739 S. G. SONI		OC	01/26/45	12	85	79
473	14715	17757 RAMACHANDRAN G.		OC	05/25/51	12	85	79
474	14716	19134 D. N. PANDEY		OC	10/06/56	12	85	79
475	14717	17758 G. S. RAMACHANDRA RAO		OC	10/20/47	12	85	79
476	14718	17759 R. K. CHOORASIA		SC	05/12/53	12	85	79
477	14719	15050 S. GURUSAMY		OC	10/24/50	12	85	7
478	14720	17761 R. PONNAMBALAM		SC	11/15/45	12	85	7
479	14721	15051 K. KALIAPPAN		OC	06/19/52	12	85	7
480	14722	17762 MOLOY DAS GUPTA						

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NO	NAME	CAT	DLB	OL/PEXM	RECYR	REMARKS
17763	R. KUMARESAN	OC	09/14/49	12	85	79
17764	RAJESHWAR PRASAD SINGH	OC	02/06/51	12	85	79
17765	A. R. SHANMUGAMANI	OC	05/14/53	12	85	79
17766	R. K. PATIL	OC	03/26/53	12	85	79
17767	B. L. GADHWAL	OC	05/08/58	12	85	79
17768	J. R. YADAV	OC	07/01/53	12	85	79
17769	NEELAKANTAN NAIR A. K.	OC	04/20/51	12	85	79
17770	AMAR KR. MONDAL	OC	12/31/47	12	85	79
17771	SUSANTA KUMAR DOY	OC	10/24/52	12	85	79
17772	S. AEKANTHALINKGAM	OC	05/12/48	12	85	79
17773	SATISH CHAND RAI	OC	02/15/46	12	85	79
17774	RAM CHANDRA PRASAD SINGH	OC	02/08/45	12	85	79
17775	JAI NARAYAN SINGH	OC	10/01/48	12	85	79
17776	P. SUBBURAJ	OC	05/21/51	12	85	79
17777	S. GOPALASUBRAMANIAM	OC	03/02/56	12	85	79
17778	MAHESWAR BHUYAN	OC	06/21/56	12	85	79
17779	JAI PRAKASH SINGH	OC	10/01/58	12	85	79
17647	NITYA GOPAL CHAKRABARTI	OC		12	85	79
17780	GOVIND SINGH BISHT	OC	06/03/53	12	85	79
15054	KULDIP RAJ	SC	09/12/50	12	85	79
17781	P. R. SHUKLA	OC	07/10/44	12	85	79
17782	S. B. H. ZAIDI	OC	02/13/46	12	85	79
17783	G. SIDDULU	OC	08/10/51	12	85	79
15055	V. RANGASAMY	SC	10/05/49	12	85	79
15056	RAM SURAT PRASAD	SC	07/01/51	12	85	79
15057	FULCHAND RAVJI JAYAWALA	SC	03/26/38	12	85	79
33967	A.SIVARAMAN	OC	02/15/56	12	85	79
33572	*SMT. C. S. DESHPANDE	OC	10/03/57	12	85	79
15058	*VANSHI DHAR	SC	03/31/45	12	85	79
17784	S. ELANGOVAN	OC	01/30/54	12	85	79
17785	*M. C. NAKRANI	OC		12	85	79
17581	D. K. SHENDE	OC	06/27/59	12	85	79
17786	S. B. BAHIR	OC	06/01/59	12	85	79
17577	B. G. ANGOLKAR	OC	06/20/51	12	85	79
17787	S. T. JADHAV	OC	06/01/57	12	85	79
17788	B. MURALI KRISHNA	OC	01/15/58	12	85	79
33599	R. C. CHAVAN	OC	01/30/59	12	85	79
15059	R. S. LAMANI	SC	01/08/55	12	85	79
17789	T. SRINIVASA CHARY	OC	08/23/58	12	85	79
17791	K. V. RAMANA MURTHY	OC	05/12/58	12	85	79
17792	M. V. M. SURYA NARAYANA	OC	04/05/58	12	85	79
15039	*MUNDRIKA RAM	SC		12	85	79
17710	*R. N. GAUR	OC		12	85	79
13872	RAM DAS	SC		12	85	79
13736	KANAJE SHARANAPPA	ST	01/02/56	12	85	79
13737	R. DURAI SWAMY	ST	05/20/54	12	85	79
13738	K C KUSALAKUMARI	ST	08/28/55	12	85	79
32756	PRASANTA DASGUPTA	OC	04/17/47	12	85	79
19112	H M DEVKAR	ST		12	85	79
17574	K PRASADA RAO	OC	07/01/51	12	85	79
30460	K.L.BANSAL*	OC	07/21/46	5	87	79
30339	P.K.KADARAMANDALGI*	OC	07/13/57	5	87	79
30392	A.S.BARVE*	OC	01/18/58	5	87	79
37424	R K VERMA	SC	06/02/54	5	87	79
30420	R.P.GOYAL*	OC	06/10/56	5	87	79
30424	D.S.SHEKHAWAT*	OC	07/11/58	5	87	79
30439	V.B.MUNDHE*	OC	06/07/59	5	87	79
30467	S.K.LADDE*	OC	01/01/59	5	87	79
30486	DHULSHETTE*	OC	04/08/59	5	87	79
30530	U.G.NITURE*	OC	06/08/59	5	87	79

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केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

25 MAR 2009
गुवाहाटी न्यायालय
Guwahati Bench

attained finally.

SRNO	STNO	NAME	25 MAR 2009	OC	03/03/54	4	88	79	MARKS
15263	31863	KANHAIYA LAL		OC	01/12/57	4	88	79	
15264	31864	PRAHLAD RAI		OC	07/27/59	4	88	79	
15265	31865	A.K.TIWARI	গুৱাহাটী ন্যায়পীঠ Guwahati Bench	OC	01/06/54	4	88	79	
1024	15266	31866 V.S.SONAWANE		OC	04/15/55	4	88	79	
1025	15267	31867 GUDIPATI SUBRAMANYAM		OC	08/18/42	4	88	79	
1026	15268	31868 C.L.LIDOO		OC	01/06/54	4	88	79	
1027	15269	31869 H.MARIYAPPA		OC	07/20/52	4	88	79	
1028	15270	31870 HARISH CHANDRA PANDEY		OC	07/21/54	4	88	79	
1029	15271	31871 D.S.MAPUSKAR		OC	01/07/57	4	88	79	
1030	15272	31872 R.MUNUSWAMYRAJU		ST	05/28/44	4	88	79	
1031	15273	31746 PADMANAV MARANDI		SC	05/31/57	4	88	79	
1032	15274	18883 TALARI SUBBA RAO		SC	07/15/57	4	88	79	
1033	15275	18884 KANANTHAM		SC	10/01/53	4	88	79	
1034	15276	18885 P.SUNDARARAJU		OC	05/30/57	4	88	79	
1035	15277	33593 MORE P.S		OC	10/15/41	4	88	79	
1036	15278	37539 T.P.JANARDHANAN		OC	02/16/57	4	88	79	
1037	15279	31873 CHAUDHARI P.H		ST	09/08/48	4	88	79	
1038	15280	13748 HANUMANHGOL VITTAL		OC		4	88	79	
1039	15281	31874 V.NAGI REDDY		OC	10/17/52	4	88	79	
1040	15282	18886 T.D. WANE		OC	01/06/57	4	88	79	
1041	15283	31875 N.C. PATIL		OC	01/07/54	4	88	79	
1042	15284	31883 B. VENKOBA RAO		OC		4	88	79	
1043	15285	31884 S.K. KHASIM SAHED		SC	01/07/58	4	88	79	
1044	15286	30061 R.L. BAIRWA		OC	06/05/54	4	88	79	
1045	15287	31885 MULLAR BS		OC	01/01/50	4	88	79	
1046	15288	31886 SHAHABUDDIN KHAN		OC	02/01/59	4	88	79	
1047	15289	31887 V.K. SRIVASTAVA		ST	02/01/56	4	88	79	
1048	15290	13749 ASIT BARAN MURMU		OC		4	88	79	
1049	15291	31888 BHARAT BHUSAN PAL		OC	11/25/57	4	88	79	
1050	15292	31889 R.S. PANICKER		OC	06/15/54	4	88	79	
1051	15293	31876 VEERAL LINGHTAH		OC	01/06/54	4	88	79	
1052	15294	31890 GOPAL MOTTRAM PATIL		OC	06/13/57	4	88	79	
1053	15295	31891 SOMPAPPA ERAPPA MAYALI		OC	01/06/58	4	88	79	
1054	15296	31892 U.G. KATKAR		OC	01/01/52	4	88	79	
1055	15297	31893 VISHWA NATH MISHRA		OC	09/09/57	4	88	79	
1056	15298	31894 H.L RAI		OC	04/12/58	4	88	79	
1057	15299	31895 AJAY TANDON JMD. SDDIQUE		OC	08/01/50	4	88	79	
1058	15300	31896 M.D. SIDDIQUE		OC	03/03/56	4	88	79	
1059	15301	31897 DIGAMBER CHANGO PACHPANDE		OC	08/26/54	4	88	79	
1060	15302	31898 Y.N. BAKSHI		SC	03/09/48	4	88	79	
1061	15303	18887 GANTI SUNDRA RAO		OC	11/27/46	4	88	79	
1062	15304	31877 SHYAM NANDAN PRASAD		SC	09/03/48	4	88	79	
1063	15305	31899 K. BALA BRAHAMAJI RAO		OC	04/08/54	4	88	79	
1064	15306	31900 A. RAMAKRISHNA RAO		SC	09/20/55	4	88	79	
1065	15307	31901 N.A. KHAN		OC	01/31/52	4	88	79	
1066	15308	18888 RAM DAYAL		SC	10/10/57	4	88	79	
1067	15309	31903 AJAY KUMAR MOURYA		OC	08/16/53	4	88	79	
1068	15310	31904 KHARE N.K.		OC	11/10/51	4	88	79	
1069	15311	31905 M.M. PATIL		OC	03/16/53	4	88	79	
1070	15312	18889 RAJENDRA PRASAD		OC	05/13/56	4	88	79	
1071	15313	31878 SAMAR BAHADUR SINGH		SC	05/08/56	4	88	79	
1072	15314	31906 A.K. ANAND		OC	01/06/57	4	88	79	
1073	15315	31879 CHANNE S.N.		OC	06/01/52	4	88	79	
1074	15316	31880 GULAM MOHAMMAD		OC	03/20/59	4	88	79	
1075	15317	33742 M.SHIVA KUMAR		OC	12/11/55	4	88	79	
1076	15318	31881 VARGHESE MATHEW		SC	11/30/47	4	88	79	
1077	15319	31882 MADHAB CH. DAS		SC	10/12/45	4	88	79	
1078	15320	18890 P.KOTAIAM		OC	09/04/41	4	88	79	
1079	15321	31908 G.MARUTHIRAO		OC	05/12/52	4	88	79	
1080	15322	31909 A.P. MALANKAR							

