

6

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A. No. 26/2009
O.A./TA/NO.....2009
R.A./CP/NO.....2015
E.P./M.P./NO.....2015

1. Order Sheets.....2.....pg.....1.....to...4✓
2. Judgment/ order dtd. 22.2.2010 pg.....1.....to...5✓
3. Judgment & Order dtd...../.....received from H.C. /Supreme Court.
4. O.A. 26/2009.....page.....1.....to...40✓
An affidavit by applicant pg - 1 to 4✓
5. E.P/M.P.page.....to.....
6. R.A./C.P.....page.....to.....
7. W.S. Filed on behalf of Respondents Page.....1.....to...21✓
8. Rejoinder.....page.....to.....
9. Replypage.....to.....
10. Any other paperspage.....to.....
11. Memo of Appearance filed by 01✓
M. B. Pattak BSNL Adv.
12. Affidavit to clarify pg-1 to 4

13/07/2015

SECTION OFFICER (JUDL.)

10.4.2015

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

1. Original Application No.

26/09

2. Misc Petition No.

3. Contempt Petition No.

4. Review Application No.

Applicant(S) : Sunil Mishra VS- Union Of India & Ors

Advocate for the Applicant(S) : U.K. Naire, B. Sarma, A. Chetry, N. Upadhyaya

Advocate for the Respondent(S) : BSNL Advocate

Notes of the Registry

Date

Orders of the Tribunal

1. Application is in form
is in G/C F. for Rs. 50/-
deposited vide P.D.

No. 39039/2009

Dated 9-2-09

Dy. Registrar

18/2/09

Steps taken with
envelopes, copy
served.

18/2/09

21.2.2009

2. Issue Notices to the
Respondents requiring them
to file their reply by 20th
April '09.

18/2/09

Order dt 25-2-2009
Notices issued by Regd.
A/B post.

M. No. 899/2009
dt 3-3-2009

Notice copies duly
served on R- No. 4 & 5

19.3.09

25.02.2009

Mr. B. Sarma, learned counsel
appearing for the Applicant is present.
Copies of this O.A. has already been served
on Mr. B.C. Pathak, who usually appears for
BSNL.

Issue notice to the Respondents
requiring them to file their reply by 20th April,
2009.

Mr. B.C. Pathak, learned counsel
undertakes to file Appearance
Memo/Vokalatnama on the next date.

(M.R. Mohanty)
Vice- Chairman

Im

20.04.2009

No written statement has yet been filed
by the Respondents in this case. Mr. B.C. Pathak,
learned counsel for the BSNL, undertakes to file
written statement by 25.05.2009.

Call this matter on 25.05.2009.

Send copies of this order to the
Respondents in the address given in the O.A.

(M.R. Mohanty)
Vice- Chairman

O.A.26 of 2009

25.05.2009

Mrs. M. Das, learned counsel for BSNL, files her 'Vokatnama' for the Respondents and prays for time to file written statement. Prayer is allowed.

N/s not filed.

17.4.09.

Order dated 20/4/09
send to D/Sec. for
issuing to resp.
by post.

D/No-20546

22/4/09 Dt-2058
30-4-09

24.4.09

Memo of Appearance
filed by H/o. B.C. Patil
Advocate for the
Respondents 1 to 5.

24/4/09

22.5.09

No W/S filed.
on

27.5.09

Mrs. M. Das,
filed Memo of Appearance
for the Respondents.

27/5/09

No W/S filed.

21.7.09

No W/S filed.

24.8.09

25.8.09

W/S filed by
the Respondents.

Copy served. N/S filed.
25/8/09 25.10.09

Call this matter on

22.07.2009 awaiting written
statement from the Respondents.

(N.D. Dayal)
Member(A)

(M.R. Mohanty)
Vice-Chairman

lm

22.07.2009

No written statement has yet been filed by the Respondents. On the prayer of Mrs. M. Das, learned Standing counsel for BSNL, call this matter on 25.08.2009 awaiting written statement from the Respondents.

(M.K. Chaturvedi)
Member (A)

(M.R. Mohanty)
Vice-Chairman

/bb/

25.08.2009

No written statement has yet been filed by the Respondents.

Call this matter on 06.10.2009
awaiting written statement from the
Respondents.

(M.K. Chaturvedi)
Member(A)

(M.R. Mohanty)
Vice-Chairman

/pb/

06.10.2009

Written statement has already been filed by the Respondents. No rejoinder has yet to file by the Applicant.

Subject to legal pleas to be examined at the time of final hearing, this case is admitted.

Call this matter on 7.12.2009 for hearing.

Send copies of this order to the Applicant and the Respondents in the address given in the O.A.

(M.R.Mohanty)
Vice-Chairman

07.12.2009

List the matter on 12.01.2010.

(Mukesh Kumar Gupta)
Member (J)

12.01.2010

We wanted the applicant to point out as to what steps he had taken on finding his name in the non-eligible list issued by BSNL on 27.06.2007 (Annexure-5), whether he had made any representation seeking inclusion of his name in the eligibility list enabling him to appear in the Limited Departmental Competitive Examination to be held on 15.07.2007 for the post of SDE (T). Second query, which we have in mind is, where is the seniority to establish averments in para 4.9 of O.A. that, Shri Sarihaddu Seshagirirao and Shri Waryao Sareo were junior to him and were included in the list of eligible candidates. If necessary, applicant should file an affidavit before the next date of hearing highlighting these aspects.

List on 21.01.2010.

K. Das

Send copies of this order to The Applicant and the Respondents.

On the written statement of Mr. P.C.

Principal Advocate for Respondent

Copies of order

dated 6/10/2009

Send to P/Sec.

for issuing to

the applicant and the respondents by post.

D/No-12501-12506

Certified 11-11-2009

W/s 6/2/09

11.1.2010

O.A. No. 26/2009

Name of learned counsel for respondents
(BSNL) be shown in the cause list.

N/S filed.

29.1.2010

(Madan Kumar Chaturvedi)
Member (A)

(Mukesh Kumar Gupta)
Member (J)

nkm

19.1.2010

An affidavit has
been filed by the
applicant. Copy
received.

19/1/2010

21.01.2010

On the written request of Mr. B.C.
Pathak, Advocate for BSNL, adjourned to
22nd February, 2010.

(Madan Kumar Chaturvedi)
Member (A)

(Mukesh Kumar Gupta)
Member (J)

The case is ready
for hearing. /PB/

22.02.2010

20.1.2010

Heard learned counsel for parties.
Hearing concluded. For the reasons
recorded separately, the O.A. is dismissed.
No costs.

The case is ready
for hearing.

19.2.2010

nkm

(Madan Kumar Chaturvedi)
Member (A)

(Mukesh Kurria Gupta)
Member (J)

18-3-2010

Judgment/Final order
dated 22/2/2010 prepared
and sent to the J/Section
for issuing the all the
affidavits by Post
vide No - 614 to 616
dated — 18-3-2010.

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.26 of 2009

And

Original Application No.27 of 2009

DATE OF DECISION: 22.02.2010

1. Shri Sunil Mishra (O.A.No.26/2009)

APPLICANT(S)

2. Shri Prakash Singh (O.A.No.27/2009))

Mr H. Sarma

ADVOCATE(S) FOR THE
APPLICANT(S)

- versus -

Union of India & Ors.

RESPONDENT(S)

Mr M.R. Das & Mrs M. Das

ADVOCATE(S) FOR THE
RESPONDENT(S)

CORAM:

The Hon'ble Shri Mukesh Kumar Gupta, Judicial Member

The Hon'ble Shri Madan Kumar Chaturvedi, Administrative Member

1. Whether reporters of local newspapers may be allowed to see the Judgment ?
2. Whether to be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgment ?

Yes/No

Yes/No

Yes/No


Member (J)

X

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.26 of 2009

And

Original Application No.27 of 2009

Date of Order: This the 22nd day of February 2010

The Hon'ble Shri Mukesh Kumar Gupta, Judicial Member

The Hon'ble Shri Madan Kumar Chaturvedi, Administrative Member

1. Shri Sunil Mishra,
Resident of Quarter No.24,
Type-III, Block-IV, J.P. Nagar,
Telecom Colony, BSNL,
Dibrugarh-786001, Assam. Applicant in O.A.No.26/2009
2. Shri Prakash Singh,
Resident of Quarter No.8,
Type-III (New Block),
Lichubari Telecom Colony,
Lichubari, Jorhat-785001,
Assam. Applicant in O.A.No.27/2009

By Advocate Mr B. Sarma.

- versus -

1. The Bharat Sanchar Nigam Limited
represented by the Chairman and
Managing Director,
Bharat Sanchar Bhawan,
Janpath, New Delhi-110001.
 2. The Assistant Director General (DE)
Corporate Officer,
Departmental Examination Section,
9th Floor, "A" Wing,
Statesman House, Barakhamba Road,
New Delhi-110001.
 3. The Director (HRD),
Bharat Sanchar Nigam Limited,
Bharat Sanchar Bhavan,
H.C. Mathur Lane,
New Delhi-110001.
- 2

4. The Assistant Director Telecom (Recdt.)
O/o The Chief General Manager,
New Administrative Building, Panbazar,
BSNL, Assam Telecom Circle,
Guwahati-781001, Assam.
5. The Chief General Manager, BSNL,
New Administrative Building, Panbazar,
Assam Telecom Circle,
Guwahati-781001, Assam. Respondents in both the O.A.s

By Advocates Mr M.R. Das and Mrs M. Das.

.....

ORDER (ORAL)

MUKESH KUMAR GUPTA, JUDICIAL MEMBER


Issue raised in both these O.A.s being similar and common in nature, the same are dealt with by present common order. For sake of convenience, facts are delineated from O.A.No.27/2009.

2. Respondents vide circular dated 09.02.2007 decided to conduct departmental competitive examination to the post of Sub Divisional Engineer (Telecom) to fill up the vacancies for the vacancy years 2001-2002 to 2005-2006, and later on determined the eligibility list. Vide circular dated 27.06.2007, a list of eligible candidates as well as ineligible candidates was circulated. Both the applicants' names appeared in the list of ineligible candidates. No representation was preferred against it. It was only after more than a year when result of said examination was declared, they happened to prefer representation on identical basis on 12.07.2008 followed by reminders dated 25.07.2008. Further representation was also made on 22.12.2008. The basic plank of applicants had been that marks



obtained in Phase-1 Training when they were appointed to the post of Junior Telecom Officer, is the determining factor for deciding seniority list of said grade. It is contended that Shri Waryao Sareo as well as Shri Sarihaddu Seshagirirao obtained lesser marks than applicant in O.A.No.26/2009 and, therefore, they ought to have been treated as junior in the select list/seniority list of said grade of JTO. Recruitment to the next post of SDE is governed by the Recruitment Rules known as, "Sub-Divisional Engineer (Telecom), Recruitment Rules, 2002", notified on 28.02.2002. As per Schedule appended thereto, 75% posts are to be filled by promotion on the basis of seniority-cum-fitness and 25% by Limited Departmental Competitive Examination. As per column 12 of the said Schedule, JTOs who have rendered not less than "three years regular service in the grade as on 1st July of the year of Examination" is made eligible for applying for said post. Said column contains five notes. Note No.5 provides that: "where juniors who have completed their qualifying eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of requisite qualifying/eligibility service by not more than one year". Applicants' grievance is that they are not short of more than one year on the date of examination and as such, they are entitled to participate in the examination held for the vacancy of various years namely, 2001-02, 2002-03, 2003-04, 2004-05 as well as 2005-06.

3. It is not in dispute that Sarihaddu Seshagirirao joined the post of JTO on 24.06.2002 while Waryao Sareo joined said post on 08.07.2002. Both the applicants joined the said post on the same date namely, 26.10.2003.



4. Question which arises for consideration is whether Note 5 could be operated or not as contention raised by the respondents is that applicants being not eligible having not satisfied three years regular service in the grade were declared ineligible vide communication dated 27.06.2007 and thus there is no scope for judicial interference by this Tribunal.

5. We have heard Mr B. Sarma, learned counsel for the applicants in both O.A.s, Mr M.R. Das, learned counsel for respondents in O.A.No.27/2009 and Mrs M. Das, learned counsel for respondents in O.A.No.26/2009, and also perused the pleadings and other material placed on record.

6. In order to appreciate whether applicants can take recourse to Note 5 of column 12, it would be expedient to notice said clause, which reads as under:

"Where juniors who have completed their qualifying eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of requisite qualifying/eligibility service by more than one year."

(emphasis supplied)


7. We may also note that vide circular dated 16.04.2007, the date of eligibility with respect to vacancy year had been made known to all concerned. The relevant excerpts reads thus:

<u>"Vacancy Yr</u>	<u>Eligible Candidates</u>
2001-02	Completed 3 yrs as on 1.7.2001
2002-03	Completed 3 yrs as on 1.7.2002
2003-04	Completed 3 yrs as on 1.7.2003
2004-05	Completed 3 yrs as on 1.7.2004
2005-06	Completed 3 yrs as on 1.7.2005"

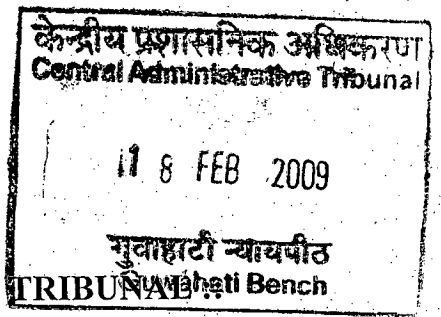
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7. Perusal of the above would show that applicants were appointed as JTO on 26.05.2003. It is contended that certain alleged juniors namely, Sarihaddu Seshagirirao and Waryao Sareo were lower in seniority list, thus they could invoke said clause. In our considered view said clause Note 5 could be invoked only when they are short of requisite qualifying/eligibility service by not more than one year. The date of eligibility vacancy year 2005-06 as described vide circular dated 09.02.2007 was 01.07.2005. Applicants had joined said service only on 26.05.2003. Counting this date from 26.05.2003, it would be seen that on 01.07.2005 applicants would be short of more than one year service, namely one year one month and five days to be precise. In such circumstance their contention that said officials are juniors or otherwise has no relevance. Hence applicants' case is totally misconceived and misleading and, therefore, there is no justification in their claim.

8. O.A.s being bereft of merits are accordingly dismissed. No costs.


(MADAN KUMAR CHATURVEDI)
ADMINISTRATIVE MEMBER


(MUKESH KUMAR GUPTA)
JUDICIAL MEMBER



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:: GUWAHATI

ORIGINAL APPLICATION NO. 26 / 2009

Sri Sunil Mishra

....Applicant

-Versus -

The Bharat Sanchar Nigam Limited & ors

....Respondents

SYNOPSIS

Being aggrieved by the deprivation and the discrimination meted out to the applicant in not allowing him to appear in the Limited Departmental Competitive Examination held for promotion of the Junior Telecom Officers to the post of Sub Divisional Engineer for vacancies pertaining to the year 2005-2006, he has come under the protective hands of Your Lordship's for redressal of his genuine and bonafide grievances.

The applicant was selected for appointment against the post of Junior Telecom Officer in the year 2001. Thereafter the respondent corporation sent him for the mandatory Orientation Training Programme w.e.f. 17.02.2003 to 13.03.2003 in the Regional Telecom Training Centre, Nagpur on completion of which, he was engaged in field training in his division and was again sent for the Junior Telecom Officers Training (Phase-1) at the Regional Telecom Training Centre, Gachibowli, Hyderabad, w.e.f. 06.10.2003 to 12.12.2003, which the applicant completed successfully and consequently he was posted as a Junior Telecom Officer (OCB) in the office of the OCB Exchange, Khalia Mari Road, Dibrugarh.

The next promotional avenue for the post of Junior Telecom Officer is the post of Sub Division Engineer. The promotion to the said post is governed by a set of Rules called the Recruitment Rules Of Sub Divisional Engineer

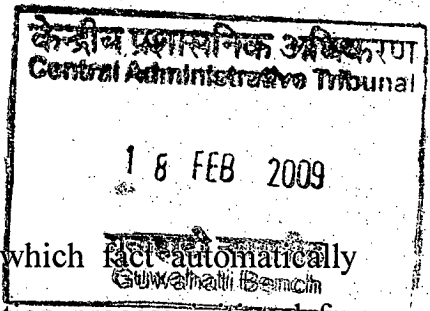
18 FEB 2009

अध्यापक-प्रमुख
Guwahati Bench

(Telecom). Column 5 to 11 of the schedule to the said Rules deals with the method of recruitment, age limit, qualification and other matters relating to the said post. Column 5 of the schedule declares that the criteria for selection to the said post is Selection-cum-Seniority. Column 11 states that 75% of the posts are to be filled by way of promoting the eligible candidates on the basis of seniority cum fitness and the remaining 25% of the posts are to be filled by way of conducting a Limited Departmental Competitive Examination. Column 12 further declares that in case of incumbents aspiring to participate in the Limited Departmental Competitive Examination, a concerned Junior Telecom Officer has to render not less than 3 years of regular service in the grade on the 1st day of July of the year in which the examination is held, the crucial date for determining the eligibility of the incumbent being the 1st day of July of the year to which the vacancies pertain. Therein it is further stated that in case juniors in service who have completed their qualifying eligibility service and considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than one year.

In terms of a communication bearing letter No. 5-4/2005-DE dated 09.02.2007, the applicant applied for appearing in the Limited Departmental Competitive Examination that was to be held for selecting candidates for appointment against the posts of Sub Division Engineer pertaining to the year 2005-2006. As he was waiting in anticipation that he would be allowed to appear in the said Departmental Examination, the applicant was shocked and surprised to come across a communication bearing No. Rectt-1/57/2007/29 dated 27.06.2007 whereby he was declared to be ineligible for participation in the said Departmental Examination on the ground that he had not rendered 3 years of continuous service in the Grade of Junior Telecom Officer, which according to the respondent corporation is the requirement of the Rules of 2002.

It is pertinent to mention here that seniority in the cadre of Junior Telecom Officer is determined on the basis of the marks secured by an incumbent in the Phase-I training and Junior Telecom Officers who were junior to the applicant on the basis of the marks obtained in the said training, but have completed 3 years of continuous service in the cadre were allowed to



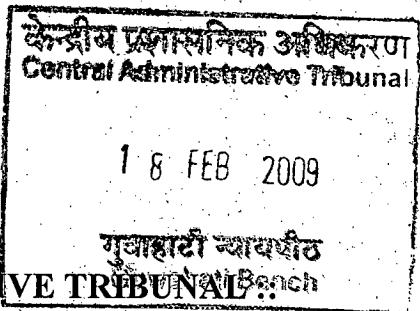
participate in the said Departmental Examination, which fact automatically renders the applicant eligible to appear in the selection process initiated for promotion to the post of Sub Divisional Engineer in terms of the provisions contained in Column 12 of the Schedule to the Rules of 2002.

Highlighting the said aspect of the matter, the applicant preferred series of representation praying for ameliorating his genuine and bonafide grievance in not permitting him to appear in the said Departmental Examination, but his effort towards ameliorating his grievance was rendered in fructuous with the issue of a communication bearing No. Rectt-1/57/2007/63 dated 05.11.2008 by which the Assistant General Manager (Admn) communicating the rejection of his prayers to the General Manager Telecom, BSNL, Dibrugarh. As such, this application praying for urgent and immediate relief/relief's.

Filed By

[Signature]

(B. Sharma.)
Advocate



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH:: GUWAHATI

ORIGINAL APPLICATION NO. 26 / 2009

Sri Sunil Mishra

....Applicant

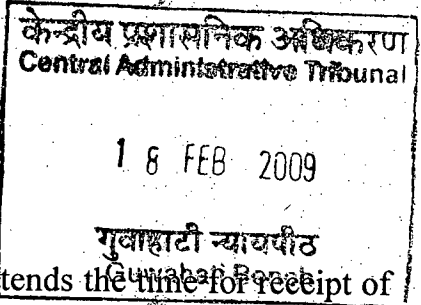
-Versus -

The Bharat Sanchar Nigam Limited & ors

....Respondents

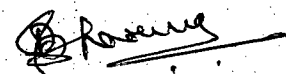
LIST OF DATES

1. 2001 :- Pursuant to recruitment process conducted by the respondent corporation, the applicant was selected for appointment against the post of Junior Telecom Officer.
2. 2002 :- The Recruitment Rules of Sub Divisional Engineer, 2002 came into force.
3. Feb, 2003:- The respondent corporation sent the applicant for the mandatory Orientation Training Programme w.e.f. 17.02.2003 to 13.03.2003 in the Regional Telecom Training Centre, Nagpur.
4. Oct, 2003:- The applicant was again sent for the Junior Telecom Officers Training (Phase-1) at the Regional Telecom Training Centre, Gachibowli, Hyderabad, w.e.f. 06.10.2003 to 12.12.2003.
5. 09.02.07:- Applications invited by the respondent corporation from incumbents aspiring to participate in the Limited Departmental Competitive Examination to be held for filling up the posts of Sub Divisional Engineer and the applicant applied for the same in terms of the said invitation.



6. 16.04.07:- The respondent corporation extends the time for receipt of applications from incumbents aspiring to participate in the Limited Departmental Competitive Examination.
7. 27.06.07 :- The respondent corporation published a list of candidates found ineligible to participate in the said Departmental Examination and the name of the applicant figured therein.
8. 15.07.07 :- The Limited Departmental Competitive Examination for selecting candidates for the post of Sub Divisional Engineer was held by the respondent corporation.
9. 08.07.08 :- The respondent corporation published a list of successful candidates found eligible for promotion to the post of Sub Divisional Engineer.
10. 26.08.08 :- The applicant preferred a representation for redressal of his grievance towards not allowing him to participate in the said Departmental Examination.
11. 25.10.08 :- Availing no response, the applicant reiterating his prayer made in the representation dated 26.08.2008, preferred another representation.
12. 05.11.08:- The Assistant General Manager (Admn) rejects the prayers made by the applicant by the series of representations preferred by him and communicates the decision to the General Manager Telecom, BSNL, Dibrugarh.
13. 26.11.08:- The office of the Chief General Manager (Telecom) issued direction to appoint the selected candidates against the posts of Sub Divisional Engineer.
14. 22.12.08:- The applicant approaches the Chairman & Managing Director, BSNL vide another representation towards mitigating his grievance in not allowing him to participate in the said Departmental Examination.

