



P. Abhimanyu
General Secretary

BSNL EMPLOYEES UNION

Central Head Quarters

Ph.: 011-25705385
Fax : 011-25894862

Main Recognised Representative Union,
Dada Ghosh Bhawan, 2151/1, New Patel Nagar,
Opp. Shadipur Bus Depot, New Delhi-110008
E-mail : bsnleuchq@gmail.com, Website : www.bsnleu.in

BSNLEU/519 (SC/ST)

16.10.2023

To,

Shri P.K. Purwar
CMD BSNL,
Bharat Sanchar Bhawan,
H.C. Mathur Lane, Janpath,
New Delhi – 110 001

Sir,

Sub: - **Reviewing results of the failed SC/ST candidates, by adopting lesser standards of evaluation – non-implementation of the DoP&T orders in BSNL – requesting for your kind intervention - req.**

Ref: - (1) BSNLEU letter no.BSNLEU/528(JE) dated 15.03.2023
(2) BSNLEU letter no.BSNLEU/528(JE) dated 26.05.2023
(3) BSNLEU letter no.BSNLEU/528(JE) dated 13.07.2023
(4) BSNLEU letter no.BSNLEU/528(JE) dated 09.09.2023

With reference to the letters cited above, we are pained to bring to your kind notice that the DoP&T orders on reviewing the results of the failed SC/ST candidates, by adopting lesser standards of evaluation, are not being implemented. In this connection, BSNLEU has already written 4 letters to the BSNL Management. However, the matter remains unsettled.

The DoP&T, vide letter No.36012/03/96-Estt.(Res.)-Vol.II dated 03rd October, 2000 has categorically stated as follows:-

“..... It has now been decided to restore, with immediate effect, the relaxation / concessions, in the matters of promotion for candidates belonging to SCs / STs by way of lower qualifying, lesser standards of evaluation that existed prior to 22.07.1997.....” Copy of the letter is enclosed for your kind reference.

In this connection, we would like to bring to your kind notice that, the Recruitment Branch of the BSNL Corporate Office has also issued direction to the CGMs, vide letter no.52-1/2016-Rectt. dated 17.10.2017 intimating ***to incorporate the reduced qualifying marks to review the failed SC/ST candidates in each required qualifying sections / parts of a paper or papers as per schemes and syllabus for the LICEs / LDCes, etc., notified on or after 02.12.2014.***

It is regretful that, despite clear cut instructions of the DoP&T, as well as the compliance letter issued by the BSNL Corporate Office, results of the failed SC/ST candidates are not being reviewed by applying lesser standards of evaluation.

Vide letter no.BSNLEU/519(SC/ST) dated 09.09.2023, our Union has already brought a specific case to the notice of the Director (HR), which needs settlement as per the aforementioned DoP&T order. Shri L. Mothi Lal, Motor Driver, HRMS No.199601629, Karimnagar, Telangana circle, has failed in the JE LICE conducted on 18.12.2022, by only a few marks. This official belongs to the ST category. Despite our repeated representations, the BSNL Corporate Office has not taken necessary steps for reviewing the results of Shri Mothi Lal, Motor Driver, by applying lesser standards of evaluation.

In view of the foregoing, we earnestly urge upon you to kindly look into the matter and to do the needful for the implementation of the DoP&T letter.

Thanking you,

Yours sincerely



[P. Abhimanyu]
General Secretary

Encl: As above.

Copy to: 1) The Director (HR), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001

2) Ms. Samita Luthra, GM (Rectt.), BSNL C.O., Bharat Sanchar Bhawan, Janpath, New Delhi - 110001

No.36012/23/96-Estt.(Res.)Vol.II
Government of India
Ministry of Personnel, Public Grievances & Pensions
(DEPARTMENT OF PERSONNEL & TRAINING)

North Block, New Delhi
Dated: the 3rd October, 2000

OFFICE MEMORANDUM

Subject: Reservation in promotion – Prescription of lower qualifying Marks/lesser standard of evaluation.

The undersigned is directed to refer to Department of Personnel & Training's O.M.No.36012/23/96-Estt.(Res) dated 22nd July, 1997 vide which various instructions of the Government providing for lower qualifying marks/lesser standards of evaluation in matters of promotion for candidates belonging to the Scheduled Castes and Scheduled Tribes had been withdrawn, on the basis of the Supreme Court's judgement in the case of S. Vinod Kumar Vs. Union of India.

2. The undersigned is further directed to say that the matter has been reviewed, consequent to which the following proviso to Article 335 has been incorporated in the Constitution by the Constitution (Eighty-Second Amendment) Act, 2000:

"Provided that nothing in this Article shall prevent in making of any provision in favour of the members of the Scheduled Castes and Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State."