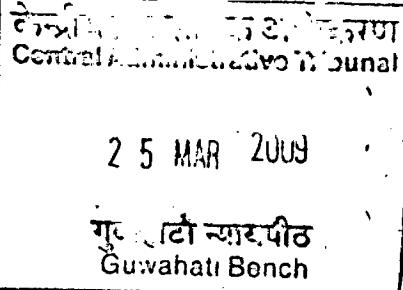
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STNO	NAME	25 MAR 2009	CAT	DOB	QLFEXM	RECYR	REMAI	EMARKS
16223	32056 SOBAN SINGH		OC	06/20/59	4	88	80	
16224	32057 J.R. PATEL	गुवाहाटी न्यायपाठी Guwahati Bench.	OC	04/26/54	4	88	80	
16225	32058 PUNJABI A.S.		OC	08/04/47	4	88	80	
16226	32060 A.V. KRISHNA RAO		OC	08/01/59	4	88	80	
16227	33494 N.S. KULKARNI		OC	09/09/53	4	88	80	
16228	32061 K. JOHNSON EX-SM		OC	08/15/45	4	88	80	
16229	32062 OM PARKASH NAGPAL		OC	11/15/54	4	88	80	
16230	18909 M. SHIVARAM		SC	09/23/50	4	88	80	
16231	32064 K. DAIVASIKAMANI PILLAI		OC	03/10/49	4	88	80	
16232	32065 M.S. INAMDAR		OC	06/01/59	4	88	80	
16233	32066 ARUN KUMAR NAIK		OC	06/27/60	4	88	80	
16234	32067 T. RACHAPPA		OC	07/01/55	4	88	80	
16235	32068 R.K. GOYAL		OC	06/05/61	4	88	80	
16236	32069 P.C. JAIN		OC	06/02/48	4	88	80	
16237	32070 MADHUYKAR KAMATH		OC	12/26/54	4	88	80	
16238	32071 P.S. BHATT		OC	04/22/48	4	88	80	
16239	32072 R.K. PANDA		OC	10/23/59	4	88	80	
16240	32073 SHRIDILIP RAIN MISHRA		OC	07/01/56	4	88	80	
16241	32074 NAND KUMAR		OC	03/10/55	4	88	80	
16242	33487 SHETTAR VERAPPA		OC	06/01/58	4	88	80	
16243	32075 N.V. SUMATHI		OC	05/21/56	4	88	80	
16244	32077 K.V. KRISHNAN		OC	08/10/58	4	88	80	
16245	18910 POP SINGH		SC	03/10/49	4	88	80	
16246	32078 RAM AWTAR		OC	01/29/53	4	88	80	
16247	32079 VITTAI RAO M		OC	09/13/55	4	88	80	
16248	32080 GOPAL KRISHAN SHARMA		OC	02/05/54	4	88	80	
16249	32081 S.RADHIKA		OC	04/15/60	4	88	80	
16250	32082 PATIL Y J		OC	02/27/54	4	88	80	
16251	32083 B.G. RANINGA		OC	06/05/49	4	88	80	
16252	18911 CH. NAVEEN BABU		SC	03/02/61	4	88	80	
16253	32085 GANGA DEEN		OC	10/25/59	4	88	80	
16254	32086 M.R. HUNGUND		OC	04/17/50	4	88	80	
16255	32087 GODEVENKATA RAO		OC	05/13/55	4	88	80	
16256	32088 V. SREERAMACHANDRA MURTHY		OC	08/15/60	4	88	80	
16257	32089 M.A. KULKARNI		OC	11/17/55	4	88	80	
16258	18912 NIRMAL RAM		SC	06/20/60	4	88	80	
16259	33490 N.M. PATHANKAR		OC	07/19/59	4	88	80	
16260	32090 ARUMUGHAM.T.R.		OC	06/05/58	4	88	80	
16261	18913 B. THYAGARAJAN		OC	04/29/55	4	88	80	
16262	32091 BASANTA KUMAR SAHU		OC	04/07/59	4	88	80	
16263	33524 KARTAR SINGH KATARIA		SC	04/04/50	4	88	80	
16264	32092 B.SRIHARI RAO		OC	07/15/57	4	88	80	
16265	32093 K. N. MURTHY		OC	03/25/59	4	88	80	
16266	32094 J.L. GULATI		OC	02/01/48	4	88	80	
16267	32095 RAVINDRRAN R		OC	11/01/57	4	88	80	
16268	32096 NARESH KUMAR SHARM		OC	12/01/56	4	88	80	
16269	32097 Tapneswar meher		OC	04/01/51	4	88	80	
16270	32098 K.L.S. SHANKARA RAO		OC	10/05/59	4	88	80	
16271	32099 D.RAMA RAO		OC	04/04/51	4	88	80	
16272	32101 T.SURYANARAYANAMURTHY		OC	08/06/60	4	88	80	
16273	32102 T.BENNET		OC	05/03/58	4	88	80	
16274	32103 L.N. MISRA		OC	01/05/52	4	88	80	
16275	32105 R.ATCHIN NAIDU		OC	07/15/58	4	88	80	
16276	32106 M JANAYYAH		OC	02/10/58	4	88	80	
16277	32107 M.K. BHOJAK		OC	07/02/52	4	88	80	
16278	33491 K.S. PUSHPALATHA		OC	10/21/57	4	88	80	
16279	32108 S.PERACHISELVAM		OC	01/10/60	4	88	80	
16280	32110 R.N. SHARMA		OC	08/25/58	4	88	80	
16281	33492 G.C. VIMALAMBIKA		OC	02/13/55	4	88	80	
16282	32111 S.P. SINGH		OC	09/05/50	4	88	80	

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SRNO	STNO	NAME	CAT	DOB	OLFEXM	RECYR	REMARKS
17243	33436	V.N.GAI	OC	04/03/61	4	88	81
17244	32601	A.K. MUSA	OC	12/24/48	4	88	81
17245	32602	S.P. PAWAR	SD	03/02/69	4	88	81
17246	18981	R. DURTSAMI	OC	05/30/58	4	88	81
3005	17247	33533 S.K. MISHRA	OC	01/07/61	4	88	81
3006	17248	32603 S.SRINIWAS MURTHY	OC	01/07/59	4	88	81
3007	17249	32604 KETKAR ANANT RAO	OC	06/11/47	4	88	81
3008	17250	32605 R. JAY RAM	OC	01/15/58	4	88	81
3009	17251	32606 M.V. BHAVSAR	OC	04/23/60	4	88	81
3010	17252	32607 O.P.S. CHAUHAN	SC	09/05/59	4	88	81
3011	17253	32608 U.S. RAMASAMY	QC	12/12/60	4	88	81
3012	17254	32609 ANUPAM KR. VERMA	OC	10/08/59	4	88	81
3013	17255	32610 D.SITARAMAI	OC	08/04/59	4	88	81
3014	17256	32611 RAKESH NARAYAN RAO	OC	09/08/58	4	88	81
3015	17257	33437 A.D. MAHASHI	OC	04/19/56	4	88	81
3016	17258	32612 M.SARASWATI	SC	03/27/59	4	88	81
3017	17259	18982 T. SRI KUMAR	OC	01/05/60	4	88	81
3018	17260	33439 P.S. NIMBARAGI	OC	01/06/50	4	88	81
3019	17261	32613 C.S. NATRAJAN	ST	01/17/54	4	88	81
3020	17262	13895 BABU	OC	01/07/52	4	88	81
3021	17263	32614 M.V. SUBARAIUDU	OC	01/04/59	4	88	81
3022	17264	32615 G. SRINIWAS MURTHY	OC	04/16/51	4	88	81
3023	17265	32616 P. GOPAL KRISHAN	OC	01/20/55	4	88	81
3024	17266	32617 N.N. SARVEY	OC	07/19/59	4	88	81
3025	17267	32618 ANIL KR. SINGH	OC	04/16/44	4	88	81
3026	17268	32619 G.V. NAGESHWARA RAO	OC	07/25/58	4	88	81
3027	17269	32620 S. LALITA	SC	03/25/56	4	88	81
3028	17270	18983 N.Y. HOTKAR	SC	05/31/48	4	88	81
3029	17271	18984 SANTOSH KR. SAHA	OC	06/30/59	4	88	81
3030	17272	32621 MAHENDRA NATH SINGH NIRALA	OC	01/26/60	4	88	81
3031	17273	33441 G.Y. OMARGHEKAR	OC	02/14/52	4	88	81
3032	17274	32622 S. KADAR NENA MOHD.	OC	08/15/59	4	88	81
3033	17275	33442 B.B. UMERJEE	OC	01/09/60	4	88	81
3034	17276	32623 RAM CHANDER	OC	07/03/46	4	88	81
3035	17277	32624 TIKAM SINGH	OC	01/06/60	4	88	81
3036	17278	32625 N.V. PATIL	OC	12/31/60	4	88	81
3037	17279	32626 DEV PRIYESH SHARMA	OC	03/04/52	4	88	81
3038	17280	33448 B. NARAYANA REDDY	OC	06/25/60	4	88	81
3039	17281	33443 U.S. MUJAWAR	OC	4	88	81	
3040	17282	32627 G. GURUVA REDDY	OC	4	88	81	
3041	17283	32628 B R GAIKWAD	OC	4	88	81	
3042	17284	32629 ASHOK KUMAR SHARMA	OC	4	88	81	
3043	17285	32631 A M BAVANI	OC	4	88	81	
3044	17286	32632 S J TRIVEDI	OC	4	88	81	
3045	17287	32633 L R MANDURDIKAR	OC	4	88	81	
3046	17288	32634 V P JADHAV	OC	4	88	81	
3047	17289	32635 RADHA KRISHNA PRASAD	OC	4	88	81	
3048	17290	32636 S ESWARAN	OC	4	88	81	
3049	17291	32637 A. RAJENDRAN	OC	03/13/59	4	88	81
3050	17292	33449 K. RAMACHANDRA-II	OC	02/28/46	4	88	81
3051	17293	32638 P. BALASUBRAMANIAM	OC	06/30/53	4	88	81
3052	17294	18987 NIRAPADA BISWAS	SC	09/28/47	4	88	81
3053	17295	32639 G.V.V. BHADRAINA	OC	10/05/52	4	88	81
3054	17296	32640 A. JAYARAMAN II	OC	09/05/52	4	88	81
3055	17297	18988 D.L. RAUT	SC	06/19/49	4	88	81
3056	17298	32641 SATYA PAL SINGH	OC	06/25/51	4	88	81
3057	17299	32642 R. VENKATESHARA SARMA	OC	10/06/47	4	88	81
3058	17300	18989 N. NARAYANA MURTHY	SC	07/15/39	4	88	81
3059	17301	32643 ANAND SHANKAR GAUR	OC	02/01/50	4	88	81
3060	17302	32644 BALAI CH. BHOWMICK	OC	01/01/54	4	88	81



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ANNEXURE-3

IN THE SUPREME COURT OF INDIA

(CIVIL APPELLATE SIDE)

Case No Appeal (Civil) 4339 of 1995

Petitioner :- Union of India,

Respondent :- Madras Telephone SC & ST Social Welfare
Association.

Date of Judgment:- 28.9.2006.

Bench :- B.P.Singh, S.B.Sinha and P.K. Balasubramanyan.

Judgment :- Judgment

Order in LA 16 in Civil Appeal No. 4339 of 1995

AND

IN THE MATTER OF:

Promotee Telecom Engineers Forum and Others ----- Applicants

-Versus-

Secretary, Department of Telecommunication and others --- Respondents

This application for clarification has been filed by the applicant,

pursuant to the liberty granted to them by order of this Court dated July

18, 2003 in Petition for Special Leave to Appeal (Civil) No. 9189 of

2003 in Promotee Telecom Engineers Forum and others Vs. Secretary

Department of Telecommunication and others. The applicants pray that

this court may be pleased to clarify that the observations made by this

court in its judgment and order reported in (2000) 9 SCC 71 (Union of

India Vs madras Telephone SC and ST Social Welfare Association) dated

April 26, 2000 to protect the seniority and consequent promotion of

persons who had judgments in their favour from the Central

Administrative Tribunal duly confirmed by this Court which have thus

attained finally.

*Certified to be
true copy
S. Sankaran
21/1/09
P.D.V.*

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Guwahati Bench

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Their seniority and promotion, therefore, can not be disturbed in any manner whatsoever. The respondents who have revised the seniority list on 22nd, 26th and 28th March, 2001 respectively and purporting to give effect thereto issued the letter dated March 30, 2001, must recognize the finality of the judgments in favour of the applicants and restore them to their original seniority.

To appreciate the controversy it is necessary to refer to the background in which this question has arisen.