Filed By



(B. Sharma.)
Advocate

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:: GUWAHATI

ORIGINAL APPLICATION NO. 26 / 2009

BETWEEN

Sri Sunil Mishra, resident of Quarter No. 24,
Type-III, Block-IV, J.P. Nagar, Telecom
Colony, BSNL, Dibrugarh - 786001,
Assam

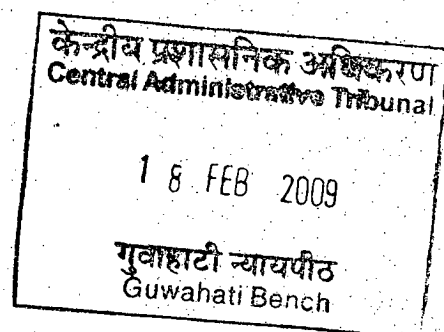
....Applicant

-AND-

1. The Bharat Sanchar Nigam Limited represented by the Chairman and Managing Director, Bharat Sanchar Bhawan, Janpath, New Delhi - 110001.
2. The Assistant Director General (DE) Corporate Office, Departmental Examination Section, 9th Floor, "A" Wing, Statesman House, Barakhamba Road, New Delhi - 110001.
3. The Director (HRD), Bharat Sanchar Nigam Limited, Bharat Sanchar Bhavan, H.C. Mathur Lane, Janpath, New Delhi - 110001.
4. The Assistant Director Telecom (Rectt.) O/o The Chief General Manager, New Administrative Building, Panbazar, BSNL, Assam Telecom Circle, Guwahati - 781001, Assam

Filed by:- the Applicant
through → Brijesh Sharma
Advocate.

Sunil



5. The Chief General Manager, BSNL ,
New Administrative Building, Panbazar,
Assam Telecom Circle, Guwahati – 781001,
Assam

....Respondents

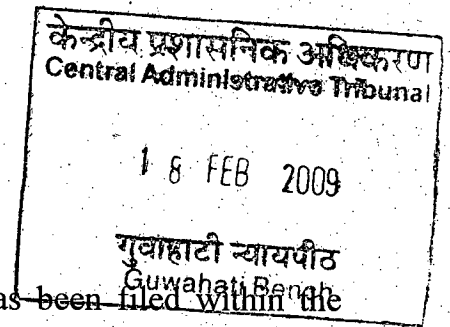
1. **PARTICULARS OF THE ORDER AGAINST WHICH THIS APPLICATION IS MADE:**

This original application has been preferred against the order bearing No. Rectt-1/57/2007/29 dated 27.06.2007 depriving the applicant to appear in the Limited Departmental Competitive Examination held for selection of candidates for the posts of Sub Divisional Engineer from amongst the Junior Telecom Officers (Telecom) for the vacancies pertaining to the years 2001-2002, 2002-2003, 2003-2004, 2004-2005 and 2005-2006 on the ground that the applicant does not fulfill the eligibility criteria of rendering 3 (three) years regular service in the Grade of Junior Telecom Officer on the 1st day of July of the year in which the examination was held. This application is further directed against the arbitrary, illegal and malafide action on the part of the respondent authorities in rejecting the prayer made by the applicant vide his representations dated 26.08.2008, 05.10.2008 and 22.12.2008 to mitigate his grievance as regards not allowing him to appear in the said Limited Departmental Competitive Examination held for the purpose of selecting candidates for the posts of Sub Divisional Engineer.

2. **JURISDICTION:**

The applicant further declares that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

Swil



3. LIMITATION:

The applicant declares that the instant case has been filed within the limitation period prescribed under Section 21 of the Central Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE:

4.1. That the applicant is a citizen of India and a resident in the state of Assam and as such he is entitled to all the rights, protections and privileges guaranteed under the Constitution of India and the laws framed there under.

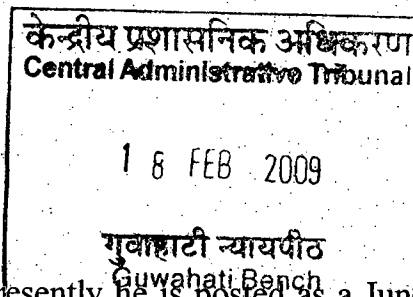
4.2. That the applicant states that pursuant to a process of selection, he was selected for appointment against the post of Junior Telecom Officer and was thereafter sent for the JTO orientation training programme w.e.f. 17.02.2003 to 13.03.2003 in the Regional Telecom Training Centre, Nagpur. On completion of the said training, the applicant along with the other candidates were relieved from the said center with instructions to report to their Divisions. During the period of training the applicant was paid stipend w.e.f. 17.02.2003 to 13.03.2003.

A copy of the order dated 13.03.2003 relieving the applicant from the Telecom Training Centre is annexed as Annexure- 1.

4.3. That the applicant states that after reporting in his Division in terms of the order dated 13.03.2003, he was engaged in field training and was again sent for the Junior Telecom Officers Training (Phase-1) at the Regional Telecom Training Centre, Gachibowli, Hyderabad, w.e.f. 06.10.2003 to 12.12.2003, which the applicant completed successfully and was thereafter relieved from the said Centre with instructions to report at GMTD, ~~Dibrugarh~~.

A copy of the order dated 12.12.2003 relieving the applicant from the said Center is annexed as Annexure - 2.

Sumit



4.4. That your applicant states that presently he is posted as a Junior Telecom Officer (OCB) in the office of the OCB Exchange, Khalia Mari Road, Dibrugarh and has been discharging the duties and responsibilities entrusted to him to the best of his abilities and without any blemish to any quarter. The applicant for his hard work, dedication and sincerity towards his service has earned the praise of all concerned and never has he been communicated with any adverse remark in he matter of discharge of his official duties till date.

4.5. That your applicant states that the next promotional avenue for the post of Junior Telecom Officer is the post of Sub Division Engineer. The promotion to the said post is governed by a set of Rules called the Recruitment Rules Of Sub Divisional Engineer (Telecom). Column 5 to 11 of the schedule to the said Rules deals with the method of recruitment, age limit, qualification and other matters relating to the said post. Column 5 of the schedule declares that the criteria for selection to the said post is Selection-cum-Seniority. Column 11 states that 75% of the posts are to be filled by way of promoting the eligible candidates on the basis of seniority cum fitness and the remaining 25% of the posts are to be filled by way of conducting a Limited Departmental Competitive Examination. Column 12 further declares that in case of incumbents aspiring to participate in the Limited Departmental Competitive Examination, a concerned Junior Telecom Officer has to render not less than 3 years of regular service in the grade on the 1st day of July of the year in which the examination is held, the crucial date for determining the eligibility of the incumbent being the 1st day of July of the year to which the vacancies pertain. Therein it is further stated that in case juniors in service who have completed their qualifying eligibility service and considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than one year.

A copy of the recruitment Rule along with the schedule is annexed as Annexure – 3.

4.6. That your applicant states that in terms of a communication bearing letter No. 5-4/2005-DE dated 09.02.2007 he applied for appearing in

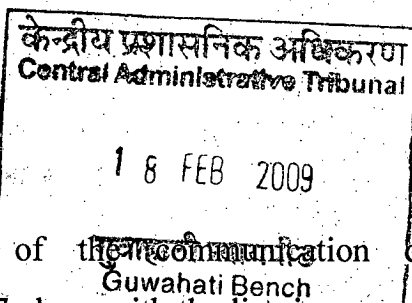
Sund

the Limited Departmental Competitive Examination to be held for selecting candidates for appointment against the post of Sub Division Engineer pertaining to the year 2005-2006. It is pertinent to mention here that the respondent corporation through its Personnel-II Section vide its communication bearing No. 2-29/2005-Pres.II dated 16.04.2007 intimated all concerned regarding extending the last date of receipt of applications for appearing in the said examination to 25.04.2007. Vide the said communication dated 16.04.2007, the respondent corporation also clarified the doubts as regards the eligibility of the incumbents with regard to fulfilling the requirement of rendering 3 years service in the grade of Junior Telecom Officer. The doubt mentioned at Serial No. 1 of the said communication clarified the date on which an incumbent should have to complete 3 years of continuous service. At serial no.2 it stated that the period spent on training for appointment as Junior Telecom Officer is to be reckoned towards counting the 3 years regular service period in terms of the Office Memorandum dated 08.03.1983. At serial no. 3 it was further reiterated that in case juniors in service who have completed their qualifying eligibility service and considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than one year.

A copy of the communication dated 16.04.2007 is annexed as Annexure- 4.

4.7. That your applicant states that as he was waiting in anticipation that he would be permitted to appear in the abovementioned Departmental Examination, he was shocked and surprised to come across the communication bearing No. Rectt-1/57/2007/29 dated 27.06.2007 whereby a list of candidates was enclosed who were found not eligible to appear in the abovementioned examination in terms of the provisions of the Recruitment Rules of 2002 and the amendments thereof effected from time to time. The name of the applicant appeared in the said list at serial no. 4 and he was declared ineligible to appear in the said Departmental Examination.





A copy of the communication dated 27.06.2007 along with the list is annexed as

Annexure – 5.

4.8. That your applicant states that on rejection of his candidature for appearing in the Limited Departmental Competitive Examination, he enquired in the office of the respondents as regards the ground for rejection of his candidature and he could learn from his office sources that he did not fulfill the eligibility criteria of rendering 3 years of continuous service in the grade of Junior Telecom Officer. It is pertinent to mention here that recruitment to the post of Junior Telecom Officer is made on an All India Basis, but the seniority in the cadre is determined on the basis of the marks obtained in the Orientation Training/Phase-I training imparted to these recruits.

4.9. That your applicant states that on further enquiry he could learn that his juniors in the cadre of Junior Telecom Officer, but who have completed the requirement of putting in 3 years of continuous service in the cadre namely Sri Sarihaddu Seshagirao, Assam Circle and Sri Waryao Sareo, Assam Circle and had obtained lesser marks than the applicant in the Orientation Training/Phase-I training were permitted to appear in the said Departmental Examination, which fact makes him eligible to appear in the said examination in view of the provisions contained in Column 12 of the Schedule to the Rules of 2002 and also the clarification given to the doubts raised at serial No.3 of the communication dated 16.04.2007. The abovementioned provisions clearly states that in case juniors in service who have completed their qualifying eligibility service and considered for promotion, their seniors would also be considered provided they are not short of the requisite qualifying/eligibility service by more than one year. The juniors of the appellant who were recruited through the same recruitment process and belong to the 2001 Batch of the Junior Telecom Officers having been allowed to appear in the said Departmental Examination, automatically renders the applicant eligible to appear in the said examination inasmuch as he does not fall short of the requisite qualification/eligibility service by more than one year for the vacancies of Sub Divisional Engineer pertaining to the year 2005-2006 and highlighting the said aspect of the matter, he preferred a representation

Sumit

18 FEB 2009

Guwahati Bench

dated 26.08.2008 towards redressal of his genuine and bonafide grievance. The said representation was forwarded to the concerned authority, but the applicant did not receive any response to his said representation. Thereafter the appellant preferred another representation dated 25.10.2008 reiterating the claims and prayers made by him vide the representation dated ~~26.08~~ 26.08.2008.

A copy of the representation dated 26.08.2008 is annexed as Annexure – 6.

4.10. That your applicant states that in the meantime the respondent corporation conducted the said Limited Departmental Competitive Examination on 15.07.2007 and also declared the result thereof publishing a merit list of candidates who were successful in the said Examination under the 25% quota vide its communication bearing No. 5-3/2007-DE dated 08.07.2008.

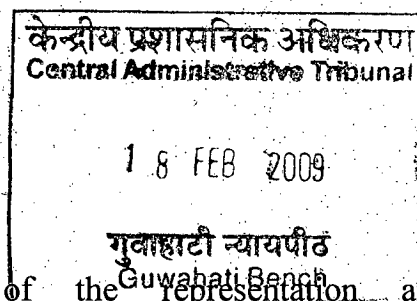
A copy of the communication dated 08.07.2008 is annexed as Annexure – 7.

4.11. That your applicant states that in response to one of his representation dated 25.10.2008, the office of the Assistant General Manager (Admn) communicated to the office of the General Manager Telecom, BSNL, ~~Dibrugarh~~ vide the communication bearing No. Rectt-1/57/2007/62 dated 05.11.2008 the decision towards rejection of the prayer made by him on the ground that he had not raised his objections before the commencement of the examination.

A copy of the communication dated 05.11.2008 is annexed as Annexure – 8.

4.12. That the applicant states that on rejection of his prayer towards allowing him to appear in the Limited Departmental Competitive Examination, he preferred another representation before the Chief General Manager, BSNL, Assam Telecom Circle on 22.12.2008, but no response has been received by the applicant till date on his said representation dated 22.12.2008.





A copy of the representation and communication dated 22.12.2008 are annexed as **Annexure – 9.**

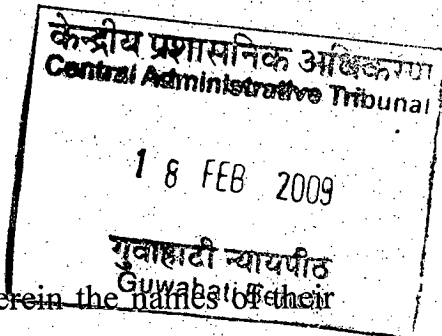
4.13. That the applicant states that the office of the Chief General Manager, BSNL, Assam Telecom Circle had in the meanwhile vide an order bearing No. STES-5/2/Pt-VII/89 dated 26.11.2008 directed for promoting the candidates selected for appointment against the posts of Sub Divisional Engineer and consequent thereupon the selected candidates have been appointed against the said posts, wherein persons junior to the applicant in the cadre of Junior Telecom Officer whose names are stated in paragraph 4.9 herein above are also included.

A copy of the order dated 26.11.2008 is annexed as **Annexure – 10.**

4.14. That the applicant states that the ground of rejection of his candidature for appearing in the Limited Departmental Competitive Examination that he has not rendered 3 years of continuous service in the grade of Junior Telecom Officer is untenable, and unjustified and the said requirement automatically got waived in respect of the applicant when his juniors in the said grade were permitted to appear in the said examination, consequently making him eligible to appear in the said examination under the provisions of Column 12 of the Schedule to the Rules of 2002.

4.15. That your applicant states that the contention of the BSNL authorities in the communication dated 05.11.2008 that no objection/appeal was preferred before commencement of the Limited Departmental Competitive Examination regarding rejection of his candidature is uncalled for on their part. The duty is cast upon the respondent authorities to ensure that no anomaly occurs in the short listing of the candidates resulting in deprivation to others and not on the applicant to pursue his case before his masters, which seems to be a “Sine Qua Non” in case of the respondent authorities. The applicant came to know regarding the anomaly committed in short listing the candidates only

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after declaration of the results of the examination wherein the names of their juniors figured in the list of successful candidates.

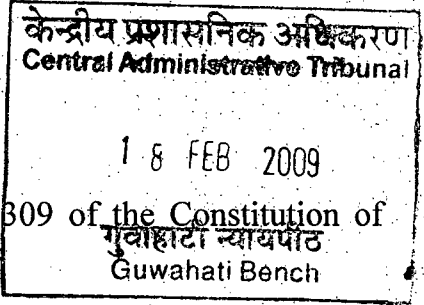
4.16. That your applicant states that persons junior to him in service in the cadre of Junior Telecom Officer and recruited in service by the same recruitment process having been allowed to appear in the Limited Departmental Competitive Examination held on 15.07.2007 for selecting candidates for the post of Sub Divisional Engineer, the applicant was also required to be permitted to appear in the said selection process and denial of opportunity to him to appear in the said examination has highly prejudice the applicant and violated the mandate of Article 14 and 16 of the Constitution of India and renders the entire selection process to be illegal and a nullity in the eyes of law.

4.17. That your applicant states the action on the part of the respondent authorities in not allowing him to appear in the Limited Departmental Competitive Examination is highly illegal and arbitrary and has resulted in meting out the applicant with hostile discrimination, which is not based on any "Intelligible Differentia" and the said action of the respondent authorities is uncalled for on the part of a "Model Employer" and interference is called upon from this Hon'ble Tribunal towards redressal of the grievance of the applicant.

4.18. That the applicant states that the discrimination meted out to him in not permitting him to appear in the Limited Departmental Competitive Examination has resulted in a perpetual/continuous grievance for the applicant inasmuch as he ranks junior in service to his erstwhile juniors in the cadre of Junior Telecom Officer and the scale of pay received by him at present against is much lower than the scale of pay received by his erstwhile juniors now in the cadre of Sub Divisional Engineer resulting in continuous deprivation and discrimination being meted out to him.

4.19. That the applicant states that inaction and the wanton attitude of the BSNL authorities have violated the principles of Natural Justice, Administrative Fair Play and the set of Rules established by law in not extending to the applicant his just and legitimate claim and thereby infringes

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upon the mandate of Articles 14, 16(1), 39(a) & 309 of the Constitution of India.

4.20. That the applicant states that he has no other appropriate, equally efficacious alternative remedy available to him and the remedy sought for herein when granted would be just, adequate, proper and effective.

4.21. That the applicant demanded justice, but the same has been denied to him.

4.22. That this application has been filed bonafide for securing the ends of justice.

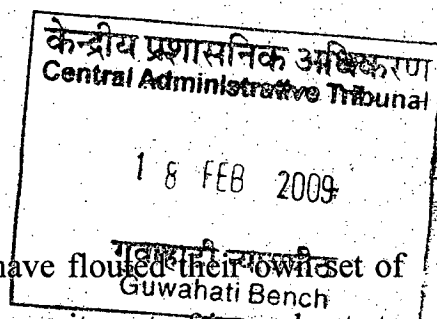
5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

5.1 For that the action on the part of the respondent authorities in not permitting him to appear in the Limited Departmental Competitive Examination for selection of candidates for vacancies pertaining to the year 2005-2006 in the cadre of Sub Divisional Engineer is bad in law as well as in facts.

5.2 For that the ground of rejection of his candidature for appearing in the Limited Departmental Competitive Examination that he has not rendered 3 years of continuous service in the grade of Junior Telecom Officer is untenable, and unjustified and the said requirement automatically got waived in respect of the applicant when his juniors in the grade were permitted to appear in the said examination, consequently making him eligible to appear in the said examination under the provisions of Column 12 of the Schedule to the Rules of 2002.

5.3 For that the BSNL Administration has not followed the cardinal principles of "Equality Before Law" and "Equal Protection of the Law" and thereby invited discrimination amongst employees and infringed the Constitutional mandate guaranteed under Article 14 and 16.

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5.4 For that the BSNL Administration have flouted their own set of Rules and violated their own policy decisions on recruitment of incumbents to the cadre of Sub Divisional Engineer.

5.5 For that the BSNL Administration's stand towards not permitting the applicant to appear in the Limited Departmental Competitive Examination was absolutely unjustified and in violation of its own policies and rules and resulted in blatant discrimination and the infringement of Constitutional safeguards for the Right to Equality and Right to Employment and thereby hits the Article-14, 16(1) of the Indian Constitution.

5.6 For that the BSNL Administration turned down all the representations/ appeals preferred by the applicant to examine his case on merits as per law/ rules and consider permitting him to appear in the Limited Departmental Competitive Examination in true perspective of dealing with the case of employees in a welfare state and not according to its whims and caprices.

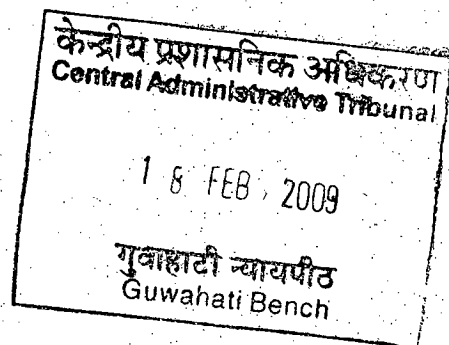
5.7 For that permitting his juniors to appear in the Limited Departmental Competitive Examination and their subsequent promotion to the cadre of Sub Divisional Engineer has resulted in great injustice to the applicant and caused irreparable loss any injury to his service career for no fault of his own.

5.8 For that in any view of the matter the impugned action on the part of the respondent authorities in denying the applicant to appear in the Limited Departmental Competitive Examination is unsustainable in the eye of law.

6. DETAILS OF THE REMDIES EXHAUSTED:

The applicant declares that he has no other alternative and efficacious remedy except by way of filing this application. As such he is seeking urgent and immediate relief.

Swail



7. **MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT:**

The applicant further declares that no other application, writ petition or suit in respect of the subject matter of the instant application is filed before any other court, authority or any other bench of the Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

8. **RELIEF SOUGHT FOR:**

Under the facts and circumstances stated above, the applicant prays that this application be admitted, records be called for and notice be issued to the respondents to show cause as to why the relief's sought for in this application should not be granted and upon hearing the parties and on perusal of the records, be pleased to grant the following relief's.

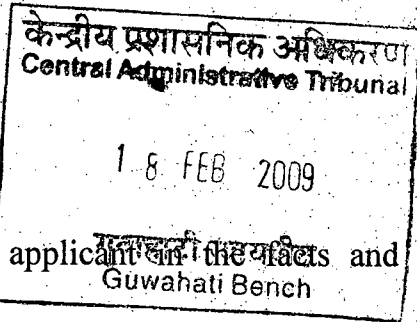
8.1 To direct the respondent authorities to hold a Review Limited Departmental Competitive Examination for considering the case of the applicant for selection to the cadre of Sub Divisional Engineer.

8.2 To direct the respondent authorities to promote him to the cadre of Sub Divisional Engineer on his successful clearing of the said Limited Departmental Competitive Examination, w.e.f. the date his erstwhile juniors in the cadre of Junior Telecom Officer were so promoted to the cadre of Sub Divisional Engineer.

8.3 To direct the respondent authorities to equalise his scale of pay with that of his erstwhile juniors in the cadre of Sub Divisional Engineer and consequently pay to him his pay and allowance in the cadre of Sub Divisional Engineer w.e.f the date his juniors were granted the said scale of pay.

8.4 Cost of the application.

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8.5 Any other relief/ relief's that the applicant in the facts and circumstances of the case would be entitled to.

9. **INTERIM ORDER PRAYED FOR:**

In this facts and circumstance the applicant does not pray for an interim direction at this stage but however prays for early hearing in the matter.

10.

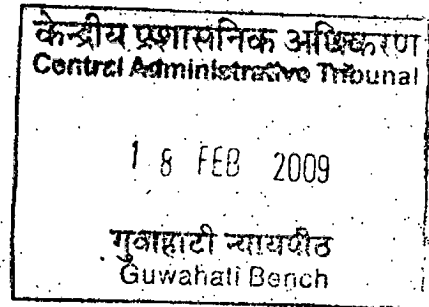
11. **PARTICULARS OF THE I.P.O:**

- i) I.P.O No. : 396 394923
- ii) Date : 13.02.2009
- iii) Payable at : Guwahati

12. **LIST OF ENCLOSURES:**

As stated in the index.

