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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00809/2018

Wednesday, this the 26th day of June, 2019

C O R A M :

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

P.C.Narayananadas,
S/o.late M.K.KuttySankara Menon,
Vaishnavam, MCLRA-138,
Museum Cross Lane, 12th Street,
Chembukkavu, Thrissur – 680 020.
Presently working as JTO (C),
BSNL Civil Sub Division, Manjeri – 676 121. ...Applicant

(In person)

v e r s u s

1. The Chief General Manager Telecom,
O/o.CGMT, BSNL Kerala Circle,
Bharat Sanchar Nigam Limited,
PMG Junction, Trivandrum – 695 033.

2. The Chief Engineer (Civil),
BSNL Kerala Civil Zone, Admn. Building,
First Floor, Manacaud P.O., Trivandrum – 695 009. ...Respondents

(By Advocate Mr.S.Manu)

This application having been heard on 26th June 2019, the Tribunal on the same day delivered the following :

O R D E R (O R A L)

Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

The grievance of the applicant who is a JTO with the respondents' BSNL organization is that he was denied an opportunity of posting as SDE(C) on officiating basis at Trichur. He had submitted his willingness in response to Annexure A-1 issued on 15.3.2017 but was not granted the same. He

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alleges that several persons who are juniors to him have been considered on officiating basis as SDE posting. He further reiterates that there are many juniors who are continuing on officiating basis as SDE at the present moment also.

2. Learned counsel for the respondents submitted that for some time the respondents' organization had discontinued the practice of posting SDE as officiating basis. However, he adds that recently BSNL had called for applications from among the JTOs who are willing to go as SDE on officiating basis. The applicant who appeared in person stated that he has also submitted an application.

3. In the facts and circumstances of this case, we are of the view that the O.A can be disposed of by directing the respondents to consider the claim of the applicant for being posted as SDE on officiating basis on merits along with other applications received in response to their latest notification calling for volunteers. An expeditious decision is to be taken in the case on all the applications including that of the applicant and this shall be done within a period of 60 days from the date of receipt of a copy of this order. Ordered accordingly.

4. The O.A stands disposed of as above. No costs.

(Dated this the 26th day of June 2019)

ASHISH KALIA
JUDICIAL MEMBER
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E.K.BHARAT BHUSHAN
ADMINISTRATIVE MEMBER

List of Annexures in O.A.No.180/00809/2018

- 1. Annexure A-1** – A copy of the Promotion (LA) option calling letter issued by CE(C) BSNL, Trivandrum vide Letter No.1(7)/CE(C)/BSNL/TVM/2017/277 dated 15.3.2017.
- 2. Annexure A-2** – A copy of the option given by the applicant with in stipulated time on 16.3.2017.
- 3. Annexure A-3** – A copy of the seniority list of JTO(C) of BSNL.
- 4. Annexure A-4** – A copy of the request given to CE(C) on 9.1.2018.
- 5. Annexure A-5** – A copy of the request made to the Chief General Manager Telecom, BSNL Kerala Circle, Bharat Sanchar Nigam Limited, PMG Junction, Trivandrum dated 6.9.2018.
- 6. Annexure A-6** – A copy of the request made to the Chief Engineer (Civil), BSNL Kerala Civil Zone, Trivandrum dated 4.9.2018.
- 7. Annexure A-7** – A copy of the RTI reply given by the BSNL Kerala regarding adverse entries of APARs of the applicant.
- 8. Annexure A-8** – A copy of the BSNL CHQ Letter regarding final decision on APAR (Part). (relevant portion)
- 9. Annexure A-9** – A copy of the RTI reply given by the BSNL Kerala regarding appointment of SDE(C) at Trichuretc.
- 10. Annexure A-10** – A copy of the documentary proof showing that JTO(C)s are appointed as SDE(C)s as on 23.2.2019.
- 11. Annexure A-11** – A copy of the reply already given to the Respondent No.1 by the applicant on Annexure R1(c).
- 12. Annexure A-12** – A copy of the part of the letter No.HR III/3-10/long stay/2019/5 dated 4.3.2019 showing long stay list of JTOs in Kerala.
- 13. Annexure MA-1** – A copy of the Letter No.412-13/2013-Pers.I(II) dated 22.3.2013 of BSNL CHQ New Delhi regarding LA Promotion conditions.
- 14. Annexure MA-2** – A copy of the order of BSNL CHQ letter No.412-13/2013-Pers.-I dated 7.6.2013.
- 15. Annexure MA-3** – A copy of the RTI request submitted by the applicant on 15.9.2018.
- 16. Annexure MA-4** – A copy of the RTI reply given by the BSNL Kerala for Annexure MA-3.

- 17. Annexure MA-5** – A copy of the complaint given to CGM BSNL Kerala by the applicant on 8.10.2018 regarding change of Reporting Officer due to severe harassment.
- 18. Annexure MA-6** – A copy of the request given to AGM (P) of Malappuram BA for engagement of work dated 19.2.2018.
- 19. Annexure MA-7** – A copy of the order of AGM(P) of Malappuram BA, which set aside the dies-non and ordered for repayment of salary deducted illegally by a civil wing officer No.AGMPLG/MRX/Staff/2014-18/133 dated 24.1.2018.
- 20. Annexure MA-8** – A copy of the order of BSNL CHQ regarding transfer TA/DA No.412-10/2009-Perl., dated 9.5.2012.
- 21. Annexure MA-9** – A copy of the order of this Hon'ble Tribunal page 2 of RA 50/2017 in O.A.183/2013.
- 22. Annexure MA-10** – A copy of the order of this Hon'ble Tribunal in O.A.No.517/2010.
- 23. Annexure R1(a)** – A copy of the minutes of the meeting of the DPC (No.1(93)/CE(C)/BSNL/TVM/2017/Conf./33 dated 27.2.2017.
- 24. Annexure R1(b)** – A copy of the office memorandum No.1(10/E(C)/TVM/2018/1036 dated 19.11.2018.
- 25. Annexure R1(c)** – A copy of the letter No.1(86)/CE(C)/TVM/2018/1014 dated 12.11.2018.
