

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

**O.A. No. 3500/2016  
M.A. No. 3042/2016**

This the 18<sup>th</sup> day of January, 2023

**Hon'ble Mr. Ashish Kalia, Member (J)  
Hon'ble Dr. Anand S Khati, Member (A)**

1. RAJEEV CHAUHAN AGED 38 YEARS, S/O P.S. CHUHAN R/O B-59, SECTOR -72, NOIDA, (U.P.)
2. VIJAY KUMAR RAWAT S/O- RAM DUTT RAWAT AGED ABOUT-39 YEARS QTR NO. 45, TYPE-IV, GOMTI BLOCK ALTTC CAMPUS ,GHAZIABAD, UP. PIN:201002.
3. RAJESH KUMAR S/O- LATE BRIJ NATH GUPTA AGED ABOUT 38 YEARS QTR NO. 19, TYPE-IV, GODAWARI BLOCK ALTTC CAMPUS GHAZIABAD, UP.PIN:201002
4. VIJAY KUMAR S/O- RAM KRISHNA AGED ABOUT 41 YEARS QTR NO. 6, TYPE-IV, GODAWARI BLOCK ALTTC CAMPUS, GHAZIABAD, UP PIN:201002
5. SANJEEV GANGOLI S/O- LATE SHRI PRAHLAD SINGH AGED ABOUT -37 YEARS QTR NO. A5, TYPE-IV, TELEPHONE EXCHANGE COMPOUND, SECTOR-19 NOIDA, UP. PIN: 201301
6. PARAMJIT SINGH SAGGI SH GURMUKH SINGH VPO SOHANA TEHSIL AND DISTRICT MOHALI PUNJAB
7. HARPRIT SINGH SH. AMRIK SINGH ARORA #2313, TELEHOS SOCIETY, SECTOR 50 C, CHANDIGARH C
8. BHUPENDRA DHUBKARYA SH. HEERALAL DHUBKARYA # 664B BSNL QUARTER SECTOR

## 44 A CHANDIGARH

9 RAHUL SRIVASTAVA SH.R C SRIVASTAVA  
# 2774,GROUD FLOOR,SEC 49 D,CHANDIGARH

10 MANISH AGRAWAL SH. GIRIRAJ KUMAR  
AGRAWAL 35 YEARS C-108, SHYAM NAGAR,  
NEAR COMMUNITY CENTRE, SODALA, AJMER  
ROAD, JAIPUR-302019 (RAJASTHAN)

11. BHUPENDRA GOSWAMI SH UDAI BHAN  
GOSWAMI 39 YEARS 233, IST FLOOR, TAGORE  
NAGAR, AJMER ROAD, JAIPUR-302021  
(RAJASTHAN)

12 SUDEEP KUMAR SHARMA SH. BHAGAT RAM  
SHARMA 38 YEARS QTR NO. IV/33, SANCHAR  
VIHAR COLONY, MALVIYA NAGAR, JAIPUR-  
302017 (RAJASTHAN)

13 GAJANAD GUPTA SH. LAXMI NARAYAN GUPTA  
42 YEARS QTR NO. I/157, SANCHAR VIHAR  
COLONY, MALVIYA NAGAR, JAIPUR-302017  
(RAJASTHAN)

14 DHEER SINGH MEENA SH. RAM JI LAL MEENA  
38 YEARS QTR NO. 141, SANCHAR VIHAR  
COLONY, MALVIYA NAGAR, JAIPUR-302017  
(RAJASTHAN)

15 MUKESH PARETA SH. RAM RATAN PARETA 39  
YEARS QTR NO. IV/142, SANCHAR VIHAR  
COLONY, MALVIYA NAGAR, JAIPUR-302017  
(RAJASTHAN)

16. DHEERAJ KUMAR TAMBHI SH. OM PRAKASH  
TAMBHI 37 YEARS C-311, ADJ. KSHETRAPAL  
HOSPITAL, PANCHSHEEL NAGAR, MAKARWALI  
ROAD, AJMER-305004 (RAJASTHAN)