Swail



VERIFICATION

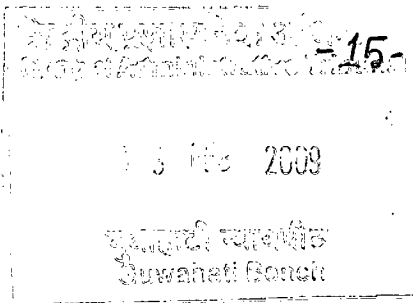
I, Shri Sunil Mishra, aged about 30 years, son of Dinesh Mishra, resident of Type – III, Block – 4, J. P. Nagar, Telecom Colony, B.S.N.L., in the District of Dibrugarh, Assam, do hereby solemnly affirm and verify that I am the applicant in this instant application and conversant with the facts and circumstances of the case, the statements made in paragraph 1, 2, 3, 4, (1, 4, 8, 14, 15, 16, 17, 18, 19, 20, 21 & 22) & 5 to 12 are true to my knowledge; those made in paragraphs 4, (2, 3, 5, 6, 7, 9, 10, 11, 12 & 13) are true to my information derived from the records and the rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts of the case.

And I sign this verification on this the 9th day of February, 2009 at Guwahati.

Sunil Mishra
DEPONENT

24 Oct 06 17:21

BSNL



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ANNEXURE → 1

p.1

①

BIHAR SANCHAR NIGAM LTD. | भारत संचार निगम लिमिटेड
Office of the Dy. General Manager, उपमहानगर का कार्यालय,
Regional Telecom Training Centre, शेमिया दुलाना परिसर काठमांडू,
Seminary Hills, Nagpur-440006. सेमिनरी हिल्स नगपुर-440006.
☎ 0712-2510373 ☎ 0712-2510510, 2510636

No. TC/NF/JTO-BSNL-16(OIP)/59

Dated:- 13/03/2003

Subj: - Relieving order of Trainees of Batch No. JTO BSNL 16 (OIP)
Ref:- 1) "A" circular no. TM-27/coll XX - dtd. 19.12.2002 from D.E. (TM) BRBRAIT
2) Lt. No. ST/11-1/1RG/OS/2001 dated at Patna March 11 2003
3) Lt. No. STES-5/43/PT. VI / 187 dated at Guwahati the 11.3.2003
4) Lt. No. RE-05-04/174 dated at Raipur 11/03/2003
5) Lt. No. HRD / Staff / Dir. Rod/B. No. 7/Nagpur dated at Bangalore the 11th March 2003
6) Lt. No. CGM/NE-II/ADMN/DR-JTO-2001/164 dated at Dimapur the 12.03.2003
7) Lt. No. STA/11-62/JTO/OS/2001/11 dated at Jaipur the 13/03/2003

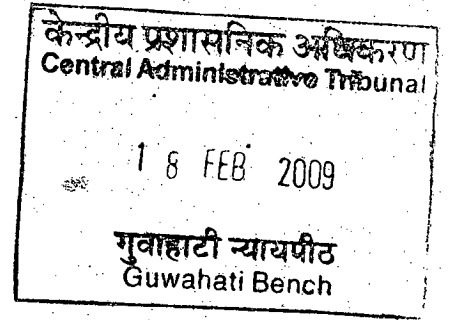
On successful completion of JTO orientation training programme of BSNL-16 batch from 17.02.2003 to 13.03.2003, all the 19 trainees shown on coverne are hereby relieved w.e.f. 13.03.2003 A/N with instruction to report to their Divisions as shown on page 2. No Trainee has availed any leave during the entire training period.

All the Trainees have availed the Hostel Facility, and Mess Facility at their own cost. No lodging and Boarding was provided to them during the training period.
All the Trainees were paid Stipend for the period w.e.f. 17.02.2003 to 13.03.2003.

DE (Swg.)
R.T.T.C., Nagpur.

- Copy to:-
1. CGM, BRBRAIT, Jabalpur
 2. AGM(Admin) O/o CGMT, Bihar Circle, Patna
 3. AGM(Admin) O/o CGMT, Assam Circle, Guwahati
 4. AGM(pers.) O/o CGMT, Rajasthan Circle, Jaipur
 5. AGM(Admin) O/o CGM NE-I Circle, Shillong
 6. AGM (Admin) O/o CGM NE-II Circle, Dimapur
 7. AGM (HRD) O/o CGMT Chattisgarh Circle, Raipur
 8. AGM (HRD) O/o CGMT Karnataka Circle, Bangalore
 9. DE, (Admin) / (Trans), RTTC, Nagpur.
 10. S/D(Admin/Prog/Exam/Lib/Hostel/Works)/Sr. AO(F&A), R.T.T.C., Nagpur.
 11. All Trainees with one spare copy for their controlling unit

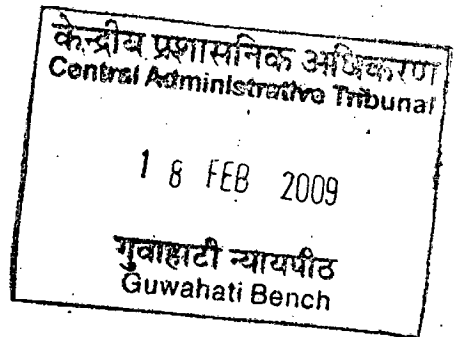
(TYPED COPY)



List of trainees of Batch BSNL - 16

Sl. No.	Name (S/Shri)	Circle	Unit of Positing
1	Ramesh Kumar Singh	Assam	Tezpur SSA under GMTD, Tezpur
2	Prakash Singh	Assam	Jorhat SSA under GMTD, Jorhat
3	(sic)	Assam	Silchar SSA under GMTD, Silchar
4	Sunil Mishra	Assam	Dibrugarh SSA under GMTD, Dibrugarh
5	Alok Ti (sic)	Bihar	GM (MS) CO Patna
6	Vinay Kumar	Bihar	TDM Ara
7	(sic)	Bihar	GM (MS) C.O. Patna
8	Anil Kumar	Bihar	TDM Khagaria
9	Brajesh Kumar Singh	Bihar	TDM Munger
10	Manoj Kumar M.V.	Bihar	GMTD, Bhagalpur
11	Chanda Bansh Bharti	Bihar	TDM Beliali
12	Bulmukund Sinha	Bihar	GMTD, Darbhanga
13	Promod Kumar	Bihar	DGM, ETR, Patna
14	Amit Sarkar	Bihar	GMTD, Guyu
15	Deepak Rajouria	Bihar	TDM, Chapra
16	Ganesh Kumar Gujar	Rajasthan	TDE, Bandl
17	Piyush Garg	NE-2	GMTD, Nagaland, SSA, Dimapur.
18	Mukesh Kuram Kaushik	Chittisgarh	Raigarh SSA
19	Miss Sunpal Kumari	Karnataka	PGM Bangalore

Certified to be true copy
Advocate



List of Officers of Batch BSNL - 16

Sr. No.	Name (S/Shri)	Circle	Unit of posting
01	Ramesh Kumar Singh	Assam	Tezpur SSA under GMTD Tezpur
02	Prakash Singh	Assam	Jorhat SSA under GMTD Jorhat
03	Daggumali Srinivasulu	Assam	Silchar SSA under GMTD Silchar
04	Sunil Mishra	Assam	Dibrugarh SSA under GMTD
05	Alok Tiwari	Bihar	GM (MS) C.O. Patna
06	Vinay Kumar	Bihar	TDM Arr
07	Akhilesh Kumar	Bihar	GM (MS) C.O. Patna
08	Anil Kumar	Bihar	TDM Khagaria
09	Brajesh Kumar Singh	Bihar	TDM Mungers
10	Mandej Kumar M.V.	Bihar	GMTD Bhagalpur
11	Chandra Bansi Bhatti	Bihar	TDM Bettiah
12	Dulaykumud Mishra	Bihar	GMTD Darbhanga
13	Pranod Kumar	Bihar	DGM, EIR, Patna
14	Anil Sarkar	Bihar	GMTD, Gaya
15	Deepak Rajouria	Bihar	TDM, Chapra
16	Ghosh Karan Guja	Rajasthan	TDE, Bondl
17	Piyush Gura	NE-2	GMTD, Nagaland SSA, Dimapur
18	Mukesh Kumar Kaushik	Chattisgarh	Raigarh SSA
19	Miss Sainpal Kumari	Karnataka	PGM Bangalore

Verified to be true Cop.

Advocate

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24 Oct 06 17:23 BSNL

18 FEB 2009

FORMAT NUMBER: RTTC, HD/TRG-ADMIN-QSF-07



भारत संचार निगम लिमिटेड
गुवाहाटी न्यायपीठ
Guwahati Bench
भारत सरकार का उद्यम (A GOVT. OF INDIA ENTERPRISE)
उप महा प्रबंधक का कार्यालय

% THE DEPUTY GENERAL MANAGER,
क्षेत्रीय दूरसंचार प्रशिक्षण केन्द्र, गच्छीबोली, हैदराबाद - 32.
REGIONAL TELECOM TRAINING CENTRE, GACHIBOWLI, HYDERABAD-32

Lr.No.RHD/AD/T-1/JTO/RE-OT-9/2003-2004/45 Dated at HD, the 12/12/2003.

Sub: Relieving orders in respect of JTO trainees of B.No. RE-OT-9
RTTC, Hyderabad.

Ref: 1. Lr.No.TM-27/Col/TV -Sept-03 dated 17/09/2003 from the DE (TMR),
O/o The CGMT, BRBRAITT, Jabalpur.

2. Lr.No.TSA/13-26/NP/B-17/2002 Dated at Chennai, the 10/12/2003 from
the AD(S-I), O/o The CGM, BSNL, Tamilnadu Circle, Chennai.

On successful completion of Junior Telecom. Officers training (Phase-I) for 10 weeks from
06/10/2003 to 12/12/2003 at Regional Telecom. Training Centre, Gachibowli, Hyderabad, the following
trainees of B.No RE-OT-9 are hereby relieved on the A/N of 12/12/2003 with instructions to report at the
places mentioned against their names.

The trainees have to report to the Heads of the concerned SSAs indicated against their names.

Hostel facility is available at RTTC, Hyderabad. Seat rent is being collected from the
Hostelers as per the Departmental rules. However, the mess is being run by a Contractor and the Mess
charges are being collected from the trainees by the Contractor. All the trainees have availed Hostel
facility at RTTC, Hyderabad.

All the trainees have passed in First attempt except Sri D.Srinivasulu who passed in Second
attempt.

S. Jaganmohan 12/12

उप मंडल अधिकारी (प्रशासन / प्रशिक्षण)

Sub Divisional Engineer (Admn/Trg)

उप महा प्रबंधक

For DGM,

क्षेत्रीय दूरसंचार प्रशिक्षण केन्द्र, गच्छीबोली, हैदराबाद - 500 032.

RTTC, Gachibowli, Hyderabad - 500 032.

Copy to:

1. The CGMT, BRBRAITT, Jabalpur for favour of information.
2. The CGMT, BSNL, Chennai-600 002 / CGMT, Assam Circle, Guwahati / CGMM, STR, Chennai / CGMT, Maharashtra Circle, Mumbai / Gujarat Telecom. Circle, Ahmedabad / CGMT, West Bengal Telecom. Circle, Kolkata for favour of information.
3. The GMT, Kharagpur / GMTD, Silchar / GMTD, Jorhat / Tezpur/Chandrapur/Dibrugarh/ GMT, Nagercoil/Trichy/ Kharagpur/Pondicherry/Siliguri/Erode for favour of information.
4. The TDM, Jalna / Osmanabad / Director, RTTC, Mysore for favour of information.
5. The DGMM, Western Telecom. Region, Rajkot / DGMM, WTR Ahmedabad / DGMM, STSR, Madurai / DGM (Trans.Insdn), Circle Office, Kolkata-700 001 for favour of info.
6. The above JTO trainees.
7. Office copy.
8. Spare copy.

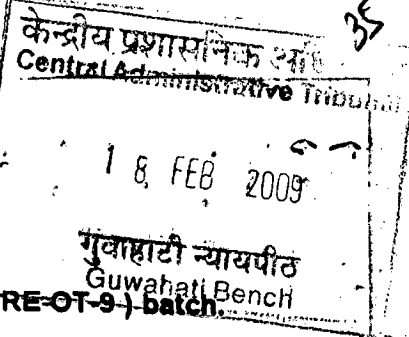
*** **

Confirmed to be 11/12/03

Advocate

Kind Attn. to Mr. Vivek Malik.

SD



ANNEXURE - JTO trainees of B.No.Phase-I (RE-OT-9) batch.

R.No	Name of the trainee S/Sri/Kum/Smt.	MARKS OBTAIN ED OUT OF 1000	% OF MARK S	R A N K	Unit to report	CLs aval led
901.	A.K.Kutar	859	85.9	15	DGMM, WTR, Ahmedabad	Nil
902.	Anup Sukhdeo Deshmukh	916	91.6	10	TDM, Jalna	Nil
903.	B.Ragunath	950	95.0	2	DET(Trans.Instln), Siliguri	Nil
904.	D.Muthukrishnan	884	88.4	14	GMT, Kharagpur	Nil
905.	D.Srinivasulu	803	80.3	17	GMTD, Silchar	1
906.	Prakash Singh	938	93.8	4	GMTD, Jorhat	Nil
907.	R.Anandakumar	922	92.2	9	GMT, Berhampur	2
908.	Ramesh Kumar Singh	899	89.9	12	GMTD, Tezpur	Nil
909.	Ramgopal Qurwani	929	92.9	6	TDM, Osmanabad	2
910.	Sundeep Kumar Tiwari	898	89.8	13	GMT, Chandrapur	2
911.	Sunil Mishra	928	92.8	7	GMTD, Dibrugarh	Nil
912.	V.R.Balaji	951	95.1	1	RTTC, Mysore	Nil
913.	Bindu Joseph	929	92.9	6	GMT, Nagercoil	Nil
914.	P.Ashirvadamma	858	85.8	16	RTTC, Mysore	1
915.	P.Latha	908	90.8	11	GMT, Kharagpur	2
916.	R.Naveena	933	93.3	5	RTTC, Mysore	Nil
917.	T.Vasanthi	945	94.5	3	GMT, Siliguri	3
918.	V.Mahalakshmi	923	92.3	8	RTTC, Mysore	2

Note : *The trainees at S.No.12, 14, 16 and 18 have to report to the Director, RTTC, Mysore on the F/N of 15/12/2003 to attend for Phase-II training for 3 weeks.

S. Jafarhudeen 12/12

उप मंडल अधिकारी (प्रशासन / प्रशिक्षण)

Sub Divisional Engineer (Admn/Trg)

कृते उप महा प्रबंधक

For DGM,

क्षेत्रीय दूरसंचार प्रशिक्षण केन्द्र, गच्छीबोली, हैदराबाद - 500 032.

RTTC, Gachibowli, Hyderabad - 500 032.

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Advocate

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

BHARAT SANCHAR NIGAM LIMITED

A Govt. of India Enterprise

PUBLISHED BY PERSONNEL-II SECTION OF BSNL
RECRUITMENT RULES OF SUB DIVISIONAL ENGINEER (TELECOM)

Issue No.-1

No. 20-24/2001-Pers-II

New Delhi-110 001

Dated: 28.2.2002

1 Short title and commencement:-

- i) With the approval of BSNL Board, the following rules regulating the method of recruitment to the post of Sub- Divisional Engineer (Telecom) in BSNL are hereby made, namely:-
- ii) These rules may be called the Sub- Divisional Engineer (Telecom), Recruitment Rules, 2002(Issue No.1)
- iii) They shall come into force with effect from 1.3.2002

2 Definition:- In these rules, unless the context otherwise requires,

- i) **Company:-** means Bharat Sanchar Nigam Limited (A Government of India Enterprise) having its Registered Office at Sanchar Bhawan, New Delhi.
- ii) **Board:-** means the Board of Directors of the Company and includes in relation to the exercise of powers any Committee of the Board/ Management or any Officer of the Undertaking to whom the Board delegates any of its powers.

3 Application :- These rules apply to the post specified in Column(1) of the Schedule annexed to these rules.

4 Number of Post, classification and scale of pay:- The number of the said post, its classification and the scale of pay attached thereto shall be as specified in column 2 to 4 of Schedule annexed to these rules.

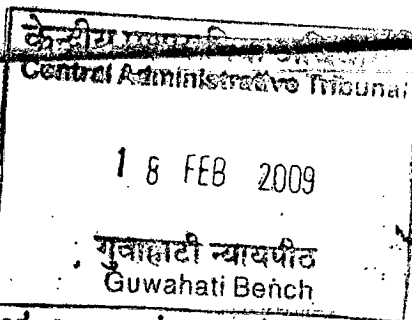
5 Method of Recruitment, age limit, qualifications etc.:-The method of recruitment, age limit, qualification and other matters relating to the said post shall be as specified in columns 5 to 11 of the said Schedule.

Page 1 of 5

Recruitment Rules of SDE (Telecom)

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Admin.



Disqualification:- No person,

- a) Who has entered into or contracted a marriage with a person having a spouse living, or
- b) Who having a spouse living, has entered into or contracted marriage with any person, shall be eligible for appointment to the said post.

7 **Service under the Territorial Army:-** A Sub-Divisional Engineer (Telecom), who has not completed the age of 40 years if so required, will be liable to serve in the Territorial Army subject to the provisions of Section 6A of the Territorial Army Act, 1948 (58 of 1948) and the rules made thereunder.

8 **Saving :-** Nothing in these rules shall affect reservation, relaxation of age limit and other concession required to be provided for the Scheduled Caste, Scheduled Tribes, other Backward Classes, Ex-service man and other special category of persons in accordance with the orders issued by the Central Government from time to time in this regard.

9 **Initial constitution:-**

- (i) All officials holding the post of Sub- Divisional Engineer (Telecom), on regular basis in erstwhile DOT/DTS/DTO before commencement of these rules and those who have been absorbed in Bharat Sanchar Nigam Limited shall be deemed to have been appointed as Sub- Divisional Engineer (Telecom).
- (ii) The continuous regular service of officials referred to in sub-rule 9(i) above before the commencement of these rules shall count for the purpose of qualifying service for promotion, confirmation and pension.

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Advocate

SCHEDULE

केन्द्रीय
Central Administrative Tribunal
18 FEB 2009
गुवाहाटी बेंच
Guwahati Bench

Name of Post	Number of Posts	Classification	Scale of Pay	Whether selection or non-selection post	Age limit for direct recruits	Whether benefit of added years of service admissible	Educational and other qualification required for Direct Recruits
1	2	3	4	5	6	7	8
Sub- Divisional Engineer (Telecom)	*18000 (up to 2001) * subject to variation dependent on workload	Executive	IDA Pay Scale corresponding to the CDA scale of Rs 7500-250-12000 in BSNL.	Selection cum seniority	Not applicable	Not applicable	Not applicable

Certified to be

Advocate

Recruitment Rules of SDE (Telecom)

SCHEDULE

39

Cen.
1 2009
गुवाहाटी न्यायपीठ
Guwahati Bench

Whether age and essential qualification prescribed for direct recruits will apply in case of promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer or by absorption and percentage of vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer grades from which promotion/deputation/transfer to be made	If a BSNL Promotion Committee exists, what is its composition.	REMARKS
9 Not applicable	10 Not applicable	11 75% by promotion on the basis of seniority cum fitness. 25% by limited departmental competitive Examination	12 Promotion: 75% by Junior Telecom Officers (Telecom) with three years regular service in the grade. 25% by Limited Departmental Competitive Examination from amongst Junior Telecom Officers (Telecom) who have rendered not less than Three (3) years regular service in the grade on 1 st July of the year of Examination. Note:- In case of non-availability of sufficient number of officer for filling of these posts by promotion/by selection in a particular recruitment year, the unfilled vacancies shall be diverted and filled up through Limited	13 1. DDG (Pers.)-Chairman 2. DDG(SR))-Member 3. Jt. DDG(Pers)-Member Note : Appointing authority will be Dir. (HRD), BSNL Board	14 ----

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A
Advocate

Central Administration
18 FEB 2
গুৱাহাটী ন্যায়পীঠ
Guwahati Bench

			<p>Departmental Competitive Examination and vice-versa subject to the condition that the quota shall be restored in subsequent recruitment years.</p> <p>2 Promotion of JTOs shall be made on the basis of an All India eligibility list at Corporate Office only.</p> <p>3 The crucial date for determining the eligibility list shall be 1st of July of year to which the vacancies pertain.</p> <p>4 The syllabus and rules for conducting LDCE shall be such as the Board may prescribe from time to time.</p> <p>5 Where juniors who have completed their qualifying eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of requisite qualifying/eligibility service by more than one year.</p>	
--	--	--	---	--

A

(Signature)
(M.K. SHRIVASTAVA)
ASSTT. DIRECTOR GENERAL (PERS-II)

Certified to be true Copy
(Signature)
Advocate

No.2-29/2005-Pers.II
BHARAT SANCHAR NIGAM LIMITED
[A Government of India Enterprise]
CORPORATE OFFICE
PERSONNEL -II SECTION

102-B, Statesman House, 148, Barakhamba Road, New Delhi-110055

April 16, 2007

केन्द्रीय प्रशासनिक आयोग
Central Administrative Tribunal

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

To

All Heads of Telecom Circles
All Heads of Telecom Projects
All Heads of Telecom Regions
All Heads of Administrative Units
Bharat Sanchar Nigam Limited

Subject- Departmental Competitive Examination to be held on 10.6.2007 for promotion from JTO(T) to SDE(T) grade - Clarification thereof.

Sir,

Please refer to this office letter No. 5-4/2005-DE dated 11.4.2007 wherein the last date for receipt of application form for Limited Departmental Competitive Examination for promotion to SDE(T) grade has been extended upto 25.4.2007.

Doubts have been raised by various Circles regarding computation of eligibility condition with reference to the crucial date and training period spent in JTO grade for the Departmental competitive Examination for promotion from JTO(T) to SDE(T) grade to be held on June 10, 2007. The following clarifications are hereby given in this regard.