The applicants are/ were members of the Telegraph Engineering Service Class II. Before coming in to force of the Telegraph Engineering Service Class II Recruitment Rules, 1966, framed in exercise of powers conferred by the provision to Article 309 of the Constitution of India, the promotion from the post of erstwhile Engineering Supervisor (Telecom) (Re-designated as Junior Engineers) to the post of Assistant Engineer was made in accordance with the instructions contained in paragraph 206 of Post and Telegraph Manual, Vol IV. These instructions were executive instructions which governed the field in the absence of statutory rules. In accordance with the aforesaid executive instructions contained in the Manual, promotion to Class II was made according to the principle of seniority-cum-fitness. Those who passed the qualifying examination earlier ranked senior as a group to those who passed the examination on subsequent occasions, i.e. officials, who passed the examination held in the year 1956, ranked en-block senior to those who passed in 1957. Their seniority inter-se, however, was determined according to their seniority in the cadre of Engineering Supervisors. However, with the

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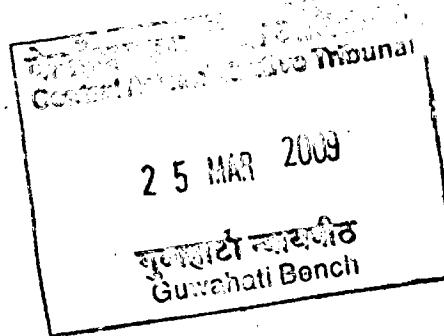
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coming in to force of the Recruitment Rules, 1966 w.e.f. June 15, 1966, the method of determining seniority was changed. It was provided that the Engineering Supervisors must complete 5 years of service to be eligible for appearing at the departmental qualifying examination. The same requirement existed earlier as well as, but under paragraph (v) of Appendix 1 of Recruitment Rules, the eligibility of candidates for consideration of the Departmental Promotion Committee was to be prepared in accordance with the instructions as may be issued by the Government from time to time. Accordingly, the Government of India, Department of Communications issued instructions dated June 28, 1966 prescribing the procedure for the preparation of eligibility list of the officers for being placed before the Departmental Promotion Committee. The instructions required the preparation of a separate list for each year of recruitment. Paragraph (V) of the instructions provided that all officers of a particular year of recruitment/ appointment, who had qualified in the examination, would rank enblock senior to those officials of the same year of recruitment/appointment, who qualified in subsequent examination. It would thus appear that in the matter of promotion the emphasis shifted from the year of passing the examination to the year of recruitment/ appointment of the candidate concerned.

In the year 1981 one Shri Parmananda Lal (1966 batch) and Shri Brij Mohan (1965 batch), both of whom qualified in qualifying examination held in 1974, filed two writ petitions complaining of their placement in the eligibility list below the last man who passed the qualifying examination in 1975. The department contended that the eligibility list had been arranged the basis of seniority based on the year of



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recruitment and ignoring the year of passing the qualifying departmental examination, as required by the Recruitment Promotion Rules of 1966. The Lucknow Bench of Allahabad High Court considered the submissions urged before it in the light of the Recruitment Rules of 1966 as also the Rules of 1981 and paragraph 206 of the P & T Manual and concluded that those who qualified in the departmental examination earlier were entitled to be promoted prior to those who qualified later, irrespective of the year of their initial recruitment. It was held that paragraph 206 of the Manual was not in conflict either the Rules of 1966 or 1981, but was supplemental to those Rules. Relief was accordingly granted to the writ petitioners based on the interpretation of the Rules and paragraph 206 of the P & T Manual.

Petitions for Special Leave to Appeal were preferred by the Union of India challenging the aforesaid decision of the Allahabad High Court which were numbered as Special Leave Petition Nos. 3384/ 3386 of 1986. By order of April 8, 1986 this court dismissed the special leave petitions observing as follows:-

“Special leave Petition is dismissed on merits. In the facts and circumstances of the present case, we are not inclined to interfere with the judgment of the High Court except to a limited extent”

It is the case of the applicants that following the judgment of the Allahabad High Court several petitions were allowed by the Principal Bench, Central Administrative Tribunal seeking identical relief. The Principal bench by a detailed order of June 7, 1991 allowed the applications and issued directions for re-fixation of seniority, keeping in view of the relevant recruitment rules and paragraph 206 on the manual.

The order of the Principal Bench of the Central Administrative Tribunal dated June, 7 1991 was challenged before this court both by the Union of India and Junior Telecommunication Officers Association (India) representing the of some of the aggrieved officers. The Special Leave Petition Nos. 19716/ 19722 of 1991 were dismissed on January 6, 1992.

While dismissing the special leave petitions this court observed:-

“These special petitions are directed against the judgment of the Central Administrative Tribunal, Principal Bench, Delhi, dated June 7, 1991. The Principal Bench has followed the judgment of the Allahabad High court in Writ Petition Nos. 3384-86 of 1986 decided on February 20, 1985. S.L.P.(C) Nos. 3384-86 of 1986 against the judgment of the Allah bad High Court have already have been dismissed by this court on April 1986. We see no grounds to interfere. Special Leave petitions are dismissed”

Subsequently, the same questions were again agitated before this court in 1993 Supp(4) SCC 693 (Junior Telecom Officers Forum and others-Vs- Union of India and others). This Court while dismissing the writ petition before it observed:-

“Though learned counsel for the parties have referred to some judgment on the questions of res-judicata, constructive re-judicata and the binding nature of a precedent, we do no think it is necessary to refer to any of those judgment as in the facts and circumstances of this case and from what we have noticed above we are satisfied that the issues which the petitioners now wish to raise had been agitated directly and substantially not only by JTOA, which was espousing their cause in the earlier litigation right up to this court, but also by the Union of India.

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The order made by this court in S.L.P.(C) Nos. 3384-86 of 1986 interfering with the judgment of the Allahabad High Court to a limited extent is an order made on the merit of the case as is quite apparent from the expressions used in that order and is a binding precedent. The issues were again raised and agitated by the Union of India as well as JTOA in SLP(C) Nos. 19716-22 of 1991 against the judgment of Principal Bench of CAT dated June 7, 1991 unsuccessfully. Those judgments have settled the controversy and have become final and binding in respect of the questions debated therein and the issues settled thereby and as it was observed by a Constitution Bench of this Court in Makhinali Waza-Vs. - State of J & K, the Union of India and its officers are bound to follow the same even if the members of the Forum or a majority of the Engineers were not individually parties in the case before the Allahabad High Court. Since the issues now raised have been agitated twice over, it is not permissible for the petitioners to once again reagitate the matter by coming now under the cloak of a Forum. The preliminary objection, therefore, must succeed and is upheld. The writ petition is accordingly held not maintainable and dismissed."

The applicants contend that following the judgment of the Allahabad High Court and the Supreme Court, the Benches of the Central Administrative Tribunal decided a large number of cases. In some of the cases appeals were preferred by the Union of India before this court which were rejected by this court. The applicants have referred to the judgment of this court in 1994 Supp. (2) SCC 222 (Telecommunication Engineering Service Association (India) and another Vs. Union of India and another), wherein in substance the view of the Allahabad High Court was approved.

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by this court by dismissal of the special leave petitions. The Tribunal in that case had held that the decision of the Allahabad Bench in the case of Paramanada Lal and Brij Mohan and the judgments of the Tribunal following the said decision lay down good law and constitute good precedents to be followed in similar case. The Tribunal accordingly rejected the contentions of the appellants to the contrary and further held that having urged before the Supreme court their various contentions, and their S.L.P.s having been dismissed, they could not agitate the matter before the Tribunal. This court observed:-

"So, far as the first point is concerned, it appears that the interventionists filed parallel proceedings through Junior Telecom Officers' Forum -Vs.-Union of India and this court (J.S. Verma and Anand, J.J) in an elaborate judgment took the same view as that of the Allahabad High Court noticed by the Principal Bench of the Tribunal in the aforesaid case of Paramanada Lal and Brij Mohan which has become final and has been upheld by this court on merit. It is thus not necessary to dwell on the first question decided by the Principal Bench any further."

It would thus appear that this court upheld the view of the Allahabad High Court in the case of Paramanada Lal and Brij Mohan. This view was upheld by this court dismissing the special leave petitions against the said judgment. The same view was reiterated by this court in 1993 Supp(4) SCC 693 (Junior Telecom Officers Forum -Vs.- Union and others and 1994 Supp (2) SCC 222 (Telecommunication Engineering Service Association(India) and another Vs Union of India and another.

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It appears that the Madras Telephone S.C. & S.T Social Welfare Association had filed a writ petition before the Madras High Court with prayer that the eligibility list must be prepared by determining the seniority on the basis of confirmation as Junior Engineer. That list should form the basis for promotion to Class II Service. The writ petition stood transferred to the Central Administrative Tribunal and the Tribunal by its judgment dated December 31, 1986 held that the year of recruitment for the purpose of seniority is extraneous and irrelevant and accordingly directed that the eligibility list be arranged according to the year of passing the qualifying examination. As amongst those who passed the examination in the same year, the list should be according to their merit as seen from the marks obtained in the examination. The judgment of the Tribunal was challenged before this Court in Civil Appeal No. 4339 of 1995 and the judgment of this Court is reported in (1997) 10 SCC 226 (Union of India Vs Madras Telephone S.C. & S.T. Social Welfare Association and another). This court held:-

From the aforesaid clause read with instructions, it is clear that the eligibility lists have to be prepared according to the year of recruitment/ appointment. The respondent's case, before the Tribunal, however, was that the said lists should be prepared not with reference to the year of recruitment/ appointment but with reference to the year of confirmation. The Tribunal neither accepted their statement nor did it uphold the department's case, but directed that these lists should be prepared on the basis of the year of the passing of the departmental qualifying examination and not the basis of the year of recruitment/ appointment. In our opinion what the Tribunal has done really amounts to rewriting the rule which should not have been done by it. The appeal is

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accordingly allowed. The order of the Tribunal is set aside. For the same reasons, the order dismissing the review filed by the Union of India, by the Tribunal, is also set aside. No costs."

In Civil Appeal No. 4339 of 1995, the notice of this court was not drawn to the earlier judgments of this court, wherein the Allahabad High Court view had been approved, namely, the order of this court dismissing the special leave petition in Paramanada Lal and Brij Mohan case, and the judgments reported in 1993 Supp (4) SCC 693 (Junior Telecom Officers Forum and others Vs Union of India and Others) and 1994 Supp (2) 222 (Telecommunication Engineering Service Association (India) and another Vs. Union of India and another. The judgment of this court does not notice the judgments aforesaid.

In view of the earlier judgments of this court and the later judgment in Civil Appeal No. 4339 of 1995 which apparently took a contrary view, the Union of India found difficulty in implementing the order of this court and, therefore, it filed an application for clarification which came to be disposed of by this court along with other applications, petitions and civil appeals by a common judgment reported in (2000) 9 SCC 71 (Union of India Vs. Madras Telephone S.C. & S.T. Social Welfare Association).

Shorn of unnecessary details this court took the view that the judgment of this court in Civil Appeal No. 4339 of 1995 reported in (1997) 10 SCC 226 laid down the correct law. It did not approve the view of the Allahabad High Court observing that once the statutory recruitment

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rules came in to force and the procedure was prescribed under the said Rules for preparation of eligibility list of officers for promotion to the Engineering Service, Class II, by Notification dated June 28, 1966, it is that procedure which has to be adopted and the earlier Administrative instruction contained in paragraph 206 of the P & T Manual cannot be adhered to. It observed that the contrary conclusion of the Allahabad High Court was undoubtedly incorrect. However, it made a pertinent observation with which are concerned in the instant application. While upholding the correctness of the law declared in 1997 (10) SCC 226, it was clarified as follows:-

“We, however, make it clear that the persons who have already got the benefit like Paramanda Lal and Brij Mohan by virtue of the judgment in their favour will not suffer and their promotion already made will not be affected by this judgment of ours”

By the same judgment this court also disposed of the appeal preferred by Paramanada Lal which was directed against the order of Central Administrative Tribunal dated April 11, 1997. Paramanda Lal had approached the Tribunal challenging the order of reversion because of judgment of different Tribunal and of this court. This court observed that though the correctness of the view in (1997)10 SCC 226 had been upheld, promotions already effected pursuant to the judgment of the Allahabad High Court which was upheld by this court by dismissing the Special Leave Petition filed by the Union of India will not be altered in any manner. That judgment having attained finality and Paramanada Lal having received the benefit of the said judgment and having been promoted, could not have been reverted because of some later judgments.

