



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)

26.12.2023

To,

Shri Arun Halder,
Chairman,
National Commission for Scheduled Castes,
5th Floor, Lok Nayak Bhawan,
Khan Market,
New Delhi – 110 003

Sir,

Sub: - **Non-implementation of the DoP&T orders by the BSNL Management regarding reviewing the results of the failed SC candidates, by applying lower standards of evaluation and also violation of the DoP&T orders in the matter of counting own merit SC candidates against SC posts – req.**

Ref: - (1) BSNLEU letter no.BSNLEU/519(SC/ST) dated 16.10.2023, addressed to the CMD BSNL, regarding reviewing the results of the failed SC/ST candidates by applying lesser standards of evaluation.

(2) BSNLEU letter no.BSNLEU/519(SC/ST) dated 09.11.2023, addressed to the CMD BSNL, against counting on merit SC/ST candidates against SC/ST posts.

We wish to bring the following to your kind notice for favour of information and kind intervention.

BSNL Employees Union is the Main Recognised Trade Union functioning in BSNL. Vast majority of the employees belonging to the SC category are members of BSNLEU. The Union is continuously espousing the grievances of the SC employees with the BSNL Management.

In the recent years, BSNL Management has conducted Internal Examinations for the promotion of the Non-Executives. The examinations thus conducted are for the promotion to the cadre of JTO (JTO LICE) ; for the promotion to the cadre of Junior Engineer (JE LICE) and for the promotion to the cadre of Telecom Technician (TT LICE).

However, if these examinations, the BSNL Management is not implementing the DoP&T orders on the following counts:-

- (a) Reviewing the results of the failed SC candidates by adopting lesser standards of evaluation and thereby filling up the unfilled SC vacancies.
- (b) Not counting the own merit SC candidates against the posts reserved for the SC employees.

BSNLEU has written a number of letters demanding implementation of the DoP&T orders on the above mentioned subjects. The union has discussed these subjects with the Director (HR) of BSNL and also with the CMD BSNL on a number of occasions. Since the issues remain unresolved, BSNLEU is approaching the National Commission for Scheduled Castes.

BSNLEU implores upon you to kindly ensure that,

- a) The BSNL Management implements the DoP&T orders regarding reviewing the results of the failed SC candidates by adopting lesser standards of evaluation.
- b) Own merit SC candidates are not counted against posts reserved for the SC employees.

We are enclosing herewith copies of our letters cited under reference, for favour of your kind perusal.

Thanking you,

Yours sincerely

A handwritten signature in blue ink, appearing to read 'P. Abhimanyu', with a stylized flourish at the end.

[P. Abhimanyu]
General Secretary

Encl: Copies of the letters cited under reference.



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



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)

09.11.2023

To,

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

Sir,

Sub: - **Non-implementation of DoP&T orders in the matter of reviewing results of the failed SC/ST candidates, by adopting lesser standards of evaluation - 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
(5) BSNLEU letter no.BSNLEU/ 519(SC/ST) dated 16.10.2023

We wish to bring the following to your kind notice for favour of necessary action.

We write this letter in continuation of the discussion that BSNLEU had with the CMD BSNL on 02.11.2023. The General Secretary, BSNLEU, informed the CMD BSNL that, the Union is demanding review of the results of the failed SC/ST candidates, by adopting lesser standards of evaluation and that the BSNL Management is not implementing the instructions of the DoP&T on the subject.

BSNLEU pointed out to the CMD BSNL specifically that, the Union is demanding review of the result of one Shri L. Mothi Lal, Motor Driver, HRMS No.199601629, belonging to ST category in Telangana circle, who had narrowly failed in the JE LICE held on 18.12.2022. The Union also pointed out that, there are unfilled ST posts in Telangana circle.

In reply to the views put forth by BSNLEU, the CMD BSNL stated that, the matter had already been looked into by the Management. The CMD BSNL further stated that, there is no need to review the results of the failed SC/ST candidates since, overall, sufficient number of SC/ST candidates have got qualified in the JE LICE held on 18.12.2022. The reply given by the CMD BSNL implies that, the SC/ST candidates who have got qualified in the JE LICE on their own merit are also counted against the SC/ST quota posts.

In this connection, we wish to point out that, the methodology being adopted by the BSNL Management is wrong and is in violation of the DoP&T instructions on the subject, which clearly state that the own merit SC/ST candidates should not be counted against SC/ST quota posts. In this connection, we wish to quote the following instruction of the DoP&T, which categorically states that own merit SC/ST candidates should not be counted against SC/ST quota posts.

- i. ***Own Merit in promotion:*** In case of promotion, the instructions relating to own merit are as under:

- The SC/ST candidates appointed by promotion on their own merit and not owing to reservation or relaxation of qualifications will not be adjusted against the reserved points of the reservation roster. They will be adjusted against unreserved points.
- If an unreserved vacancy arises in a cadre and there is any SC/ST candidate within the normal zone of consideration in the feeder grade, such SC/ST candidate cannot be denied promotion on the plea that the post is not reserved. Such a candidate will be considered for promotion along with other candidates treating him as if he belongs to general category. In case he is selected, he will be appointed to the post and will be adjusted against the unreserved point.
- SC/ST candidates appointed on their own merit (by direct recruitment or promotion) and adjusted against unreserved points will retain their status of SC/ST and will be eligible to get benefit of reservation in future/further promotions, if, any.
- 50% limit on reservation will be computed by excluding such reserved category candidates, who are appointed/promoted on their own merit.
- The principle of Own Merit will apply whether the promotion is made by selection method or non-selection method.

(OM No.36028/17/2001 – Estt (Res.) dated 11/07/2002)

(OM No.36028/17/2001 – Estt (Res.) dated 31/01/2005)

(OM No. 36012/45/2005-Estt. (Res.) dated 10/08/2010)

In the light of the DoP&T instructions quoted above, we request the CMD BSNL to kindly review the results of the failed SC/ST candidates in the JE LICE held on 18.12.2022, including the result of Shri L. Mothi Lal, Motor Driver, HRMS No.199601629, Karimnagar, Telangana circle. We also request you to kindly review the results of the failed SC/ST candidates in all the LICEs conducted during the past 5 years, by implementing the instructions of the DoP&T.

In case the Management feels that, there is no need to review the results of the failed SC/ST candidates, as is being demanded by BSNLEU, then a reply may kindly be given to the Union expeditiously, so as to enable the Union to approach the appropriate constitutional authority, seeking settlement of this dispute.

Thanking you,

Yours sincerely,



[P. Abhimanyu]
General Secretary

Copy to: (1) Shri Sandeep Govil, Director (HR), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110001
(2) Shri S.P. Singh, PGM (Estt.), BSNL C.O., Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001
(3) Ms. Samita Luthra, GM (Rectt.), BSNL C.O., Bharat Sanchar Bhawan, Janpath, New Delhi - 1100011