SL.No.	Doubts raised	Clarification thereof
1	What is the crucial date for reckoning 3 years regular service for each vacancy year	As per Column 12 of Recruitment Rules and note below it, the candidate applying for the Examination should have completed three years of regular service in the grade of JTO(T) as on the 1st July of the year to which the vacancy pertains, as under:- <u>Vacancy Yr</u> <u>Eligible Candidates</u> 2001-02 : Completed 3 yrs as on 1.7.2001 2002-03 : Completed 3 yrs as on 1.7.2002 2003-04 : Completed 3 yrs as on 1.7.2003 2004-05 : Completed 3 yrs as on 1.7.2004 2005-06 : Completed 3 yrs as on 1.7.2005
2	Whether the period spent on training for appointment as JTO(T) to be reckoned towards 3 years regular service.	As per DOP&AR O.M. No. 14034/5/81-Estt(D) dated 8.3.1983 (copy enclosed)

..2/-

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Advocate

3 In terms of As Per Column 12 and note there under
Column 12 read of RRs, 2002 of SDE(T)
with note 5 thereto
in RRs, 2002 of
SDE(T), where
juniors having the
qualifying eligibility
service are being
allowed for the
Examination,
whether seniors
would also be
permitted to appear
in the examination
provided they are
not short of
requisite
qualifying/eligibility
service by more
than one year.

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Central Administrative Tribunal

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

Circle offices concerned are requested to scrutinize and forward the applications of the candidates in the light of the aforesaid clarifications.

Yours truly,

(Signature)

(BINDU ROY)

ASSISTANT DIRECTOR GENERAL (PERS-II)
TELE: 23037191/Fax: 23734156

Encl: 1
Copy to:-

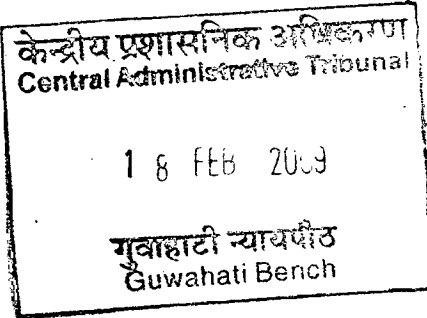
- i. ADG(DE), BSNL CO, Statesman House, New Delhi
- ii. Shri B.M.David, US(SGT), DoT F. rs, Sanchar Bhawan, ND
- iii. Notice Board

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(Signature)
Director

“(16) Period of training before appointment to be treated as ‘duty’ for eligibility to sit for departmental examinations.—The Staff Side of the National Council (JCM) had suggested *inter alia* that the service rendered by an employee during the training period before his regular appointment to the grade be treated as duty for eligibility to sit for the departmental examination.

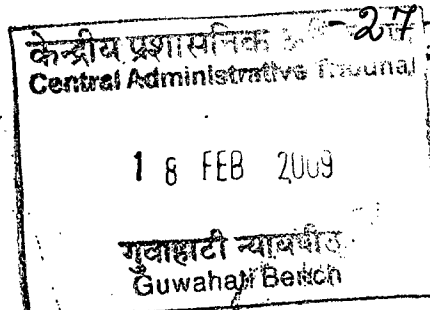
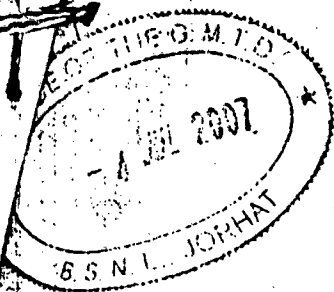
2. The request made by the Staff Side of the National Council (JCM) has been examined and it has been decided that in all cases where pre-service training is considered necessary before actual appointment to the post, the period spent by an officer on training immediately before such appointment would count as qualifying service for the purpose of eligibility for appearing in departmental examinations, even if the officer is not given the scale of pay of the post but only a nominal allowance.

[G.I., M.H.A. (D.O.P. & A.R.) O.M. No 14034/5/81-Estt. (D), dated the 8th March, 1983.]



Confirmed to be true Copy

Signature



EXAM MATTER/MOST URGENT

BHARAT SANCHAR NIGAM LTD.

(A Govt. of India Enterprise)

Office of the Chief General Manager Telecom.
Assam Telecom. Circle, BSNL Administrative Building,
Panbazar, Guwahati-781 001.

No. Rectt-1/57/2007/29

Dated at Guwahati the 27.6.2007

To.

1. The CGMT, NETT, Guwahati.
- 2-8. The General Manager Telecom.,
Guwahati/Silchar/Dibrugarh/Jorhat/Bongaigaon/Tezpur/Nagaon.
9. The DGM, ETR, Guwahati.
10. The Principal, RTTC, Guwahati.
11. The Principal, CTTC, Guwahati.
12. The SDE, CTSD, Guwahati.
13. The ADT (Staff), O/o the CGMT, Guwahati.

SUB: Limited Departmental Competitive Examination for promotion to the grade of Sub-Divisional Engineer (Telecom.) under 25% quota to be held on 15th July, 2007.

Kindly find enclosed herewith a list of candidates of your SSA/unit, who are found not eligible to appear in the above examination as per Recruitment Rule, 2002 of SDE (T) and amendments thereof from time to time.

The candidates may please be informed accordingly.

The list of candidates found eligible to appear in the said examination is available in the Circle web site – www.assam.bsnl.co.in.

Encls- as above.

(B.C. PAL)

Asstt. Director Telecom. (Recd)
PH: 0361- 2736347

Copy to:

1. All Executive Association of BSNL, Assam Circle.
2. Notice Board.

DE (P&A)

Pl. circulate!

19/7/07

SDE(A)

Pl. intimate
circulate to the
J.T.O concerned.

5/7/07

Self

(B.C. PAL)

Asstt. Director Telecom. (Recd)
PH: 0361- 2736347

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Advocate

OF CANDIDATES FOUND NOT ELIGIBLE TO APPEAR IN THE LDCE FOR PROMOTION TO THE GRADE OF SDE (T) TO BE HELD ON 15.7.2007 (SUNDAY)

SL.NO.	RNO	NAME	DESGN	UNIT/SSA
1	1	TUSHAR AGARWAL	JTO	CGMT/GH
2	2	JYOTISH BAISHIYA	JTO	CTSD/GH
3	14	PRANOTTAM BASUMATARY	JTO	ETR
4	39	SUNIL MISHRA ✓	JTO	GMTD/DR
5	42	PRAKASH SINGH	JTO	GMTD/JRT
6	44	SANDEEP SINGH	JTO	GMTD/JRT
7	66	TAPASH ROY CHOWDHURY	JTO	GMTD/KMP
8	84	SMT. SHAMPA DUTTA	JTO	GMTD/KMP
9	117	NAJEIB HUSSAIN SABRI	JTO	GMTD/DR
10	132	AIZUDDIN AHMED	JTO	GMTD/BGN
11	144	ABDUS SABUR AHMED	JTO	GMTD/BGN
12	145	SALEH MD. MIZANUR RAHMAN	JTO	GMTD/BGN
13	146	BIPLAB KUMAR DEB SINGHA	JTO	GMTD/BGN
14	156	AMULYA KUMAR ROY	JTO	GMTD/BGN
15	157	BAIKUNTHA RAM DAS	JTO	GMTD/BGN
16	158	RAMESH CH. RAY	JTO	GMTD/BGN
17	167	BIKASH BARAN DEY	JTO	CGMT/GH
18	185	L. MILLAN SINGH	JTO	NETF
19	192	AMITABH DAM	JTO	GMTD/NGN
20	198	PREMCHAND KAMBHAMPATI	JTO	GMTD/NGN
21	199	KAMAL KUMAR BORO	JTO	GMTD/NGN
22	203	BASUDEV DEKA	JTO	GMTD/NGN
23	205	MD. ANISUR RAHMAN KHAN	JTO	GMTD/NGN
24	207	MD. SAFIUR RAHMAN	JTO	GMTD/NGN
25	208	ABANI MOHAN DAS	JTO	GMTD/BGN
26	237	YOGESH KUMAR NAGAR	JTO	GMTD/KMP
27	241	PRADNYASHIL TUKARAMJI DAHIWADE	JTO	GMTD/SC

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

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Advocate

ANNEXURE → 6

केन्द्रीय प्रशासनिक न्यायाधीश
Central Administrative Tribunal

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

Advance Copy

Dated 26th August, 2008

To,

- The Director(HRD)
Bharat Sanchar Nigam Limited
Bharat Sanchar Bhavan, H.C Mathur Lane
Janpath, New Delhi-110001

(Through Proper Channel)

Subject: Eligibility to appear in Limited Departmental Competitive Examination for promotion from JTO(T) to SDE(T) held on 15th July, 2007

Respected Sir,

- 1 With due honour and humble request I would like to submit the following few lines for your kind consideration and needful action please.
- 2 Sir, I have been recruited as a JTO (Direct Recruitment) against the vacancy for the year 2001. My four weeks Orientation Training commenced from 17.02.2003 in compliance to Circle office, Guwahati, Letter No. Rectt-3/72/Part-II/53 dated 28-01-2003 and after successful completion of OTP and Field Training my joining to the department as JTO was approved w.e.f. 26-05-2003 as per direction of Circle office, Guwahati, Letter No. STES-5/43/PT.VI/229 dated 05-06-2003.
- 3 ✓ Sir, in compliance to Corporate office Letter No. 5-4/2005-DE dated 9th February, 2007 I honourably applied for LDCE 2007(TES group B) for promotion to grade of SDE(T) against the vacancy for the year 2005-2006 but to my great surprise I was adjudged not eligible for the said exam as communicated vide Circle office, Guwahati, Letter No. Rectt-1/57/2007/29 dated 27-06-2007, which disqualified me from appearing in the said exam.
- 4 Sir, having perused the list attached to Corporate office Letter No. 5-3/2007-DE dated 08-07-2008 I find that few of JTOs of same recruitment year i.e. year 2001 allowed to appear in the said examination, who are junior or may be senior to me (as per the marks obtained in OTP and Phase-1 training) but not completed three years of regular service (in the Himachal Pradesh Circle Memo No RTTC.JP/JTO.IND/B.NO.27(RS)/2002/39 dtd 29/08/2002 enclosed) like me. I have doubt that in other circles also such type of candidate had been allowed to appear in the said exam. Few of them scored more than 50% marks, which I fear, may be


Contd.. 2/-

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Advocate

selected for the promotion to the SDE (T) before me. But in Assam Circle all candidates belongs JTO-2001 batch who have not completed three years of regular service , disqualified to appear in the said examination. Here I have enclosed the OTP completion training letter of HP circle candidates, in which their date of joining shown which is after 01-07-2002.

- 5 Sir, you would appreciate that missing a chance in such matter will adversely affect my carrier progression for no fault of mine and will certainly be a great injustice to me. In this connection you may like to refer Column No. 12, Note No. 5 of SDE RR 2002 as per your office Letter No. 20-24/2001-Pers-II dated 28-02-2002 and clarification issued by Corporate office vide letter no.2-29/2005-Pers-II dated 16-04-07 , and all India gradation list of JTOs(DR) of 2001 batch ,presumed to have been prepared and available with your office as the same has not been circulated.
- 6 Sir, I would, therefore, request your honour to kindly look into the matter expeditiously and favorable action taken may kindly be intimated at the earliest.

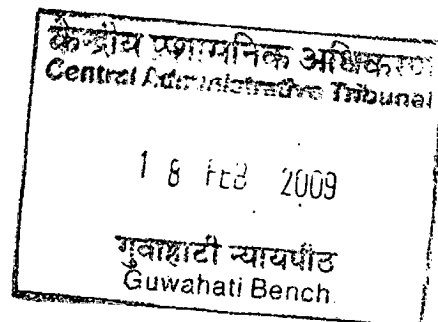
Yours Faithfully


Sunil Mishra, JTO(OCB)
O/o the Divisional Engineer (Mtce.)
BSNL, Dibrugarh-786001
Mob.No. 91-9435598098
Email: sunil@bsnl.co.in

List of Enclosures:

- 1 Copy of Circle Office ,Guwahati, Letter No. Rectt-3/72/Part-II/53 dated 28-01-2003
- 2 Copy of Corporate Office Letter No. 2-29/2005-DE dated 16-04-2007
- 3 Copy of Circle Office ,Guwahati, Letter No. Rectt-1/57/2007/29 dated 27-06-2007
- 4 Copy of Circle Memo No RTTC.JP/JTO.IND/B.NO.27(RS)/2002/39 dtd 29/08/2002
- 5 Copy of Corporate Office Letter No. 5-3/2007-DE dated 08-07-2008
- 6 Copy of SDE RR 2002 ,Corporate Office Letter No. 20-24/2001-Pers-II dated 28-02-2002

*Copy sent to the
[Signature]
[Signature]*



BEHARAT SANCHAR NIGAM LIMITED

(A Govt. of India Enterprise)

CORPORATE OFFICE - DEPARTMENTAL EXAMINATION SECTION

9TH FLOOR, 'A' WING, STATESMAN HOUSE, BARAKHAMBA ROAD, NEW DELHI - 110 001.

No. S-3/2007-DE

Date: 8th July 2008

To

All the Chief General Managers of Telecom Circles, BSNL.
Chief General Manager Kolkata Telephones/ Chennai Telephones, BSNL.
Chief General Manager Mtns. NTR, BSNL, New Delhi

Sub: Limited Departmental Competitive Examination for promotion to the grade of SDE (T) under 25% quota held on 15.7.2007- Declaration of result.

Sir,

The merit lists of candidates who are successful in the Limited Departmental Competitive Examination for promotion to the grade of SDE (T) under 25% quota held on 15.7.2007 are annexed to this letter.

2. The candidates who have secured the minimum pass marks of 50% in each Paper are given in Annexure A and those who are passed under the relaxed standard i.e. 45% in each Paper are given in Annexure B. The marks secured by these successful candidates, category and year(s) of eligibility have also been given ('Y' = Yes, 'N' = No).

3. The examination was held for filling in vacancies pertaining to the five years i.e. 2001-02, 2002-03, 2003-04, 2004-05 and 2005-06. But due to pending court cases and Interim direction of the Hon'ble MP High Court in WP No. 8521/2007 and Orissa High Court in WP(C) No. 6613 of 2007, it is not possible to declare the result year-wise. As such the result has been prepared based on the merit position only without taking into consideration the year-wise eligibility and vacancies. Pers. II Branch, BSNL Corporate Office will allot the vacancy year or seniority to these successful candidates verifying their eligibility against a particular year.

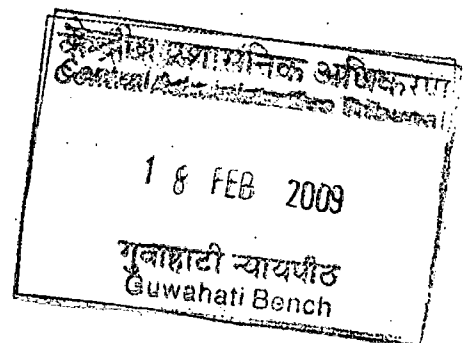
4. As directed by the Hon'ble High Court of Judicature at Jabalpur, Madhya Pradesh vide its interim order dt. 13.7.2007 in Writ Petition No. 8521/2007, a special examination for the petitioners along with other similarly placed persons shall be held in case the petitioners succeed in the petition. Also, as directed by the Hon'ble High Court Orissa, Cuttack in W.P. (C) No. 6613 of 2007, the result shall abide the decision in the Writ Petition.

5. The names of successful candidates, their Roll Nos., Category and year of eligibility have been shown as furnished by the Circles. The Roll Nos. of the candidates of Gujarat Circle which have been shortened a little keeping the essential factors intact. The category of 'OBC' as mentioned by a few Circles has been taken as 'OC', this being a promotional examination.

Contd...2/-

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Advocate



- 2 -

6. BSNL C.O reserves the right to cancel the result of any candidate who may have been declared successful inadvertently, if and when such mistake is detected.

Yours faithfully,


08.7.08
(A. Sinha)

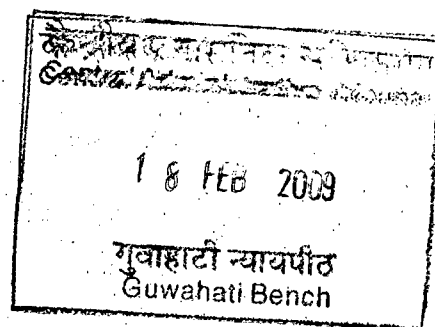
Asstt Director General (DE)


Copy to :

1. ADG(Pers.II), BSNL C.O. (2 Copies) for kind information and further necessary action.
2. PPS to Dir(HRD).
3. General Secretary SNEA/ AIBSNLEA.
4. Notice Board.
5. ADG (IR) - To upload the result in BSNL intranet site.


08.7.08
(A. Sinha)

Asstt Director General (DE)



Copy to be made

Associate

Annexure- 'A'

(Annexure to Letter No. 5-3/2007-DE dated 08-07-2008)

Merit list of the successful candidates who have secured minimum pass marks 50% in each Paper in the

SDE(T) Limited Departmental Competative Examination held on 15.7.2007

SDE(T) Limited Departmental Competitive Examination held on 15.7.2007												
	Roll No.	Name	Category	Paper -1	Paper-11	Total marks	2001-02	2002-03	2003-04	2004-05	2005-06	
	104	HPT-2007/LDCE/SDE/1061	Dayanand Shan-na	OC	74	74	148	N	N	N	N	Y
	365	HPT-2007/LDCE/SDE/1079	Shashank Sekhar	OC	68	68	136	N	N	N	N	Y
✓	557	HPT-2007/LDCE/SDE/1055	Digvijay Singh Rana	OC	65	65	130	N	N	N	N	Y
✓	639	HPT-2007/LDCE/SDE/1058	Arun Kumar	OC	64	64	128	N	N	N	N	Y
	828	HPT-2007/LDCE/SDE/1080	Deepak Aqarwal	OC	64	60	124	N	N	N	N	Y
	926	HPT-2007/LDCE/SDE/1056	Sanjay Kumar Gupta	OC	65	57	122	N	N	N	N	Y
	988	HPT-2007/LDCE/SDE/1091	Pappuri Venkata Gin Babu	OC	67	54	121	N	N	N	N	Y
	1010	HPT-2007/LDCE/SDE/1007	Nikunj Goel	OC	56	64	120	N	N	N	N	Y
✓	1059	HPT-2007/LDCE/SDE/1057	Rajesh Kumar	OC	57	62	119	N	N	N	N	Y
	1604	HPT-2007/LDCE/SDE/1230	S. Kanakalakshmi	OC	53	54	107	N	N	N	N	Y
	1680	HPT-2007/LDCE/SDE/1027	Anui Katiyar	OC	54	51	105	N	N	N	N	Y
	266	CGn'ES-B/2007/054	Vijay Mohan Singh	OC	66	73	139	N	N	N	N	Y
	325	CG/TES-B/2007/020	Amit Sharma	OC	68	69	137	N	N	N	N	Y
	378	CG/TES-B/2007/001	P. K. Sahu	OC	60	75	135	N	N	N	N	Y
	402	CG/TES-B/2007/Q21	Kanaklata Tambrey	SC	74	61	135	N	N	N	N	Y
	435	CG/TES-B/2G07/046	Umesh Nath Mishra	OC	64	69	133	Y	Y	Y	Y	Y
	439	CG/TES-B/2007/023	Hemant Kumar Sinha	OC	66	67	133	N	N	N	N	Y
	548	CG/TES-B/2007/012	Sohan Lal Verma	OC	61	69	130	N	N	N	N	Y
	550	CG/TES-B/2007/077	Vimal Kumar Shrivastava	OC	63	67	130	N	N	N	N	Y
	905	CG/TES-B/2007/024	Mohd Akram	OC	57	65	122	N	N	N	N	Y
	1044	CG/TES-B/2007/036	J. P. Prasad	OC	68	52	120	N	N	N	N	Y
	1114	CG/TES-B/2007/039	Manoj Kumar Verma	OC	55	63	118	N	N	N	N	Y
	1173	CG/TES-B/2007/Q56	Poonam Chand Mahato	OC	58	59	117	N	N	N	N	Y
	1211	CG/TES-B/2007/071	Ravi Shankar Kushwaha	OC	52	64	116	N	N	Y	N	Y
	1250	CG/TES-B/2007/010	Varsba Gupta	OC	62	54	116	N	N	N	N	Y
	1317	CG/TES-B/2007/048	Krishna Kumar Sharma	OC	55	59	114	Y	Y	Y	Y	Y
✓	1351	CG/TES-B/2007/042	R. G. Qurwani	SC	63	51	114	N	N	N	N	Y
	1402	CG/TES-B/2007/070	Lily Kaviraj	SC	54	58	112	N	N	N	Y	Y
	1523	CG/TES-B/2007/093	Prashant Dewangan	OC	53	56	109	N	N	N	N	Y
	1637	CGH'ES-B/2007/081	Dileshwar Thawre	SC	53	53	106	Y	Y	Y	Y	Y

केन्द्रीय प्रशासनिक आयोग
Central Administrative Tribunal

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

Confirmed to be true Copy

Advocate

BHARAT SANCHAR NIGAM LTD.

(A Govt. of India Enterprise)

Office of the Chief General Manager Telecom.
Assam Telecom. Circle, BSNL Administrative Building,
Panbazar, Guwahati-781 001.

No. Rectt-1/57/2007/62

Dated at Guwahati the 05.11.2008.

To,

The General Manager Telecom.,
BSNL,
Dibrugarh.

SUB: Limited Departmental Competitive Examination for promotion from
JTO (T) to SDE (T) held on 15.7.2007 _____ Representation of Sri Sunil
Mishra, JTO – regarding.

REF: GMTD/DR letter No. QM-1012/25 dated 2.9.2008.

With reference to the above, it is intimated that the candidature of Sri Sunil Mishra, JTO, for appearing in the above examination was rejected on the ground that the candidate did not complete the requisite 3 (three) years of regular service as on 1.7.2005 as per data furnished by the candidate in the application form.

Moreover, it is worth to mention here that the list of candidates found **not eligible** to appear in the said examination was sent to all heads of SSA/Unit for information of all concerned vide this office letter No. Rectt-1/57/2007/29 dated 27.6.2006 and the list of candidates eligible to appear in the examination was also available on the Circle website well before commencement of the examination.

There was no objection/appeal before the commencement of the examination regarding the rejection of candidature of the applicant.

Therefore, there is no scope on the part of the Circle to give any remedy to the applicant at this stage after the declaration of the result.

The applicant may please be intimated accordingly.


(N.K. Rabha)

Asstt. General Manager (Admn)

Copy to: ✓ Shri Sunil Mishra, JTO (OCB), BSNL, Dibrugarh, wr. to his application dated 25.10.2008.