17. MADAN MOHAN KHATIK SH. LAXMI NARAYAN  
40 YEARS H. NO 278, EIDGAAH ROAD  
JAMBESHWAR NAGAR, VAISHALI NAGAR,  
AJMER-305006 (RAJASTHAN)

18 RAVINDER SINGHPOORAN CHAND 365  
SECTOR 26, PANCHKULA-40

19 GAURAV TRIPATHI G.K.TRIPATHI  
#535 F.F,SECTOR-20A, CHANDIGARH, 16002040

20. NAVNEET KUMAR PRATAP SINGH #132  
FF.GREEN ENCLAVE, LOHGARH ROAD,  
ZIRAKPUR, DISTRICTRICT SAS NAGAR,  
PUNJAB-14060336

21. MUKESH KUMAR KURDIYA MURLI DHAR  
KURDIYA 2017, SECTOR 21, PANCHKULA-41

22 RAJESH KUMAR SAINI SHRI KISHORI LAL SAINI  
H.NO 268, SECTOR-12A PANCHKULA,  
HARYANA 36YEARS

23. MUKUL AGARWAL MADAN MOHAN AGARWAL  
#23, JAGRITI APARTMENTS, SHRI GANESH  
VIHAR, DHAKOLI,ZIRAKPUR DISTRICTRICTT  
SAS NAGAR, PUNJAB-16010436

24. MOHINDER KUMAR SOM NATH #103/4 ROYALE  
ESTATE, ZIRAKPUR, DISTRICTRICT. MOHALI,  
PUNJAB-39

25. ANSHU SINGHALA ROSHAN LAL SINGHALA 505,  
GHS 102, SECTOR 20. PANCHKULA,  
HARYANA, 134112 40

26 ARUN KUMAR RAGHUNATH SINGH #398 D3  
BLOCK,4TH FLOOR PENTHA HOMES VIP RD  
ZIRAKPUR-41

27. KARAN SINGH RANGA S/O-SH. BHANA RAM  
AGE: 36 YEARS ADDRESS: FLAT NO. 263,  
SOLITAIRE DIVINE, DHAKOLI, ZIRAKPUJR,  
PUNJAB.

28 GAURAV KUMAR GUPTA RAMESHWAR DASS  
GUPTA 503, PRAKASH TOWERS, PEER  
MUCHALLA, PUNJAB- 14010337

29 ANURAG BANSAL VINOD KUMAR BANSAL 506,  
GHS 102, SECTOR 20, PANCHKULA,  
HARYANA, 13411239

30. SUDHIR GUPTA S/ RAMESHWAR KUMAR FLAT  
NO. 10A, DIVINE APARTMENT, LOHAGADH  
ROAD, ZIRAKPUR, PUNJAB.14060340

31 VIJAY KUMAR BANSAL S/O SANT RAM  
BANSAL15 GC, RAIL VIHAR MDC-4  
PANCHKULA 13411443

32 PARVEEN KUMAR VINAYAK SH.JODHA RAM  
VINAYAK H.NO-2541, SEC-21 PANCHKULA-41

33. SANJAY SAWHNEY OM PARKASH SAWHNEY  
2647 SECTOR 21,PANCHKULA, HARYANA  
13411640

34. AWADESH KUMAR RESIDENT OF FIRST FLOOR,  
R.T.T.C. BLDG, SECTOR -G, L.O.A. COLONY,  
LUCKNOW ( U.P.)

35. SUBHAS KUMAR SARKER S/O SRI HIRENDRA  
NATH SARKER 37 YEARS 74/61, MULAJOORE  
ROAD, PRITINAGAR P.O. JAGADDAL DISTRICT  
24 PGS (N) PIN-743125 WEST BENGAL

36. DINESH KUMAR 40 SRI KALKA PRASAD SDE  
(ADMIN) O/O GMTD BSNL OFFICE LALTPUR  
ROAD JHANSI (U.P.) 284001.

37. SATENDRA YADAV 41 SRI RAMSHANKAR  
YADAV SDE (PLANNING) O/O GMTD BSNL  
OFFICE LALTPUR ROAD JHANSI (U.P.) 284001

38. SHIV KUMAR JATAV 40 SRI RAM SEWAK SDE  
(LALITPUR) O/O GMTD BSNL OFFICE LALTPUR  
ROAD JHANSI (U.P.) 284001

39 PRABUDDH SINHA S/O- RANG NATH SINHA SDE  
(INDOOR) O/O TDM ALFASTEEN GANJ (NEAR  
HEAD POST OFFICE) BSNL JAUNPUR U. P..

