

**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT JABALPUR**

**O.A No. 746 /2022**

**APPLICANTS** : Chandra Prakash Soni

**V/s**

**RESPONDENTS** : Union of India and Others

**APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE  
TRIBUNAL ACT, 1985**

**PARTICULARS OF THE APPLICANT:**

**Chandra Prakash Soni,**

Father's Name: Vinod Kumar Soni, Age: 35 YEARS

Address: 8/A Pragati Nagar, Barkheda, Bhopal (MP) - 462022

Post - Sub Divisional Engineer, Core Network (Tx-West), Biaora

**PARTICULARS OF THE RESPONDENTS:**

**1. Union of India,**

Through its Secretary, Department of Telecommunications,

Add - 20, Sanchar Bhawan, Ashoka Road, New Delhi, Delhi 110001

**2. Secretary to the Government of India,**

Ministry of Personnel, Public Grievances and Pensions,

Add - Department of Personnel and Training, North Block,  
New Delhi-110001.

**3. Bharat Sanchar Nigam Limited,**

through the Chairman-cum-Managing Director

Add - Corporate Office, 4th Floor, Bharat Sanchar Bhawan,  
Harish Chander Lane, Janpath, New Delhi-110001

**4. The General Manager (Personnel),**

Bharat Sanchar Nigam Limited,

Add - Room No.210, CTO Building, Eastern Court, Janpath, New  
Delhi-110001. Corporate Office, 7th Floor, Bharat Sanchar Bhawan,  
Harish Chander Lane, Janpath, New Delhi-110001.

**5. The Director (HR), Bharat Sanchar Nigam Limited,**

Add - Room No.210, CTO Building, Eastern Court, Janpath,  
New Delhi-110001.

**6. The Deputy General Manager (Rectt.),**

Bharat Sanchar Nigam Limited,

Add - Corporate Office, Bharat Sanchar Bhawan,  
Harish Chander Lane, Janpath, New Delhi-110001

**7. The Asst. General Manager (DPC-SM),**





Bharat Sanchar Nigam Limited,  
Add - Corporate Office, 4th Floor, Bharat Sanchar Bhawan,  
Harish Chander Lane, Janpath, New Delhi-110001

CENTRAL ADMINISTRATIVE TRIBUNAL JABALPUR

Order Sheet

Item no.: 1  
O.A./746/2022 (JABALPUR)  
[ PROMOTION ]  
Court No.: 1

No of Adjournment:

Order Dated: 29/08/2022

CHANDRA PRAKASH SONI  
Vs  
BHARAT SANCHAR NIGAM LIMITED

For Applicant(s) Advocate : Shri Manoj Sharma along with Shri Krishnendra Shukla

For Respondent(s) Advocate :

Notes of The Registry	Order of The Tribunal
Heard.	<p>Issue notice to the respondents as per Rules.</p> <p>Respondents to file reply within four weeks.</p> <p>This Original Application has been filed against the order dated 08.06.2022 by respondent No.7. The applicant has sought for the following interim relief:-</p> <p><i>"As an interim measure, during the pendency of this petition, issue a direction to the respondents, directing them to refrain from going ahead with the promotional exercise/SCF quota of promotions, as initiated by the respondents vide communication dt. 8 June, 2022.</i></p> <p><i>In the alternative, direct the respondents to decide the representation preferred by the Applicant, dt. 20 August 2022 vide a speaking and reasoned order, while giving an opportunity of hearing to the applicant."</i></p> <p>From the pleadings the case of the applicant is that the applicant was initially recruited as a direct appointee in BSNL as Junior Telecom Engineer (JTO) and joined the institution on 08.03.2010. Subsequently was promoted as a Sub divisional Engineer (SDE) on 30.12.2021. On 14.07.2009 the rules relating to recruitment of Executives in BSNL were made as "BSNL Management Services Recruitment Rules 2009 and were made effective w.e.f. 11.06.2009 whereby 50% posts of DE/CAO/AGM were available for directly recruited management trainees and 50% for promotion from SDE to AO level. Thereafter the Management Trainee Recruitment Rules were framed. 75% from promotes were made available and 25 % from Management Trainees. Thereafter on 29.06.2018, 3450 posts of DE/AGM were filled up from promotion quota only. In the year 2019 the examination was conducted for MT quota and result was declared on 08.07.2022.</p> <p>Now the respondents department has initiated the process for filling up posts from promotional quota vide Annexure A/7. The applicant has challenged the action of the respondents on the ground that preferential treatment cannot be given to one set of employees. As the process for recruitment for MT quota was initiated in the year 2019 but the written exam result was declared on July 2022 and thereafter Group Discussion and Personal</p>





Bharat Sanchar Nigam Limited,  
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Interview are to be held. This Tribunal has considered the matter and of the view that this is a fit case where interim protection be given to the employees.

List this matter for orders on 23.09.2022.

As an ad-interim respondents are directed not to issue promotion order for SDE(T) to DET/AGM(T) (as initiated by Annexure A/7) till the next date of hearing.

Respondents may file the reply qua the interim relief.

The modification/vacation of interim order will be considered by the next date of hearing.

CC today.



/kg/

Sd/-

Ramesh Singh Thakur  
Member (J)

To, Shri Manoj Sharma

Advocate

JBP

u985  
29.08.2022

के.प्र.अ. प्रक्रिया नियमावली के नियम  
22 के अंतर्गत निःशुल्क प्रतिलिपि

TRUE COPY

Section Officer

Central Administrative Tribunal  
Jabalpur Bench, Jabalpur

29/8/22