(N.K. Rabha)

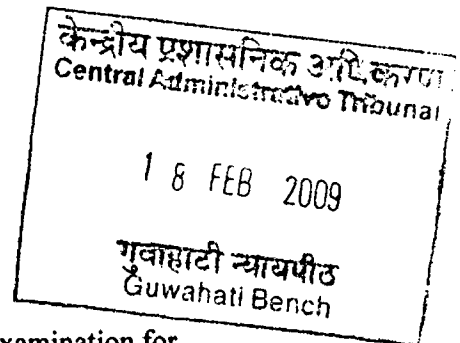
Asstt. General Manager (Admn)

22nd December'2008

To,

The Chief General Manager
Bharat Sanchar Nigam Limited
Assam Telecom Circle
Panbazar, Guwahati-781001

(Through Proper Channel)



Subject: Eligibility to appear in Limited Departmental Competitive Examination for
Promotion from JTO (T) to SDE (T) held on 15th July 2007.

Ref:- Your office Letter No. Rectt-1/57/2007/62 dated 05/11/2008 issued by AGM(Admn.)

Respected Sir,

With due honour and humble request I would like to submit the following few lines for your kind information please.

With reference to the your office letter mentioned above, it was informed to me that my candidature was rejected because I have not completed the requisite 3(three) years of service as on 1.7.2005 as per data furnished by me in application form.

Sir, I am not able to understand that why my candidature to appear in the said examination was rejected from Assam Circle whereas candidates of different circle (Name of such candidate given below) were allowed to appear in above said examination without completion of three years of regular service in the grade of JTO.

Name of Candidate	Date of Joining in BSNL as trainee (Circle)	Allowed/Not allowed in LDCE JTO(T) to SDE(T) exam	Roll No in the list of LDCE result where candidates secured minimum 50% marks
Sh. Rajesh Kumar (2001-Batch)	05/08/2002 (Himcahal Circle)	Allowed to appear in LDCE	HPT-2007/LDCE/SDE/1057
Sh. Sunil Mishra (2001- Batch)	17/02/2003 (Assam)	Not Allowed in Assam Circle	
Sh R .G Qurwani (2001 Batch)	26/05/2003 Maharastra Circle	Allowed to appear in LDCE	CG/TES-B/2007/042

Sir, as for as the matter of appeal/ objection before the commencement of examination is concerned regarding that I would like to inform you that after seeing the result of the said exam I came to know that there are the name of candidates of different circles who has completed their Phase-1 training with me found eligible and got selected.

Copy to be sent to
[Signature]
[Signature]

I humbly requested regarding the chance for appearing in the LDCE-2007 (TES group B) for promotion to the grade of SDE (T) which was refused to me whereas JTOs junior to me (As per Phase-1 training marks) in Assam Circle (Name given below) also allowed to appear in the said exam putting me to great disadvantage which will adversely affect my carrier progression for no fault of mine. This is clear-cut violation of Column No. 12, Note No. 5 of SDE RR 2002 as per Corporate office Letter No. 20-24/2001-Pers-II dated 28-02-2002.

Sir, It seems very clearly that Gradation list was not followed properly at your good office while screening.

Name of the candidate	Percentage of marks in Phase-1 training	Year of Recruitment	Roll Number in LDCE Exam	Remarks
Sunil Mishra	92.8	2001 <i>m JTO</i>	Not Allowed	Letter no. Rectt-1/57/2007/29 dtd 27.6.07
Waryao Sareo	87.3	2001	ASM/SDE-2007/212	
P.Yellamandaiah	91.9	2001	ASM/SDE-2007/202	
Sarihaddu Seshagiri Rao	86.7	2001	ASM/SDE-2007/203	

Sir, in this regard it has been informed to me that there is no scope on the part of the Circle to give any remedy to the applicant at this stage after the declaration of the result. I am compelled to reproduce these facts before honorable court to get the proper justice. This is for your kind information please.

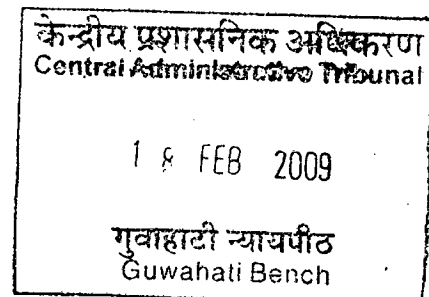
Yours' Faithfully

Sunil Mishra
Sunil Mishra
JTO (OCB)
BSNL, Dibrugarh-786001
Mob.No. 91-9435598098
Email: sunil@bsnl.co.in

Copy to:-

The Director(HRD),BSNL,New Delhi for kind information please.

Copy to be sent to
26/02/09



- 37 -

ANNEXURE → 10

51

1) bsnlmanu USDE promotion doc

Bharat Sanchar Nigam Limited
(A Government of India Enterprises)
Office of the Chief General Manager, BSNL
Assam Telecom Circle : Administrative Building 3rd Floor
Panbazar Guwahati - 781001

Dated at Guwahati the 26-11-2008

No. STES-5/2/Pt-VII/89

ORDER

Sub:- Promotion of JTOs to the grade of S.D.E. (Telecom) in B.S.N.L. under Competitive Quota (25%) on the basis of Limited Departmental Competitive Examination held on 15-07-2007.

In pursuance of B.S.N.L., Corporate office Memo No 1-14(Postings)/2008-Pers-II dated 03-11-2008, the 84 (Eighty Four) Executives as mentioned in the enclosed Annexure, are hereby promoted from JTO to the grade of S.D.E. (Telecom) under competitive quota (25%) in the IDA pay scale of Rs.11875-300-17275/- from the date they assume charge of the higher post and posted to the SSAs/Units as shown against their names to have immediate effect. Provided that :-

- i) They have been absorbed in B.S.N.L. on permanent basis
- ii) No disciplinary / vigilance case is pending against him / her and no VC is withheld in terms of instructions contained in GOI (DOP&T) OM 22011/4/91 -Estt.(A) dated 14-09-1992.
- iii) The currency of any penalty against the officer is over or
- iv) The officer is not on deputation to TCIL or any other organization

2. The Head of the SSAs / units concerned may please ensure that the promotion / posting orders in respect of officers found eligible after fulfilling the above conditions are issued with immediate effect and such officers is relieved accordingly so as to enable them to join their promotional assignment immediately.

3. JTOs in the list shown in Annexure who have opted for DOT or who have not given any option for their absorption may not be promoted. Such cases may be reported to this office.

4. The SSA heads / units concerned may please ensure that the promotion/posting orders in respect of officers found eligible after fulfilling the above conditions are issued in time to enable the officers to join their promotional assignment, and the officer is relieved within the prescribed time limit of 40(Forty) days(including the joining time) from the date of issue of BSNL order.

5. In case the officer concerned fails to join the promotional assignment within 40 (forty) days from the date of issue of BSNL Corporate Office order, he/she should not be allowed to join the post thereafter. In such a case the promotion order shall become inoperative and the matter shall be reported to this office for further necessary action. Further no request for modification of promotion / posting order shall be entertained.

6. The leave, if any requested by the officers, who has been posted on promotion to a different circles should not be allowed. If any officer desires leave, he / she can apply for leave to new competent Authority under whom he / she has been posted only after joining the new post and the competent Authority will sanction leave, if it is considered justified in the normal course.

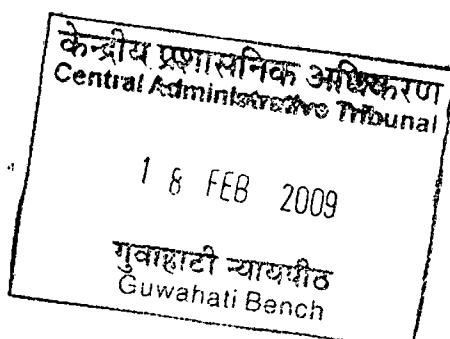
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http://www.assamsnea.org/vn/promo_1108/ipage_1.htm

Verified to be true Copy

Advocate

08/01/2



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/12/11

7. The date on which the above order is given effect to may be intimated to this office and a consolidated report of the officers who have been relieved/have joined their new postings may also be sent immediately on expiry of 40(forty) days from the date of issue of BSNL order.

8. The vacancy/panel years against which the officers are shown as eligible in the Annexure have been prepared on the basis of the results as per BSNL Corporate office letter no. 5-3/2007-DE dated 08-07-2008 and modification/corrections intimated by SSA heads/units. The seniority of the officers promoted under this order shall be determined in accordance with the rules in force and will be issued separately by the BSNL Corporate Office.

9. The aforesaid promotion order is provisional and is subject to the outcome in CWP No.4697 filed in Hon'ble High Court of Rajasthan, Jaipur Bench, vide order dated 15-10-2008 and lawsuits pending before any courts regarding their regulation of seniority/promotion in the SDE(Telecom) grade.

10. The particulars of officers may also please be updated in the HRMS as soon as they join as SDE(T) on the basis of this order.

Necessary charge report may be submitted to all concerned.

This issues with the approval of the Competent Authority.

Enclosed:- Annexure (Two Pages).

Sd/-

(P.S. Bhattacharjee)
Deputy General Manager (Admn)

Copy to :-

1. The AGM(Pers.-II), BSNL Corporate Office, Personel- II 4th Floor, Bharat Sanchar Bhawan, New Delhi-110001.
2. The PS to C.G.M. B.S.N.L., Assam Circle, Guwahati - for kind information to CGMT.
- 3-24. The CGM, BSNL, Telecom Circle, Bihar/Kerala/Tamilnadu/Chattishgarh/UAL/Jarkhand/Maharashtra/CG/Punjab/Karnataka/Rajasthan/ETR/NTR/Andhra Pradesh/DNW/Gujrat/UP(East)/Madhya Pradesh/CTD/West Bengal/T&D/BSNL, CO., New Delhi.
25. The GM (Personel), BSNL Corporate Office, 4th Floor, Bharat Sanchar Bhawan, New Delhi - 110 001.
26. The CGM, NE TASKFORCE, Uzanbazar, Guwahati - 1.
- 27-33. The G.M.T.D./Kamrup /Jorhat / Bongaigaon/ Nagaon/Tezpur/Dibrugarh/Silchar.
- 34-38. The GM/(IT&Mktg)/CMTS(O&M)/CMTS-(Plg&Dev)/(BD&Dev)/(Admn&Op), C.O, Guwahati.
39. The GM (ETR), 8th Floor, Administrative Building, Panbazar, Guwahati - 1.
- 40-44. The DGM/(Admn)/CMTS(O&M)/(CMTS-(Plg&Dev)/(Mktg&IT)/(Vig), C.O, Guwahati.
- 45-46. The AO/(A&P)/(CA), Circle office, Guwahati.
47. The Rajbhasa Adhikari, Circle Office, Guwahati.
48. HRMS Cell, Circle Office, Guwahati.
49. Guard File.

(M.C. Modak)

Asstt. Director Telecom (Staff)
For C. G. M., B.S.N.L., Assam Circle
Panbazar Guwahati -781001

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Advocate

केन्द्रीय प्रशासनिक अदालत
Central Administrative Tribunal

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

ANNEXURE

No.STES-5/2/Pt-VIII/89

Dated at 26-11-2008

List of Executive Promoted from JTO to the Grade of SDE(T) against 25% Competitive Quota

Sl. No.	Ment No. As per BSNL CO order dtd.03/11/08	St. No. As per BSNL CO order dtd.03/11/08	Name of the officers (Sr/Shri/Smt/Ms)	Staff No.	Category	Vacancy Year	Recruiting Circle	Present Working Circle	Present working SSA/Unit in Assam Circle	Posting on promotion to the Grade of SDE (T) under SSA/UNIT
1	203	79	Mrinal Kanti Nath	150078	OC	2001-02	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
2	245	97	Ratan Dey Sarkar	150096	OC	2001-02	Assam	Assam	Nagaon	GMTD, NAGAON
3	335	136	Utpal Hazanka	150137	OC	2001-02	Assam	Assam	Jorhat	GMTD, JORHAT
4	541	207	Dhrubajyoti Das	150206	OC	2001-02	Assam	Assam	Dibrugarh	GMTD, DIBRUGARH
5	600	222	Bhajib Gohain	150221	OC	2001-02	Assam	Assam	Dibrugarh	GMTD, DIBRUGARH
6	822	304	Kiran Nath	150303	OC	2001-02	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
7	1137	427	Rajib Kumar Dutta	150426	OC	2001-02	Assam	Assam	Dibrugarh	GMTD, DIBRUGARH
8	1221	452	Narendra Nath Bhattacharjee	150461	OC	2001-02	Assam	Assam	Nagaon	GMTD, NAGAON
9	19-B	624	Jagen Ch. Medhi	150623	SC	2001-02	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
10	539	684	Uttam Dey	150683	OC	2002-03	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
11	553	768	Akshaya Kr. Das	150787	OC	2003-04	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
12	651	794	Dipak Deb	150793	OC	2003-04	Assam	Assam	Dibrugarh	GMTD, DIBRUGARH
13	971	799	Priva Ranjan Chanda	150798	OC	2003-04	Assam	Assam	Silchar	GMTD, SILCHAR
14	1324	805	Jahar Ali	150805	OC	2003-04	Assam	Assam	Tezpur	GMTD, TEZPUR
15	1316	807	Girindra Nath Kalita	150806	OC	2003-04	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
16	1365	808	Ranjit Sama	150807	OC	2003-04	Assam	Assam	Kamrup	GMTD, KAMRUP
17	1574	819	Hitesh Choudhary	150818	OC	2003-04	Assam	Assam	Kamrup	GMTD, KAMRUP
18	1586	822	Jay Prakash Sharma	150821	OC	2003-04	Assam	Assam	Dibrugarh	GMTD, DIBRUGARH
19	1617	823	Nazrul Islam	150822	OC	2003-04	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
20	1644	825	Abdul Aziz	150824	OC	2003-04	Assam	Assam	Kamrup	GMTD, KAMRUP
21	1643	827	Ramanuj Dey Purkayastha	150826	OC	2003-04	Assam	Assam	Kamrup	GMTD, KAMRUP
22	38-B	832	Anjali Sarkar	150831	SC	2003-04	Assam	Assam	Kamrup	GMTD, KAMRUP
23	260	991	M.Venkateswar Rao	150990	SC	2005-06	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
24	500	1086	Yedu Ram Sudheer	151087	SC	2005-06	Assam	Assam	Bongaigaon	GMTD, BONGAIGAON
25	1371	1466	P.Yellamandaiah	151465	SC	2005-06	Assam	Assam	Dibrugarh	GMTD, DIBRUGARH
26	1634	1565	Rejeev Ranjan Singh	151564	OC	2005-06	Assam	Assam	Nagaon	GMTD, NAGAON
27	120-B	1679	Dinesh Kumar	151678	SC	2005-06	Assam	Assam	Nagaon	GMTD, NAGAON
28	779	289	Sailen Kakati	150288	OC	2001-02	Assam	NETF		GMTD, DIBRUGARH
29	1185	445	Manas Chakraborty	150444	OC	2001-02	Assam	NETF		GMTD, DIBRUGARH
30	1286	1433	Arvind Kumar Singh	151432	OC	2005-06	Bihar	Bihar		GMCMTS(O&M),CO/GH
31	1291	1434	Vimal R	151433	OC	2005-06	Kerala	Kerala		GMTD, DIBRUGARH
32	1294	1435	Vijay Krishnan S	151434	OC	2005-06	Tamilnadu	Tamilnadu		GMTD, DIBRUGARH
33	1297	1436	Awadhesh Kr. Singh	151435	OC	2005-06	Bihar	Bihar		GMTD, DIBRUGARH
34	1298	1437	Chinnasamy V	151436	OC	2005-06	Chittishgarh	Chittishgarh		GMTD, DIBRUGARH
35	1306	1441	Bajju T.V	151440	OC	2005-06	Kerala	Kerala		GMTD, DIBRUGARH
36	1310	1442	Seurabh Johari	151441	OC	2005-06	UAL	UAL		GMTD, DIBRUGARH
37	1313	1444	Shantanu Lala	151443	OC	2005-06	Jharkhand	Jharkhand		GMTD, DIBRUGARH
38	1314	1445	Sarang Arun Naik	151444	OC	2005-06	MH	MH		GMTD, DIBRUGARH
39	1319	1446	Sanjay Kumar Gupta	151445	OC	2005-06	Punjab	Punjab		GMTD, DIBRUGARH
40	1320	1447	Samir S. Chavan	151446	OC	2005-06	Karnatok	Karnatok		GMTD, BONGAIGAON
41	1329	1450	Pankaj Kumar Yadav	151449	OC	2005-06	Rajasthan	Rajasthan		GMTD, KAMRUP
42	1332	1452	Manu Babu G	151451	OC	2005-06	Kerala	Kerala		GMTD, JORHAT

(Page 1 of 2)

M. L. Dey
26/11/08Certified to be true copy
A. Annamalaihttp://www.assamsnea.org/vn/promo_1108/ipage_3.htm

08/01/2009

केन्द्रीय प्रशासनिक आयोग
Central Administrative Tribunal

18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

No.STES-51/21PT-VII/03

List of Executive Promoted from JTO to the Grade of SDE(T) against 25% Competitive Quota

Sl. No.	Merit No. As per BSNL CO order dtd.03/11/08	Sl. No. As per BSNL CO order dtd. 03/11/08	Name of the officers (S/Shri/Smt/M.s)	Staff No.	Category	Vacancy Year	Recruiting Circle	Present Working Circle	Present working SSA/Unit in Assam Circle	Posting on promotion to the Grade of SDE (T) under SSA/UNIT
43	1333	1453	Santosh Maharo	151452	OC	2005-06	NE-I	ETR		GMTD, BONGAIGAON
44	1334	1454	Suman Kanti Saha	151453	OC	2005-06	Jarkhand	Jarkhand		GMTD, BONGAIGAON
45	1336	1455	E.V. Sunil Kumar	151454	OC	2005-06	AP	AP		GMTD, NAGAON
46	1339	1457	Pandey Sunil Kumar Vishwanath	151456	OC	2005-06	MH	DNW		GMTD, JORHAT
47	1342	1458	Anuj Saxena	151457	OC	2005-06	MH	MH		GMTD, JORHAT
48	1351	1459	R.G.Qurwani	151458	SC	2005-06	CG	CG		GMTD, JORHAT
49	1352	1460	R.V. Sharma	151459	OC	2005-06	Gujrat	Gujrat		GMTD, JORHAT
50	1355	1462	Brijesh Kumar Singh	151461	OC	2005-06	UP(East)	UP(East)		GMTD, JORHAT
51	1359	1464	Manoj Balbhim Kulkarni	151463	OC	2005-06	MH	MH		GMTD, JORHAT
52	1374	1467	Madhurendra Gupta	151466	OC	2005-06	MP	MP		GMTD, JORHAT
53	1376	1468	Jamgaonkar Yogendra J	151467	OC	2005-06	MH	MH		GMTD, JORHAT
54	1379	1469	Balasaheb Ba Jan Bankar	151468	OC	2005-06	MH	MH		GMCMTS(P&D),CO/GH
55	1383	1470	Sudhakar Pathak	151469	OC	2005-06	Bihar	Bihar		GMTD, SILCHAR
56	1384	1471	Sundaraganapathy K	151470	OC	2005-06	Tamilnadu	Tamilnadu		GMTD, SILCHAR
57	1387	1472	Sudip Jyoti Dhar	151471	OC	2005-06	CTD	CTD		GMTD, KAMRUP
58	1394	1473	Sudheesh A.N	151472	OC	2005-06	Kerala	Kerala		GMTD, SILCHAR
59	1405	1475	Ram Kumar Ram	151474	SC	2005-06	Jarkhand	Jarkhand		GMTD, SILCHAR
60	1406	1476	V.M.Patel	151475	OC	2005-06	Gujrat	Gujrat		GMTD, SILCHAR
61	1410	1477	Anil Kumar Dwivedi	151476	OC	2005-06	WB	WB		GM(Mktg.&IT), C.O/GH
62	1411	1478	Rajesh Kumar	151477	OC	2005-06	Bihar	Bihar		GMTD, SILCHAR
63	1416	1479	Navas M	151478	OC	2005-06	Tamilnadu	T&D		GMTD, SILCHAR
64	1426	1482	Richard Paul A	151481	OC	2005-06	Tamilnadu	Tamilnadu		GMTD, SILCHAR
65	1439	1488	A.Venkat Ramana	151487	OC	2005-06	AP	AP		GMTD, NAGAON
66	1440	1489	Tamal Roy	151488	OC	2005-06	CTD	CTD		GMTD, KAMRUP
67	1448	1496	Thangaraj G	151495	OC	2005-06	Tamilnadu	Tamilnadu		GMTD, TEZPUR
68	1449	1497	Pavalakkodi S	151496	OC	2005-06	Tamilnadu	Tamilnadu		GMTD, TEZPUR
69	1450	1498	Bishwajit Kumar Sinha	151497	OC	2005-06	WB	WB		GMTD, NAGAON
70	1468	1502	Kumar Mukesh	151501	OC	2005-06	Bihar	ETR		GMTD, NAGAON
71	1508	1519	R.S.Shende	151518	SC	2005-06	Gujrat	Gujrat		GMTD, NAGAON
72	1529	1528	Mohan Krishna V.S	151527	SC	2005-06	Karnataka	Karnataka		GMTD, JORHAT
73	1538	1532	Binnu P. Rajan	151531	SC	2005-06	Kerala	Kerala		GMTD, SILCHAR
74	1547	1535	Kuldeep Singh	151534	SC	2005-06	NTR	BSNL CO		GMTD, BONGAIGAON
75	1599	1554	Ravuri Sadanandam	151553	SC	2005-06	WB	WB		GMCMTS(O&M),CO/GH
76	1621	1561	Biswajit Chowdhury	151560	SC	2005-06	WB	WB		GMTD, KAMRUP
77	1645	1568	Srinivasa L	151567	SC	2005-06	Karnataka	Karnataka		GMTD, NAGAON
78	1649	1570	E.Janardhan	151569	SC	2005-06	AP	AP		GMTD, NAGAON
79	1666	1573	P.Suresh Kumar	151572	SC	2005-06	AP	AP		GMTD, NAGAON
80	55-B	1643	Sanjay Kumar Netam	151642	ST	2005-06	CG	CG		GMTD, TEZPUR
81	57-B	1645	Sridhar B	151644	SC	2005-06	Karnataka	Karnataka		GMTD, TEZPUR
82	59-B	1646	Binay Kumar	151645	SC	2005-06	WB	WB		GMCMTS(O&M),CO/GH
83	95-B	1669	Vijay Darshar Modak	151668	SC	2005-06	MH	WTR		GMTD, TEZPUR
84	95-B	1570	Chandrashekar Ganesar	151669	SC	2005-06	Karnataka	STR		GMTD, TEZPUR

(Page 2 of 2)

Certified to be true Copy

Advocate

08/01/2009

http://www.assamsnea.org/vn/promo_1108/ipage_4.htmकेन्द्रीय प्रशासनिक अधिकारी
Central Administrative Officer

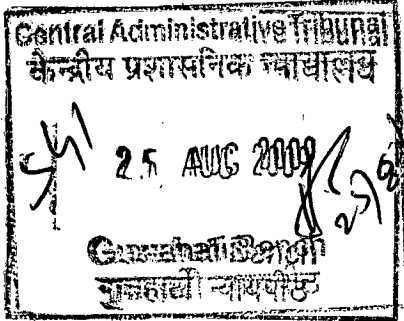
18 FEB 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

58

-41-

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH



O.A no.26/09

Sri Sunil Mishra

...Applicant.