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and directions given either by the Tribunal or by this court. It accordingly quashing the order of reversion and also clarified that the seniority of Paramananda Lal in the cadre of Assistant Engineer, fixed on the basis of the directions of Allahabad High Court, after dismissal of the leave petition against the same by this court, is not liable to be altered by virtue of a different interpretation being given for fixation of seniority by different Benches of the Central Administrative Tribunal. The applicants claim that their cases are also similar and in fact identical to that of Parmanand Lal and Brij Mohon. In their cases as well, the High court of CAT have rendered judgments in their favor pursuance to which they have already promoted on the basis of their seniority determined in accordance with the principles of laid down by the Allahabad High Court. Thus, they are covered by the observation earlier quoted in this order wherein it has clarified that persons who have already got their benefits like Paramand Lal and Brij Mohon by virtue of the judgment in their favor will not suffer, and their promotion already made will not be affected by that judgment.

On behalf of the Union of India three main objections have been raised. In the first instance, it is submitted that this court should not entertain an application for clarification three and a half years after judgment of this court dated April 26, 2000. Secondly, it is contended that the applicants are seeking clarification from this court to the effect that though a part of the seniority list should be prepared in accordance with paragraph 206 pf the P. & T Manual, the rest of it be prepared in accordance with the 1996 Rules. Since the larger bench held that the statutory Rules of 1996 will supersede the administrative instructions.

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Guwahati Bench

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contained in the Manual, there is no need to undertake this exercise as it would result in unnecessary complications. Lastly, an objection has also been raised on the ground that in the case of Shri Pramanand Lal this court had protected his seniority as well as promotion but in the instant case only the promotion has been protected and not the seniority.

So far as the last submission is concerned, we consider the submission to be hyper technical and do not deserve serious consideration. If the promotions have been protected, it is only on the basis of seniority determined by the concerned authority in accordance with the principles laid down in earlier judgments.

So far as the question of delay is concerned, the applicants have explained that after the judgment of this court, they have not been sitting idle. They have referred to have various proceedings taken by them before this court, before the Central Administrative Tribunal, New Delhi, and thereafter before the High Court. In fact, while disposing of their writ petition, the Delhi High court in its order of December 16, 2002 observed that since the issue involved interpretation of the judgment of this court in (2000) 9 SCC 71 (Supra) the petitioners were free to approach this court seeking clarification. The applicants, thereafter, filed a Special Leave Petition No. 9189 of 2003 which was withdrawn by the petitioners with liberty to seek clarification of the judgment and order of this court. We are, therefore, satisfied that this application can not be rejected on the ground of delay.

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The question than arises as to whether the applicants can claim the protection of their seniority and consequent promotion on the basis of observation and the clarification contained in the judgment of this court reported in (2000) 9 SCC 71. Having considered all respects of the matter we are satisfied that those whose cases stand on the footing as that of Pramanand Lal cannot now be adversely affected by re-determination of their seniority to their disadvantage relying on later judgment of this court C.A. No. 4339 of 1995 reported in (1997) 10 SCC 226 (Supra) as affirmed by this court in its judgment reported in (2000) 9 SCC 71 (Supra).

We, therefore, direct that such of applicant whose seniority had been determined by the competent authority, and who had been given benefit of seniority and promotion of pursuant to the orders passed by Courts or Tribunals following the principles laid down by the Allahabad High Court and approved by this court, which orders have since attained finality, cannot be reverted with retrospective effect. The determination of their seniority and the consequent promotion having attained finality, the principles laid down in later judgment will not adversely affect their cases.

This court has clarify clarified the position in its aforesaid judgment. The observation made by this court while disposing the appeal of Parmanand Lal is also pertinent. This court clearly laid down the principle that the seniority fixed on the basis of the directions of this court which had attained finality is not liable to be altered by virtue of a different interpretation being given for fixation of seniority by different benches of Tribunal. Consequently, the promotions already effected on the basis of seniority determined in accordance with principles laid down in

the judgment of the Allahabad High Court can not be altered. Having regard to the above observation and clarification we have no doubt that such of the applicants whose claim to seniority and consequent promotion on the basis of the principles laid down in the Allahabad High Court's judgment in Pramanand Lal's case have been upheld or recognized by Court or Tribunal by judgment and order which have attained finality will not be adversely effected by the contrary view now taken in the judgment reported in (1997) 10 SCC 226. Since the right of such applicants were determined in a duly constituted proceeding, which determination has attained finality, a subsequent judgment of a court or Tribunal taking a contrary view will not adversely effect the applicants in whose cases in orders have attained finality. We order accordingly. Before parting with this judgment we may observed that we have not laid down any principle or law having universal application. We have only clarified and given effect to an earlier judgment of this court rendered in an extraordinary situation.

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Guwahati Bench No. 15-28/2003-STG.II
Government of India

Ministry of Communications & Information Technology
Department of Telecommunications



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ANNEXURE - K

421, Sanchar Bhavan,
20-Ashoka Road,
New Delhi-110 001.

Dated the 30th March, 2007.

'To

1. The Chairman & Managing Director, BSNL, New Delhi.
2. The Chairman & Managing Director, MTNL, New Delhi.

Subject : Order dated 28/09/2006 of Hon'ble Supreme Court of India in I.A. No. 16 in C.A. No. 4339 of 1995 - implementation regarding.

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I am directed to say that this office has received a large number of representations from many officers requesting for extending the benefits of Hon'ble Supreme Court of India's order dated 28/09/2006 in I.A. No. 16 in C.A. No. 4339 of 1995. In this connection, it is intimated that as per legal advice received by Government, the benefit of the aforesaid judgment would be admissible to the applicants who were party before the Hon'ble Supreme Court.

2. The above position may be suitably brought to the notice of all concerned.

Yours faithfully,

John

B.M. David]

Under Secretary to the Govt. of India
Tele No. 23036282/Fax No. 23716099.

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Certified to be
true copy
Chester Charles H.
Advocate

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No. 15-28/2003-STG.II

Government of India

Ministry of Communications & Information Technology
Department of Telecommunications

Central Administrative Tribunal

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Guwahati Bench

Office Order

421, Sanchar Bhavan,
20-Ashoka Road,
New Delhi-110 001.

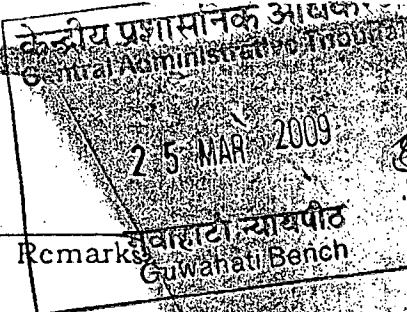
Dated the 19th May, 2008.

Order dated 25/03/2008 of Hon'ble Supreme Court of India in C.P. No.248/2007 in I.A. No. 16 in C.A. No. 4339 of 1995 – implementation regarding

compliance of Hon'ble Supreme Court order dated 25/03/2008 in I.A. No. 16 of 4339 of 1995, the seniority of the following 45 TES Group 'B' officers who served in the C.P. No. 248/2007 is revised as under :-

	Name [S / Shri / Smt.]	Staff No.	Date of Birth	Revised Sen. No. as per the order dated 25/3/2008	Remarks
	Janaky Jagadish	12760	23/09/48	5138.1	Above Shri M.R. Belani (Sen.No.5139) Below Shri Haridoss S. (Sen. No.5138)
2	Anthony B.	15787	05/02/48	5138.2	Above Shri M.R. Belani (Sen.No.5139) Below Sen. No.5138.1
3	G.R. Kulkarni	15903	18/10/50	5138.3	Above Shri M.R. Belani (Sen.No.5139) Below Sen. No.5138.2
4	Suresh Kumar Kulshreshtha	15983	12/10/54	5138.4	Above Shri M.R. Belani (Sen.No.5139) Below Sen. No.5138.3
5	Dalvir Aggarwal	16354	01/01/55	5138.5	Above Shri M.R. Belani (Sen.No.5139) Below Sen. No.5138.4
6	S.R. Sakhare	16423	08/08/56	5138.6	Above Shri M.R. Belani (Sen.No.5139) Below Sen. No.5138.5
7	R.L. Kaul	33680		5138.7	Above Shri M.R. Belani (Sen.No.5139) Below Sen. No.5138.6
8	Parsai Prakash Chandra	16523	06/12/51	5138.8	Above Shri M.R. Belani (Sen.No.5139) Below Sen. No.5138.7

Certified to be
true copy
Shrikant Chakrabarty
Protocol



Sl. No.	Name [S / Shri / Smt.]	Staff No.	Date of Birth	Revised Sen. No. as per the order dated 25/3/2008	Remarks
9	Ranbir Singh	16526	10/12/56	5138.9	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.8
10	Harcharan Singh Lahri	16588	08/10/45	5138.10	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.9
11	Chuni Singh	16590	11/12/48	5138.11	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.10
12	R.N. Kuchai	16701	20/04/49	5138.12	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.11
13	M. Nagarajappa	16735	08/11/55	5138.13	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.12
14	Azad Singh Chaudhary	16740	28/01/50	5138.14	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.13
15	S.N. Raina	16744	20/03/50	5138.15	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.14
16	B.P. Sinha	16811	06/10/49	5138.16	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.15
17	Anup Kumar Kharb	17228	16/05/58	5138.17	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.16
18	Pradip Kumar	16821	09/09/51	5138.18	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.17
19	Rabendra Singh	16824	05/01/53	5138.19	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.18
20	G. Bhimappa	16851	08/04/55	5138.20	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.19
21	Kamal Kishore Rawat	16852	30/10/51	5138.21	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.20
22	L.D. Koul	17285	19/07/49	5138.22	Above Shri M.R. Belani (Sen. No. 5139) Below Sen. No. 5138.21

Contd... 3/-

25 MAR 2009

S. No.	Name (S / Shri / Smt.)	Staff No.	Date of Birth	Revised Sen. No. as per the order dated 25/3/2008	Remarks Guwahati Bench	
					145	94
	Qazi Shamsudin	17305	09/04/48	5138.23	Above Shri M.R. Belani (Sen.No.5139)	Below Sen.No.5138.22
	M. Singh	17477	01/03/53	5138.24	Above Shri M.R. Belani (Sen.No.5139)	Below Sen.No.5138.23
	dhari Lal	17503	18/02/55	5138.25	Above Shri M.R. Belani (Sen.No.5139)	Below Sen.No.5138.24
	Gade	17670	22/06/57	5138.26	Above Shri M.R. Belani (Sen.No.5139)	Below Sen.No.5138.25
	adan Singh	30219	02/05/52	5575.1	Above Shri B.C. Biradar (Sen.No.5576)	Below Shri M.S. Kanthi (Sen.No.5575)
	A.D. Babladi	30797	22/07/58	5575.2	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.1
	Virender Prakash	30815	31/10/59	5575.3	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.2
	L.M. Bastikar	30817	10/05/59	5575.4	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.3
31	C.A. Waremani	30879	24/02/58	5575.5	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.4
32	V.K. Mahuli	30908	15/04/60	5575.6	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.5
33	Rajendra Prasad	30989	01/07/58	5575.7	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.6
34	Rakesh Kumar Tanwar	19142	12/04/61	5575.8	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.7
35	Ravinder Singh Panwar	31055	27/01/61	5575.9	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.8
36	Krishnamurthy Adiga	31067	20/08/54	5575.10	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.9
37	Brijesh Tyagi	31068	01/08/58	5575.11	Above Shri B.C. Biradar (Sen.No.5576)	Below Sen.No.5575.10

