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No. AIBSNLEA/CHQ/CMD/2018

DATED: 25.04.2018

To

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

Subject: Regarding Education qualification for promotion to the grade of EE (C/E) in BSNL.

Reference: CGM (BW), L No. 3(3)/Pro/Review-EE(C)/Reg/M(BW-IV)/2017 dtd 19.04.18.

Respected Sir,

We would like to draw your kind attention on the above cited reference and subject matter that CGM (BW) has called the educational data in the grade of SDE (Civil) from all the PCE (C)/CES (C) BSNL Civil Zone referring the BSNL MS RR 2009 ignoring the further modifications in BSNL MS RR 2015, In this regard following is submitted for your kind consideration:

1. BSNL Corporate Office had issued a Modification in BSNL MSRR -2009, on educational qualification which reads as follows *"It has been decided by management to clarify that for promotions to Executive Engineer grade in Civil/Electrical streams, a diploma in appropriate field of engineering with 10 years of experience shall be construed to be equivalent to degree in engineering in appropriate field as per the requirements of note 2 under schedule 1B of BSNL MSRR 2009."* vide letter No. : 400-106/2013-Pers.I Dated July 16th, 2015 **(placed as Annexure-I)** while the original BSNL MSRR 2009 says *"Educational qualification for executives to be promoted to the grade of AGM/EE/Arch shall be degree in engineering or equivalent in respect of Civil & Electrical disciplines whereas degree in Architecture or equivalent and valid registration as Architect with the council of Architects for architectural discipline"*.
2. Chronological development since inception of BSNLMSRR-2009 with subsequent modifications are as follows :
 - (i) For the first time, BSNL Corporate office had published the BSNL MS RR 2009 vide corporate Office order number 400-106/2007-pers-I dated 14th July , 2009 **(Placed as Annexure-II)** at New Delhi, and these rule was made effective from 11th June 2009 with provision of eligibility criteria for AGM/EE in Schedule-IB from regular SDE/AE or Equivalent grade of concerned discipline who are graduate from an Indian Institute/University recognized under Indian Law in prescribed discipline, with total qualifying service of 7 Years as on 1st January of the year are eligible for the promotion of AGM/EE(C&E) .

- (ii) The Electrical wing of BSNL Corporate office had issued modification in BSNLMSRR 2009 vide no. 2-11/2009-Elect. Dated 25.11.2009 (Placed as Annexure-II). The Executive with Degree in Mechanical / Electronics Engineering are also eligible for STS Promotion in Electrical wing.
- (iii) Subsequently, BSNL Corporate Office Personnel-I Section issued modifications in BSNL MSRR 2009, vide no. 400-106/2013-Pers.I dated 2nd July, 2010 (**Placed as Annexure-III**) with the following *“However Existing incumbent holding the post of SDE or equivalent on a regular basis on the date of notification of P&T BW (Group A) Service rule 1994 i.e. 06.08.1994 shall be continue to be eligible for promotion to the Post of Executive Engineer or equivalent STS level post in BSNL, if they possess a Diploma in Engineering in their respective branch from a recognized University / Institution or equivalent “.*
- (iv) Further modification for Educational Qualification for promotion to the grade of EE(Civil/Elect.) - Degree in Engineering and its equivalence in note 2 under Schedule – IB of BSNL MSRR -2009 vide no. 400-106/2013-Pers.I dated 16th July, 2015 (already placed as Annexure-I) with the following that *“it has been decided by the BSNL management to clarify that for promotions to be Executive Engineer grade in Civil/Electrical streams, A Diploma in appropriate field of Engineering with 10 years of experience shall be construed to be equivalent to Degree in Engineering in appropriate field as per the requirements of note-2 under Schedule IB of BSNL MS RR 2009”.*
3. On the basis of Supreme Court Judgment dated 03-November, 2017 against Civil Appeal No. 17869-17870/2017 (arising out of special leave petition© No. 19807-19808/2012) in the matter of degree awarded by Distance learning Mode, asking educational qualification data of SDE@s as per BSNLMS 2009 ignoring subsequent modification which is very part of BSNL MSRR-2009, are not correct. It shows the pre-judiciousness of CGM (BW) towards the diploma holders having more than 10 years of technical experience and acquired degree through distance learning from duly recognized universities.

It is painfully mentioned that in the year 2016 also a CPC from SDE (Civil) to EE (Civil) was conducted for the eligible candidates as per modified BSNL MS RR 2015 but same CGM (BW) working as GM in BW Unit delayed the issuance of promotion orders and finally a stay order was granted by Hon'ble CAT Chandigarh on the basis of SC/ST roster implementation since then no promotion orders from SDE (Civil) to EE (Civil) are being issued to fill up about 300 vacant EE (Civil) posts. Now again after joining CGM (BW), the same fellow has taken the efforts to drop the diploma holder SDEs (Civil) to the promotion of EE (Civil) those who are eligible to be promoted as per BSNL MS RR 2015.

4. Wherein, as per aforesaid Para 2(iii) & 2(iv), that sufficiently and aptly justify the promotion of SDE(C) on regular basis as AGM/EE/Arch .

In view of above, my earnest prayer to the department is, not to act in contravention to modification in the BSNL MSRR-2009 and not to bogged down to protect the rightfully promotion of SDE(C) as AGM/EE by the department.

With kind regards,

Yours Sincerely
Sd/-
(PRAHLAD RAI)
General Secretary

Copy for kind information and necessary action please:

- 1) The Director (HR), BSNL Board, New Delhi
- 2) The CGM (BW), BSNL Corporate Office, New Delhi
- 3) The GM (Pers.), BSNL Corporate Office, New Delhi
- 4) The GM (SR), BSNL Corporate Office, New Delhi