



**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/150/2022



HYDERABAD, this the 11th day of March, 2022

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B. V. Sudhakar, Admn. Member



1. Sanchar Nigam Executives Association,
B-11/1&2, Ramesh Nagar, New Delhi through its
Telangana Circle Secretary,
Kulla Suresh, S/o. Late K. Narsaiah,
Aged about 45 years, Occ: Junior Telecom Officer, Gr.C,
O/o. Principal General Manager, HTD,
BSNL Bhavan, Adarshnagar, Hyderabad -13.
Mail ID: Advocate pavanKumar @ gmail.com,
Mobile: 9032211764.
2. S. Murali Krishna, S/o. S. Venkateswarlu,
Aged about 50 years,
Occ: Sub Divisional Engineer,
O/o. Divisional Engineer of Cable Projects,
D-6, BSNL Quarters, Saroornagar, Hyderabad – 60.
3. D. Babu Rao, S/o. D. Satyanarayana,
Aged about 52 years,
Occ: Sub Divisional Engineer (Civil),
O/o. BSNL Civil Division-I,
BSNL Bhavan, Adarsh Nagar, Hyderabad – 63.
4. Chintala Jagadish, S/o, Apparao,
Aged about 50 years,
Occ: Junior Telecom Officer (Architecture),
O/o. Principal General Manager, HTD,
BSNL Bhavan, Adarshnagar, Hyderabad – 13.
5. Ravinder Chawan, S/o. Roop Singh Chawan,
Aged about 45 years,
Occ: Sub Divisional Engineer (Electrical),
O/o. Principal General Manager, HTD,
BSNL Bhavan, Adarsh Nagar, Hyderabad – 63.
6. Nallabelli Maraiah, S/o. N. Chennaiah,
Aged about 50 years, Occ: Sub Divisional Engineer,
O/o. Chief General Manager, Telangana Telecom Circle,
Door Sanchar Bhavan, Abids, Hyderabad-1.



7. Samala Srinivas, S/o. Late Ghattaiah,
Aged about 44 years,
Occ: Sub Divisional Engineer, ITPC,
OU Campus, Hyderabad.

8. Kulla Suresh, S/o. Late K. Narasaiah,
Aged about 45 years, Occ: Junior Telecom Officer, Gr.C,
O/o. Principal General Manager, HTD,
BSNL Bhavan, Adarshnagar, Hyderabad -13.



9. M. Naga Babu, S/o. M. Suryanarayana,
Aged about 43 years, Occ: Junior Telecom Officer, FTTH,
O/o. PGM, BSNL Bhavan, Adarsh Nagar, Hyderabad – 63.

10. K. Vemulu, S/o. K.Chandra Sekhar,
Aged about 41 years, Occ: Junior Telecom Officer (SRM),
O/o. Principal General Manager, BSNL Bhavan,
Adarsh Nagar, Hyderabad – 63.

11. Y. Raghu Babu, S/o. Y. Rama Rao,
Aged about 34 years, Occ: Junior Accounts Officer,
O/o. Cief General Manager TT Circle,
Door Sanchar Bhavan, Abids, Hyderabad – 1.

.... Applicants

(By Advocate : Dr. A. Raghu Kumar)

Vs.

1. Union of India rep. by its
Secretary, Department of Telecommunications,
20 Ashoka Road, New Delhi – 1.
2. The Bharat Sanchar Nigam Limited rep. by its
Chairman cum Managing Director,
Bharat Sanchar Bhavan,
Harish Chander Mathur Lane,
Janpath, New Delhi – 110 001.
3. The Director (HR), BSNL Board,
Bharat Sanchar Bhavan,
Harish Chander Mathur Lane,
Janpath, New Delhi -110 001.

... Respondents

(By Advocate: Smt B. Gayatri Varma, Sr. CGSC
Sri M.C. Jacob, SC for BSNL)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)



The AApresent Original Application is filed by Sanchar Nigam Executives

Association seeking the following relief:



“to call for the records pertaining to impugned letter dated 23.11.2021 along with the proposed amendments in the recruitment rules pertaining to the equivalent cadres of Sub Divisional Engineer dated 01.02.2022 and Junior Accounts Officer dated 09.02.2022 revising the norms of Recruitment, Pay Scales and Promotions of the Executives working in BSNL contrary to the Promotional avenues and Pay scales declared in the Terms and Condition for Absorption in BSNL, notified on 02.09.2003 and finalized based on the PCAT order in OA No.298/2002 and the negotiated agreement reached between the representative Associations of the Executives in the BSNL resulting in BSNL Executive Promotion Policy Amendment and Recruitment Rules, 2017 and quash and set aside the same as illegal, arbitrary and violative of Article 14 & 16 of the Constitution of India and the negotiated settlement and consequently direct the respondents to implemen the negotiated settlement in BEPPARR 2017 w.e.f., 01.07.2018 with all ocnsequential benefits in the interest of justice, and be pleased to pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

2. It is submitted by Dr. A. Raghu Kumar, learned counsel for the applicants that in 2010 Principal Bench of this Tribunal, New Delhi ordered in favour of the applicant for change of Recruitment Rules. Though the exercise is under taken by the respondents, it is not in terms of the order passed by the Principal Bench of this Tribunal. Feeling aggrieved by this, they have approached this Tribunal for redressal of their grievance.



3. Sri M.C. Jacob, learned Standing Counsel for the respondents submits that no representation has been made by the applicants questioning the draft Recruitment Rules and he submits that the respondents are open to consider any objection raised by the Association.



4. Heard counsel for the parties.

5. After perusal of the records, we are of this view, that let the applicants Association, if not already made representation, make the same within a period of one week and respondents shall take a call on the representation within period of five weeks thereafter. It is needless to say that if they have not finalized the draft Recruitment Rules, no further action should be contemplated. It would be better if parties call for a discussion. In 2018 their demands were accepted but however in the draft Senior recruitment it has not been reflected. Once the objections are decided by the respondents, they are free to proceed further in accordance with law. Liberty is also given to the applicants to re-approach this Tribunal, if they are not satisfied with the order passed by the respondents.

6. With the above observation, the OA is disposed of at admission stage itself. It is also made clear that we have not gone into the merits of the case. No order as to costs.

प्रमाणित प्रत
CERTIFIED TRUE COPY
केस संख्या CASE NUMBER... OA 150/2022
निर्णय का तारीख DATE OF JUDGEMENT... 11-3-2022
प्रति कोपी तैयार करने की तारीख
COPY MADE READY ON... 21-3-2022
M. Dwa 21/3/2022
सूचना अधिकारी/कोर्ट अधिकारी
Section Officer / Court Officer
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद बेंच/Hyderabad Bench

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CAT (Procedure) Rules"