

OAs.No.170/00488-00513/2015/CAT/Bangalore Bench  
**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH**

**ORIGINAL APPLICATIONS NO.170/00488-00513/2015**

**DATED THIS THE 03<sup>rd</sup> DAY OF SEPTEMBER, 2018**

**HON'BLE DR.K.B.SURESH, MEMBER (J)**

**HON'BLE SHRI C.V.SANKAR, MEMBER (A)**

1. Sri.R.Ganesh, 40 years  
S/o Sri.Ramalingu  
Occn: Junior Accounts Officer (TR)  
O/o General Manager Telecom, BSNL  
Jayalaxmipuram  
Mysore:570 012.
2. Smt.Sundaramani C.G.  
Age: 53 years  
W/o Sri.M.S.Vishwanath  
Occn: Junior Accounts Officer  
O/o General Manager Telecom District  
BSNL, Sagara Road  
Shivamogga: 577 204.
3. Smt.Geetha N.L.  
W/o.Sri.P.B.Ramakantha Rao  
Age: 52 years  
Occn: Junior Accounts Officer  
Under CAO (Works), BSNL  
Bangalore Telecom District  
Telephone House, 2<sup>nd</sup> Floor  
Bangalore: 560 001.
4. Smt.S.Vanitha, 36 years  
W/o Sri.T.Selvam  
Occn: Junior Accounts Officer  
Under Chief Accounts Officer(Billing)  
Mobile Services, Amenity Block, 2<sup>nd</sup> Floor  
Palace Road  
Bangalore:560 001.
5. Sri.P.S.Katti, 35 years  
S/o Sri.Shridhar  
Occn: Junior Accounts Officer  
O/o General Manager Telecom, BSNL  
HPO Compound, J.C.Nagar  
Hubli:580 020.
6. Sri.Michael P.J. 33 years  
S/o late Sri.P.J.Joseph  
Occn: Junior Accounts Officer

Office of General Manager Telecom  
BSNL, Telecom House Road  
Pandeshwar  
Mangalore: 575001.

7. Smt.Megha Bengeri S  
W/o Sri.T.Jagadish  
Age: 35 years  
Office of Chief Accounts Officer (Pay-I)  
O/o Bangalore Telecom District  
Telephone House, 2<sup>nd</sup> Floor  
Bangalore:560 001.
8. Smt.Radha Bopanna T., 40 years  
W/o Sri.Bopanna T.J.  
Occn: Junior Accounts Officer  
O/o AO CC PC-II  
Bangalore Telecom District  
BSNL, 2<sup>nd</sup> Floor  
Telephone House  
Bangalore:560 001.
9. Sri.S.Loganathan, 50 years  
S/o Late Sri.M.C.Srinivasan  
Occn: Junior Accounts Officer  
Under Chief Accounts Officer (Receipts)  
Amenity Block, 2<sup>nd</sup> Floor  
Palace Road, Bangalore:560 001.
10. Sri.Jagadish T., 39 years  
S/o Late Sri.R.Thirugnanam  
Occn: Junior Accounts Officer  
Under Chief Accounts Officer (Budget)  
O/o PGM, Bangalore Telecom District, BSNL  
Telephone House  
Bangalore: 560 001.
11. Smt.Shaheena Liaquat, 57 years  
W/o Sri.Md.Liaquat Pasha  
Occn:Junior Accounts Officer  
Under Chief Accounts Officer(Works)  
O/o PGM, Bangalore Telecom District, BSNL  
Telephone House  
Bangalore: 560 001.
12. Smt.Malathi G., 46 years  
W/o Sri.Vishnumoorthy B  
Occn: Junior Accounts Officer  
Office of General Manager Telecom  
BSNL, Telecom House Road  
Pandeshwar  
Mangalore: 575001.
13. Smt.Saraswathi Ram, 56 years

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W/o Sri.T.K.Ramachandran  
Occn: Junior Accounts Officer (Pay I)  
Under Chief Accounts Officer  
O/o PGM, Bangalore Telecom District, BSNL  
Telephone House  
Bangalore: 560 001.