Contd...4/-

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Sl. No.	Name [S. / Shri / Smt.]	Staff No.	Date of Birth	Revised Sen. No. as per the order dated 25/3/2008	Remarks
38	Mohindra Pal	32237		6890.1	Above Shri A.V. Kulkarni (Sen.No.6891) Below Shri L.S. Srivastav (Sen.No.6890)
39	Ajay Sharma	32331	01/05/61	6890.2	Above Shri A.V. Kulkarni (Sen.No.6891) Below Sen.No.6890.1
40	Chandra Bhuvan Singh Bisht	32345	24/05/52	6890.3	Above Shri A.V. Kulkarni (Sen.No.6891) Below Sen.No.6890.2
41	Tribhuwan Singh	32434	15/06/53	6890.4	Above Shri A.V. Kulkarni (Sen.No.6891) Below Sen.No.6890.3
42	Amarjeet Kaur Bedi	32450	13/04/62	6890.5	Above Shri A.V. Kulkarni (Sen.No.6891) Below Sen.No.6890.4
43	Suresh Chand Bhardwaj	32457	28/12/59	6890.6	Above Shri A.V. Kulkarni (Sen.No.6891) Below Sen.No.6890.5
44	Anil Gupta	32531		6890.7	Above Shri A.V. Kulkarni (Sen.No.6891) Below Sen.No.6890.6
45	Satya Pal Singh	32641	25/06/51	6890.8	Above Shri A.V. Kulkarni (Sen.No.6891) Below Sen.No.6890.7

2. Office Order No. 15-28/2003-STG.II dated 20/01/2007 & 09/03/2007 may be treated as cancelled.

[B.M. David]

Under Secretary to the Govt. of India
Tele No. 23036282/Fax No. 23716099

To,

1. The CMD, BSNL, New Delhi.
2. The CMD, MTNL, New Delhi.

Copy to :-

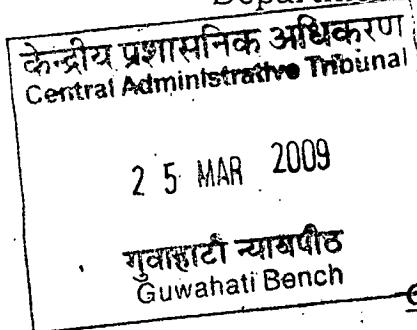
1. Executive Director, MTNL, New Delhi/Mumbai.
2. ADG (Pcrs.II), BSNL CO, Statesman House, New Delhi.
3. Shri Azad Singh Chaudhary, President, Promotce Telcom Engineers Forum, 114, H-17, Sector-7, Roshini, New Delhi-110 085.

[Surendra Patel]
Section Officer (STG.II)
Tele No. 23036100/23355758

(46)
(HT) ~~Handwritten~~ b

No. 15-6/2007-STG.II (i)
Government of India
Ministry of Communications & Information Technology
Department of Telecommunications

ANNEXURE-6



421, Sanchar Bhavan,
20-Ashoka Road,
New Delhi-110 001.

Dated the 21st May, 2008.

Subject : Order dated 25/03/2008 of Hon'ble Supreme Court of India in C.P. No.248/2007 in I.A. No. 16 in C.A. No. 4339 of 1995 - implementation regarding.

The Hon'ble Supreme Court in its order dated 25/03/2008 in C.P. No. 248/2007 in I.A. No.16 in CA No. 4339 of 1995 has clarified that "it was specifically held by this court in its order dated 28/09/2006 that such of the employees whose claims for seniority on the basis of the qualifying year had become final because of the orders of the courts, should not be disturbed on accounts of its subsequent judgment dated 26/04/2000".

Accordingly, the seniority of the following 9 TES Group 'B' officers who are petitioners in CWP No. 13/2007 filed by Shri Sohan Lal Sayal & Others in the Hon'ble High Court of H.P. at Shimla and who had obtained the orders in their favour on 25/03/1992 in 1311/HP/91 from Hon'ble CAT, Chandigarh Bench for fixation of their seniority on the basis of qualifying year on the principles laid down by Allahabad High Court in P.N. Lal case is revised as under :-

Sl. No.	Name [S/Shri]	Staff No.	Date of Birth	Revised Sen. No. as per the order dated 25/3/2008	Remarks
1	Ram Prakash Gupta	16586	20/12/52	5138.9.1	Above Sen. No.5138.10 Below Sen. No.5138.9
2	Vishwa Nath Sharma	16806	01/12/49	5138.15.1	Above Sen. No.5138.16 Below Sen. No.5138.15
3	Chint Ram Sharma	16842	15/06/58	5138.19.1	Above Sen. No.5138.20 Below Sen. No.5138.19
4	Sohan Lal Sayal	17119	15/09/49	5138.21.1	Above Sen. No.5138.22 Below Sen. No.5138.21
5	Jitender Kumar	30661	12/04/53	5575.1.1	Above Sen. No.5575.2 Below Sen. No.5575.1
6	Nirdosh Kr. Modgil	30810	02/06/54	5575.2.1	Above Sen. No.5575.3 Below Sen. No.5575.2

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Shantanu Bhattacharya
Advocate

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5 MAR 2009

गुवाहाटी बार ॥१०
Guwahati Bench

Sl. No	Name [S/Shri]	Staff No.	Date of Birth	Revised Scn. No. as per the order dated 25/3/2008	Remarks
7	Ved Prakash Kaushik	30838	21/12/49	5575.4.1	Above Sen. No.5575.5 Below Sen. No.5575.4
8	Pran Nath Sharma	30892	02/03/45	5575.5.1	Above Sen. No.5575.6 Below Sen. No.5575.5
9	Bhavani Dutt Sharma	31012	02/01/50	5575.7.1	Above Sen. No.5575.8 Below Sen. No.5575.7

[B.M. David]

Under Secretary to the Govt. of India
Tele No. 23036282/Fax No. 23716099

'Fo,

1. The CMD, BSNL, New Delhi.
2. The CMD, MTNL, New Delhi.

From:

Mohan Chandra Modak,
ADT (Staff), Circle Office,
Panbazar, Guwahati - 781 001

To

The Secretary,
Department of Telecommunication,
Sanchay Bhawan,
20 - Ashoka Road,
New Delhi - 110 001

Sub:

MODIFICATION OF SENIORITY IN THE SENIORITY LIST OF
TES GROUP 'B'.

Respected Sir,

I would like to bring the following few points and facts for your kind consideration and favorable order please.

1. The DOT vide its Order No. 15-28/2003-STG-II dated 20/01/2007 and 09/03/2007 have revised the seniority of some of TES Group 'B' officers. In this list some of officers who are junior to me in all respects were made senior to me.
2. I represented to DOT and requested that those officers can not be made senior to me because I am senior to them in all respects whether it is year of recruitment or passing the qualifying examination for promotion to TES Gr. 'B' and I am a similarly placed person whose seniority attained finally through Hon'ble Principal Bench CAT order dated 28/09/1992.
3. It was not on the decision of DOT that I got my seniority and subsequently the promotion to TES Gr. 'B' vide DOT Order No. 2-41/94-STG-II dated 27/05/1994 but on the order of Hon'ble Principal Bench CAT dated 28/09/1992.
4. Though I am similarly placed person, DOT did not revise my seniority instead placed some of my juniors above me and denied me justice.
5. Now I represent against this order. Instead of providing me justice, DOT vide its order No. 15-28/2003-STG-II dated 19/05/2008 have again placed a lot of junior officers above me. These all officers are junior to me in all respects. This is clear from the details given below.

F 8
Contd.....Page - 2

S Sen/ To From

certified to be
true copy
Chenkhalharkarally
Bhorela

Notary Public
V.D. 2008

25 MAR 2009

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গুৱাহাটী চাষপীঠ
Guwahati Bench

Page - 2

Sl. No	Name	Staff No.	Seniority before 2000 (on the basis of passing Qualifying exam)	Seniority after 2000 (on the basis of year of recruitment)	Revised Seniority No. vide order dated 19/05/2008
1	MOHAN CHANDRA MODAK	17727	14202	14674	Not Revised
2	A.D. BABLADI	30797	16407	15696	5575.2
3	VIRENDRA PRAKASH	30815	16427	15719	5575.3
4	L.M. BHASTIKAR	30817	16431	15724	5575.4
5	G.A. WAREMANI	30879	16501	15798	5575.5
6	V.K. MAHULI	30908	16531	15829	5575.6
7	RAJENDRA PRASAD	30989	16617	15910	5575.7
8	RAVINDER SINGH PANWAR	31055	16685	15985	5575.9
9	BRIJESH TYAGI	31068	16701	16001	5575.11
10	MOHINDER PAL	32237	18083	16770	6890.1
11	AJAY SHARMA	32331	18207	16898	6890.2
12	CHANDRA BHUVAN BISHT	32345	18224	16918	6890.3
13	TRIBHUVAN SINGH	32434	18335	17024	6890.4
14	AMAREET KAUR BEDI	32450	18354	17049	6890.5
15	SURESH CHAND BHARDWAJ	32457	18362	17058	6890.6
16	ANIL GUPTA	32531	18451	17155	6890.7
17	SATYA PAL SINGH	32541	16583	17166	6890.9

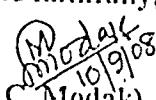
From the list given above, it is evident that all the persons mentioned above whose seniority has been revised are junior to me in all respects i.e, whether it is seniority on the basis of recruitment year or seniority based on passing the qualifying examination and that great injustice has been done to me. DOT can not apply two set of rules specially in finalizing the seniority of similarly placed officers. This a simple case of denying me natural justice and snatching away my fundamental rights.

In view of above I again request to kindly revise my seniority, place me above all my juniors, do justice to me and restore my dignity.

DOT has already been directed to protect the seniority of similarly placed persons by various court judgments but DOT fails to be impartial and is denying me justice. In case DOT still denies me justice I will have no alternative but to approach the Court of Law.

Thanking you,

Yours faithfully,


(M.C. Modak)
Staff No. 17727

ADT (Staff), Circle Office, Guwahati

Dated at Guwahati, the 10/09/2008

Copy to:

1. The Director, HRD, BSNL Corporate Office, Bharat Sanchar Bhawan, Janpath, New Delhi - 110 001.



BIHAR SANCHAR NIGAM LIMITED
 [A Government of India Enterprise]
 CORPORATE OFFICE : PERSONNEL BRANCH
 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi-110001

No.412-06/2008-Pers-I

Dated

6/2/09
Feb,2008

25 MAR 2009

To

All Heads of Telecom Circles &
 Other Administrative Units of BSNL

Subject: Promotion of Executives (TES Group 'B') to STS(DE) grade on Adhoc
 Basis-calling of ACRs and Screening Committee report.

The undersigned is directed to state that as per the decision of the competent Authority,adhoc promotion of Executives(TES Group 'B') absorbed in BSNL has to be considered .The Executives falling in the zone of cosideration fixed for this purpse are to be considered for the proposed promotion.The detail are as under :

1. The Executives (TES Grp 'B') from seniority No.12204.2 against the name of Shri.Rajinder Singh(Staff No.33941) to the seniority No.14001 against the name of Shri.Badhe Prakash Eknath (Staff No.30304) for OC/SC and from seniority No.20061 to 24456 for ST have to be considered on the basis of vigilance clearance,seniority and fitness.The starting and ending seniority Nos with in the zone of consideration for OC,SC&ST candidates are as under:

SL.No.	Seniority numbers for OC		Seniority numbers for SC		Seniority numbers for ST	
	From	To	From	To	From	To
1.	12204.2	14001	12204.2	14001	20061	24456

2. The Executives (TES Grp 'B') who are senior to the ones covered in the aforesaid zone and were not considered for promotion in the past may also be considered.
3. Only those Executives(TES Grp 'B') who have been absorbed in BSNL are to be considered only.However,seniority of the Executives(TES Grp 'B'),who are senior and are not being considered due to non-issuance of their Presidential Order will remain undisturbed as this proposed promotion being effected is of ad-hoc basis only.
4. Only those Executives(TES Grp 'B') who have put in six years of eligible length of regular service as on 30.9.2008 shall be considered.
5. ACRs for the last five years i.e 2003-04 to 2007-08 may be furnished to the Corporate Office.

