



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

Central Headquarters New Delhi

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No: AIBSNLEA/CHQ/CMD/2022

Date: 01.11.2022

To

Shri P. K. Purwar ji,

The CMD BSNL, New Delhi -110 001

Sub: Kind intervention sought to the inordinate delay in vacating the 'Status Quo' on AO to CAO promotion from the Hon'ble CAT Chandigarh due to non-constitution of the double bench in the CAT and requested to cause to file a fresh MA at CAT Chandigarh to vacate the 'Status Quo' - regarding

Ref: Our letter Nos: AIBSNLEA/CHQ/CMD/2019 dated 19.12.2019 followed by a series of reminders dated 05.08.2020, dt 03.09.2020, dt 01.02.2021, dt 07.07.2021, dt 27.07.2021& dt 20.04.2022

Respected Sir,

We would like to draw your kind attention to the above-cited subject. The Promotions in the Grade of AO to CAO are held up due to the "Status Quo" in the Hon'ble CAT Chandigarh issued on 30.11.2018 and is pending for the last 4 years resulting stuck the promotions from AO to CAO for the last 4 years despite the fact that ample vacancies are available. BSNL has filed a Writ Petition in the Hon'ble High Court of Punjab and Haryana Chandigarh challenging the Interim Order passed by Hon'ble CAT Chandigarh in OA No 60/1435/2018 titled Anupam Yadav Vs BSNL on the above subject. The Hon'ble High Court has delivered the judgment dated 28.01.2020 in the CWP-9614-2019 (O&M) that: *"We deemed it appropriate to dispose of the present WP with the direction to the learned CAT to decide at least the application moved by BSNL for Vacation/Modification of the initial impugned order within 15 days of the next hearing. The learned CAT is also*

requested to make an Endeavour to dispose of the main OA at the earliest...” however no disposal has been done by Hon’ble CAT Chandigarh even after the lapse of more than two years from the direction given by the Hon’ble HC of Punjab and Haryana in Jan 2020.

The case was posted for 27.10.2022 and is again postponed for the next hearing on 14.11.2022 due to the non-constitution/non-availability of the double bench at CAT Chandigarh. The case has already been postponed 30 times due to one or the other reason in the Hon’ble CAT Chandigarh.

In view of the above unfortunate conditions, it is requested to kindly cause to ensure to get the ‘Status Quo’ is vacated by filling a fresh Misc. Application at CAT Chandigarh by bringing up the fact of non-commitment of the Hon’ble High Court’s directions pronounced on 28-01-2020 to the learned CAT Chandigarh to decide at least the application moved by BSNL for Vacation/Modification of the initial impugned order within 15 days of the next date of hearing and even after lapses of around three years nothing has happened. This is the right time to approach Hon’ble CAT Chandigarh by filling a fresh MA for lifting the ‘Status Quo’, especially on the fairground that even after a lapse of around three years of pronouncement of the BSNL favorable direction from the Hon’ble High Court to the CAT. This association is damn sure that the ‘Status Quo’ from the Hon’ble CAT can be vacated without delay, particularly by bringing genuine facts for consideration of CAT Chandigarh that around 54 CAOs are only working across the Country in BSNL against the Sanctioned Strength of 672 posts of CAOs and there is an acute shortage of officers in the Cadre of CAO and difficulties have been faced by the BSNL Management to run the organization with these lesser number of CAOs working against the Sanctioned Strength. Moreover, it is kindly mentioned here that the petitioner of this case has already retired from BSNL services.


Hence, once again we would request your good self to kindly intervene in the matter and cause to issue necessary instructions to the officers concerned for filling a fresh MA at CAT Chandigarh for lifting the ‘Status Quo’ called by the

Hon'ble CAT Chandigarh so that all vacant posts of CAOs in BSNL can be filled up on priority basis. Thus, the young DR-AOs of BSNL may get the much-dreamed CAO Regular promotion since they have been deprived of their due promotions for years together and they will serve the Company with better Zeal and Enthusiasm.

Sir, as you are well aware of the truth that the long pending promotions in all streams, whatever the reasons, turned thousands of heartened and motivated BSNL executives to disheartened and demotivated. No way this is entertaining a conducive atmosphere for the better interest of BSNL. Out of the three Ps (Pay , Promotion, and Perks) , granting eligible promotions to executives not leaving any monetary burden on BSNL in most cases. On the other hand, this will leverage more monitory additions to BSNL through motivated employees through promotions. In this pretext, this association requests your performing office to devise a mechanism to issue promotion orders in all streams across all cadres on yearly basis through the ERP platform in line with the granting of annual financial increments, Completion of APARs, Completion of IPMS etc. This will certainly enhance the performance efficiency level of BSNL and this is the high demand of the time. Your attention is kindly solicited to this proposal for auto issue of Promotion Orders in BSNL on yearly basis for a better BSNL.

With kind regards,

Yours Sincerely,


Shaji V
General Secretary
At BSNLEA CHQ

Copy for kind information and necessary action to:

1. Shri Arvind Vadnerkar, Director (HR), BSNL Board New Delhi-110001.
2. Ms. Yojana Das, Director (Finance) BSNL Board New Delhi-110001
3. Shri S.N Gupta, GM (Pers.), BSNL CO, New Delhi-110001
4. Ms Anita Johri, PGM (SR) BSNL CO, New Delhi-110001
5. Shri Rajiv Kumar, GM (EF&FC), BSNL CO, New Delhi-110001