

**ALL INDIA  
BHARAT SANCHAR NIGAM LIMITED  
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No. AIBSNLEA/CHQ/CMD/2015

DATED: 02.07.2014

To,

**Shri Anupam Srivastava**  
CMD BSNL  
New Delhi -110 001

**Subject:** Implementation of the directions of the Expert Committee comprising of Hon'ble Justice Shri K. Ramamoorthy (Retd.) and Hon'ble Dr. D.P. Sharma, Member to the BSNL to clarify its position in implementing Rule-206 for fixing TES Group -'B' seniority & its implications by Saturday i.e. 04.07.2015 - Our submissions thereof.

**Respected Sir,**

On the subject cited above, we would like to submit our views for a smooth implementation of the judgment dated 21.01.2015 of Hon'ble Supreme Court of India with respect to implementation of the Rule-206 for fixing TES Group - 'B' seniority.

1. Lists I-XVII is having 19,187 names and there are 3623 additional names of 1998 DPC list. Total 22,810 officers were severely affected.
2. Lists 1-5 also includes these names but with disturbed seniority positions which is under challenge.
3. The Hon'ble Supreme Court has directed in Para 20 of its order on 21.01.2015 – **“We only direct the Expert Committee to ensure that the rights which have been crystallised in favour of the applicants in IA NO. 16 in CA No. 4339 of 1992 reported in the judgment of Union of India v. Madras Telephone SC & ST Social Welfare Assn.-(2006) 8 SCC 662 as well as by the judgment in the Contempt Petition No.248 of 2007 reported in Promotee Telecom Engineers Forum and Others v. D.S Mathur, Secretary, Department of Telecommunications - (2008) 11 SCC 579, shall not in any way infringed while suggesting the way out for balancing the rights of the two groups of employees referred to above based on the principles laid down in this judgment.”**
4. **About 100 SDEs qualified the TES Gr. “B” Qualifying Examination in the years 1985/87/88 have been promoted as DE with effect from November 2002/ January 2003 with respect to their juniors who qualified the TES Gr “B” Qualifying Examination in the year 1989/90/91.**
5. Therefore, on the similar pattern, the list of 22,810 officers as available in Lists I-XVII and 1998 DPC list must be restored on the basis of Rule -206 and **all consequential benefits be allowed to the senior SDEs (declared on the basis of Rule – 206) with respect to their juniors from the date from which they (the juniors) have been promoted as DE.**
6. The interest of officers promoted as per 2001 lists may be protected to the extent possible by following all Departmental norms in accordance with the Hon'ble Apex Court judgment.

With kind regards,

Yours Sincerely

Sd/-  
**(PRAHLAD RAI)**  
General Secretary

**Copy to:**

1. Shri A.N. Rai, Director (HR), BSNL Board New Delhi -110001.
2. Smt. Sujata Ray, ED (Finance), BSNL CO New Delhi-110001
3. Shri D. Chakrabarti, GM (Pers.), BSNL CO New Delhi-110001