5(1A)
 Certified to be
 True Copy
 Sheshan Chatterjee
 Advocate

Subhankar Chatterjee
 14-3-2009

25 MAR 2009 66

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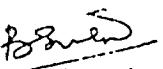
6. The tabulation sheets may also be furnished indicating the grading of the various Executives (IES Grp 'B') duly checked and signed by a officer of the rank no. below DGM(Admn) of the Circle concerned. While indicating the grading in case there are more than one ACR in a particular year then in such cases the period wise grading is to be indicated in the enclosed proforma in the 'MS Excel' format. Example indicated in the said format may be followed by all the circles. Circles are advised to retain the photocopies of the ACRs for their use till the proposed promotion job is completed by the Corporate Office.

7. CGMs are requested to direct their Vigilance Officers to E-Mail the Vigilance status of the Executives (IES Grp 'B') in the zone of consideration to expedite the process of Vigilance clearance required for the purpose.

Above exercise may be completed by the Circles in a Time Bound manner and may depute their representative(not below the rank of SDE(Admn) to hand over the ACR dossiers alongwith the softcopy of the tabulation sheet in CD to this office latest by 15th of March,2009.

The copy of the seniority list of zone of consideration(12204.2 to 14001) is enclosed for reference. Corrections and Omissions in the seniority list may be intimated to this office at the earliest.

For any assistance AGM(DPC) may be contacted over phone NO.09868170090.


B. Surendranath
Asstt. General Manager(DPC)

Encl:As above.

Copy to: The Chief Vigilance Officer, BSNL, Statesman House, Barakhamba Road for information w.r.t para 8 above please.

Sanior ki
no. 5/2009

Name (54)

Category A-OB

Govt. of Assam
Central Administrative Tribunal

13243	18787	SHIV KUMAR	OC	11/30/1955	5	87	77
13244	18788	L.P.SHARMA	OC	04/07/1949	5	87	77
13245	18789	M.VARAPASADA RAO	OC	06/19/1949	5	87	77
13246	18790	VISHVESHWARA BHAT	OC	07/19/1955	5	87	77
13247	18791	S.K.BHATNAGAR	OC	05/15/1952	5	87	77
13248	18792	G.VENKATESH	OC	10/17/1952	4	88	79
13249	18886	I.D.WANF	OC	01/31/1952	4	88	79
13249	18888	RAM DAYAL	OC	04/29/1955	4	88	80
13248.2	18913	B.THYAGARAJAN	SC	12/31/1958	4	89	80
13248.2	19090	SANI RAM	ST	30/9/56			
13248.2	19094	D.C.BOLAGOND	SI	17/3/57			
13248.2	18981	R.DURISAMI	SI	11/03/1958			
13248.25	19126	B.C.BARUA	SI	08/06/1956			
13248.25	19127	D.BORA	SI	11/03/1958			
13248.25	19128	J.SONOVAL	SI	11/03/1958			
13249	30079	K.DEORI	OC	10/08/1955	5	87	77
13249	30080	A.K.KOLEKAR	OC	12/26/1949	5	87	77
13250	30083	BINDA PRASAD	OC	01/01/1955	5	87	77
13251	30084	S.V.PRAKASH IYER	OC	06/01/1956	5	87	77
13252	30082	A.M.NAGARAJU	OC	06/11/1952	5	87	77
13252.1	30085	M.A.PATEL	OC	09/09/1951	5	87	77
13253	30086	HARIHAR DUTT SHUKLA	OC	08/22/1956	5	87	77
13254	30087	SUMATHI S.SHETTY	OC	02/24/1957	5	87	77
13255	30088	V.RAMACHANDRA	OC	06/01/1952	5	87	77
13256.1	30093	M.S.ASHAWAT	OC	07/27/1955	5	87	77
13257	30090	C.S.SANGH RAO*	OC	01/18/1955	5	87	77
13258	30091	BADAL KANU SINGHA	OC	09/13/1954	5	87	77
13258.1	30092	S.J.PATEL	OC	03/01/1953	5	87	77
13259	30095	R.V.MAHAJAN	OC	07/01/1952	5	87	77
13263	30096	NANDAVADEKAR VASANI MA	OC	03/06/1956	5	87	77
13264	30097	C.J.NILAKHE	OC	05/10/1954	5	87	77
13265	30099	SHIV KUMAR	OC	12/09/1957	5	87	77
13267	30101	MUTTHAYYA V	OC	08/11/1957	5	87	77
13269	30102	B.G.NANANANDA RAO	OC	06/01/1952	5	87	77
13270	30103	J.V.GOSAI	OC	08/11/1957	5	87	77
13271	30104	R.A.GUPTA	OC	06/01/1952	5	87	77
13272	30105	ARVIND KUMAR	OC	06/10/1954	5	87	77
13273	30106	KRISHNA MURHY.R	OC	09/08/1954	5	87	77
13274	30108	S.JAYARAMAN	OC	06/20/1952	5	87	77
13277	30162	R.S.VAIDYA*	OC	10/02/1956	5	87	77
13278	30110	M.B.BANKAR	OC	11/10/1954	5	87	77
13279	30111	J.P.S.SHEKHAWAT	OC	08/04/1951	5	87	77
13280	30113	P.D.ARUN KUMAR	OC	06/05/1954	5	87	77
13282	30114	MILAP CHAND JAIN	OC	01/05/1951	5	87	77
13283	30114	RAJENDRA PRASAD	OC	07/15/1955	5	87	77
13285	33544	K.SEEHARAMAIAH	OC	06/01/1956	5	87	77
13288	30116	SHAIKH S.M.	OC	07/17/1956	5	87	77
13289	30117	V.M.KANKERI	OC			87	77
13293	30119	CG LOHAR	OC			87	77
13295	30121	CHOWDHARY V.I.	OC	12/12/1951		87	77
13296	30122	G.VENKATESWARA RAO	OC	06/13/1956		87	77
13297.1	30124	S.V.PATEL	OC	01/05/1954		87	77
13298	30125	R.V.SINGH	OC	10/02/1954		87	77
13299.1	30127	B.C.PRAJAPATI	OC	06/01/1953		87	77
13300	30128	A.D.DALVI	OC	08/19/1950		87	77
13302	30129	D.SUBBA RAO	OC	10/01/1951		87	77
13303	30130	UMAKANT AWANTI	OC	06/07/1954		87	77
13307	30132	SHEETLA PRASAD CHAUDHARI	OC	03/01/1952		87	77
13310	30133	SAJJAL KRISHNA SIKIDER	OC	04/01/1952		87	77
13311	33834	PAWAN KUMAR JAIN	OC	12/25/1952		87	77
13317	30138	M.V.CHOPDE	OC	09/24/1957		87	77
13318	30139	PAJAI KUMAR DASROY	OC	10/11/1951		87	77
13319	30140	GAURI SHANKAR SAHA	OC	04/15/1949		87	77

Guwahati Bench

25 MAR 2009

Contra
with
Amendment
at Pg 2
21(25)

By Order

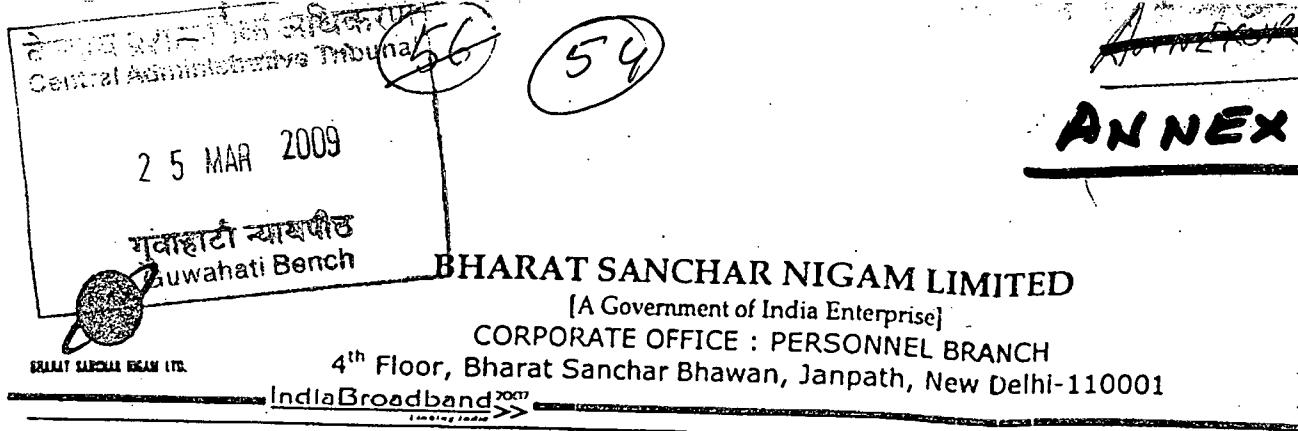
(55) (53)

