



# ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

## Central Headquarters

Registered under Societies Registration Act XXI of 1860 vide Govt. of NCT Delhi No. S/RS/SW/1161/2014  
[Registered under Pensioners Portal vide DoP&PW letter No. 4(4)/2021-P&PW(H)7311 dated 04.01.2024]

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No.AIBSNLREA/CHQ/2026/35

Dated: 18<sup>th</sup> May 2026

To

Shri A Robert J Ravi,  
Chairman and Managing Director,  
Bharat Sanchar Nigam Limited,  
New Delhi

**Subject: Request for restoration of Second ACP benefits to all similarly placed retired SDEs (Civil/Electrical)**

Sir,

We wish to bring to your kind attention an issue that has now been conclusively settled by the Hon'ble Central Administrative Tribunal, Ahmedabad Bench; the Hon'ble High Court of Gujarat; and finally, by the Hon'ble Supreme Court of India. These courts have held that holders of Diploma in Engineering with ten years of technical experience are to be treated at par with Engineering Graduates for the purpose of granting financial upgradation under the Assured Career Progression (ACP) Scheme. The matter has travelled through every level of judicial scrutiny and has attained finality.

2. The Hon'ble CAT, Ahmedabad Bench, in its detailed judgment dated 27.07.2021 in three OAs, 537/2017, 10/2017 & 11/2017, clearly held that *"Diploma in Engineering with 10 years of service experience shall be treated at par with a Degree in Engineering in the matter of consideration for grant of benefits under the Assured Career Progression Scheme."* The Tribunal further observed that the withdrawal of the Second ACP from the applicants was illegal and discriminatory, stating that *"treating the applicants differently than how similarly placed persons have been treated is discriminatory."* This judgment was upheld by the Hon'ble High Court of Gujarat in SCA No. 223/2022 and SCA No. 543/2022, where the Court held that once equivalence is recognized and upheld by various High Courts, the benefit already granted cannot be withdrawn merely on the ground of non-possession of a degree. The Hon'ble Supreme Court, while dismissing BSNL's Special Leave Petition (SLP(C) No. 21266/2022 (III)) on 16.04.2025, affirmed the High Court's

view and concluded the matter by stating, *"We do not find any ground to interfere with the impugned order(s) of the High Court."*

3. In view of these authoritative rulings, it is evident that the withdrawal of the Second ACP on 13.10.2008 which had been granted to them on 15.09.2008 was contrary to law, and the affected executives are entitled to restoration of the benefit along with consequential revision of pay, pension, and retiral dues. The legal position is now beyond dispute: diploma-holder SDEs (Civil/Electrical) who had completed ten years of service are eligible for the Second ACP on completion of 24 years of service. The courts have not only upheld this principle but have also emphasized that benefits once granted cannot be withdrawn, on grounds that have already been judicially settled.

4. It is also significant that, after the pronouncement of the above referred to judgments, similarly placed officers in other BSNL Circles, particularly Assam Circle and Uttar Pradesh Circle, have already been granted the Second ACP benefit without having to approach any court. This establishes that many BSNL Circles have, in practice, accepted the legal position and extended the benefit to officers who stand on the same footing as the applicants before the Ahmedabad CAT. Denying the same benefit to the executives, now pensioners, in West Bengal Circle would therefore amount to unequal treatment, which the courts have expressly disapproved.

5. A copy of the representation submitted by one of the affected Civil Wing executives to the CGMT, West Bengal Circle, who is similarly situated to the applicants whose cases were decided by the CAT Ahmedabad, upheld by the Gujarat High Court, and affirmed by the Supreme Court, is enclosed for reference and to provide the background of the matter. His service particulars, mode of entry, cadre structure, and the circumstances under which the Second ACP was granted and later withdrawn are exactly the same. The principle laid down by the courts is not confined to the litigants alone; it is a declaration of law that applies uniformly to all similarly situated employees. Once the highest court has affirmed the legal position, it becomes incumbent upon BSNL to extend the benefit across all its units, without compelling senior citizens to undertake prolonged litigation for relief that is already legally settled.

6. In view of the above, we request that BSNL Corporate Office issue instructions to CGMT, West Bengal Circle to restore the Second ACP to all diploma-holder SDEs (Civil/Electrical) who completed 24 years of service and were earlier granted but subsequently denied the benefit.

With kind regards,

Yours sincerely,



(R.R. Balasubramanian)  
General Secretary

Encl: As stated

Copy to: 1. Smt. Nivedita Shukla Verma,  
Secretary (Pension), DoP&PW  
2. Shri Rajeev Kumar Kaushik,  
PGM (Pers), BSNL CO