



राष्ट्र हित

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अधिकारी हित

All India Graduate Engineers & Telecom Officers Association

Central Headquarter, New Delhi

(A Recognised Association of BSNL Executives)

(Affiliated to BMS)



Regn. no. HR/019/2018/02138

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GS / AIGETOA / 2023-24 / 102

Dated 25.09.2023

To,

**Shri P K Purwar Ji,
Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
New Delhi.**

Subject: Resolution of the long pending issue of reversal of LDCE 2007 passed SDEs by restoring and extending them their original seniority position - Regarding.

Respected Sir,

The issue of Reversal of SDEs promoted through LDCE exam held in 2007 is yet to be resolved despite assurances many a times by the management side. It was categorically agreed by management that issue will be resolved and even an out of court settlement shall be explored as management also appreciates the genuineness of the issue. Despite the assurances for resolution many a times, both in written as well as verbal form, the issue has yet not been resolved.

It is understood that the committee formed for the purpose was reluctant to address the issue as they found the matter to be subjudice at Hon'ble High court Madras. However, Hon'ble High Court Madras has disposed of the matter and directed Hon'ble CAT Madras to settle the matter on merit. Hon'ble CAT has started the hearing also and a detailed argument took place on the issue on 14th September 2023. The interim orders of Hon'ble CAT is attached herewith which clearly appreciates the genuineness of the matter wherein they are seeking the details of the seniority position at the time of recruitment of these candidates in the year 2001. Further the applicability of the clause 5 of the SDE RR 2002 is also been emphasized in the judgment.

We have time and again been highlighting this issue that whatever may be the circumstances, these executives were not at fault and its only because of the lapse on the part of officers dealing with the matter, this unfortunate situation has occurred. With the latest observation of Hon'ble CAT Madras on the applicability of the Clause 5 of SDE RR 2002 on the matter, we find its opportune time for the management to settle the issue as per the commitment made earlier and execute the promotions subject to the outcome of the court. It will be pertinent to mention that the seats have been kept reserved for all such candidates and management must issue the promotion orders against those reserved

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seats now.

It is noteworthy to mention here that all the documents / circulars available at the time of conduction of LDCE 2007 examination and up to the issue of promotion orders are clearly demonstrating the applicability of 12 (5) i.e. Senior - Junior Clause and it is also noteworthy to mention that any recruitment rule can't be implemented retrospectively. Removal of Senior - Junior Clause for LCDE was notified in the SDE RR at much later stage and the effective date of its implementation also clearly mentioned in the modified SDE RRs. Hence we are again reiterating strongly the applicability of Senior - Junior Clause for LDCE 2007 passed candidates who belongs to 2001 RY.

Accordingly, we earnestly request for your kind intervention in settling the issue with a holistic consideration of the sufferings and the pain being faced by these executives and resolve the issue in positive perspective.

With Warm Regards,



Ravi Shil Verma
General Secretary

Copy to :

1. Shri Arvind Vadnerkar Ji, Director (HR), BSNL Board, New Delhi for kind information & n/a pl.