

**ALL INDIA  
BHARAT SANCHAR NIGAM LIMITED  
EXECUTIVES' ASSOCIATION**

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**DATED: 26.07.2018**

**No. AIBSNLEA/CHQ/CMD/2018**

To

**Shri Anupam Shrivastava,  
CMD, BSNL,  
New Delhi -110 001**

**Subject: Non-Implementation of Hon'ble Supreme Court judgment dated 14.12.2017 in the matter of TES Group "B" seniority on the basis of Rule-206 - Our concern regarding.**

**Reference: AIBSNLEA letter number AIBSNLEA/CHQ/CMD/2018 Dated 28.05.2018**

**Respected Sir,**

On the subject and reference cited above, it is submitted that the AIBSNLEA is vigorously pursuing for the Implementation of Hon'ble Supreme Court judgment dated 14.12.2017 in the matter of TES Group "B" seniority on the basis of Rule-206. But, to our dismay, it is painful to intimate you that despite passing of more than seven months, BSNL have not implemented the judgment passed by the Hon'ble apex court of India.

We would like to again reiterate that Hon'ble Supreme Court has passed judgment on the seniority of TES Group "B" officers on 14.12.2017 in respect of Seniority-cum-Fitness Quota (Implementation of Rule-206) wherein the expert committee constituted as per the directions of Hon'ble Supreme Court which was headed by Hon'ble Shri Justice K. Ramamoorthy, Retired Judge of the High Court of Madras. The committee report was considered in full by the Hon'ble Supreme Court except the payment of arrears on retrospective date. As per the judgment no arrears will be payable in terms of the impugned judgment. Consequential benefits of pay fixation including the pensionary benefits, if any, will be payable in terms of the impugned judgment only w.e.f. from 01.01.2018 and not for the past.

It is learnt that Pers Cell / BSNL Corporate Office, on the issue of Implementation of Rule-206 in Seniority-cum-Fitness Quota, asked legal opinion from the Legal Cell / BSNL Corporate Office and Legal Cell has opined that the Hon'ble Supreme Court while delivering the judgment has denounced the report of the Expert Committee which is totally wrong and misinterpretation of the Hon'ble Supreme Court judgment to put in loss to the beneficiaries who struggle in the Courts for the last ten years and got justice which is now being denied by BSNL Corporate Office. It will further invite litigations.

We would therefore, request you to kindly intervene in the matter and issue directions to the Pers. Cell to obtain advice from an independent senior advocate in this regard for its true implementation and to avoid further litigations.

With kind regards,

Yours Sincerely

  
**(PRAHLAD RAI)**  
General Secretary

**Copy for kind information and necessary action please:**

1. The Director (HR), BSNL Board, New Delhi - 110001
2. The GM (Pers.), BSNL Corporate Office, New Delhi - 110001