14. Smt. Shanthalakshmi K., 43 years  
W/o Sri. Krishnanand V  
Occn: Junior Accounts Officer  
Under Chief Accounts Officer (CBC)  
BSNL, Vijayanagar Telephone Building  
Bangalore: 560 040.
15. Smt. C.K. Geetha, 56 years  
W/o Sri. N.V. Nagaraj  
Occn: Junior Accounts Officer (Works)  
Office of General Manager Telecom  
BSNL, Jayalaxmipuram  
Mysore: 570 012.
16. Smt. Janaki Ravindra R., 55 years  
W/o Sri. K.P. Ravindra  
Occn: Junior Accounts Officer  
under Chief Accounts Officer (TRC)  
O/o PGM, Bangalore Telecom District, BSNL  
Telephone House  
Bangalore: 560 001.
17. Smt. Prabhavati Ramanna Dixit  
Age: 53 years  
W/o Sri. K.S. Chendrashekar  
Occn: Junior Accounts Officer (A&P)  
Office of General Manager Telecom, BSNL  
Jayalaxmipuram, Mysore: 570 012.
18. Smt. Nirmala, 54 years  
W/o Sri. H.S. Ramakrishna  
Occn: Junior Accounts Officer  
O/o Additional General Manager (SAT)  
Sanchar Complex  
Jayanagar  
Bangalore: 560 011.
19. Sri. Anthoni, 55 years  
S/o Late Sri. Francis  
Occn: Junior Accounts Officer  
Under CAO (Pay)  
O/o PGM Bangalore Telecom District  
Telephone House  
Bangalore: 560 001.
20. Smt. Parameswari, 55 years  
W/o Sri. Paul Raj

Occn: Junior Accounts Officer  
Under CAO (TR-North)  
AO (TR) BSNL  
Yashwanthpur  
Bangalore: 560022.

21. Sri.C.Sagayaraj, 50 years  
S/o Late Sri.P.Chinnappa  
Occn: Junior Accounts Officer  
Under CAO (Mobiles)  
BGTD, BSNL, Amenity Block  
Palace Road  
Bangalore: 560 001.

22. Smt.K.S.Mukambika, 55 years  
W/o Sri.Vasudevachar  
Occn: Junior Accounts Officer  
Office of General Manager Telecom, BSNL  
Shivamogga Telecom District  
Shivamogga: 577 201.

23. Sri.P.Mani, 49 years  
S/o Late Sri.A.Pachiyappan  
Occn: Junior Accounts Officer  
Under CAO TR (Central)  
City Telephone Exchange Building  
S.R.Nagar  
Bangalore: 560 027.

24. Sri.Manoharan Katayaprath  
Age: 51 years  
S/o Late Sri.K.C.Sankaran Nambiar  
Occn: Junior Accounts officer  
Under CAO (Works)  
O/o PGM BGTD BSNL  
Telephone House, 2<sup>nd</sup> Floor  
Bangalore: 560 001.

25. Smt.Asha Padmaja, Age: 54 years  
W/o Sri.S.Narasimha Rao  
Occn: Junior Accounts Officer (TR)  
Office of General Manager Telecom  
Jayalaxmipuram, Mysore: 570 012.

26. Smt.Subadra G., Age: 38 years  
W/o Sri.K.V.Balaji  
Occn: Junior Accounts Officer  
Under CAO TRC  
O/o DGM TRC  
Telephone House 3<sup>rd</sup> Floor  
Bangalore: 560 001.

...Applicants

(By Advocate Shri P.A.Kulkarni)

Vs.

1. Bharat Sanchar Nigam Limited  
by its Chairman and Managing Director  
No.102-B, Statesman House  
148, Barakhamba Road  
New Delhi: 110 001.
2. Chief General Manager Telecom  
Karnataka Circle  
No.1, Swamy Vivekananda Road  
Halasuru  
Bangalore: 560008.
3. Smt.Rajeswari C.  
Accounts Officer (TLC)  
O/o Chief Accounts Officer TLC, BSNL  
Amenity Block, Palace Road  
Bengaluru-560001.
4. Smt. Nafeejunnisa Begum  
Accounts Officer  
O/o The Chief Accounts Officer (Bank)  
4<sup>th</sup> Floor, O/o the Chief General Manager, BSNL  
Karnataka Circle Office  
Swamy Vivekananda Road  
Halasuru  
Bengaluru-560008.  
Respondents

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(By Advocate Shri Vishnu Bhat)

ORDER (ORAL)(PER HON'BLE DR.K.B.SURESH, MEMBER (JUDL.))

