

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.294/01

Jabalpur, this the 14th day of May, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

1. Kashi Nath Varma
S/o Shri Ram Pd Varma
Aged about 56 years
Security Officer. and 54 Grs. APPLICANTS

(By Advocate - Shri R.K. Gupta)

VERSUS

1. Union of India,
Through the Secretary,
Telecom, Government of
India, Sanchar Bhawan,
20.Ashoka Road,
New Delhi.
2. Director(TF),
Bharat Sanchar Nigam
Limited, Sanchar Bhawan,
20 Ashoka Road,
New Delhi 110001.
3. Chief General Manager,
Telecom Factories,
Jabalpur
District Jabalpur(M.P.) RESPONDENTS

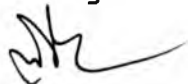
(By Advocate - Shri B.da.Silva)

O R D E R (GRAL)

By M.P. Singh, Vice Chairman -

By filing this OA the applicants have sought the following main reliefs :-

"(i) to direct the respondents to fix the standard duty hours of the Staff working in the Security Section of the Telecom Factory, Jabalpur to 45 hours a week in place of existing 48 hours a week in accordance with the chart of standard duty hours as given in Appendix IV of the OTA Rules(enclosed with Annexure.A2) and if that is not possible due to some administrative difficulties, the respondents be directed to remunerate the staff by grant of time rate for three hours in excess of 45 hours a week as has been done by the Defence Department under the directions of the Hon. High Court Calcutta.



(ii) to direct the respondents to grant OTA to the applicants on the same principles as laid down in DOT order No. 5-30/63-WK dated 29.6.1965 Annex.A1 from a retrospective date viz 30.6.1965 within a reasonable time

(iii) to quash the impugned order dated 14.2.01(AnnexP9) as void, illegal and opposed to law as it does not meet the ends of justice".

3. The brief facts of the case are that the applicants who are working in the Telecom Factory, Jabalpur have sought a direction for payment of Over Time Allowance and have challenged the order dated 14.2.01(Annexure-A-9) which is passed by the BSNL. The government has not issued a notification under Section 14 of the AT Act extending the jurisdiction of the Tribunal over the employees of BSNL. Therefore, the OA is not maintainable for want of jurisdiction. Accordingly, the OA is dismissed for want of jurisdiction. The applicants are at liberty to file an application in the appropriate forum.

4. The Registry is directed to enclose a copy of the memo of parties of this OA while issuing a copy of this order.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

SKM

पृष्ठंकन सं ओ/व्या.....जबलपुर, दि.....

परिचयि अन्वये विवरः-

(1) स.वि. उच्च न्यायालय सार एजेंसिएशन, जबलपुर

(2) आदेशक श्री/श्रीमती/शु.....के काउंसल

(3) प्रत्यक्षी श्री/श्रीमती/शु.....के काउंसल

(4) बांशपाल, स.वि. उच्च न्यायालय, जबलपुर

सूचना एवं आवश्यक कार्रवाई हेतु

RK Gupta, Adl.
B. Lalwar, Adl.

3/6/04

Furseed
on
3.6.04