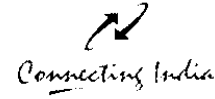




COURT CASE/MOST IMMEDIATE



BHARAT SANCHAR NIGAM LIMITED
(A Government of India Enterprise)
CORPORATE OFFICE
TE Section

5th floor, Bharat Sanchar Bhawan, Janpath, New Delhi

F. No. 22-97/2000-TE-II

Dated : 04-11-2011

To

All Heads of Telecom Circles,
Metro Districts & Administrative Units,
Bharat Sanchar Nigam Limited.

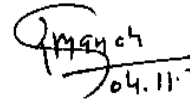
SUB: Court cases regarding application of reservation roster in promotion from BCR Gr. III to Gr. IV (10% of BCR)- Judgement of Hon'ble Supreme Court of India dated 06/09/2011 in C.A. Nos. 5286-5287/2005 in the matter of BSNL Vs. R. Santhakumari Velusamy & Others and C.A. Nos. 3405/2006 and 4542-4546/2006.

Kindly refer to DOT O.M. No. 22-6/94-TE-II dated 08/09/1999, vide which instructions were issued regarding non-applicability of reservation roster in granting promotion from BCR Gr. III to Gr. IV (10% BCR).

Subsequently, many officials in different Telecom Circles, who had been earlier promoted from BCR Gr. III to Gr. IV by virtue of application of reservation roster and were facing reversion from Gr. IV to BCR Gr. III with implementation of the above mentioned order, had filed cases in various courts of law, against their reversion. In 21 such cases filed by various officials of Tamil Nadu Telecom Circle, CAT, Madras Bench vide its judgement dated 25/07/2000 had ordered that the so called upgradation of Gr. IV amounts to promotion and invites rule of reservation and therefore, had quashed DOT letter No. 22-6/94-TE-II dated 08/09/1999. Appeals were filed vide W.P. Nos. 11879-11899/2001 before the Hon'ble High Court of Madras, which were also dismissed on 18/10/2004.

Subsequently, SLPs were filed before the Hon'ble Supreme Court, against the judgement of High Court of Madras dated 18/10/2004. Now, Hon'ble Supreme Court in its judgement dated 06/09/2011 in C.A. Nos. 5286-87/2005 in the matter of BSNL Vs. R. Santhakumari Velusamy & Others with C.A. Nos. 3405/2006 and 4542-4546/2006 has allowed the appeal filed by BSNL and has set aside the impugned judgement dated 18/10/2004 of the High Court of Madras and orders of CAT, Madras Bench dated 25/07/2000 and has dismissed the Original Applications challenging the order of DOT dated 08/09/1999.

Hence, it is requested that the Hon'ble Supreme Court judgement dated 06/09/2011 in C.A. Nos. 5286-87/2005 in the matter of BSNL Vs. R. Santhakumari Velusamy & Others with C.A. Nos. 3405/2006 and 4542-4546/2006 may be brought to the notice of all concerned so that such cases are defended/agitated properly on the strength of the said Supreme Court's judgement. Copy of the Hon'ble Supreme Court judgement dated 06/09/2011 on the matter has been uploaded in the Intranet Portal of BSNL Corporate Office and the same may be downloaded from the Intranet Portal. If required, further details regarding the said case may be obtained from Tamil Nadu Telecom Circle/this Office.


04.11.2011

(S. L. Manak)

Deputy General Manager (TE)

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 Copy to : BSNL C.O. Intranet Portal