-Vs-

Union of India and ors

...Respondents.

INDEX

Sl. No.	Annexure	Particulars	Page no
1.	Written Statement	1-7
2.	Verification	8
3.	A	Copy of the letter dated 16.04.07 under no. 2-29/2005/Pers.-II issued by the BSNL Corporate Office, New Delhi	9-11
4.	B	Copy of the application form of the applicant dated 27.03.06	12
5.	C	Copy of the list of eligible candidates dated 27.06.07 under no. Rectt-1/57/2007/28	13-19
6.	D	Copy of the list of non-eligible candidates dated 27.06.07 under no. Rectt-1/57/2007/29	20-21

Filed by:

25/8/09

Mrs. Manjula Das,
Panel Counsel, BSNL,
CAT, Guwahati bench.

File in Court on.....25/08/09

Court Officer.

Filed by:-
The Respondents
Thangam
Mangal Das
Advocate, BSNL
PAT
25/8/09

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH**

In the matter of:

O.A no.26/09

Sri Sunil Mishra

.....Applicant

-Vs-

Bharat Sanchar Nigam Limited & ors.

.....Respondents

-AND-

In the matter of:

Written statement on behalf of the
respondents

(WRITTEN STATEMENT ON BEHALF OF THE RESPONDENTS)

I, Sri Surendra Nath Chakravarty, S/o Late Taranath Chakravarty, aged about 55 years, R/o Ulubari, Guwahati-7 in the district of Kamrup (M), State of Assam, presently working as the Assistant Director Telecom (Legal), O/O the CGMT, BSNL, Assam Telecom Circle, Panbazar, Guwahati-1 do hereby solemnly affirm and state as follows:-

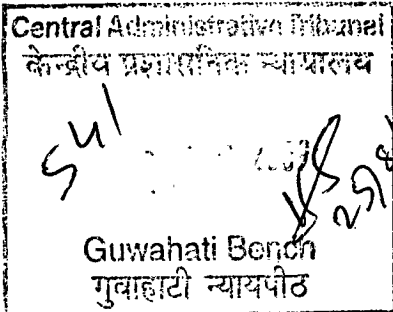
1. That I am the Assistant Director Telecom (Legal), O/O the CGMT, BSNL, Assam Telecom Circle, Panbazar, Guwahati-1, competent and authorized to file this written statement on behalf of the respondents of BSNL. I have gone through the Original Application and have understood the contents thereof. I am acquainted with the facts and circumstances of the case thereof.

2. That I do not admit any of the averments except which are specifically admitted hereinafter and the same are deemed as denied.

3. That before traversing the various paragraphs of the present Original Application, the answering respondent would like to place before the Hon'ble Tribunal the brief facts of the case.

BRIEF FACTS OF THE CASE:

Surendra Nath Chakravarty



Received Copy:-
(B. Sharma)
Advocate
25/08/2009

3.1 The applicant who is a Junior Telecom Officer (OCB) in the Office of the OCB Exchange, Khaliamari Road, Dibrugarh in the District of Dibrugarh applied for appearing in the Limited Departmental Competitive Examination for promotion to the grade of Sub-Divisional Engineer (Telecom) under 25% quota on 27.03.06 for vacancies pertaining to the year 2004-05 and 2005-2006.

3.2 That the method of recruitment relating to the said post was governed by the Recruitment Rules of Sub-Divisional Engineer (Telecom), 2002 (hereinafter 'the Rules'). Column 12 of the Schedule appended to the Rules states as follows:

"Promotion:

75% by Junior Telecom Officers (Telecom) with three years regular service in the grade.

25% by Limited Departmental Competitive Examination from amongst Junior Telecom Officers (Telecom) who have rendered not less than Three (3) years regular service in the grade on 1st July of the year of Examination. ✓

Note: - In case of non-availability of sufficient number of officer for filling of these posts by promotion/by selection in a particular recruitment year, the unfulfilled vacancies shall be diverted and filled up through Limited Competitive Departmental Examination and vice versa subject to the condition that the quota shall be restored in subsequent recruitment years.

2. Promotion of JTOs shall be made on the basis of an All India eligibility list at Corporate Office only.

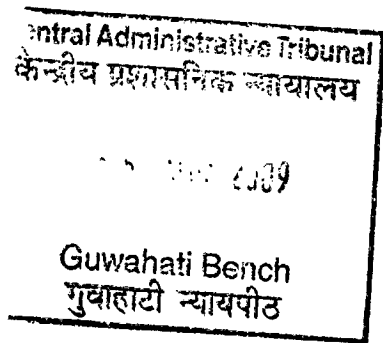
3. The crucial date for determining the eligibility list shall be 1st of July of year to which the vacancies pertain.

4. The syllabus and rules for conducting LDCE shall be such as the Board may prescribe from time to time.

5. Where juniors who have completed their qualifying eligibility service are being considered for promotion, their seniors would also be considered provided they are not short of requisite qualifying/eligibility service by more than one year."

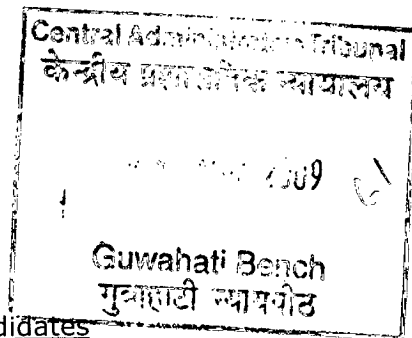
3.3 That the BSNL Corporate Office, New Delhi vide letter dated 16.04.07 under no. 2-29/2005/Pers.-II had intimated the crucial date for reckoning three years of regular service along with other guidelines which are mentioned below:

Suandra Nath Chakravarty



44

- 3 -



Vacancy year

Eligible Candidates

2001-2002	Completed three years as on 01.07.01
2002-2003	Completed three years as on 01.07.02
2003-2004	Completed three years as on 01.07.03
2004-2005	Completed three years as on 01.07.04
2005-2006	Completed three years as on 01.07.05

3.4 That the applicant, Shri S.N. Mishra, applied for the said departmental examination for the vacancy year 2004-05 and 2005-06 by submitting his application form showing his date of joining in the Junior Telecom Officer (JTO) cadre as 26.05.03. He was, therefore, found ineligible to appear in the said Examination since he had not completed three years of continuous service in the grade of JTO as on the crucial date of 01.07.05 for the vacancy year of 2004-05 and 2005-06. Hence, his case was not considered for appearing in the Limited Departmental Competitive Examination for promotion to Sub Divisional Engineer (Telecom) under 25% quota. ✓

3.5 That the respondent authority after scrutiny of the applications prepared a list of eligible candidates for appearing in the Limited Departmental Competitive Examination and a list of non-eligible candidates for appearing in the said examination. The said list of eligible candidates was issued and circulated in its website vide letter dated 27.06.07 under no. Rectt-1/57/2007/28. Further a list of non-eligible candidates was also issued to all SSA heads and units vide letter dated 27.06.07 under no. Rectt.-1/57/2007/29 to intimate the candidates. Accordingly, the applicant was intimated about his ineligibility to appear in the said examination. ✓

3.6 That the applicant made representation dated 26.08.08 before the Respondent no. 3 by highlighting his grievances. The applicant, thereafter, was replied by letter dated 05.11.08, by mentioning the reasons as to why his candidature was rejected.

3.7 That the lists for eligible candidates and non-eligible candidates for appearing before the said departmental examination in fact was prepared as per the Recruitment Rules of Sub-Divisional Engineer (Telecom), 2002. ✓

3.8 That the eligible candidates who appeared in the said examination and qualified on the basis of merit in the examination were promoted to the post of Sub Divisional Engineer (Telecom).

4. REPLY TO THE FACTS OF THE CASE:

Surendra Nath Chakravarty

4.1 That with regard to the statements made in paragraph 4.1 of the application the humble answering respondent begs to offer no comment.

4.2 That with regard to the statements made in paragraphs 4.2 to 4.6 of the application the humble answering respondent begs to offer no comment as they are matters of records.

4.3 That with regard to the statements made in paragraph 4.7 of the application the humble answering respondent begs to state that the BSNL Corporate Office, New Delhi vide letter dated 16.04.07 under no. 2-29/2005/Pers.-II had intimated the crucial dates for reckoning three years of regular service along with other guidelines which are mentioned below:

<u>Vacancy year</u>	<u>Eligible Candidates</u>
2001-2002	Completed three years as on 01.07.01
2002-2003	Completed three years as on 01.07.02
2003-2004	Completed three years as on 01.07.03
2004-2005	Completed three years as on 01.07.04
2005-2006	Completed three years as on 01.07.05

The applicant, Shri S.N. Mishra, applied for the said departmental examination for the vacancy year 2004-05 and 2005-06 by submitting his application form showing his date of joining in the JTO cadre as 26.05.03. He was, therefore, found ineligible to appear in the said Examination since he had not completed three years of continuous service in the grade of JTO as on the crucial date of 01.07.05 for the vacancy year of 2004-05 and 2005-06. Hence, he was declared ineligible to appear in the said departmental examination. ✓

Copies of the letter dated 16.04.07 and application form of the applicant dated 27.03.06 are annexed herewith and marked as **Annexure A and B** respectively.

4.4 That with regard to the statements made in paragraph 4.8 of the application the humble answering respondent begs to state that the applicant in fact made communication to the department only after one year of declaration of his ineligibility for appearing in the examination. ✓

In this connection it is stated that the list of eligible candidates was issued on 27.06.07 under no. Rectt-1/57/2007/28 and further uploaded in circle website. Similarly, the list of non-eligible candidates was also issued to all Secondary Switching Area (SSA) heads vide letter dated 27.06.07 under no. under no. Rectt-1/57/2007/29 to inform the candidates under the control of the SSA heads so as to give them the opportunity in a systematic manner to bring

Surenendra Nath Chakravarty

into notice of the competent authority if any discrepancy is found by any eligible/ineligible candidate for rectification of errors, if any, made in the lists.

The applicant was communicated to his rejection of candidature vide letter dated 27.06.07 under no. Rectt-1/57/2007/29 but the applicant made representation before the department only on 26.08.08 (Annexure 6 to Original Application) i.e. after more than one year of his knowledge of his ineligibility to appear in the examination.

Copies of the letters dated 27.06.07 under nos. Rectt-1/57/2007/28 and Rectt-1/57/2007/29 are annexed herewith and marked as **Annexure C and D** respectively.

4.5 That with regard to the statements made in paragraphs 4.9 of the application the humble answering respondent begs to state that Sri S. Seshagiri Rao and Sri W. Sareo in fact has completed three years of regular service as JTO and were declared eligible to appear in the Limited Departmental Complete Examination for promotion to the grade of Sub-Divisional Engineer.

Further it is stated that the eligibility list and non-eligibility were issued and circulated in the concerned offices vide letters dated 27.06.07 but the applicant neither made any complaint that his junior had found place in the eligibility list of candidates nor he brought it to the notice of the authorities that he is senior to the above officers. The applicant made his representation only after the announcement of the result. The complaint, if any, of other officers received earlier was acted upon by the authorities promptly.

4.6 That with regard to the statements made in paragraph 4.10 of the application the humble answering respondent begs to offer no comment as they are matters of records.

4.7 That with regard to the statements made in paragraphs 4.11 of the application the humble answering respondent begs to state that in response to the representation made by the applicant, the respondent authority replied vide communication letter dated 05.11.08 (Annexure 8 to the Original Application) by giving the reason of the rejection of the applicant's candidature. In the said reply it was specifically mentioned that the applicant did not complete the requisite three years of regular service as on 01.07.05. Further mentioned that the list of candidates who were found not eligible to appear in the examination was sent to all heads of SSA/unit for information for all concerned vide office letter no. Rectt-1/57/2007/29 dated 27.06.07. But there was no objection or appeal made by the applicant before commencement of the examination. Hence, it was replied that in view of the above position there is no scope on the part of the authority to give any remedy to the applicant after the declaration of the result.

Suresh Chandra Chakravarty

4.8 That with regard to the statements made in paragraphs 4.12 of the application the humble answering respondent begs to state that the reply to his earlier representation in fact was appropriately answered by the authority by giving the reasons thereof.

4.9 That with regard to the statements made in paragraphs 4.13 of the application the humble answering respondent begs to state that the eligible applicants who appeared and qualified in the Limited Departmental Competitive Examination held on 15.07.07 were selected on the basis of merit and were promoted to the post of Sub-Divisional Engineer (Telecom).

4.10 That the humble answering respondent denies the correctness of the statement made in paragraph 4.14 of the application. It is stated that the eligibility list/non-eligibility list in fact were prepared with due weightage of the Recruitment Rules of Sub-Divisional Engineer (Telecom), 2002 published on 28.02.02.

In the Schedule annexed to the Rule, in Column No. 12 it is provided to the post of Sub-Divisional Engineer from JTO (Telecom) by promotion as follows:

"75% by Junior Telecom Officers (Telecom) with three yeasts regular service in the grade.

25% by Limited Departmental Competitive Examination from amongst Junior Telecom Officers (Telecom) who have rendered not less that Three (3) years regular service in the grade on 1st July of the year of Examination."

As per above Rule, the respondent authority prepared the list for eligible candidates for appearing in the examination and a list of non-eligible candidates for appearing the above examination. In the instant case the applicant did not fulfill the eligibility criteria for being enlisted in the list of eligible candidates. Hence, his case was not considered for being included in the eligibility list for appearing in the examination.

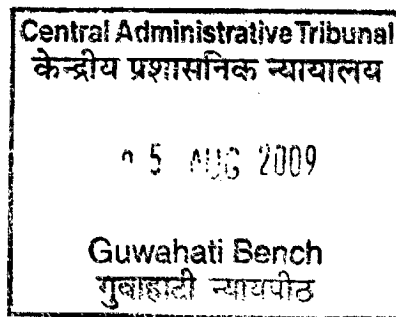
4.11 That with regard to the statements made in paragraphs 4.15 of the application the humble answering respondent begs to state that the applicant got sufficient time for agitating any grievances before the competent authority. The lists were circulated on 27.06.07 and the result of the examination was announced on 08.07.08. For more than one year he slept over the matter. Being a responsible officer the applicant should have approached before the competent authority if he had any grievances in appropriate time when the matter was alive. Therefore, the statement of "sine qua non" in case of respondent authority does not stand at all.

Swamindra Nath Chatterjee

4.12 That with regard to the statements made in paragraphs 4.16 to 4.18 of the application the humble answering respondent reiterates and reaffirms the statement made in paragraphs 4.5, 4.7 and 4.8 of this written statement.

4.13 That with regard to the statements made in paragraphs 4.19 of the application the humble answering respondent respectfully submit that the BSNL authority, with due procedure of law, prepared the eligibility and non-eligibility lists of the candidates for appearance before the Limited Departmental Competitive Examination and, thereafter, conducted the examination and prepared the select list amongst the eligible candidates on the basis of merit and promotions to the posts of Sub-Divisional Engineers were made. In the entire process, there is no violation of any rule and there is also no violation of any Articles of the Constitution of India.

4.14 That the applicant has failed to make out a good case and there is no merit at all in his case and the Original Applicant is, therefore, liable to be dismissed.

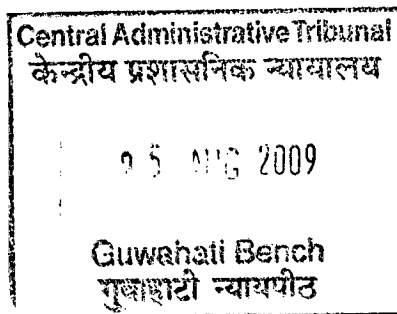


Sundera Nra Chatterjee

VERIFICATION

I, Sri Surendra Nath Chakravarty, S/o Late Taranath Chakravarty, aged about 55 years, R/o Ulubari, Guwahati-7 in the district of Kamrup (M), State of Assam, presently working as the Assistant Director Telecom (Legal), O/O the CGMT, BSNL, Assam Telecom Circle, Panbazar, Guwahati-1 do hereby verify that the statements made in paragraphs 1 to 3, 4.1 and 4.11..... are true to my knowledge and belief, those made in paragraphs 3.1 to 3.8, 4.2 to 4.10 and 4.12 being matters of records of the case are true to my information derived therefrom which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed any material fact before the Hon'ble Tribunal,

And I sign this verification on this the 25th day of August 2009 at Guwahati.



Surendra Nath Chakravarty

SIGNATURE
Asst. Director Telecom (Legal)
O/o CGMT, BSNL
Panbazar, Guwahati-1

(50)

-9-

ANNEXURE - A Page 2 of 2

67

No.2-29/2005-Pers.II
BHARAT SANCHAR NIGAM LIMITED
 (A Government of India Enterprise)
 CORPORATE OFFICE
 PERSONNEL - II SECTION

102-B, Statesman House, 148, Barakhamba Road, New Delhi 1

April 16, 2007

To
 All Heads of Telecom Circles
 All Heads of Telecom Projects
 All Heads of Telecom Regions
 All Heads of Administrative Units
 Bharat Sanchar Nigam Limited

Subject: Departmental Competitive Examination to be held on
 10.6.2007 for promotion from JTO(T) to SDE(T) grade -
 Clarification thereof.

Please refer to this office letter No. 5-4/2005-DE dated 11.4.2007
 wherein the last date for receipt of application form for Limited
 Departmental Competitive Examination for promotion to SDE(T) grade
 has been extended upto 25.4.2007.

Doubts have been raised by various Circles regarding computation
 of eligibility condition with reference to the crucial date and training
 period spent in JTO grade for the Departmental competitive Examination
 for promotion from JTO(T) to SDE(T) grade to be held on June 10, 2007.
 The following clarifications are hereby given in this regard.

Sl. No.	Doubts raised	Clarification thereof												
1	What is the crucial date for reckoning 3 years regular service for each vacancy year	As per Column 12 of Recruitment Rules and note below it, the candidate applying for the Examination should have completed three years of regular service in the grade of JTO(T) as on the 1st July of the year to which the vacancy pertains, as under:-												
		<table border="1"> <thead> <tr> <th>Vacancy Yr</th><th>Eligible Candidates</th></tr> </thead> <tbody> <tr> <td>2001-02</td><td>Completed 3 yrs as on 1.7.2001</td></tr> <tr> <td>2002-03</td><td>Completed 3 yrs as on 1.7.2002</td></tr> <tr> <td>2003-04</td><td>Completed 3 yrs as on 1.7.2003</td></tr> <tr> <td>2004-05</td><td>Completed 3 yrs as on 1.7.2004</td></tr> <tr> <td>2005-06</td><td>Completed 3 yrs as on 1.7.2005</td></tr> </tbody> </table>	Vacancy Yr	Eligible Candidates	2001-02	Completed 3 yrs as on 1.7.2001	2002-03	Completed 3 yrs as on 1.7.2002	2003-04	Completed 3 yrs as on 1.7.2003	2004-05	Completed 3 yrs as on 1.7.2004	2005-06	Completed 3 yrs as on 1.7.2005
Vacancy Yr	Eligible Candidates													
2001-02	Completed 3 yrs as on 1.7.2001													
2002-03	Completed 3 yrs as on 1.7.2002													
2003-04	Completed 3 yrs as on 1.7.2003													
2004-05	Completed 3 yrs as on 1.7.2004													
2005-06	Completed 3 yrs as on 1.7.2005													
	Whether the period spent on training for appointment as JTO(T) to be reckoned towards 3 years regular service.	As per DOBEAR O.M. No. 14034/5/81-Ena(I) dated 8.3.1983 (copy enclosed)												

Central
केन्द्रीय

Central Administrative Tribunal
 केन्द्रीय प्रशासनिक न्यायालय
 25 AUG 2009
 Guwahati Bench
 गुवाहाटी न्यायपीठ

4/18/2007

Bharat Sanchar Nigam Ltd.

12/8/2007

In terms of Column 12, read with Rule 5 of RRS, 2002 to subject persons having the qualifying eligibility service are being allowed to appear in the examination whether or not they would also be permitted to appear in the examination provided they are not short of requisites of qualifying eligibility service by more than one year.

Office offices concerned are requested to scrutinize and forward the applications of the candidates in the light of the foregoing clarifications.

Yours truly,

BINDU ROY

ASSISTANT DIRECTOR GENERAL (PERSONNEL)

TELE: 23037191/FAX: 23734136

Encl: 1
Copy to:-

- i. ADO(DE), BSNL CO, Statesman House, New Delhi.
- ii. Shri B.M. David, US(SGT), DGT Hqrs, Sahibul Bahwan, ND.
- iii. Notice Board

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
05/08/2009
Guwahati Bench
গুৱাহাটী ন্যায়পীঠ

Bharat Sanchar Nigam Ltd.

STAFF SIDE FUNDAMENTAL RULES

- (16) Period of training before appointment to be treated as duty for eligibility to sit for departmental examinations. — The Staff Side of the National Council (JCM) had suggested that the service rendered by an employee during the training period before his regular appointment to the post should be treated as duty for eligibility to sit for the departmental examination.
2. The request made by the Staff Side of the National Council (JCM) has been examined and it has been decided that in all cases where an employee is considered necessary before actual appointment to the post, the period spent by an officer in training immediately before such appointment should count as qualifying service for the purpose of eligibility for appearing in departmental examinations, even if the officer is not given the scale of pay of the post but only a nominal allowance.

