

No. AIBSNLEA/CHQ/CMD/2015

DATED: 08.05.2014

To,

Shri Anupam Srivastava
CMD BSNL
New Delhi -110 001

Sub: Proper fixation of TES Group "B" executives seniority in accordance of Hon'ble Supreme Court Judgment- reg.

Respected Sir,

As you know that Hon'ble Supreme Court has delivered the Judgment on 21.04.2015 by upholding the TES Group "B" seniority list no. I to XVII prepared and finalized by DoT in the year 1992 following the Hon'ble Apex Court judgment. Also an Expert Committee headed by Hon'ble Retd. Justice Shri Ramamurthy has also been constituted to examine and protect the interest of those who have been benefited by wrong interpretation of Hon'ble Apex Court judgment delivered in the year 2000. BSNL C.O. Pers. Cell and all the affected parties are representing to the Expert Committee and accordingly Expert Committee has directed BSNL to prepare and submit the seniority lists, whereas BSNL C.O. Pers. Cell has submitted two seniority lists, one including the names of 147 SDEs (LDCE-Quota) in I to XVII seniority lists keeping 1998 DPC SDEs below and the second seniority list excluding the 147 SDEs (LDCE-Quota) and keeping them below I to XVII seniority lists along with 1998 DPC SDEs. In this connection it is submitted as under-

206 CASE

1. Seniority List Nos. I – XVII prepared and finalized prior to the year 2000 following the court order based on the undertaking of DOT now cannot be changed in any manner as directed by the Apex Court on 21.1.2015.
2. SDEs promoted in 1998 DPC must be placed just below list no. XVII in order of their passing the qualifying examination up to 1991.
3. DPC 2003 promoted SC/ST SDEs must be placed below the 1998 DPC SDEs as they have passed the qualifying examination in 2000 (after 1991).

4. All 270 LDCE officers promoted under various Qualifying Quota DPCs up to 1994 and were accommodated in Seniority List Nos. I – XVII at their respective places under Qualifying Quota. Same must be followed strictly while finalizing the 206 lists as their LDCE result was declared only in 2001 and there is NO WORD in the order that they were declared to have passed retrospectively.
5. A good number of the 147 LDCE officers were promoted under various Qualifying Quota DPCs up to 1998 and were accommodated in Seniority List Nos. I – XVII and 1998 DPC list under Qualifying Quota. Same must be strictly followed while finalizing the 206 lists.
6. Some 147 LDCE officers promoted under SC/ST Qualifying Quota DPC in 2003 also find their names under Qualifying Quota for SC/ST DPC list 2003.
7. Remaining eligible 147 LDCE officers (as per Kerala High Court Order) must be placed below the above officers as they have passed the Qualifying Examination only in 2003.
8. One column may be included in the just published seniority list as “Date of Promotion as SDE” to facilitate for comparing in the cadre of SDE with the juniors.

270 CASE

9. For claiming Competitive Quota Seniority, the 270 LDCE officers must bring an order from the Apex Court, where the case is pending since 2008.

147 CASE

10. For claiming Competitive Quota Seniority, the 147 LDCE officers must bring an order from the Apex Court, where the case is pending since 2013.

In view the above, it is therefore, requested to kindly intervene in the matter so that further Hon'ble Supreme Court Judgment is not misinterpreted in fixing the seniority of 147 SDEs (LDCE Quota) by inserting their names in seniority lists no I to XVII. Also further request

to expedite CPC to fill up DGM vacant Posts on the basis of seniority lists I to XVII at the earliest.

With kind regards,

Yours Sincerely

-sd-

(PRAHLAD RAI)
General Secretary

Copy to,

1. Shri A.N.Rai, Director (HR), BSNL Board New Delhi for kind information and n/a pl.
2. Shri Dev Chakraborty, GM (Pers.) BSNL CO, New Delhi for kind consideration and n/a pl.