99	13243	18787	SHIV KUMAR	OC	11/30/1955	5	87	
200	13244	18788	L.P.SHARMA	OC	04/02/1949	5	87	
8201	13245	18789	M.VARAPRASADA RAO	OC	06/19/1949	5	87	
8202	13246	18790	VISHVESHWARA BHAT	OC	07/19/1955	5	87	
8203	13247	18791	S.K.BHATNAGAR	OC	06/05/1951	5	87	
8204	13248	18792	G.VENKATESHA	OC	05/15/1952	5	87	
8216	13249	18886	T.D.WANE	OC	10/17/1952	4	88	
8217	13249	18888	RAM DAYAL	OC	01/31/1952	4	88	
8225	13248.2	18913	B.IHYAGARAJAN	OC	04/29/1955	4	88	
			SANI RAM	SC	12/31/1958	4	89	
8226	13248.2	19090	D.C.BOLAGOND	OC	05/30/1958	4	88	81
8227	13248.2	19094	R.DURISAMI	SI	30/9/56			
8232	13248.2	18981	B.C.BARUA	SI	17/3/57			
8237	13248.25	19125	D.BORA	SI	11/03/1958			
8238	13248.25	19126	J.SONOVAL	SI	08/06/1956			
8239	13248.25	19127	K.DEORI	OC	10/08/1955	5	87	77
8240	13248.25	19128	A.K.KOLEKAR	OC	12/26/1949	5	87	77
8242	13249	30079	BINDA PRASAD	OC	01/01/1955	5	87	77
8243	13250	30080	S.V.PRAKASH IYER	OC	06/01/1956	5	87	77
8244	13251	30083	A.M.NAGARAJU	CC	06/11/1952	5	87	77
8246	13252	30084	M.A.PATEL	CC	09/09/1951	5	87	77
8247	13252.1	30082	HARIHAR DUTT SHUKLA	OC	08/22/1956	5	87	77
8248	13253	30085	SUMATHI S.SHEETY	OC	02/24/1957	5	87	77
8249	13254	30086	V.RAMACHANDRA	OC	06/01/1952	5	87	77
8250	13255	30087	M.S.ASHAWAT	CC	07/27/1955	5	87	77
8252	13256.1	30088	C.S.SANGHI RAO	OC	01/18/1955	5	87	77
8253	13257	30093	BADAL KANII SINGHA	OC	09/13/1954	5	87	77
8254	13258	30090	S.J.PATEL	OC	03/01/1953	5	87	77
8255	13258.1	30071	R.V.MAHAJAN	OC	07/01/1952	5	87	77
8256	13259	30092	NANDAVADEKAR VASANTI M.	OC	03/06/1956	5	87	77
8258	13263	30095	C.J.NILAKHE	OC	05/10/1954	5	87	77
8259	13264	30096	SHIV KUMAR	OC	12/09/1957	5	87	77
8260	13265	30097	MUTHAYYA V.	OC	08/11/1957	5	87	77
8262	13267	30099	B.GNANANANDA RAO	OC	06/01/1952	5	87	77
8264	13269	30101	J.V.GOSAI	OC	06/10/1954	5	87	77
8265	13270	30102	R.A.GUPTA	OC	09/08/1954	5	87	77
8266	13271	30103	ARVIND KUMAR	OC	06/20/1957	5	87	77
8267	13272	30104	KRISHNA MURTHY R.	OC	10/02/1956	5	87	77
8268	13273	30105	S.JAYARAMAN	OC	07/15/1955	5	87	77
8269	13274	30106	R.S.VAIDYA	OC	01/05/1951	5	87	77
8271	13277	30108	M.B.BANKAR	OC	08/04/1951	5	87	77
8272	13278	30162	J.P.S.SHEKHAWAT	OC	06/05/1954	5	87	77
8273	13279	30110	P.D.ARUN KUMAR	OC	07/12/1956	5	87	77
8274	13280	30111	MILAP CHAND JAIN	OC	01/05/1951	5	87	77
8276	13282	30113	RAJENDRA PRASAD	OC	07/15/1955	5	87	77
8277	13283	30114	K.SEEHARAMAIAH	OC	06/01/1956	5	87	77
8279	13285	33544	SHAIKH S.M.	OC	07/12/1956	5	87	77
8281	13288	30116	V.M.KANKERI	OC	08/01/1953	5	87	77
8282	13289	30117	C.G.LOHAR	OC	12/12/1951	5	87	77
8284	13293	30119	CHAUDHARY V.I.	OC	06/13/1956	5	87	77
8286	13295	30121	G.VENKATESWARA RAO	OC	01/05/1954	5	87	77
8287	13296	30122	S.V.PATEL	OC	10/02/1954	5	87	77
8288	13297.1	30124	R.V.SINGH	OC	08/19/1950	5	87	77
8291	13299.1	30127	B.C.PRAJAPATI	OC	10/01/1951	5	87	77
8292	13300	30128	A.D.DALVI	OC	06/07/1954	5	87	77
8293	13302	30129	D.SUBBA RAO	OC	03/01/1952	5	87	77
8294	13303	30130	UMAKANT AWANTI	OC	04/01/1952	5	87	77
8296	13307	30132	SHEETLA PRASAD CHAUDHARI	OC	12/25/1952	5	87	77
8298	13310	30133	SAJJAL KRISHNA SKIDER	OC	09/24/1957	5	87	77
8299	13311	33836	PAWAN KUMAR JAIN	OC	10/11/1951	5	87	77
8302	13317	30138	M.V.CHOPDE	OC	04/15/1949	5	87	77
8304	13318	30139	RAJAI KUMAR DASPOY	OC				
8305	13319	30140	GAURI SHANKAR SAHA	OC				

25 MAR 2009 B
Guwahati Bench

P.S. Bhowmik

(B)



ANNEXURE 8(B)

ANNEXURE 8(B)

No. 412-06/2008 - Pers. (DPC)

Dated: 10.2.2009

To

All Heads of Telecom Circle &
Other Adminiinistrative Units of BSNL

Subject :- Promotion of TES GP-B to STS Grade on Adhoc basis

In continuation of this office letter even number dated 6.2.2009 the ACRs for the last five years i.e 2003-04 to 2007-08 of the following officers may also be furnished with the tabulation sheet for promotion from TES Gr 'B' to STS grade on adhoc basis.

AS (stff)
Pl process
immediate
11/2/09

Encl:-As above.

Copy to: The Chief Vigilance officer, BSNL, Statesman House, Barakhamba Road for information.

B. Suresh
(B. SURENDRANATH)
A G M - Pers. (DPC)

8(B)
Certified to be
true copy
Sheshanandwaranarayana
Advocate

(C)

From

ALOK KAR,
Sr. SDE, BSNL,
R.T.T.C,
Guwahati - 781 007.

To

The Director (HRD),
BSNL Corporate Office,
Bharat Sanchar Bhavan,
Opposite Hotel Janpath,
Janpath Road,
New Delhi - 110 001.

55
ANNEXURE - 9 (A)
X
Annexure 9

केन्द्रीय बहाली बोर्ड अधिकारी
Central Administrative Board Member

25 MAR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

(Through Proper Channel)

Subj: *Prayer for Justice in Seniority in the seniority list of (TES Gr-B) officer → regarding promotion of executives (TES Gr-B) to STS(DE) Grade on Adhoc basis – calling of ACRs and Screening report.*

Ref: BSNL Corporate Office Letter No. 412-06/2008-Pers-I dtd. 06/02/2009.

Respected Sir,

I would like to bring the following few points and facts for your kind consideration and favourable order please.

That Sir, my representation dated 10/09/2008 regarding modification of seniority in the seniority list of TES Gr-B officers was forwarded by the Circle Office, Guwahati, vide this office letter no STES-4/46/(Seniority)/56 dtd. at Guwahati 24/09/08. Instead of providing me justice (i.e, without modifying the seniority list of TES Gr-B officers) ACRs for promotion to the cadre of STS Gr-A (adhoc) have been called for where some of my juniors colleagues name appeared at Sl No. 8216, 8217, 8225 and 8232 respectively vide your letter under reference. *These all officers are junior to me in all respects. This is clear from the list details given below :-*

9(1)

Contd.....2

S Sen/Scrap

Certified to the
true copy
Shankar Chakraborty
Advocate

58

56

X

Sl no. of the list called for promotion vide BSNL CO Letter No. 412-06/2008-Pers-I dtd. 06/02/2009.	Staff No.	Name of the Officers (Sri/Smt.)	Category	Rec'tt. Year	Qualifying exam Passed	Seniority No. (before revision)	Revised Seniority No.	Remarks
								केन्द्रीय प्रशासनिक अधिकारण Central Administrative Tribunal
1	Not Included	17538 ALOK KAR	OC	79	85	14474	Not Revised	ACRs not called for promotion
2	8216	18886 T.D. WANE	OC	79	88	15282	13249	ACRs called for promotion
3	8217	18888 RAM DAYAL	OC	79	88	15308	13249	- Do -
4	8225	18913 B. THYAGARAJAN	OC	80	88	16261	13248.2	- Do -
5	8232	18981 R. DURISAMI	OC	81	88	17246	13248.2	- Do -

From the list given above it is evident that all the officers mentioned above whose seniority has been revised are junior to me in all respect i.e, whether it is seniority on the basis of recruitment year or seniority based on passing the year of qualifying examination and that great injustice has been done to me. This is a simple case of denying me natural justice and snatching away my fundamental rights.

In view of above, I fervently request you to kindly *revise my seniority, place me above all my juniors in the said list, and do justice to me and restore my dignity.*

Sir, I will be highly obliged to be grateful to you if you could please convey your kind order for doing the needful.

Thanking you,

Yours faithfully,

Place: Guwahati
Dated at : 16/02/2009

A. Kar 16.02.09
(Alok Kar) 16.02.09
Staff No. 17538
Sr. SDE, R.T.T.C, Guwahati

Copy to:

1. The General Manager (Personel), BSNL Corporate Office, 4th Floor, Bharat Sanchar Bhavan, Janpath, New Delhi - 110 001 → for kind information and necessary action please.
2. The General Secretary, AIBSNLEA, New Delhi - 110001 → for kind information and necessary action please.

ANNEXURE - 9 (B)

From

Mohan Chandra Modak,
ADT(Staff), BSNL,
Circle Office,
3rd Floor, Panbazar,
Guwahati - 781 001.

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal

25 MAR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

To

**The Director (HRD),
BSNL Corporate Office,
Bharat Sanchar Bhavan,
Opposite Hotel Janpath,
Janpath Road,
New Delhi – 110 001.**

(Through Proper Channel)

Subj: *Prayer for Justice in Seniority in the seniority list of (TES Gr-B) officer → regarding promotion of executives (TES Gr-B) to STS(DE) Grade on Adhoc basis – calling of ACRs and Screening report.*

Ref: BSNL Corporate Office Letter No. 412-06/2008-Pers-I dt'd. 06/02/2009.

Respected Sir,

I would like to bring the following few points and facts for your kind consideration and favourable order please.

That Sir, my representation dated 10/09/2008 regarding modification of seniority in the seniority list of TES Gr-B officers was forwarded by the Circle Office, Guwahati, vide this office letter no STES-4/46/(Seniority)/56 dtd. at Guwahati 24/09/08. Instead of providing me justice (i.e, without modifying the seniority list of TES Gr-B officers) ACRs for promotion to the cadre of STS Gr-A (adhoc) have been called for where some of my juniors colleagues name appeared at SI No. 8216 ,8217, 8225 and 8232 respectively vide your letter under reference. *These all officers are junior to me in all respects. This is clear from the list details given below :-*

9(13)

Contd.....2

S Sen/Scrap

Certified to be
true copy
Sukhdev Bahadur Singh
Advocate

Editorial Committee

(b) 58

Sl no. of the list called for promotion vide BSNL CO Letter No. 412-06/2008-Pers-I dtd. 06/02/2009.	Staff No.	Name of the Officers (Sri/Smt.)	Category	Rec'dt. Year	Qualifying exam Passed	Seniority No. (before revision)	Revised Seniority No.	Remarks
								25 MAR 2009 Guwahati Bench
1	Not Included	17727 MOHAN CHANDRA MODAK	OC	79	85 ✓	14676	Not Revised	ACRs not called for promotion
2	8216	18886 T.D. WANE	OC	79	88	15282	13249	ACRs called for promotion
3	8217	18888 RAM DAYAL	OC	79	88	15308	13249	- Do -
4	8225	18913 B. THYAGARAJAN	OC	80	88	16261	13248.2	- Do -
5	8232	18981 R. DURISAMI	OC	81	88	17246	13248.2	- Do -

From the list given above it is evident that all the officers mentioned above *whose seniority has been revised are junior to me in all respect i.e, whether it is seniority on the basis of recruitment year or seniority based on passing the year of qualifying examination* and that great injustice has been done to me. This is a simple case of denying me natural justice and snatching away my fundamental rights.

In view of above, I fervently request you to kindly *revise my seniority, place me above all my juniors in the said list, and do justice to me and restore my dignity.*

Sir, I will be highly obliged to be grateful to you if you could please convey your kind order for doing the needful.

Thanking you,

Yours faithfully,

Place: Guwahati
Dated at : 16/02/2009

(M.C. Modak)
(M.C. Modak)

Staff No. 17727

ADT(Staff), Circle Office, Guwahati

Copy to:

1. The General Manager (Personel), BSNL Corporate Office, 4th Floor, Bharat Sanchar Bhavan, Janpath, New Delhi – 110 001 → for kind information and necessary action please.
2. The General Secretary, AIBSNLEA, New Delhi – 110001 → for kind information and necessary action please.

59
Annexure - 9(c)

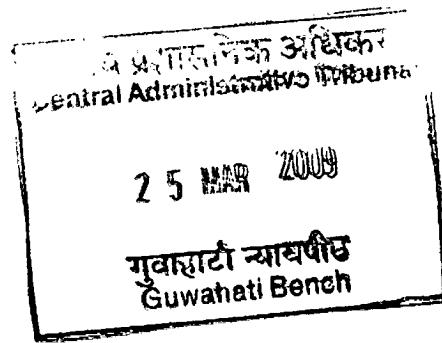
ANNEXURE - 9(c)

From

DEBABRATA DAS,
Sr. SDE, BSNL,
O/o the GMTD,
Silchar - 788 001.

To

The Director (HRD),
BSNL Corporate Office,
Bharat Sanchar Bhavan,
Opposite Hotel Janpath,
Janpath Road,
New Delhi - 110 001.



