



**ALL INDIA  
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EXECUTIVES' ASSOCIATION  
CENTRAL HEADQUARTERS  
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No.AIBSNLEA/CHQ/CMD/2012

Date 17.01.2012

To  
**Shri A N Rai**  
**Director (HR)**  
**BSNL**  
**NEW DELHI-110001**

**Sub:-Implementation of Judgment dated 26/04/2011 of Hon'ble CAT Bangalore in OA No. 181/2009 filed by Shri K S Premkumar and 123 others- Extending the benefit of notional date of promotion and fixation of pay w.e.f. 23.01.2002 and actual benefits from 01.04.2008 to similarly placed other candidates-Reg.**

Ref: BSNL CO New Delhi ltr no.54-14/2009-Pers(legal) dated 21.10.2011

Respected Sir,

With reference to the above subject matter under reference, it is bring to your kind notice that, BSNL Management has implemented the judgment of the Bangalore Bench of the Hon'ble CAT Bangalore, vide O.A. No.181/2009 to the applicants only. wherein Hon'ble Tribunal vide its judgment dated 26.04.2010 has directed the respondents DOT/BSNL to assign the notional date of promotion as SDE w.e.f. 23.01.2002, six months from the date on which the competitive examination was announced to be held with entitlement of arrears of pay from 01.04.2008. The judgment of the Hon Tribunal was upheld by Hon'ble High Court of Karnataka on 21.04.2011 in WP 37322/2010 and SLP in the apex court, 22720/2011 was also dismissed on 25.08.2011.

However, Around 1525 JTOs have promoted as SDEs under LDCE quota against 2004 vacancies. The benefits of the above judgment have been extended to the 124 applicant SDEs only instead of extending to others also. Now it is heart burn to the remaining 1400 SDEs since his junior will get more pay than him.

We therefore, request you to kindly intervene in the matter, so that necessary order may be issue for extending the benefit to similarly placed SDEs to avoid multiple litigations and pay anomaly..

With kind regards,

Yours sincerely,  
-sd-

**(Prahlad Rai)**  
**General Secretary**

Copy to: Shri A K Jain, Sr. GM(Pers), BSNL CO, New Delhi