3. In pursuance of the enabling proviso of Article 335 of the Constitution, it has now been decided to restore, with immediate effect, the relaxations/concessions in matters of promotion for candidates belonging to SCs/STs by way of lower qualifying marks, lesser standards of evaluation that existed prior to 22.7.1997 and as contained in the instructions issued by the Department of Personnel and Training from time to time including OM No.8/12/69-Estt.(SCT) dated 23.12.1970, No.36021/10/76-Estt.(SCT) dated 21.1.1977 and para 6.3.2 of the DPC guidelines contained in Department of Personnel and Training's O.M. No.22011/5/86-Estt.(D) dated 10.4.1989. In other words, the effect of these instructions would be that the Department of Personnel and Training's OM No.36012/23/96-Estt.(Res) dated 22nd July, 1997 becomes inoperative from the date of issue of this OM.
4. These orders shall take effect in respect of selections to be made on or after the date of issue of this OM and selections finalised earlier shall not be disturbed.
5. All Ministries/Departments are requested to bring these instructions also to the notice of their Attached/Subordinate Offices and Autonomous Bodies Public Sector Undertakings under their control for compliance.

(J. Kumar)
Deputy Secretary to the Government of India
Tele No.3011797

To

1. All Ministries/Departments of the Government of India.
2. Department of Economic Affairs (Banking Division), New Delhi.
3. Department of Economic Affairs (Insurance Division), New Delhi.
4. Department of Public Enterprises, New Delhi.
5. Railway Board.
6. Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
7. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
8. Ministry of Social Justice & Empowerment, Shastri Bhavan, New Delhi.
9. National Commission for SCs & STs, Lok Nayak Bhawan, New Delhi.
10. National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, R.K. Puram, New Delhi.

Department of Personnel O.M. No. 8/12/69. Estt. (SCT)

Dated 23rd December, 1970 to all Ministries etc.

Subject:- Relaxation of standards in favour of scheduled Castes/Scheduled Tribes candidates in departmental competitive examinations for promotion and in departmental confirmation examinations.

Attention of the Ministry of Finance etc. is invited to Ministry of Home Affairs O.M. No. 1/1/70-Est. (SCT) dated 25th July, 1970, in which it has been provided that in case of direct recruitment, whether by examination or otherwise, if sufficient number of Scheduled Castes/Scheduled Tribes candidates are not available on the basis of the general standard to fill up the vacancies reserved for them, candidates belonging to these communities may be selected to fill up the remaining vacancies reserved for them provided that they are not found unfit for appointment to such posts or post. A question has been raised whether relaxation in the qualifying standards could be granted to Scheduled Castes/Scheduled Tribes candidates on the same basis in promotions made through departmental competitive examinations and in departmental confirmation examinations where such examinations are prescribed to determine the suitability of candidates for confirmation. The matter has been carefully considered and it has been decided that in promotion/confirmations made through such examinations, Scheduled Castes /Scheduled Tribes candidates who have not acquired the general qualifying standards in such examinations could also be considered for promotions/confirmations. In other words the qualifying standards in these examinations could be relaxed in favour of Scheduled Castes/Scheduled Tribes candidates in keeping with the above criterion.

Recruitment Branch,
BSNL Corporate Office,
New Delhi-110001.



भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

No. 52-1/2016-Rectt.

Dated: 17-10-2017

To

All the Chief General Managers (Recruitment Telecom Circle),
Chennai Telecom District, Kolkata Telecom district.
Chief General Manager, NTR, BSNL, New Delhi.

Sub: REVIEWING RESULT OF FAILED SC/ST CANDIDATES IN CIRCLE LEVEL LICE/LDCE ETC. --
CLARIFICATION REG ...

Ref: Please refer letter No. 52-1/2016-Rectt. Dated 06-10-2017

In reference to aforesaid context it is submitted that the reduced minimum qualifying % of marks to be adopted as 20% & 15% to review failed SC & ST candidates respectively is as per office order No. 22-5/91-NCG dated 30.11.92 vis-à-vis Para-5 of minutes of meeting, issued by SR section vide No. BSNL/39-3/SR/2017 dated 16th Aug 2017 and letter No. 9-2/2016-rectt dated 28.08.2017, intimated vide above referred letter.

2. As such all concerned are hereby intimated/clarified to incorporate the reduced qualifying marks to review the failed SC/ST candidates in each required qualifying sections/parts of a paper or papers as per schemes & syllabus for the LICEs/LDCEs etc., notified on or after 02-12-2014.
3. This is issued with approval of competent authority.

V.K. Gupta
17/10/2017

(V.K. GUPTA),
Jt. General Manager (Rectt.-I),
BSNL CO, New Delhi.