



All India Graduate Engineers & Telecom Officers Association

Central Headquarter, New Delhi

(The Recognised Representative Association of BSNL)

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GS/AIGETOA/2022/98

dated 16.09.2022

To,

**The Director (HR),
BSNL CO, New Delhi**

Subject: Implementation of the judgment of Hon'ble CAT Kolkata Bench dated 13.09.2022 & Restoration of Seniority of LDCE-2012 qualified executives wrt VY/Rota-Quota allotment -Reg.

Respected Sir,

Your kind attention is invited towards the direction of the Hon'ble CAT, Kolkata in OA NO 350/01626/2022 dated 13.09.2022, where the matter of allowing rotation of quotas in the particular vacancy year has been addressed. Hon'ble Court has directed to publish the seniority list in the cadre of SDET in the light of DoPT OM 13-08-2021 and address the grievance of the applicant by issuing a detailed speaking order, as per following details of the order of the Hon'ble Court:

"At hearing both the counsels agreed that the representation preferred by the applicant seeking amendment of the provisional seniority list No. 9 (Annex-8) to incorporate promotees as SDE(T) in SQ and CQ by rotation of quotas as per the DOPTs Circulars in tune with the DOPT OM dated 13.08.2021 against vacancy year 2006-07 and in terms of the decision rendered in K. Meghachandra Singh is accorded."

"Let a detailed speaking order be issued on the representation and let a seniority list to be published afresh in the light of the DOPT OM dated 13.08.2021."

Here, your goodself may also recall the legal opinion submitted by this association, which was prepared by the Retired Justice G S Singhvi ji, Hon'ble Supreme Court of India dated 20-07-2021 on the subject matter of Rota-Quota rule application for determination of inter-se-seniority between the officers promoted on the basis of seniority cum fitness (SCF) and limited Department Competitive Examination (LDCE) and its incorporation in deciding the seniority as per the OMs issued by the DoPT. The amendment made in 2018 in SDE RR also not made a new incorporation rather it was a reiteration of Quota rota rule for the purpose of inter-se-seniority and basically clarification in nature. Thus by considering whole scenario, it is imperative that the seniority of LDCE-2012 qualified candidates based on the Vacancy Year needs to be restored immediately to save these meritorious candidates from any further injury and considered for further promotion.

Accordingly this association submit that the merit of the judgment dated 13/09/2022, legal opinion submitted in this regard earlier and the various DoPT OMs under reference may kindly be uphold on true sense and accordingly the direction of the Hon'ble CAT Kolkata in the OA NO 350/01626/2022 dated 13.09.2022 should be complied immediately without any delay.

Thanks and Regards

Encl. As above

Yours Sincerely

Sd/--

[MD. WASI AHMAD]

General Secretary

Copy to:

1. The GM Pers, BSNL Corporate Office, New Delhi for kind information and NA please.