



# ALL INDIA BHARAT SANCHAR NIGAM LIMITED EXECUTIVES' ASSOCIATION

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To  
The GM(FP)  
BSNL CO  
NEW DELHI-110001

Sub: - Promotion case of Shri Bijay Kumar Patra, Sr. AO, Odisha Circle -Reg.

Sir,

Please find herewith enclosed application of Shri Bijay Kumar Patra, Sr. AO, Odisha Circle, who is deprived of a very natural justice under the sweet will of DOT in the pretext that a report is pending that too before the year 2001.

Shri Bijay Kumar Patra, an SC candidate is presently serving as Sr. AO under the GMTD, Rourkela in Odisha Circle. He has been enlisted for STS promotion vide the BSNL memo No.2-12/2008 -SEA dtd.01.08.08. His serial number was 348. But he was not promoted. Again his name was enlisted for promotion to CAO vides BSNL memo No.2-12/2010 SEA BSNL dtd.10.5.2012. His serial was 27. But he was again denied promotion, the order for his bunch came out on dt.30.8.12.

He has been representing to BSNL through CGMT-Odisha vide letter on dt. 17.4.2009, 01.09.2009 and 13.09.2010. Despite all efforts, he has been debarred for promotion. The CGMT, Odisha Circle intimated that vigilance clearance is pending from DOT time. But it is a peculiar matter that he has never been charge sheeted, nor intimated about any vigilance issues.

In this connection I cite the guide lines given by MOP&Public Grievances & Pensions, DOPT,GOI vide Memo No.11012/11/2007-Estt(A) dtd. 14.12.2007 para 2(a),(b) (c) (d) & (e) that

**“Vigilance clearance shall not be withheld even after sanction for prosecution if the investigating agency has not been able to complete its investigation and file charge sheet within a period of 2years. However such vigilance clearance will entitle the officer to be considered only to be appointed to non-sensitive posts and etc...”**

Further Para-5 says: **“If no comments are received within a period of 3months from vigilance wing, it will be presumed that there is nothing adverse against the officer on the records of the person concerned.”** Also there are several court judgments even that of Apex court in support of above.

We would therefore request you to kindly consider the above case of Sr. AO favourably at the earliest.

Thanking you,

Yours Sincerely

-sd-

(Prahlad Rai)  
General Secretary