

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



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No. AIBSNLEA/CHQ/DRHR/2018

Dated 31.01.2018

To,

The Director (HR)

BSNL Board,

New Delhi - 110001

Subject: Request for issue of immediate regular promotions from the SDE (Civil) to the EE (Civil) grade on the basis of Modified and Final seniority List dated 10/10/2017 pursuant to the Hon'ble CAT, PB, New Delhi Judgment dated 27/02/2017 in OA No. 3300/2010 with OA 1586/2011.

Reference: 1) CAT, PB, New Delhi Judgment dated 27/02/2017 in OA- 3300/2010 with OA- 1586/2011.

2) DOT letter No. 19-5/2010-CWG dated 29/08/2017 modifying the seniority list in the grade of AE (Civil) by the Director (Civil).

3) BSNL CO, New Delhi letter dated 10/10/2017 issuing Modified and Final seniority List in the grade of SDE (Civil) by the PGM (BW) unit.

Respected Madam,

Kindly refer to the above stated letters on the captioned subject. The brief facts of the matter are explained below:

1. The first LDCE for promotion from JE(Civil) to AE(Civil) took place in the year 1995 and around 65 JE(Civil)s got promoted under this quota and joined as AE(Civil) in 1996. All these LDCE AE(Civil)/SDE(Civil) had been placed en-block junior to the AE(Civil)s promoted up to 1994-95 under SCF.
2. Recently the Hon'ble CAT, Principle Bench, Delhi has pronounced the judgment vide letter under reference-2 for revision of the seniority list as per the vacancy year from 1992 and the DOT has issued revised seniority list on 29/08/2017 and accordingly the BSNL has also issued modified and final seniority list on 10/10/2017.

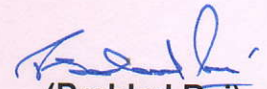
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3. In this final list, many LDCE-95 candidates climbed up in the seniority list as per their merit in the LDCE and their eligibility of vacancy year.
4. Meanwhile many SDE(Civil)s had been promoted as adhoc/regular EE(Civil) since 2010 and now they are junior to some of these LDCE-95 SDE(Civil)s as per revised seniority list.
5. It is well established in law that when a junior is being promoted, his senior should be promoted from that date.
6. The remedial measure is to conduct review DPC to consider the names of such senior SDE(Civil)s for promotion to the grade of EE(Civil)s.

It is, therefore, humbly requested to cause necessary action to **comply the CAT judgment immediately by conducting review DPC and issue promotion orders** for these affected SDEs(civil).

Encl: As above

Yours Sincerely,


(Prahlad Rai)

General Secretary

Copy to:

1. The CMD, BSNL, New Delhi – 110001
2. The PGM (BW), BSNL Corporate Office, New Delhi - 110001
3. The GM (Pers.), BSNL Corporate Office, New Delhi - 110001