



ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

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No. AIBSNLREA/CHQ/2020/64

Dated: 24.07.2020

To
Shri Narendra Modi,
Prime Minister of India,
South Block,
New Delhi 110011

Subject: Discrimination against the senior retired ex-*TES* Group B Officers of Department of Telecommunications since absorbed in BSNL/MTNL in the matter of grant of "all benefits including promotion with effect from the date when the junior was promoted with all monetary benefits and service status" and the "consequential benefits of pay-fixation including the pensionary benefits" w.e.f. 01.01.2018, as ordered by the Hon'ble Supreme Court in its final judgment delivered on 14.12.2017 in CA No(s) 4389 of 2010 – Request for kind intervention.

Sir,

We are constrained to approach you seeking for justice, since Department of Telecommunication is taking no action to extend the above benefits, as ordered by the Hon'ble Supreme Court on 14.12.2017, to the retired ex-*TES* Group B Officers. Most of these Officers were subsequently absorbed in BSNL and MTNL. ***The Hon'ble Supreme Court had directed Department of Telecommunications and other respondents in the above stated case to extend "all benefits including promotion with effect from the date when the junior was promoted with all monetary benefits and service status" and the "consequential benefits of pay-fixation including the pensionary benefits" w.e.f. 01.01.2018 to all TES Group Officers whose seniority was already revised and duly approved by the Apex Court.***

2. But for the reasons best known to both Department of Telecommunications and *Bharat Sanchar Nigam Limited*, the later has now issued an Order vide its No. BSNLCO-PERS/13(25)/1/2020-PERS.I dated 21.07.2020 for holding of Review DPC for SDEs(T) to AGM(T) only in respect of the DPC held in the year 2009 leaving aside the cases of those who were promoted in earlier DPCs held by DOT. Thus, all those *TES* Group B Officers who were promoted by Department of Telecommunications through duly constituted DPCs, before their absorption in BSNL and MTNL w.e.f. 01.10.2000 and are senior to those for whom BSNL has now proposed to hold Review DPC, are being denied **"all benefits including promotion with effect from the date when the junior was promoted with all monetary benefits and service status" and the "consequential benefits of pay-fixation including the pensionary benefits" w.e.f. 01.01.2018, as was ordered by Hon'ble Supreme Court.**


3. **The action of DOT/BSNL, therefore, is not only discriminatory towards the retired senior ex-TES Group B Officers, who were promoted by Department of Telecommunications, but is also in gross violation of the Orders passed by the Hon'ble Supreme Court.**

4. We may submit here that we had been time and again requesting Department of Telecommunications to ensure implementation of the above quoted judgment of Hon'ble Supreme Court in respect of the TES Group B Officers who were promoted by DOT before their absorption in BSNL/MTNL. But no action has been taken on our request.

5. In view of the above, we earnestly request your kind intervention in the matter so that Department of Telecommunication issue orders to extend "all benefits including promotion with effect from the date when the junior was promoted with all monetary benefits and service status" and the "consequential benefits of pay-fixation including the pensionary benefits" w.e.f. 01.01.2018, in compliance of Supreme Court judgment, to the TES Group B Officers who were promoted by DOT and retired subsequently. DOT may be kindly advised to ensure that no discrimination takes place against the senior retirees who were promoted by DOT when they were the employees of DOT before their absorption in BSNL/MTNL.

With kind regards,

Yours sincerely


(S Basu)

General Secretary

Copy to:

1. Shri Ravi Shankar Prasad,
Minister of Communications & IT.
2. Dr Jitendra Singh,
Minister of State (PP), DOP&PW.
3. Shri Anshu Prakash,
Secretary (Telecom), DOT.
4. Shri Kshatrapati Shivaji,
Secretary (Pension), DOP&PW.
5. Shri R Subramanyam,
Secretary, Dept. of Social Justice & Empowerment.
6. Shri R K Purwar,
CMD, BSNL.