222001

40 MUKESH KUMAR PARETA S/O- SHRI RAM  
RATAN PARETA AGE: 39 YEARS  
TYPE/142,SANCHAR VIHAR COLONY, NEAR  
TRIMURTI APPT, MALVIYA NAGAR, JAIPUR-  
302010,RAJASHAN

41. RAMANAND SRIVASTAVA S/O SRI LAXAMAN  
PRASAD 42 YEARS #662 A SECTR 44 A  
CHANDIGAR

42 DAL SINGH SODHI S/O SRI UDAY RAM SODHI  
41 YEARS # 11/577 STREET NO 10, KIRTI  
NAGAR, SIRSA, HARYANA.

43 GIRIRAJ SHARMA SH. RAMSWAROOP SHARMA  
40 YEARS NEAR HANUMAN TEMPLE, SHRIRAM  
NAGAR,KOTA-324004(RAJ)

44. SUDHIR GUPTA S/O- LATE SH. RAMESHWAR  
KUMAR SDE (PMS) O/O SR. GM, ITPC  
TELEPHONE EXCHANGE, SEC-20,  
PANCHKULA - 134117 (HARYANA) AGE- 40  
YEARS

45 NAYEEM MANSOORY S/O IMAM. MANSOORY  
NAYEEM MANSOORY 6-D-41,VIGYNA NAGAR  
EXT KOTA-324005 RAJASTHAN

46 KRISHANN KUMAR KHANDELWAL, S/O  
LAXMINARAYAN 36 YEARS 3/67, TELECOM  
COLONY, MALVIYA NAGAR, JAIPUR-302017

47. ARUN KUMAR S/O- MOHAN LAL AGE: 37YR H  
NO 931-B, SECTOR-43A, CHANDIGARH.

48. DHANJIT KUMAR GUPTA S/O T.M.GUPTA  
QUARTER NO 2/ IV BSNL RTTC COLONY  
SECTOR G LDA COLONY KANPUR  
ROAD,LUCKNOW PIN-226012

49 ASHUTOSH, S/O SH. HARI RAM SHARMA, 36  
YEARS, H.NO.936, SECTOR-43A, CHANDIGARH-

160022

50 AMIT KUMAR TANEJA, S/O SH. KHUSHI LAL  
TANEJA, 2274,GROUND FOOR,BLOCK NO. 2,  
SECTOR-63,CHANDIGARH

51. NARESH KUMAR S/O SH CHARAN DASS E1-  
107,PU CAMPUS,SECTOR 14,CHANDIGARH

52. GAJENDER SOM VANSHI B.S.N.L, NODAL  
CENTRE PHASE-IV,MOHALI (PUNJAB)  
(9963200400 )

53. ANWAR PRAKASH B.S.N.L. CMTS, NODAL  
CENTRE MOHALI PUNJAB-(9417493195)

54. VIKASH GUPTA S/O KAMLESH KUMAR GUPTA  
AGED 38 YEARS MAYAURAN COLONY,  
BARWAN KARNAL HARYANAA

55. SWARANJIT SINGH S/O BALJIT SINGH 942-C.  
SECTOR-43-A, CHANDIGARH.

56. RAMESH SINGH S/O LT. SHIVDHAR SINGH  
AGED 40 VILLAGE HARIPARA, POST-  
GONTHA DISTRICT - MAU (U.P.) PIN 275303.

57. VINOD KUMAR SINGH ,TELEPHONE EXCHANGE  
SADIPUR FATEHPUR-212601 (U.P.)

58. SHRAWAN KUMAR TELEPHONE EXCHANGE  
SADIPUR FATEHPUR-212601(U.P.)

59 ASHISH KUMAR JAISWAL  
TELEPHONE EXCHANGE SADIPUR FATEHPUR -  
212601(U.P.)  
[ALL ARE WORKING AS S.D.E. (T) IN B.S.N.L.]

