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# 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 / 2024-25 / 52**

**Dated 01.08.2024**

To,  
**Shri Ravi A Robert Jerard Ji,**  
**Chairman & Managing Director,**  
**BSNL Corporate Office,**  
**Janpath, New Delhi.**

References

1. CAT Lucknow Bench OA No.332/00412/2022.
2. CAT Shimla/Chandigarh Bench OA No.063/135/2020.
3. CAT Chennai Bench,
  - a. OA No.310/01642/2019
  - b. OA No.310/01518/2019
  - c. OA No.310/01394/2019
  - d. OA No.310/01397/2019

**Subject: Settling SDE Reversal Issue based on Chennai CAT Order issued on directions of Hon'ble High Court of Madras Order and to Issue Promotion Orders without any further delay as the candidates have already suffered for almost 15 years now for no fault on their part - regarding.**

**Respected Sir,**

This association has been representing the reversal issue time and again before various authorities including your good self. We wish to recall the various discussions which took place with management at different levels of management hierarchy. **It was categorically assured to us by the then Director HR in presence of all the committee members that BSNL promises to abide by the decision of Chennai CAT with regard to the reversal issue and will not prefer an appeal before any higher court in the interest of extending justice to the deprived lot.** Now Hon'ble CAT, Chennai Bench pronounced the order on 16.12.2023 and the same was duly issued on 14.06.2024 in favor of the applicants.

Hence, it is requested to affect the order as assured wherein it is directed to correct the seniority of the affected employees and to grant all the entitled benefits as applicable. **It is clearly stated that there is no fault on the part of the employees (as was being iterated by this association all these years) since**

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**the employees were not sent for training on time by the management due to insufficient infrastructure as admitted and they are eligible even though they are short of 45 - 60 days of required service as per Note 5 Column 12 of LDCE RR 2002. It is added that the Administration has to provide sufficient infrastructure to provide training at centres to the selected candidates uniformly so that they are not put to disadvantage.**

Further, it is also stated that Show Cause Notice was issued on 03.12.2010 based on the clarification of the department dated 30.07.2010, i.e., after the conduction of exam on 2007. **Also, it is stated that the judgment relied upon by the department duly passed by Hon'ble Principal Bench CAT, New Delhi in OA 1562/2010 on 12.08.2011 is Not Applicable here on the ground since it is only dealt with the crucial date of the vacancy year and not discussed the issue in respect of delayed training at anywhere.** Hence it is Not Applicable in the present matter.

**It is pertinent to mention here that this OA Order is as per the Hon'ble High Court of Madras Order dated 19.06.2023 stating the Tribunal to decide the OA on its own merits and in accordance with law without influencing any of the observations made and not giving any positive direction to the Tribunal.** Hence, indirectly the order has been pronounced based on the directions of Hon'ble High Court of Madras.

**In view of above, Seniority of SDEs kept under Annexure A & B of List 8 may be regularized as directed and Promotion Order may be issued immediately and to extend all entitled benefits at par with SDEs in same List 8 and to maintain equality.**

The issue of Hon'ble Shimla CAT orders being referred by HR side again and again during current discussions do not hold any significance as Hon'ble Shimla CAT orders have been passed citing its reliance on the Hon'ble CAT Madras orders. Now the CAT Madras themselves have passed the orders in favour of the applicants covering all the aspects including the clarification that the earlier orders only adjudicated on the crucial date of exam and not on the applicability of the Clause 12(5) on the LDCE aspirants. **Hence, it is very clear that the judicial balance lies in favour of the applicants and hence BSNL must accept the genuineness of the grievances raised by the applicants and extend the justice to the deprived lot who have been facing emotional, social and career losses for all these 15 years for no fault of their own- A fact which has been highlighted by Hon'ble Madras CAT also.**

Hence, in the interest of the justice and also relying upon the National Litigation Policy wherein it is stated that organizations must encourage to minimize litigation, **it is high time that BSNL should reverse its stand and Seniority of SDEs kept under Annexure A & B of List 8 may be regularized as directed and Promotion Order may be issued immediately and to extend all entitled benefits at par with SDEs in same List 8 and to maintain equality.** The national litigation policy underscores the importance of resolving disputes amicably and efficiently without unnecessary legal proceedings. Hence unnecessarily dragging the issue in court further

will defeat the purpose of this very policy and will also result in wastage of lot of money in terms of unnecessary legal expenditure. As a model employer, BSNL must extend the due justice to all such deprived candidates, not only in the interest of justice but also on humanitarian grounds as no fault is there on the part of employees.

Expecting a positive consideration of our appeal and issuance of necessary directions to HR wing for reinstating the Seniority of all the LDCE 2207 reversal affected candidates.

With Regards,

Sd/-

**[Ravi Shil Verma]**  
**General Secretary**

**Copy to:**

- 1] Shri Kalyan Sagar Nippani Ji, Director (HR), BSNL Board for kind information and urgent intervention to direct the concerned authorities.
- 2] Shri Adhir Kumar Singhal Ji, PGM (Pers), BSNL CO, New Delhi.
- 3] Smt Anita Johri ji for kind intervention and arranging a meeting with the authorities on this crucial issue and other issues related to career progression of the executives.