

SANCHAR NIGAM EXECUTIVES' ASSOCIATION [INDIA] KARNATAKA CIRCLE



S B Nagavi

Circle Secretary

Mobile. 9448010565

E-Mail:-nagavisb@ gmail.com

No.SNEA/Inclusion in AIEL/15-16 Dated @ BG 24-10-2016

To,

Shri P Nagaraju,

Chief General Manager Telecommunications,
BSNL, Karnataka Circle, Bangalore-560008.

Respected Sir,

Sub: Continued Injustice to Scheduled Caste JTOs promoted in 35% quota during 1998.

A gross injustice has been continued since 1995 on the TTA promoted JTOs under the pool of screen test in the year 1995. Sufficient and clear vacancies existed in the year 1994 and 1995, for the SC category and also the year of recruitment was allotted as 1994 and 1995 in the order dated 18-05-1998 (**Annexure A**).

Further the existence of these vacancies is established and confirmed in the reply under RTI by CGMT Karnataka under letter No. RTI/2009-10/Cases/IV/C-15 dtd 1-6-2010. (**Annexure B**). This reply clearly states that 6 SC and 4 ST vacancies existed as in 1994. Again as in 1995 32 SC and 17 ST vacancies were existing.

The adversely affected ST candidates, when found that their names did not figure in the AIEL, sought legal course as per the CAT order dtd 8-1-2003 in OA No.531/2002 (**Annexure C**); they were not only included in the list but were also promoted as SDE accordingly in 2003.

But, the order of the same tribunal dated 15-11-2011 in TA No. 230/2009 (**Annexure D**) in respect of the SC candidates on the lines with the case of OA No.531/2002 is not implemented but BSNL preferred an appeal in the Hon HC of Karnataka.

The WP No.7377/2012 in TA No. 230/2009 of CAT BG, of BSNL was turned down by the Hon HC (**Annexure E**) and the Hon HC was pleased to direct BSNL to implement the CAT order in its true spirit. Unfortunately this order of the HC was also not implemented.

Again, Hon CAT BG order dated 25-08-2016 in OA No.170/2015 (**Annexure F**); also re-affirmed its earlier order and directed the department to revise the AIEL strictly in terms of order in TA No. 230/2009.

From the above facts and documents it can be clearly seen that;

1. Under the RTI Act, CGMT office confirmed the availability of the required 37 vacancies for SC and 13 vacancies for ST in year 1994/1995.
2. The abrupt change of Recruitment year of 37 SC candidates from 1994-1995 to 1997 by CGMT Karnataka is without any logic, justification, totally arbitrary and is contrary to the RTI reply supra.
3. Training was ordered for 37 SC and 13 ST candidates in the same order dtd 18-05-1998, for only ST candidates the names were included in the AIEL, Review DPC conducted and were promoted under the pretext of CAT order.
4. For SC candidates though CAT BG has given favorable order, the same was not implemented thus discriminating and forcing continued injustice for SC candidates.
5. Further the Hon HC confirmed the same and Hon CAT has again re-affirmed its order in the background of Hon HC order.

Sir, it may be seen that this litigation is un-necessarily continued since 1995 and still these officers are working as JTOs only, even after more than 13 years.

We therefore request you to kindly look into the matter personally and into its true merits wherein CGMT office is duty bound to its RTI reply which is further confirmed by Hon CAT and Hon HC of Karnataka. Therefore we request you to kindly send a favorable reply to BSNL Corporate Office with due recommendation for the inclusion of these all eligible candidates in the AIEL in question and also arrange to effect the Review DPC so that justice is done to all these 37 SC candidates also.

Thanking you,

Yours faithfully,

S B Nagavi
(Circle Secretary)

Copy to: 1. Shri **Anupam Shrivatsavaji**, CMD, BSNL, BSNL CO Newdelhi for kind infn and n/a pl.
2. Com **K Sebastin**, General Secretary, SNEA CHQ for kind information and n/a.