SECRETARY (D.P. & A.R.O.) (S) (U) dated the 21st March 1983

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
2009
Guwahati Bench
গুৱাহাটী ন্যায়পীঠ

Certified to be true
MS.
25/8/09

APPLICATION FOR APPEARING IN THE LIMITED DEPARTMENTAL COMPETITIVE EXAMINATION FOR PROMOTION TO STAFF GRADE SUB-DIVISIONAL ENGINEER (TELECOM) (25% QUOTA) TO BE HELD ON 12th JUNE 2007

- 1 Name of the Candidate and present designation **SUNIL MISHRA, JTO (OCB)**
- 2 Date of Birth **21/01/1979**
- 3 Year of Recruitment as JTO (as allotted on appointment) **2001**
- 4 Date of joining in the JTO grade on regular basis **26/05/2003**
- 5 Circle to which belongs **ASSAM TELECOM CIRCLE**
- 6 Office of Present posting **o/o the DE (Mtw) BSNL DIBRUGARH**
- 7 Centre of Examination desired **GUWAHATI**
- 8 Write vacancy year(s) eligible and being applied for
(2001-02, 2002-03, 2003-04, 2004-05 & 2005-06) **2004-05 & 2005-06**
- 9 Write Category to which he/she belongs (SC/ST) **No**
- 10 Whether he/she wants to write the Advertisers in Hindi **No**
- 11 Whether the officer is willing to accept the mode of promotion (Promotion Order or Competitive Exam) and No. and date of promotion order **No**

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
Guwahati Bench
गुवाहाटी न्यायपीठ

I solemnly declare that the information furnished above is correct to the best of my knowledge.

Date

(Signature of the Candidate)

I recommend that Shri. **Sunil Mishra** Junior Telecom Officer and Ratifies the condition of eligibility prescribed in the Recruitment Rules of Sub-Divisional Engineer (Telecom) (No. 20-24/2001-P&A dated 23.2.2002 and corrigendum No. 20-1/2003-P&A dated 17.7.2003 and 23.10.2006 may be permitted to appear in the examination.

(Signature, Date and Seal of the Divisional Engineer)

Certified that the above entries made by the candidate have been verified and he is eligible for appearing in the Limited Departmental Competitive Examination for promotion to staff grade of Sub-Divisional Engineer (Telecom) under 25% quota for the vacancy year(s)

(Signature, Date and Seal of the Divisional Engineer)
of designated office
for

Certified to be true

25/8/09

54

- 13 -

ANNEXURE - C

EXAM MATTER

BHARAT SANCHAR NIGAM LTD.

(A Govt. of India Enterprise)

Office of the Chief General Manager Telecom.

Assam Telecom. Circle, BSNL Administrative Building,

Panbazar, Guwahati-781 001.

No. Rectt-1/57/2007/28

Dated at Guwahati the 27.6.2007

To,
The ADG (Pers-II)
BSNL Corporate Office,
Personnel-II Section,
102-B, Statesman House,
143 Barakhamba Road, New Delhi-110 001.

SUB: Limited Departmental Competitive Examination for promotion to the grade of Sub-Divisional Engineer (Telecom.) under 25% quota. Rescheduled to be held on 15.7.2007 (SUNDAY)

REF: BSNL/CO letter No. 2-29/2005-Pers.II dated 16.4.2007.

In pursuance to your letter under reference, the list of candidates numbering 222 (two hundred twenty two) only eligible to appear in the above said examination from this Circle is sent herewith for disposal at your end.

Encl: as above.

(B.C. PAL)

Asstt. Director Telecom. (Recd)

PH: 0361-2736347

Copy to: 1. The ADG (DE), BSNL CO, New Delhi, along with a copy of the list of eligible candidates.

(B.C. PAL)

Asstt. Director Telecom. (Recd)

PH: 0361-2736347

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायपीठ

Certified to be true
25/8/09

Sl. No.	NAME	DESIGN	BY	DOJ AS JTO	Roll NO.	ENGLISH NAME YEAR					REMARKS
						2001-02	2002-03	2003-04	2004-05	2005-06	
1	RAJAN K. CHOWDHURY	SDE	1989	29-Jan-91	ASM/SDE-2007/001	YES	YES	YES	YES	YES	
2	AMLAY CHANDA	SDE	1989	29-Jan-91	ASM/SDE-2007/002	YES	YES	YES	YES	YES	
3	RAJESH CHOUHURY	SDE	1989	29-Jan-91	ASM/SDE-2007/003	YES	YES	YES	YES	YES	
4	RAJIB K. SARMA	SDE	1989	29-Jan-91	ASM/SDE-2007/004	YES	YES	YES	YES	YES	
5	MRS. NIVA BARUAH	SDE	1989	29-Jan-91	ASM/SDE-2007/005	YES	YES	YES	YES	YES	
6	DILIP GHOSH	JTO	1989	29-Jan-91	ASM/SDE-2007/006	YES	YES	YES	YES	YES	
7	MRINMOY BHUYAN	SDE	1989	30-Jan-91	ASM/SDE-2007/007	YES	YES	YES	YES	YES	
8	DULAL CHANDRA KAR	SDE	1989	31-Jan-91	ASM/SDE-2007/008	YES	YES	YES	YES	YES	
9	MRS. LULU NANDI	SDE	1989	1-Feb-91	ASM/SDE-2007/009	YES	YES	YES	YES	YES	
10	PULAKESH DEKA	JTO	1989	7-Feb-91	ASM/SDE-2007/010	YES	YES	YES	YES	YES	
11	PRAMOD KUMAR PATHAK	SDE	1989	7-Feb-91	ASM/SDE-2007/011	YES	YES	YES	YES	YES	
12	BIREN CHANDRA KUMAR	SDE	1989	11-Feb-91	ASM/SDE-2007/012	YES	YES	YES	YES	YES	
13	AMITASH NANDI	SDE	1989	27-Feb-91	ASM/SDE-2007/013	YES	YES	YES	YES	YES	
14	MRS. GEETANJALI KAKOTI	SDE	1989	1-Jun-93	ASM/SDE-2007/014	YES	YES	YES	YES	YES	
15	MD. MAZAMIL HUSSAIN	SDE	1990	6-Nov-92	ASM/SDE-2007/015	YES	YES	YES	YES	YES	
16	UTPAL KUMAR SARMA	SDE	1990	9-Nov-92	ASM/SDE-2007/016	YES	YES	YES	YES	YES	
17	MD. AKHTAR HUSSAIN	SDE	1990	9-Nov-92	ASM/SDE-2007/017	YES	YES	YES	YES	YES	
18	DILIP SARMA	SDE	1990	9-Nov-92	ASM/SDE-2007/018	YES	YES	YES	YES	YES	
19	SANTONU BORPUZARI	SDE	1990	9-Nov-92	ASM/SDE-2007/019	YES	YES	YES	YES	YES	
20	ARUN KUMAR DAS	SDE	1990	31-Dec-92	ASM/SDE-2007/020	YES	YES	YES	YES	YES	
21	MANTU KUAR BAISHYA	SDE	1990	31-Dec-92	ASM/SDE-2007/021	YES	YES	YES	YES	YES	
22	BIRENDRA SARMA	SDE	1991	1-Jan-93	ASM/SDE-2007/022	YES	YES	YES	YES	YES	
23	MRS. ANITA ADHIKARI SARKA	SDE	1991	23-Jul-93	ASM/SDE-2007/023	YES	YES	YES	YES	YES	
24	RAJANI KANTA DAS	JTO	1991	26-Jul-93	ASM/SDE-2007/024	YES	YES	YES	YES	YES	
25	RAJESH CHANDRA PANDEY	SDE	1991	26-Jul-93	ASM/SDE-2007/025	YES	YES	YES	YES	YES	
26	SHIBAJYOTI DEY	SDE	1991	2-Aug-93	ASM/SDE-2007/026	YES	YES	YES	YES	YES	
27	RABINDRA KUMAR NAYAK	SDE	1991	13-Sep-93	ASM/SDE-2007/027	YES	YES	YES	YES	YES	
28	LADU KISHORE PADHIARY	SDE	1991	11-Nov-93	ASM/SDE-2007/028	YES	YES	YES	YES	YES	
29	PANKAJ KUMAR TALUKDAR	SDE	1991	15-Dec-93	ASM/SDE-2007/029	YES	YES	YES	YES	YES	
30	BRAJEN KR. SARMA	SDE	1991	15-Dec-93	ASM/SDE-2007/030	YES	YES	YES	YES	YES	
31	HITESH CHANDRA KALITA	SDE	1991	15-Dec-93	ASM/SDE-2007/031	YES	YES	YES	YES	YES	
32	RAJ KUMAR NATH	SDE	1991	16-Dec-93	ASM/SDE-2007/032	YES	YES	YES	YES	YES	
33	SANJIB CHAKRASORTY	SDE	1991	16-Dec-93	ASM/SDE-2007/033	YES	YES	YES	YES	YES	
34	RANJIT KUMAR BASUMATARY	SDE	1991	16-Aug-94	ASM/SDE-2007/034	YES	YES	YES	YES	YES	
35	HIRENDRA NATH MITRA	SDE	1992	4-Jul-94	ASM/SDE-2007/035	YES	YES	YES	YES	YES	
36	RABIN CHOWDHURY	SDE	1992	16-Aug-94	ASM/SDE-2007/036	YES	YES	YES	YES	YES	
37	FIROZ AKHTAR KHAN	SDE	1992	16-Aug-94	ASM/SDE-2007/037	YES	YES	YES	YES	YES	
38	ARIJIT ROY PRADHANI	SDE	1992	7-Dec-94	ASM/SDE-2007/038	YES	YES	YES	YES	YES	
39	MUKUTAR RAHMAN	SDE	1992	19-Dec-94	ASM/SDE-2007/039	YES	YES	YES	YES	YES	
40	RAJ PRADIP CHAKRASORTY	JTO	1992	20-Dec-94	ASM/SDE-2007/040	YES	YES	YES	YES	YES	
41	BIDYUT KANASH SARMA	SDE	1992	23-Dec-94	ASM/SDE-2007/041	YES	YES	YES	YES	YES	
42	GISE ANIL KUMAR	SDE	1992	20-Feb-95	ASM/SDE-2007/042	YES	YES	YES	YES	YES	
43	BANAGESWAR RAO	SDE	1992	20-Mar-95	ASM/SDE-2007/043	YES	YES	YES	YES	YES	
44	W. DINESH SINGH	JTO	1992	10-Apr-95	ASM/SDE-2007/044	YES	YES	YES	YES	YES	

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायपीठ

56 -15-

NAME	DESIGN	RY	DOJ AS JTO	Ref No.	2001-02	2002-03	2003-04	2004-05	2005-06
CHIDANANDA	SDE	1992	10-Apr-95	ASM/SDE-2007/045	YES	YES	YES	YES	YES
CHOU PAUL	SDE	1993	2-Sep-95	ASM/SDE-2007/046	YES	YES	YES	YES	YES
CHANDANANDA	JTO	1993	9-Sep-95	ASM/SDE-2007/047	YES	YES	YES	YES	YES
CHANDRA GOWDA	SDE	1993	23-Aug-95	ASM/SDE-2007/048	YES	YES	YES	YES	YES
CHAIROB GOMAIN	SDE	1993	16-Oct-95	ASM/SDE-2007/049	YES	YES	YES	YES	YES
CHIRISH CH. BARMAN	JTO	1993	24-Oct-95	ASM/SDE-2007/050	YES	YES	YES	YES	YES
SWAPAN KUMAR MUKHERJEE	JTO	1993	24-Oct-95	ASM/SDE-2007/051	YES	YES	YES	YES	YES
NARENDRA NATH BHATTACHARJEE	SDE	1993	24-Oct-95	ASM/SDE-2007/052	YES	YES	YES	YES	YES
SARSANANDA SAIKIA	JTO	1993	18-Aug-97	ASM/SDE-2007/053	YES	YES	YES	YES	YES
SOOMAR JYOTI ADHYAPAK	JTO	1993	20-Oct-97	ASM/SDE-2007/054	YES	YES	YES	YES	YES
ANIRBAN DUTTA	SDE	1993	20-Oct-97	ASM/SDE-2007/055	YES	YES	YES	YES	YES
RAJIB KR. DUTTA	SDE	1993	20-Oct-97	ASM/SDE-2007/056	YES	YES	YES	YES	YES
CHIRUBAJYOTI DAS	SDE	1993	22-Nov-97	ASM/SDE-2007/057	YES	YES	YES	YES	YES
A. S. MOHAN KUMAR	SDE	1993	12-Jan-98	ASM/SDE-2007/058	YES	YES	YES	YES	YES
SANJIB BORTHAKUR	SDE	1993	9-Feb-98	ASM/SDE-2007/059	YES	YES	YES	YES	YES
ACHYUT KUMAR HALOI	SDE	1993	9-Feb-98	ASM/SDE-2007/060	YES	YES	YES	YES	YES
IPRANABJYOTI GOGOI	SDE	1993	9-Feb-98	ASM/SDE-2007/061	YES	YES	YES	YES	YES
SUSHANTA SAHA	SDE	1993	9-Feb-98	ASM/SDE-2007/062	YES	YES	YES	YES	YES
HIMANGSHU PATGIRI	SDE	1993	9-Feb-98	ASM/SDE-2007/063	YES	YES	YES	YES	YES
PRALAY RANJAN DAS	JTO	1993	9-Feb-98	ASM/SDE-2007/064	YES	YES	YES	YES	YES
IAHAN RAFIQUE AHMED	SDE	1993	9-Feb-98	ASM/SDE-2007/065	YES	YES	YES	YES	YES
SEKHAR ROY	JTO	1993	9-Feb-98	ASM/SDE-2007/066	YES	YES	YES	YES	YES
SAILENDRA KAKATI	JTO	1993	9-Feb-98	ASM/SDE-2007/067	YES	YES	YES	YES	YES
GOBINDA CHANDRA KUNDU	SDE	1993	9-Feb-98	ASM/SDE-2007/068	YES	YES	YES	YES	YES
JAYANTA CHANDRA MONDAL	JTO	1993	9-Feb-98	ASM/SDE-2007/069	YES	YES	YES	YES	YES
MRINAL KANTI NATH	JTO	1993	9-Feb-98	ASM/SDE-2007/070	YES	YES	YES	YES	YES
UTPAL HAZARIKA	JTO	1993	9-Feb-98	ASM/SDE-2007/071	YES	YES	YES	YES	YES
SUNIL CH. SARMA	JTO	1993	9-Feb-98	ASM/SDE-2007/072	YES	YES	YES	YES	YES
SAILEN KAKATI	JTO	1993	9-Feb-98	ASM/SDE-2007/073	YES	YES	YES	YES	YES
HEMENDRA PRASAD DUTTA	SDE	1993	9-Feb-98	ASM/SDE-2007/074	YES	YES	YES	YES	YES
L. DEBANANDA SINGHA	JTO	1993	19-Feb-98	ASM/SDE-2007/075	YES	YES	YES	YES	YES
ASHIT CHANDRA PAUL	JTO	1993	2-Mar-98	ASM/SDE-2007/076	YES	YES	YES	YES	YES
MANASH ROY CHOWDHURY	JTO	1993	2-Mar-98	ASM/SDE-2007/077	YES	YES	YES	YES	YES
BIRINCHIKUMAR DEKA	JTO	1993	1-May-98	ASM/SDE-2007/078	YES	YES	YES	YES	YES
AMAR DEKA	SDE	1993	1-May-98	ASM/SDE-2007/079	YES	YES	YES	YES	YES
RAMANI KANTA DEKA	SDE	1993	4-May-98	ASM/SDE-2007/080	YES	YES	YES	YES	YES
DILIP BHUYAN	SDE	1993	4-May-98	ASM/SDE-2007/081	YES	YES	YES	YES	YES
KALLOL CHAKRASORTY	SDE	1993	4-May-98	ASM/SDE-2007/082	YES	YES	YES	YES	YES
UMESH BORA	JTO	1993	4-May-98	ASM/SDE-2007/083	YES	YES	YES	YES	YES
SATRAJIT NARAYAN MONDAL	SDE	1993	4-May-98	ASM/SDE-2007/084	YES	YES	YES	YES	YES
MRS. SAMPA CHAKRABARTY	JTO	1993	4-May-98	ASM/SDE-2007/085	YES	YES	YES	YES	YES
DILIP KR. KEBHI	SDE	1993	4-May-98	ASM/SDE-2007/086	YES	YES	YES	YES	YES
KUNJA MOHAN HAZARIKA	SDE	1993	20-Jun-98	ASM/SDE-2007/087	YES	YES	YES	YES	YES
PRAN KAT. KIRAN	JTO	1993	20-Jun-98	ASM/SDE-2007/088	YES	YES	YES	YES	YES

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायपीठ

57

NAME	DESIGN	RY	DOJ AS JTO	ROLL NO.	Eligible for the year					REMARKS
					2001-02	2002-03	2003-04	2004-05	2005-06	
PRANJIT KUMAR SAHA	JTO	1994	7-Sep-98	ASM/SDE-2007/095	YES	YES	YES	YES	YES	Eligible for 01-02 w.r.t. to his junior at SL 99
DEY SARKAR	SDE	1993	16-Nov-98	ASM/SDE-2007/096	NO	YES	YES	YES	YES	Eligible for 01-02 w.r.t. to his junior at SL 99
KAM DEY	JTO	1994	21-Dec-98	ASM/SDE-2007/097	NO	YES	YES	YES	YES	Eligible for 01-02 w.r.t. to his junior at SL 99
OMESH CHANDRA SAHA	JTO	1994	7-Jun-98	ASM/SDE-2007/098	YES	YES	YES	YES	YES	
BIVASH ROY	JTO	1994	8-May-98	ASM/SDE-2007/099	YES	YES	YES	YES	YES	
DIPANKAR NATH	JTO	1994	12-May-98	ASM/SDE-2007/100	YES	YES	YES	YES	YES	
SWAPNALI KALITA	JTO	1994	13-May-98	ASM/SDE-2007/101	YES	YES	YES	YES	YES	
DHIRAJ TALUKDAR	JTO	1994	7-Sep-98	ASM/SDE-2007/102	YES	YES	YES	YES	YES	
BANANI PHUKAN MRS	JTO	1994	7-Sep-98	ASM/SDE-2007/103	YES	YES	YES	YES	YES	
SARNALI BARPATRA SOHAIN (MS)	JTO	1994	7-Sep-98	ASM/SDE-2007/104	YES	YES	YES	YES	YES	
MANAS CHAKRABORTY	JTO	1994	7-Sep-98	ASM/SDE-2007/105	YES	YES	YES	YES	YES	
ARUNA CHETIA	JTO	1994	7-Sep-98	ASM/SDE-2007/106	YES	YES	YES	YES	YES	
PALLAB DEKA	JTO	1994	7-Sep-98	ASM/SDE-2007/107	YES	YES	YES	YES	YES	
BABITA BARUAH	JTO	1994	13-Nov-98	ASM/SDE-2007/108	NO	YES	YES	YES	YES	Eligible for 01-02 w.r.t. his junior at SL 105
SARANGAPANI GOGOI	JTO	1994	13-Jan-99	ASM/SDE-2007/109	NO	YES	YES	YES	YES	Eligible for 01-02 w.r.t. his junior at SL 105
MRINAY TALUKDAR	JTO	1994	7-Sep-00	ASM/SDE-2007/110	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 105
BHASKAR RABHA	SDE	1994	7-Sep-98	ASM/SDE-2007/111	YES	YES	YES	YES	YES	
JAGEN CHANDRA MEDHI	JTO	1995	12-May-98	ASM/SDE-2007/112	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 109
MRS. ANJALI SARKAR	JTO	1995	15-Jun-00	ASM/SDE-2007/113	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 109
MANABENDRA DEY	JTO	1995	19-Jun-00	ASM/SDE-2007/114	YES	YES	YES	YES	YES	
DEBIPRASAD BHATTACHARJEE	JTO	1996	22-Jun-98	ASM/SDE-2007/115	NO	YES	YES	YES	YES	
PARTHA SARATHI DE	JTO	1996	21-Dec-98	ASM/SDE-2007/116	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
AKSHAYA KUMAR DAS	JTO	1996	15-Jun-00	ASM/SDE-2007/117	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
MRS MOUSUMI LAHIRI GHOSH	JTO	1996	15-Jun-00	ASM/SDE-2007/118	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
RAMANUJ DEY PURKAYASTHA	JTO	1996	15-Jun-00	ASM/SDE-2007/119	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
PRIYA RANJAN CHANDRA	JTO	1996	15-Jun-00	ASM/SDE-2007/120	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
UTPAL GOSWAMI	JTO	1996	15-Jun-00	ASM/SDE-2007/121	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
GIRINDRA NATH KALITA	JTO	1996	15-Jun-00	ASM/SDE-2007/122	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
SUBHASH CHANDRA ROY	JTO	1996	15-Jun-00	ASM/SDE-2007/123	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
DIPAK DUTTA	JTO	1996	15-Jun-00	ASM/SDE-2007/124	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
KAMAL BORO	SDE	1996	19-Jun-00	ASM/SDE-2007/125	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 122
PRABIN KUMAR SAIKIA	JTO	1996	19-Jun-00	ASM/SDE-2007/126	NO	NO	YES	YES	YES	Eligible for 03-04 w.r.t. his junior at SL 122
DWIPEN SARMA	JTO	1996	15-Nov-00	ASM/SDE-2007/127	NO	NO	NO	YES	YES	
PRATUL SHARMA PANDIT	JTO	1997	21-Dec-98	ASM/SDE-2007/128	NO	YES	YES	YES	YES	
ARUP KUMAR DEY	JTO	1997	21-Dec-98	ASM/SDE-2007/129	NO	YES	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 130
MRS. NISEDITA ROY	JTO	1997	15-Jun-00	ASM/SDE-2007/130	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 130
DILIP DEBNATH	JTO	1997	15-Jun-00	ASM/SDE-2007/131	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 130
SUDEEP DUTTA	JTO	1997	15-Jun-00	ASM/SDE-2007/132	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 130
DIPAK KUMAR KALITA	JTO	1997	15-Jun-00	ASM/SDE-2007/133	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 130
SUBRATA KUMAR DEY	JTO	1997	23-Jun-00	ASM/SDE-2007/134	NO	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 130
ANIL SAIKIA	JTO	1997	23-Jun-00	ASM/SDE-2007/135	NO	NO	YES	YES	YES	
TARUN CHANDRA SARMA	SDE	1998	4-May-98	ASM/SDE-2007/136	YES	YES	YES	YES	YES	
ADJAN KSHEDUR RAHMAN	JTO	1998	23-Dec-95	ASM/SDE-2007/137	NO	YES	YES	YES	YES	
DHARMIK DEORI	SDE	1998	23-Dec-95	ASM/SDE-2007/138	NO	YES	YES	YES	YES	