Heard. The matter relates to seniority and consequential promotion. In the interregnum the applicants were granted promotion. Therefore, one limited cause is satisfied. The question is relative seniority between direct recruits and promotes. The problem with it is that we find that there are other people who are involved in it cannot be heard and given credence to them for the simple reason that they are not parties and because they are numerous in nature, they cannot be heard via media. Therefore, we will direct the respondents to decide with the significant reasons that inter-se seniority between the promotes and direct recruits in relation to the date of appointment

and the cause it generates. This they shall do within next four(4) months. Therefore, we now remit the matter back to the respondent to look into all the facts of the issue and consider the issue of each person relevant on it and pass a detailed speaking order along with a new seniority list within next four(4) months. Needless to say all the contentions are kept open.

2. The OA is disposed off as above. No costs.

(C.V.SANKAR)  
MEMBER (A)

(DR.K.B.SURESH)  
MEMBER (J)

/ps/

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Annexure-A1: Copy of the JAO recruitment rules 2001 notified by BSNL on 31.8.2001

Annexure-A2: Copy of the JAO RRs of Telecom Wing notified by DOT on 15.4.1977

Annexure-A3: Copy of the instructions issued by the DOT in regard to the conduct of departmental examination for appointment as JAO

Annexure-A4: Copy of BSNL letter dtd.13.10.2003

Annexure-A5: BSNL letter dtd.24.11.2003

Annexure-A6: BSNL OM dated 12.10.2004

Annexure-A7: BSNL notification dtd.19.8.2005

Annexure-A8: JAO Part-II internal competitive examination results notified on 7.4.2010

Annexure-A9: Direct recruitment notification issued by BSNL in the year 2009 with the closing date as 15.12.2009

Annexure-A10: R-2's letter dtd.27.10.2010

Annexure-A11: R-2's letter dtd.27.10.2010

Annexure-A12: R-2's letter dtd.13.12.2010

Annexure-A13: Provisional seniority lists of JAOs notified by BSNL on 10.12.2014

Annexure-A14: BSNL OM dtd.5.11.2004 relating to external candidates

Annexure-A15: BSNL OM dtd.18.1.2005 relating to external candidates

Annexure-A16: BSNL OM dtd.19.1.2005 relating to external candidates

Annexure-A17: Applicant No.1's representation dtd.19.12.2014

Annexure-A18: Impugned order dtd.30.01.2015

Annexure-A19: DOPT OM dtd.4.3.2014

Annexure-A20: CAT Bombay Bench order dtd.6.5.2014 in OA.741 & 692/2013

**Annexures with reply statement:**

Annexure-R1: Copy of DOPT OM dtd:03.03.2008

Annexure-R2: Copy of BSNL OM No.4-85/2003-SEA BSNL dtd.05.11.2004

**Citations referred to in the written arguments by the Applicants:**

Citation 1: (1990) 2 SCC 715, Direct recruit Class-II Engineering Officers' Association versus State of Maharashtra

Citation 2: (1994) 2 SCC 622, Ramjanam Singh versus State of UP etc.,

Citation 3: (2011) 3 SCC 267, Pavan Prathap Singh and others versus Reevan Singh and others

Citation 4: (2012) 13 SCC 340, Union of India versus NR Parmar and others

**Annexures with written arguments note filed by the respondents:**

Annexure 1: Copy of BSNL Corporate Office No.4-42/2004-SEA dtd:10.6.09

**Annexures with memo dtd.14.3.2018 filed by Respondents 1 & 2:**

Annexure 1: Copy of BSNL letter dtd.06.03.2018

Annexure 2: Copy of OM dtd.03.03.2008

Annexure 3: Copy of DOPT OM dtd:07.02.1986

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