

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO.259/2011

Date of Order: 1.4.2016

CORAM

**Hon'ble Dr. K.B.Suresh, Judicial Member
Hon'ble Ms. Meenakshi Hooja, Administrative Member**

Ganesh Lal S/o Shri Kanhaiya Lal Kumawat, aged about 65 years, R/o E-64, Roop Vihar, New Sanganer Road, Sodala, Jaipur.

.....Applicant

(By Advocate Mr. M.S.Gupta)

VERSUS

1. Union of India, through Secretary to the Government of India, Ministry of Communication, Department of Telecommunication, New Delhi.
2. Director General Telecommunication, Department of Telecommunication, Sanchar Bhawan, New Delhi.
3. Chairman-cum-Managing Director, Bharat Sanchar Nigam Limited, New Delhi.
4. Principal General Manager, Telecom, Bharat Sanchar Nigam Limited, M.I.Road, Jaipur.

.....Respondents

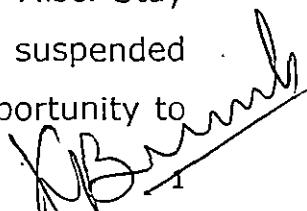
(By Advocate Mr. Rajendra Vaish and
Mr. K.S.Sharma)

ORDER

(Per Dr. K.B.Suresh, Judicial Member)

Heard.

The case of the applicant is that he was placed on deputation in BSNL when it came into being, the BSNL on 1.10.2000 separated from the Department of Tele-Communication, and at this time the applicant was not absolved in the BSNL. Later the applicant was implicated in a criminal case punishable under Section 498-A, 304B, 201 and 302 of IPC. Conviction was suspended in SB Civil Misc. Stay Application vide order dated 25.11.2005 and sentence was suspended by the Hon'ble High Court. The applicant was given an opportunity to



make a representation and he made so on 5.3.2005. Applicant claims that the Dy. G.M. (Administration) dismissed the applicant w.e.f. 22.3.2005 who has no jurisdiction as he was not Head of the Office. His departmental appeal was also dismissed. The applicant served a notice on 26.6.2010 to respondents to pay him pay and allowances till he attains the age of superannuation but the applicant was informed that he was not absorbed in BSNL.

2. As per the order dated 8.2.2001 of the Ministry of Communication, Department of Telecommunication, employees who have been transferred to BSNL on deemed deputation basis will continue to be governed under the provisions of CCS(Conduct) Rules, 1964. The applicant is allowed to file a representation before the concerned authority who will examine the same within 2 months and pass an appropriate order within one month of receipt of the application. If the applicant is not satisfied with the disposal of his application, he will have the right to approach the appropriate forum. With these directions, the OA is disposed of. No costs.

Meenakshi
(MS.MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER

K.B.Suresh
(DR.K.B.SURESH)
JUDICIAL MEMBER

Adm/