



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

**Central Headquarters
New Delhi-110001**

**President
P. Veneugopal
Mob:9443200177
E-mail:presidentaibsnlea@gmail.com**

**General Secretary
Prahlad Rai
Mob:9868278222
E-mail:gsaibsnlea@gmail.com**

**Financial Secretary
T.C. Jain
Mob:9868188748
E-mail:tcjain_1957@yahoo.co.in**

No. AIBSNLEA/CHQ/CMD/2013

Dated 23.12.2013

To,

**Shri R.K. Upadhyay,
CMD, BSNL,
New Delhi-110001**

**SUB: BSNL MANAGEMENT SERVICES RECRITMENT RULES, 2009 – REGARDING
MODIFICATION IN SCHEDULE – I B (CIVIL / ELECTRICAL)**

Respected Sir,

We would like to bring to your kind notice that many JEs/(C/E) in P&T department, were recruited on basis of minimum qualification of three years Diploma Course and join the duty as JE(C/E) on before 1.10.2000 after careful examination that diploma holders were eligible for the promotion for the post of Executive Engineer (C/E). They were promoted as regular Assistant Engineer (C/E) upto September-2000 also.

The P&T BW (Group A) RR-1973 was amended in August 1994 in which Diploma Holders were disallowed for the promotion of Executive Engineer (C/E) but the Diploma Holders Assistant Engineer(C/E) regularized prior to in August 1994 were exempted from this new RR 1994. The amendment is thus opposed to and *ultra-vires* of provisions of Constitution of India as it discriminates between the equals. At present, the regular Diploma holder AE(C/E) prior to notification of RR 1994 are working on the post of the Superintending Engineer (Elect) and so many diploma holders were retired on the post of Superintending Engineer (C/E).

Sir, we wish to bring the following facts for your kind consideration-

1. That, the cadre of JE(C/E) is already restructured by the BSNL in Dec, 2001 as JTO(C/E) at par to Telecom Operation in all respect whatsoever like Recruitment Rules, duties, responsibilities, pay and allowances (higher than JE). The cadre of JE(C/E) was a single and undivided cadre to which degree and diploma holders get direct recruitment with Minimum qualification of Diploma through the same recruitment method and without any quota or discrimination, pay and allowances on the basis of qualification.
2. That, the cadre of AE(C/E) is restructured by the BSNL in Jan, 2002 as SDE(C/E) at par to Telecom Operation in all respect whatsoever like Recruitment Rules, duties, responsibilities, pay and allowances which were higher than AE.
3. That, All JE(C/E)s/JTO(C/E)s are put in the same seniority list and promoted to the next cadre of AE(C/E)/SDE(C/E)s on *seniority-cum-fitness* basis and LDCE as per quota fixed time to time without any discrimination on the ground of qualification
4. That, All AE(C/E)s/SDE(C/E)s are put in a single seniority list and promoted to the next grade of Executive Engineer without any discrimination on the ground of qualification.
5. That, with the amendment in P&T BW (Group A) RR-1973, through notification dated 15th July, 1994; the prospect of diploma holder AEs/ SDEs is completely sealed. The diploma holder AEs/SDEs are now destined to languish in the **same cadre for more than 25-30 years** prior to their superannuation.

Contd - 2

6. That, the CPWD and CCW of Air & Doordarshan same workman ship of P&T BW (Prior to BSNL) already amended the Group "A" RR vide notification dated 29th Oct, 1996 and 20th Jun, 1995 respectively for promotion from AEs to EEs **having provision for Diploma Holder and Degree Holder at same ratio**. The promotion from AEs to EEs is viable for diploma holder AEs in Delhi Development Authority also.
7. That, the Ministry of Education & Social Welfare (Department of Technical Education), New Delhi (*now Ministry of Human Resource Development*)'s Order vide No. F 18-19/75/T-2, dated 26th May, 1977 that **"the GOI have decided to recognize a Diploma in Engineering in appropriate discipline plus total 10 years of technical experience in the appropriate field is recognized as equivalent to Degree in Engineering. It is considered valid for purpose of selection to Gazetted Posts and services under the Central & State Government"**.
8. That, the Hon'ble CAT, Principal branch, New Delhi in OA 2651/2012 (T.N. Sharma & party v/s Union of India) for ACP passed order on 26/04/2013 and directed that **"the applicants may be considered for grant of this benefit in terms of Government of India Instructions dated 26.05.1977 by which diploma in Engineering with ten years technical experience has been recognized as equivalent to degree in Engineering"**.
9. That, some JTOs/SDEs(C/E) have passed the B-Tech (Civil/Electrical) through Distance Education in 2010 with prior permission but promotion still awaited.
10. That, as per the DOP&T the RR should be reviewed once in 5 years. It is calculated that, in next 5 years approximately 300 posts of Executive Engineer (C/E) shall be created due to superannuation. With reference to seniority list available 110 out of 200 SDE(C/E)s are Degree Holders including Degree acquire through Distance education that is 55% ratio. **It means there are more than 45% of diploma holders working as SDE(E)s. There are 10-15% SDE(E)s acquire degree from distance education and awaited for promotion. Hence, more than 60% (45+15) SDE(E)s** are totally dispirited and demoralized because of total impediment in their career progression which as a consequence, will have adverse effect on their efficiency and the efficiency of the organization. The promotions in the course of service have been accepted as an external prop with a view to instill motivation in the employees which works as the real catalyst in the development of inner urge to put in their best.

Sir, in view of above facts, we would, therefore, earnestly request you that as cadre of JE(C/E)s and AE(C/E)s already restructured as JTO(C/E)s and SDE(C/E)s at par to Telecom Operation and also to resurrect the sinking morale and motivation of diploma holder SDEs, the amendment of Schedule – IB (for Civil/ Electrical) of MSRR-2009 at par to Schedule – IA (for Telecom Operation & Finance) and Schedule – IC (for Telecom Factory) is better option to eliminate the all disputes and to pay way of **existing incumbents holding the post of executives on regular basis on date of notification of these RRs shall continue to be eligible for promotion to the grade of AGM(C/E)s/EE(C/E)s"**.

With kind regards,

Yours Sincerely
-sd-
(Prahlad Rai)
General Secretary

Copy to:

1. The Director (HR), BSNL, New Delhi
2. The PGM(EW), BSNL, New Delhi
3. The PGM (BW), BSNL, New Delhi
4. The GM(Pers.), BSNL, New Delhi