(Through Proper Channel)

Subj: *Prayer for Justice in Seniority in the seniority list of (TES Gr-B) officer → regarding promotion of executives (TES Gr-B) to STS(DE) Grade on Adhoc basis – calling of ACRs and Screening report.*

Ref: BSNL Corporate Office Letter No. 412-06/2008-Pers-I dtd. 06/02/2009.

Respected Sir,

I would like to bring the following few points and facts for your kind consideration and favourable order please.

That Sir, in this list (vide your letter under reference) some of officers who are junior to me in all respects were made senior to me. Instead of providing me justice (i.e, without modifying the seniority list of TES Gr-B officers) ACRs for promotion to the cadre of STS Gr-A (adhoc) have been called for where some of my juniors colleagues name appeared at Sl No. 8216, 8217, 8225 and 8232 respectively vide your letter under reference. *These all officers are junior to me in all respects. This is clear from the list details given below :-*

9(c)

Contd.....2

S Sen/Scrap

Certified to be
true copy
Silchar charab
Dosekha

1. Finance & Audit Deptt.
2. 10.02.2011

09 12:00p

deep

03042200321

केन्द्रीय प्रशासनिक उचिकाना Central Administrative Notice

25 MAR 2009

गुवाहाटी न्यायपीठ Guwahati Bench

SI No.	SI No of the list called for promotion vide BSNL CO letter no. 112-06/2008-09 Pers-1 dtd 00.00.0000	Staff No.	Name of the Officers (Sri/ Smt)	Category	Rectt year	Qualifying Exam passed	Seniority No (before revision)	Revised seniority No.	Remarks
1	Not included	7742	DEBABRATA DAS	CC	1979	1985 ✓	14695	No: revised	ACRs not called for promotion
2	8216	18886	T.D WANE	OC	1979	1988 ✓	15282	13249	ACRs called for promotion
3	8217	18888	RAM DAYAL	OC	1979	1988 ✓	15308	13249	- do -
4	8225	18913		OC	1980	1988	16261	13248.2	- do -
5	8232	18981		OC	1981	1988	17246	13248.2	- do -

From the list given above, it is evident that all the officers mentioned in the serial 2,3,4 and 5 above, whose seniority has been revised are junior to me in all respect, whether seniority on the basis of recruitment year or seniority based on year of passing the qualifying examination and that great injustice has been done to me. This is a simple case of denying me natural justice and snatching away my fundamental rights.

In view of above, I reverently request you to be kind enough to revise my seniority and place me above all my juniors in the said list and do justice to me.

Sir, I shall be highly obliged to be grateful to you if you could please convey your kind order for doing the needful.

Thank you.

Yours faithfully,

Place: Silchar
Dated at 16/02/2009

Debabrata Das
(DEBABRATA DAS)
Staff No 17742
SDE O/O GMUD Silchar

Copy to:

- 1) The General Manager (Personnel), BSNL, Corporate Office, 4th Floor, Sanchar Bhawan, Janpath, New Delhi - 110001, for kind information and necessary actions please.
- 2) The General Secretary, All BSNL EA, New Delhi - 110 001 for kind information and necessary actions please.

S&f-
(DEBABRATA DAS)
Staff No. 17742

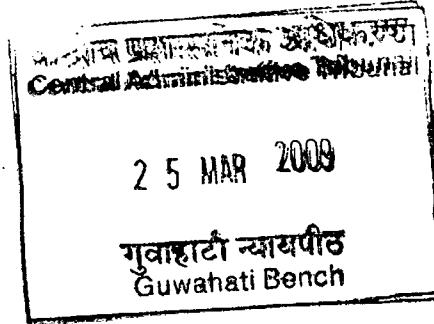
63.61
Annexure - (A)
ANNEXURE - 9(D)

From

MAHESWAR BHUYAN,
Sr. SDE, BSNL,
O/o the GMTD,
Tezpur.

To

The Director (HRD),
BSNL Corporate Office,
Bharat Sanchar Bhavan,
Opposite Hotel Janpath,
Janpath Road,
New Delhi - 110 001.



(Through Proper Channel)

Subj: *Prayer for Justice in Seniority in the seniority list of (TES Gr-B) officer → regarding promotion of executives (TES Gr-B) to STS(DE) Grade on Adhoc basis - calling of ACRs and Screening report.*

Ref: BSNL Corporate Office Letter No. 412-06/2008-Pers-I dtd. 06/02/2009.

Respected Sir,

I would like to bring the following few points and facts for your kind consideration and favourable order please.

That Sir, in this list (vide your letter under reference) some of officers who are junior to me in all respects were made senior to me. Instead of providing me justice (i.e., without modifying the seniority list of TES Gr-B officers) ACRs for promotion to the cadre of STS Gr-A (adhoc) have been called for where some of my juniors colleagues name appeared at Sl No. 8216, 8217, 8225 and 8232 respectively vide your letter under reference. *These all officers are junior to me in all respects. This is clear from the list details given below :-*

9(D)

Contd.....2

S Scn/Scrap

Certified to be
True copy
Shrikant Debnath
Padmavati

Shrikant Debnath
Padmavati

(64) (62)

Sl no. of the list called for promotion vide BSNL CO Letter No. 412-06/2008-Pers-I dtd. 06/02/2009.	Staff No.	Name of the Officers (Sri/Smt.)	Category	Rec. Yea	Qualifying exam Passed	Seniority No. (before revision)	Revised Seniority No.	Remarks
								Central Administrative Tribunal
1	Not Included	17778 MAHESWAR BHUYAN	OC	79	85 ✓	14738	Not Revised	ACRs not called for promotion
2	8216	18886 T.D. WANE	OC	79	88 ✓	15282	13249	ACRs called for promotion
3	8217	18888 RAM DAYAL	OC	79	88 ✓	15308	13249	- Do -
4	8225	18913 B. THYAGARAJAN	OC	80	88 ✓	16261	13248.2	- Do -
5	8232	18981 R. DURISAMI	OC	81	88 ✓	17246	13248.2	- Do -

From the list given above it is evident that all the officers mentioned above *whose seniority has been revised are junior to me in all respect i.e., whether it is seniority on the basis of recruitment year or seniority based on passing the year of qualifying examination* and that great injustice has been done to me. This is a simple case of denying me natural justice and snatching away my fundamental rights.

In view of above, I fervently request you to kindly *revise my seniority, place me above all my juniors in the said list, and do justice to me and restore my dignity.*

Sir, I will be highly obliged to be grateful to you if you could please convey your kind order for doing the needful.

Thanking you,

Yours faithfully,

Place: Guwahati Tezpur
Dated at : 16/02/2009

(Maheswar Bhuyan)
Staff No. 17778
Sr. SDE, O/o the GMTD, Tezpur

Copy to:

1. The General Manager (Personel), BSNL Corporate Office, 4th Floor, Bharat Sanchar Bhavan, Janpath, New Delhi - 110 001 → for kind information and necessary action please.
2. The General Secretary, AIBSNLEA, New Delhi - 110001 → for kind information and necessary action please.

(63) **ANNEXURE-10**

प्रतिलिपि के लिए आवेदन की तारीख Date of application for the copy.	स्टाम्प और फोलो की जागीरिल रास्ता संख्या करने की तिथि Date fixed for notifying the requisite number of stamps and folios.	प्रतिलिपि स्टाम्प और फोलो की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date on which the copy was ready for delivery.	आवेदक को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
16/3/09	16/3/09	16/3/09	16/3/09	16/3/09

IN THE GAUHATI HIGH COURT

(High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,

Mizoram & Arunachal Pradesh)

CIVIL APPELLATE SIDE

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

25 MAR 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

Appeal from
Civil Rule

W.P.(C)

No. 985 of 2009

Appellant
Petitioner

Sri- Alok Kar & Ors.

Versus

Union of India & Ors.

Respondent
Opposite Party

Appellant
For
Petitioner

MR. N. Dhar
MR. S. Chakraborty
MR. B. Malakar

Respondent
For
Opposite Party

SC. BSNL,

1. Noting by Officer or Advocate	2. Serial No.	3. Date	4. Office notes, reports orders or proceedings with signature
1	2	3	4

Certified to be
true copy
Shekhar Chakraborty
Advocate

- 2 -

page 5

25 MAR 2009

Guwahati Bench

AND

IN THE MATTER OF:-

1. Shri Alok Kar,

Son of late Atul Chandra Kar.

House No. 15 A1, Shankar Nagar,
Adagudam, P.O. Guwahati- 34,

District Kamrup, Assam.

2. Shri Mohon Chandra Modak.

Son of late Sudarshan Modak,

Triveni Complex, Flat No. 100/D,
Adabari Tinali, P.O. Guwahati-12,
District Kamrup, Assam.

3. Shri Debabrata Das.

Son of late Debendra Kumar Das,

House No. 15 A1, Shankar Nagar,
Udayan Complex, Das Colony,
Post Office Silchar-5,
District Cachar, Assam.

4. Shri Maheswar Bhuyan.

Son of late Bhugi Ram Bhuyan,

Barahalia, P.O. Tezpur.

District Sonitpur, Assam.

----- PETITIONERS.

Versus-

25 MAR 2009

गुवाहाटी न्यायालय
Guwahati Bench

•page 5•

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-Versus-

1. Union of India,

(Represented by the Secretary to the Govt. of India.

Ministry of Communications, New Delhi-1)

2. The Under Secretary to the Govt. of India.

Department of Telecommunications,

Ministry of Communications, New Delhi-1

3. Bharat Sanchar Nigam Limited,

(Represented by the Chairman-Cum-Managing Director.

Bharat Sanchar Nigam Limited, Bharat Sanchar Bhawan,

Janpath, New Delhi-110 001

4. The Director (HRD),

Bharat Sanchar Nigam Limited,

Bharat Sanchar Bhawan, Janpath,

New Delhi-110 001

5. The Assistant General Manager (DPC),

Bharat Sanchar Nigam Limited,

Bharat Sanchar Bhawan, Janpath, New Delhi-110 001.

6. The Chief General Manager,

Bharat Sanchar Nigam Limited,

Assam Telecom Circle, Panbazar,

P.O. Guwahati-1, District Kamrup, Assam.

----- RESPONDENTS.

The humble petition of the petitioners.

above-named

Most --

25 MAR 2009

गुवाहाटी न्यायपीठ Guwahati Bench

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Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4
			<u>WP(C) No.985/09</u>
			BEFORE
			HON'BLE MR. JUSTICE RANJAN GOGOI
			9.3.2009

SD-Ranjan Gogoi
Judge

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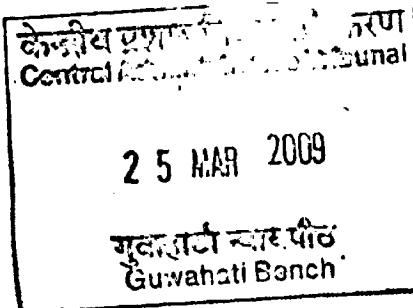
Victor Pease.....

Date: 15

Superintendent (Copying Section)
Gauhati High Court

Gauhati High Court
Authorised U/S 76, Act 1, 1872

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NOTICE

From:- Shri Sekhar Chakraborty, Advocate,
Gauhati High Court,
Guwahati- 1

To:- The Central Govt. Standing Counsel,
Central Administrative Tribunal,
Gauhati Bench, Guwahati.

Subject:- O.A. No. of 2009
(Shri Alok Kar and others - Applicants
-Versus-
Union of India and others - Respondents.

Sir,

Kindly take notice that an original application is being filed on behalf of the applicants in the above case. A copy of the original application is enclosed herewith for favour of your information and necessary action please.

Kindly acknowledge receipt.

Dated, Guwahati
The 17th March, 2009

Yours faithfully

Sekhar Chakraborty
(Sekhar Chakraborty),
Advocate.

Received copy

Deb Paul

(Central Govt. Standing Counsel,
Central Administrative Tribunal,
Gauhati Bench, Guwahati)

Advocate for BSNL