



All India Graduate Engineers & Telecom Officers Association

Central Headquarter, New Delhi

(The Recognised Representative Association of BSNL)

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GS/AIGETOA/2021/130

dated 18.11.2021

To,

Shri P.K Purwar,
Chairman cum Managing Director,
Bharat Sanchar Nigam Limited, New Delhi

Subject: Extreme injustice and letdown of competitive Quota Executives in finalizing Seniority list of SDE(T) cadre by considering sole criterion of date of Joining for seniority (Discarding VY), which is even against the SDE(T) Recruitment rules and GOI/DoPT guidelines and not keeping up the given assurance and own speaking order issued on 20.04.2011.

Reference: BSNL CO NEW Letter Number BSNLCO-PERS/13(22)/3/2021-PERS I dt 15.11.2021

Respected Sir,

With due regards and in reference to the aforesaid subject and various discussion over the issue of fixation of inter-se-seniority amongst officers in SDE(T), Cadre; Each time we were told that justice will be done with Competitive Quota meritorious candidates, but management failed to keep the promise and issued the seniority list(s) 9 to 13 by changing its own stand of maintaining Quota in a vacancy year as per SDE(T) RR and it's amendments. The 33 % quota of LDCE in a vacancy year has been not considered while deciding inter-se-seniority. As discussed with your good authority and Director (HR) BSNL Board, we had submitted our stand through legal expert along with legal opinion on subject matter from Justice Shri G. S. Singhvi, (Retired Justice Hon'ble Supreme court) on dated 20.07.2021. But unfortunately, no reply has been given to us till date on the opinion submitted despite of the assurance by your good office and by Director (HR) personally.

Sir, as per the discussions, the stand which has been taken by management over the Quota rule in vacancy year and Provisional Seniority list had been published on 10.08.2020 keeping the Quota rule as per SDE (T) RR provisions has now changed abruptly. Now, the Quota rule has been broken down by splitting a vacancy year between two Quotas for same vacancy year and creating five different lists, which is completely against the spirit of SDET RR. Nowhere in the rule, it is mentioned to split Seniority list which defies the purpose of defining inter-se-seniority list in vacancy years and BSNL failed to maintain a Single Seniority list in the cadre. On 20.4.2011 BSNL issued a speaking order and assured the respondent parties to safeguard the quota and vacancy year concept. But BSNL gave up to protect its own order and some segment of BSNL Pers and Legal section in past have failed to protect its own RR in the court of law and concealed the fact in Honorable Supreme Court that DoPT guidelines are being followed, while deciding inter-se- seniority. Hon'ble Rtd. Justice of Supreme Court Shri G.S Singhvi ji mentioned the same in his opinion and Speaking order issued by BSNL on 09.07.02021 has been told erroneous.

Majority of SQ SDEs currently placed in list 9, 10 and 11 were appeared in competitive examination held in March 2012 to improve their seniority as assured by BSNL CO speaking order dated 20-04-2011. However except 170 candidates all are failed to qualify LDCE 2012. Despite Failure in examination they have been placed en bloc senior to those successful candidates having CQ VY 2006-7.

Many of the SDEs who had improved their seniority as per BSNL as per BSNL CO letter 2-16/LDCE/2012-Pers-II dated 6th Feb. 2017 and letter dated 17th Sep. 2018 have not been given their due right of improving seniority, however it was already mentioned /promised as per BSNL 2-16/LDCE/2012-Pers-II dated July 02, 2013. Again same was clarified vide BSNL CO letter No 2-16/LDCE/2012-Pers.II dated 24th July 2013.

Sir, in the last agenda meeting and subsequent discussion also, it was one of the prime issue and a firm assurance was given to address but it was not been taken care of. **The competitive Quota SDETs have been made En-bloc Junior by Not adopting Quota in a Vacancy Year Rule as per BSNL – SDE (T) RR and DoPT instructions, While in JTO cadre All the Direct Recruits were made En Bloc Junior by Adopting the same principle of Vacancy Year, which is not being followed in SDE(T) cadre right now. Surprisingly SDE(Elect) and SDE(Civil) RRs are true replica, where Vacancy year concept has been kept intact and ROTA/QUOTA made applicable while deciding inter-se-seniority.** This is discriminatory approach towards Telecom Executives and seems to be done under influence by the section. Publishing So many lists ignoring vacancy year and Quota defies the purpose of inter-se-seniority of an all India Executive cadre. This is not at all acceptable to us as a majority association of executives. There is a huge resentment among all meritorious candidates.

Further, the SDE(T) Seniority lists published do not carry the educational qualifications of the candidates which is one of the essential parameter mentioned in BSNL MS RR 2009 notified vide 400-106/2007-pers I dated 14th July 2009. It seems the said essential parameter has not taken into consideration while publishing SDE (T) seniority list deliberately. Therefore it is request to insert additional column incorporating educational qualification of SDEs in all the published seniority lists of the SDE (T) grade.

We request your sincere attention and demands a fair examination into the matter of fixation of the seniority of the SDETs and provision of QUOTA in a Vacancy Year should be scrutinized in consideration of our all the letters/ legal opinion and representations given with all supporting documents.

Encl. As above

With warm regards,

Sd/--

**[MD. WASI AHMAD]
General Secretary**

Copy to:

1. The Secretary-DOT for kind information please.
2. The Director (HR) BSNL CO New Delhi for kind information and NA Please.
3. The PGM (Pers), BSNL CO for kind information please and N/A please.
4. The Sr GM SR, BSNL CO, New Delhi for kind information please.