

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/670/2019

Date of order: 24.05.2019

Present :Hon'ble Dr. Nandita Chatterjee, Administrative Member

Abir Maji, son of Subal Maji, residing at Vill+P.O Chelod, P.S. Raniganj, Dist-Paschim Bardhaman, West Bengal, Pin- 713339.

.....Applicant.

-versus-

1. The Union of India represented by Bharat Sanchar Nigam Limited Service through its Chairman and Managing Director, 4th Floor, Bharat Sanchar Bhawan, Harish Chandra Mathur Lane, Janpath, New Delhi- 110 001.
2. The General Manager (Rectt.) BSNL Corporate Office, Recruitment Branch, Eastern Court Building, 2nd Floor, Room No. 223, Janpath, New Delhi- 110001.
3. Calcutta Telephones, BSNL, Service through its Chief General Manager, Telephone Bhawan, 34, B. B. D. Bag(South), Kolkata- 700001.
4. A.G. M/Staff-I/HQ, BSNL, CTD, Telephone Bhawan, 34, B. B. D. Bag (South), Kolkata- 700001.
5. AGM (R/E) BSNL, CTD, Telephone Bhawan, 34, B. B.D Bag(South), Kolkata- 700001.

.....Respondents.

For the Applicant : In Person

For the Respondents : Sibnath Ghosh, T. T.
Legal Cell-II,
BSNL, Calcutta Telephones.

O R D E R (Oral)

Per Dr. Nandita Chatterjee, AM:

Heard the applicant in person.

Mr. Sibnath Ghosh, T. T., Legal Cell-II, BSNL, Calcutta Telephones, Telephone Bhawan appears on behalf of the respondents.

2. The applicant has filed the instant original application praying for following relief:

"8(a) Direction do issue upon the concerned respondents and their men and agents not to take any coercive action against the applicant in view of the show cause notice vide No. SAA-2010/JE(DR-2015)/dated 14.06.2018.

(b) Direction do issue upon the concerned respondents and their men and agents to relax the condition of Clause 16 for granting appointment vide No. 7-1/2016-Rectt. Dated 20.06.2016 for the post of Junior Engineer(erstwhile TTA) in BSNL from external candidates.

(c) To issue further necessary direction upon the respondents to deal with the required qualification in selection of JE (TTA), BSNL from external candidates in the case of the applicant who has been qualified in all respect.

(d) Any other order/orders as the Hon'ble Tribunal deem fit and proper."

3. The submissions of the applicant are that, he had inadvertently applied for multiple registrations in the DRJE examination despite clear provisions in the recruitment notification no. 7-1/2016-Rectt. that candidates are to opt for only one circle. That the respondent authorities had issued a show cause notice for such transgressions, in response to which, he had submitted his explanation on 20.06.2018 (Annexure A-4 to the OA) and, that, the Senior General Manager (HR & Admn) of the respondents had referred the matter to Jt. General Manager (Rectt.), BSNL Corporate Office on 04.12.2018 recommending sympathetic consideration of the applicant's representation.

hnbh

4. Neither the applicant nor the respondents have brought on record any final decision of the BSNL Corporate Office (Recruitment Branch) till date.

5. Accordingly, without entering into the merits of this matter, it is hereby directed that the Respondent No. 2 i.e. the General Manager (Rectt.) or any other competent authority will decide on the reference dated 04.12.2018 on the subject of the applicant's multiple registrations in DRJE examination (Annexure A-5 to the OA), within a period of 12 weeks from the date of receipt of copy of this order. The concerned respondent authority will decide as per law and convey his decision to the applicant forthwith thereafter.

Till such time that competent respondent authority arrives at a final decision, no coercive action shall be taken against the applicant so as to prevent him from discharging his duties in the post of JE, CTD.

6. With these directions, OA is disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

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