...Applicants

(By Advocate : Mr. M.K. Bhardwaj)

**Versus**

1. B.S.N.L. through its Chairman Cum- Managing  
Director, Bharat Sanchar Bhawan, Harish Chandra

Mathure Lane New Delhi -1100001

2. The Director( H.R.) B.S.N.L. Bharat Sanchar  
Bhawan, Harish Chandra Mathure Lane New Delhi  
-110001

3. The General Manager (Persornel ), B.S.N.L  
Bharat Sanchar Bhawan, Harish Chandra Mathure  
Lane New Delhi -110001  
Respondents

....Respondents

(By Advocate : None)

**ORDER (ORAL)**

**Hon'ble Mr. Ashish Kalia, Member (J)**

By virtue of the present OA, the applicant is seeking  
the following reliefs:

- “ a. Pass an order that as one increment is already is being  
provided to 67% quota and last L.D.C.E. Examination quota  
hence, similar one increment should be provided to the aggrieved  
party for being promoted from J.T.O. to S.D.E (T)  
b. Pass any other further orders/directions which this Hon'ble  
Tribunal may deem fit and proper.”

2. Applicants working as Sub Divisional Engineer in  
BSNL and they were promoted as JTO through a  
competitive examination called L.D.C.E. Due to  
administrative delay financial benefits have not been given  
to the applicants. Applicants as under 67% quota.

Applicants are aggrieved of grant of one increment on promotion which is not given to the applicant despite having cleared in the examination. Para 5.12 of the reply reads as under:

“ That the Contents of Para 5.6 to 5.12 of the Grounds under reply are wrong and denied and the Applicant be put to strict proof with regard to the averments made therein. It is wrong and specifically denied that scheme of the Respondents is a mere hoax or there was any inactivity on the part of the Respondents to follow its policy. It is wrong and specifically denied that the Respondents are treating equals in an unequal manner or was giving deaf ear to the judgments pronounced by the Hon'ble Supreme Court of India. It is wrong and specifically denied that employees are being prejudiced by the administrative or judicial delay of the authority or that the activities of the authority are illegal or unsustainable in the eyes of law. It is respectfully submitted that the various grounds raised by the Applicants in the present Application are vague, unsubstantiated, unfounded, baseless and illegal and the same deserves to be disregarded and thus the present ground raised by Applicants being devoid of any merit are liable to be dismissed. It is respectfully submitted that the scheme of Executive Promotion Policy (EPP) was introduced by BSNL with a sole aim to grant the scale of higher post, subject to certain terms and conditions, on non-functional basis, to those officers who were stagnating without post based/functional promotion to the next higher grade. The Executive Promotion Policy (EPP) was thus put in place by BSNL to bring relief to those executives who have been languishing in one post/ pay scale for years and the Applicants were beneficiary of the said Executive Promotion Policy (EPP) in the past when they were holding the post of JTO in E-1 scale while getting the pay scale of E-2 and later F-3 and at that time, none of the said Applicants had ever raised any objection to the implementation of the said Executive Promotion Policy (EPP) because they were immensely benefitting from the same. It is further respectfully submitted that had these Applicants not qualified the LDCE examination, they would have never agitated the conditions of Executive Promotion Policy (EPP) before this Hon'ble Tribunal and would have continued to enjoy the benefits of E-3 pay scale despite being the JTO's (E-1 pay scale). Thus the Applicants cannot be allowed to pick and choose the terms and conditions of Executive



Promotion Policy (EPP) when it was benefitting them financially for so many years and to shun the same when they perceive it to be against their diabolical plan to get one increment in defiance of the said Executive Promotion Policy (EPP).”

4. In view of the above the representation dated 17.03.2015 shall dispose of by passing a reasoned and speaking order within a period of eight weeks’ from the date of receipt of the copy of this order. The applicant similar situated persons already grant if the respondents consider the case of the applicant.
6. The present OA as well as associated MAs stands disposed of in accordance with law.
7. There shall be no order as to costs.

**(Dr. Anand S Khati)**  
**Member (A)**  
/arti/

**(Ashish Kalia)**  
**Member (J)**