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायपीठ

58

-17-

THE EXAMINATION FOR THE POST OF ENGINEER (TELECOMMUNICATIONS) TO BE HELD ON 18.11.2001 (SUNDAY)

NAME	DESIGN	DOJ ADT	Roll NO.	Eligible for the year					REMARKS
				2001-02	2002-03	2003-04	2004-05	2005-06	
137	JTC	1998	23-Jul-99	ASM/SDE-2007/133	NO	YES	YES	YES	
138	JTC	1998	25-Jul-99	ASM/SDE-2007/134	NO	YES	YES	YES	
139	JTC	1998	26-Jul-99	ASM/SDE-2007/135	NO	YES	YES	YES	
140	JTC	1998	26-Jul-99	ASM/SDE-2007/136	NO	YES	YES	YES	
141	JTC	1998	31-Jul-99	ASM/SDE-2007/137	NO	YES	YES	YES	
142	JTC	1998	16-Aug-99	ASM/SDE-2007/138	NO	YES	YES	YES	
143	JTC	1998	16-Aug-99	ASM/SDE-2007/139	NO	YES	YES	YES	
144	JTC	1998	16-Aug-99	ASM/SDE-2007/140	NO	YES	YES	YES	
145	JTC	1998	16-Aug-99	ASM/SDE-2007/141	NO	YES	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
146	JTC	1998	30-Nov-99	ASM/SDE-2007/142	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
147	JTC	1998	20-Dec-99	ASM/SDE-2007/143	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
148	JTC	1998	1-Jul-00	ASM/SDE-2007/144	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
149	JTC	1998	10-Jul-00	ASM/SDE-2007/145	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
150	JTC	1998	10-Jul-00	ASM/SDE-2007/146	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
151	JTC	1998	10-Jul-00	ASM/SDE-2007/147	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
152	JTC	1998	10-Jul-00	ASM/SDE-2007/148	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
153	JTC	1998	10-Jul-00	ASM/SDE-2007/149	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
154	JTC	1998	10-Jul-00	ASM/SDE-2007/150	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
155	JTC	1998	10-Jul-00	ASM/SDE-2007/151	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
156	JTC	1998	10-Jul-00	ASM/SDE-2007/152	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
157	JTC	1998	10-Jul-00	ASM/SDE-2007/153	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
158	JTC	1998	10-Jul-00	ASM/SDE-2007/154	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
159	JTC	1998	10-Jul-00	ASM/SDE-2007/155	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
160	JTC	1998	10-Jul-00	ASM/SDE-2007/156	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
161	JTC	1998	10-Jul-00	ASM/SDE-2007/157	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
162	JTC	1998	10-Jul-00	ASM/SDE-2007/158	NO	NO	YES	YES	Eligible for 02-03 w.r.t. his junior at SL 160
163	JTC	1998	25-Aug-03	ASM/SDE-2007/159	NO	NO	NO	NO	Eligible for 05-06 w.r.t. his junior at SL 160
164	JTC	1999	16-Aug-99	ASM/SDE-2007/160	NO	YES	YES	YES	
165	JTC	1999	1-Jul-00	ASM/SDE-2007/161	NO	NO	YES	YES	
166	JTC	1999	1-Jul-00	ASM/SDE-2007/162	NO	NO	YES	YES	
167	JTC	1999	1-Jul-00	ASM/SDE-2007/163	NO	NO	YES	YES	
168	JTC	1999	1-Jul-00	ASM/SDE-2007/164	NO	NO	YES	YES	
169	JTC	1999	1-Jul-00	ASM/SDE-2007/165	NO	NO	YES	YES	
170	JTC	1999	1-Jul-00	ASM/SDE-2007/166	NO	NO	YES	YES	
171	JTC	1999	10-Jul-00	ASM/SDE-2007/167	NO	NO	YES	YES	
172	JTC	1999	10-Jul-00	ASM/SDE-2007/168	NO	NO	YES	YES	
173	JTC	1999	10-Jul-00	ASM/SDE-2007/169	NO	NO	YES	YES	
174	JTC	1999	10-Jul-00	ASM/SDE-2007/170	NO	NO	YES	YES	
175	JTC	1999	10-Jul-00	ASM/SDE-2007/171	NO	NO	YES	YES	
176	JTC	1999	10-Jul-00	ASM/SDE-2007/172	NO	NO	YES	YES	
177	JTC	1999	10-Jul-00	ASM/SDE-2007/173	NO	NO	YES	YES	
178	JTC	1999	10-Jul-00	ASM/SDE-2007/174	NO	NO	YES	YES	
179	JTC	1999	10-Jul-00	ASM/SDE-2007/175	NO	NO	YES	YES	
180	JTC	1999	10-Jul-00	ASM/SDE-2007/176	NO	NO	YES	YES	

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायालय

NAME	DESSN	PRV	DOJAS JTD	Roll NO.	Eligible for the year					REMARKS
					2001-02	2002-03	2003-04	2004-05	2005-06	
176 DILIP DAS	JTO	1999	10-Jun-00	ASM/SDE-2007/176	NO	NO	YES	YES	YES	
177 MRS. ARUNA CHETIA	JTO	1999	10-Jun-00	ASM/SDE-2007/178	NO	NO	YES	YES	YES	
178 SANJOY GOGOI	JTO	1999	10-Jun-00	ASM/SDE-2007/179	NO	NO	YES	YES	YES	
180 SNEHADRI SEKHAR SAHA	JTO	1999	10-Jun-00	ASM/SDE-2007/180	NO	NO	YES	YES	YES	
181 HITENDRA KUMAR CHOUDHURY	JTO	1999	10-Jun-00	ASM/SDE-2007/181	NO	NO	YES	YES	YES	
182 IMD. HABIBUR RAHMAN	JTO	1999	10-Jun-00	ASM/SDE-2007/182	NO	NO	YES	YES	YES	
183 ANIL KUMAR DAS	JTO	1999	10-Jun-00	ASM/SDE-2007/183	NO	NO	YES	YES	YES	
184 IMANORANJAN DAS	JTO	1999	10-Jun-00	ASM/SDE-2007/184	NO	NO	YES	YES	YES	
185 SAIFUDDIN AHMED	JTO	1999	10-Jun-00	ASM/SDE-2007/185	NO	NO	YES	YES	YES	
186 INABAJYOTI BARUAH	JTO	1999	7-Aug-00	ASM/SDE-2007/186	NO	NO	YES	YES	YES	
187 HITESH CHOUDHURY	JTO	1999	1-Oct-00	ASM/SDE-2007/187	NO	NO	YES	YES	YES	
188 CHABIN CHANDRA DAS	JTO	1999	9-Oct-00	ASM/SDE-2007/188	NO	NO	YES	YES	YES	
189 DAMODAR DEKA	JTO	1999	9-Oct-00	ASM/SDE-2007/189	NO	NO	YES	YES	YES	
190 KHAGENDRA KALITA	JTO	1999	9-Oct-00	ASM/SDE-2007/190	NO	NO	NO	YES	YES	
191 MRS. PURABI BHUYAN	JTO	1999	15-Nov-00	ASM/SDE-2007/191	NO	NO	NO	NO	YES	
192 MRS. PURABI DUTTA	JTO	1999	15-Mar-02	ASM/SDE-2007/192	NO	NO	NO	NO	YES	
193 ABHIJIT BHATTACHARJEE	JTO	1999	15-Mar-02	ASM/SDE-2007/193	NO	NO	NO	NO	YES	
194 LAKSHMAN SUTRADHAR	JTO	1999	15-Mar-02	ASM/SDE-2007/194	NO	NO	NO	NO	YES	
195 SAURISH BASU	JTO	1999	15-Mar-02	ASM/SDE-2007/195	NO	NO	NO	NO	YES	
196 IMANAS RANJAN PRADHAN	JTO	1999	15-Mar-02	ASM/SDE-2007/196	NO	NO	NO	NO	YES	
197 PANKAJ KUMAR SHARMA	JTO	2000	1-Apr-02	ASM/SDE-2007/197	NO	NO	NO	NO	YES	
198 INAYANMONI GOGOI	JTO	2000	1-Apr-02	ASM/SDE-2007/198	NO	NO	NO	NO	YES	
199 K. SRINIVASA RAO	JTO	2000	25-Apr-02	ASM/SDE-2007/199	NO	NO	NO	NO	YES	
200 IYEDU RAM SUDHEER	JTO	2000	25-Apr-02	ASM/SDE-2007/200	NO	NO	NO	NO	YES	
201 M. VENKATESWAR RAO	JTO	2000	25-Apr-02	ASM/SDE-2007/201	NO	NO	NO	NO	YES	
202 P. YELLAMANDIAH	JTO	2000	24-Jun-02	ASM/SDE-2007/202	NO	NO	NO	NO	YES	
203 SARIHADU SESHAGIRIRAO	JTO	2000	24-Jun-02	ASM/SDE-2007/203	NO	NO	NO	NO	YES	
204 SHEELASHREE SARKAR	JTO	2000	8-Jul-02	ASM/SDE-2007/204	NO	NO	NO	NO	NO	Single for 05-06 w.r.t. his junior at SL 205
205 ZAMIR AHMED KHAN	JTO	2000	1-Dec-02	ASM/SDE-2007/205	NO	NO	NO	NO	YES	
206 PRABAL JYOTI BRAHMA	JTO	2001	4-Mar-02	ASM/SDE-2007/206	NO	NO	NO	NO	YES	
207 JAYANTA KUMAR DAS	JTO	2001	4-Mar-02	ASM/SDE-2007/207	NO	NO	NO	NO	YES	
208 BOBBILI JAGADEESH	JTO	2001	1-Apr-02	ASM/SDE-2007/208	NO	NO	NO	NO	YES	
209 ANAREN SUTRADHAR	JTO	2001	1-Apr-02	ASM/SDE-2007/209	NO	NO	NO	NO	YES	
210 ISWAPAN KUMAR SARKAR	JTO	2001	25-Apr-02	ASM/SDE-2007/210	NO	NO	NO	NO	YES	
211 IASHRAF KAMAL	JTO	2001	5-Jul-02	ASM/SDE-2007/211	NO	NO	NO	NO	YES	
212 IWARYAO SAREO	JTO	2001	5-Jul-02	ASM/SDE-2007/212	NO	NO	NO	NO	YES	
213 PRASADA RAO THAMMALA	JTO	2001	5-Jul-02	ASM/SDE-2007/213	NO	NO	NO	NO	YES	
214 GOURI SANKAR BORA	JTO	2001	8-Jul-02	ASM/SDE-2007/214	NO	NO	NO	NO	YES	
215 SAURAV SARGOHAIN	JTO	2001	8-Jul-02	ASM/SDE-2007/215	NO	NO	NO	NO	YES	
216 JEEVENDRA PRATAP SINGH	JTO	2001	8-Jul-02	ASM/SDE-2007/216	NO	NO	NO	NO	YES	
217 JAJEEV RANJAN SINGH	JTO	2001	8-Jul-02	ASM/SDE-2007/217	NO	NO	NO	NO	YES	
218 JINESH KUMAR	JTO	2001	8-Jul-02	ASM/SDE-2007/218	NO	NO	NO	NO	YES	
219 ARUNJYOTI SIKKA	JTO	2001	8-Jul-02	ASM/SDE-2007/219	NO	NO	NO	NO	YES	
220 SUMANTA NANDI PURKAYASTHA	JTO	2001	8-Jul-02	ASM/SDE-2007/220	NO	NO	NO	NO	YES	

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायपीठ

27

1

NAME	DESIGN.	RA	FOY AS UTC	ESG NO.	Eligible for the year					REMARKS
					2001-02	2002-03	2003-04	2004-05	2005-06	
ROHAN DORUF	STO	2001	3-JUL-02	ASST.SOE-2007/221	NO	NO	NO	NO	YES	
121 JONATHAN RAMMAWIZUALA THIEK	STO	2001	3-JUL-02	ASST.SOE-2007/222	NO	NO	NO	NO	YES	

NS: Eligibility List is prepared on the basis column 12 and note 5 thereunder of R/R 2002 of SDE(T). And computing Trg period spent in JTO grade vide BSNL O.O NO
letter no. 2-29/2005-Pers-II dtd 16/04/2007.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय
2009
Guwahati Bench
गुवाहाटी न्यायपीठ

61

-20-

ANNEXURE - D

EXAM MATTER/MOST URGENT

BHARAT SANCHAR NIGAM LTD.

(A Govt. of India Enterprise)

Office of the Chief General Manager Telecom.
Assam Telecom. Circle, BSNL Administrative Building,
Panbazar, Guwahati-781 001.

No. Rectt-1/57/2007/29

Dated at Guwahati the 27.6.2006

To:

1. The CGMT, NETF, Guwahati.
- 2-8. The General Manager Telecom.,
Guwahati/Silchar/Dibrugarh/Jorhat/Bongaigaon/Tezpur/Bangor.
9. The DGM, ETR, Guwahati.
10. The Principal, RTTC, Guwahati.
11. The Principal, CTTC, Guwahati.
12. The SDE, CTSD, Guwahati.
13. The ADT (Staff), O/o the CGMT, Guwahati.

SUB:

Limited Departmental Competitive Examination for promotion to the grade of Sub-Divisional Engineer (Telecom.) under 25% quota to be held on 15th July, 2007.

Kindly find enclosed herewith a list of candidates of your SSA/unit who are found not eligible to appear in the above examination as per Recruitment Rule, 2003 of SDE (T) and amendments thereof from time to time.

The candidates may please be informed accordingly.

The list of candidates found eligible to appear in the said examination is available in the Circle web site - www.assam.bsnl.co.in.

Encls: as above.

(B.C. PAL)

Asstt. Director Telecom. (Recd)

PH: 0361-2736347

Copy to:

1. All Executive Association of BSNL, Assam Circle.
2. Notice Board.

(B.C. PAL)

Asstt. Director Telecom. (Recd)

PH: 0361-2736347

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench
गुवाहाटी न्यायपीठ

Certified to be true
25/8/09

(62) - 21 -
OF CANDIDATES FOUND NOT ELIGIBLE TO APPEAR IN THE LDCE FOR PROMOTION TO THE
GRADE OF SDE (T) TO BE HELD ON 15.7.2007 (SUNDAY)

SL.NO.	RNO	NAME	DESIGN	UNIT/SSA
1	1	TUSHAR AGARWAL	JTO	CGMT/GH
2	2	JYOTISH BAISHYA	JTO	CTSD/GH
3	14	PRANOTTAM BASUMATARY	JTO	ETR
4	39	SUNIL MISHRA	JTO	GMTD/DR
5	42	PRAKASH SINGH	JTO	GMTD/JRT
6	44	SANDEEP SINGH	JTO	GMTD/JRT
7	66	TAPASH ROY CHOWDHURY	JTO	GMTD/KMP
8	84	SMT. SHAMPA DUTTA	JTO	GMTD/KMP
9	117	NAJEIB HUSSAIN SABRI	JTO	GMTD/DR
10	132	AIZUDDIN AHMED	JTO	GMTD/BGN
11	144	ABDUS SABUR AHMED	JTO	GMTD/BGN
12	145	SALEH MD. MIZANUR RAHMAN	JTO	GMTD/BGN
13	146	BIPLAB KUMAR DEB SINGHA	JTO	GMTD/BGN
14	156	AMULYA KUMAR ROY	JTO	GMTD/BGN
15	157	BAIKUNTHA RAM DAS	JTO	GMTD/BGN
16	158	RAMESH CH. RAY	JTO	GMTD/BGN
17	167	BIKASH BARAN DEY	JTO	CGMT/GH
18	185	L. MILLAN SINGH	JTO	NETF
19	192	AMITABH DAM	JTO	GMTD/NGN
20	198	PREMCHAND KAMBHAMPATI	JTO	GMTD/NGN
21	199	KAMAL KUMAR BORO	JTO	GMTD/NGN
22	203	BASUDEV DEKA	JTO	GMTD/NGN
23	205	MD. ANISUR RAHMAN KHAN	JTO	GMTD/NGN
24	207	MD. SAFIQUR RAHMAN	JTO	GMTD/NGN
25	208	ABANI MOHAN DAS	JTO	GMTD/BGN
26	237	YOGESH KUMAR NAGAR	JTO	GMTD/KMP
27	241	PRADNYASHIL TUKARAMJI DAHIWADE	JTO	GMTD/SC

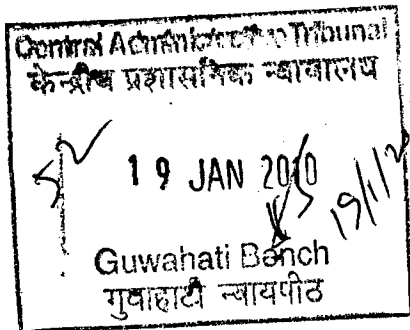
Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

2009

Guwahati Bench
गुवाहाटी न्यायपीठ

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL ::

GUWAHATI BENCH:: GUWAHATI



ORIGINAL APPLICATION NO. 26 / 2009

Sri Sunil Mishra

.....Applicant

Versus

The Bharat Sanchar Nigam Limited & Ors.

.....Respondents

AND

IN THE MATTER OF

An Affidavit to clarify certain aspects of facts which cropped up at the time of hearing of the above mentioned Original Application on 12.01.2010.

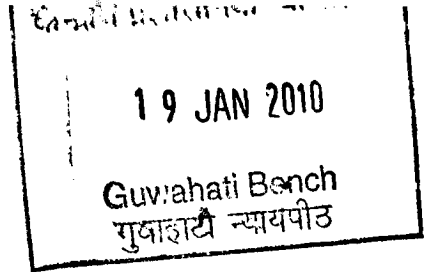
AFFIDAVIT

I, Sri Prakash Singh, aged about 35 years son of Ram Bikash Singh, presently working as Junior Telecom Officer (OCB), BSNL, Jorhat, resident of Qtr. No. 8, Type - III (New Block), Lichubari Telecom Colony, Lichubari in the district of Jorhat, Assam, do hereby solemnly affirm and state as follows:

1. That I am the applicant in the Original Application No. 27/ 2009; the facts, issues involved, grievances raised and reliefs claimed in the present Original Application is one and same as that involved in the Original Application No. 27 of 2009 filed by me and therefore I am conversant with the facts and circumstances of the case. The applicant of the present Original Application is presently posted at New Delhi in the Business Enterprise

Filed by:- the deponent
through → Enijesh Sharma
Advocate.

Banky



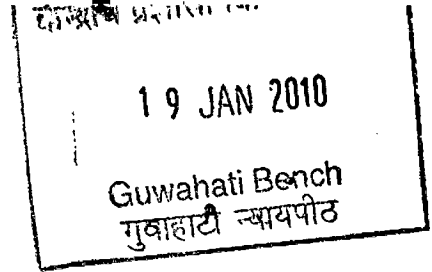
Section, BSNL and has duly authorized me to swear this affidavit on his behalf and as such I am competent to swear this Affidavit.

2. That the deponent states that the applicant had approached this Hon'ble Tribunal by way of filing the above mentioned Original Application raising a grievance against the arbitrary and illegal action on the part of the respondent authorities in not permitting him to appear in the Limited Departmental Competitive Examination held for promotion of the Junior Telecom Officer's to the post of Sub-Divisional Engineer for vacancies pertaining to the year 2005-06 on the ground of having not fulfilled the eligibility criteria for appearing in the said examination.

3. That the deponent states that the above mentioned Original Application was taken up for hearing on 12.01.10 and on the said date certain queries were raised by this Hon'ble Tribunal as regards the factual aspects of the matter and directed the applicant vide the order dated 12.01.10 to file an affidavit clarifying the said factual aspects. In terms of the order dated 12.01.10 the deponent begs to lay before your Honour the said factual aspects in the form of the present affidavit.

4. That the deponent states that the list dated 26.07.07 of the ineligible and eligible candidates were prepared by the respondent authorities after complying with the provisions of Column - 12 and Note - 5 of the Recruitment Rules of 2002. Further, the training period spent by an incumbent Junior Telecom Officer was also counted towards computing the eligibility criteria of having rendered three years of service in the grade of Junior Telecom Officer. The applicant had no role to play in the short-listing of candidates found ineligible and eligible to appear in the Limited Departmental Competitive Examination held by the respondent authorities. The applicant had no reasons to doubt the process of short listing of candidates when the highest authorities in the corporation carried out such exercise. It is pertinent to mention here that the authorities of the BSNL have prepared no seniority list of the incumbents in the cadre of Junior Telecom Officer on the date of filing of the Original Application before this Hon'ble Tribunal.

Handwritten signature



5. That the deponent states that seniority in the cadre of Junior Telecom Officer is determined on the basis of the marks secured by an incumbent in the Orientation Training/ Phase – I training imparted to the newly recruited Junior Telecom Officer. The Junior Telecom Officers namely Sri Sarihaddu Seshagirirao, Assam Circle and Sri Waryao Sareo, Assam Circle who are junior to the applicant owing to securing lesser marks in the above mentioned training were allowed to appear in the Limited Departmental Competitive Examination held for the purpose of promotion of the Junior Telecom Officers to the grade of Sub-Divisional Engineers. Consequently, in terms of Column – 12 and Note – 5 of the Recruitment Rules of 2002, the applicant also became eligible to appear in the said Limited Departmental Competitive Examination, but due to the fault committed in short listing of the incumbent Junior Telecom Officers, the applicant was debarred from appearing in the above mentioned Examination.

6. That the deponent states that the fact that the above mentioned juniors of the applicant had secured lesser marks in the Orientation Training/ Phase – I training was not known to the applicant. The applicant and the above mentioned juniors had completed their Phase – I training in different batches and at different times. Had the respondent authorities prepared a seniority list of the incumbents in the cadre of Junior Telecom Officer, the applicant could have known about his seniority position in the cadre of Junior Telecom Officer vis-à-vis the above mentioned juniors namely, Sri Sarihaddu Seshagirirao and Sri Waryao Sareo. The respondent authorities having not prepared the seniority list of the incumbents in the cadre of Junior Telecom Officer, the applicant could not have known at the time of publishing the list of eligible and ineligible Junior Telecom Officers on 26.07.07, his seniority position vis-à-vis the above mentioned persons let alone the marks obtained by the said persons in the Phase – I training. As such, no fault can be attributed to the applicant for approaching the respondent authorities for amelioration of his grievances after the Limited Departmental Competitive Examination was over.

7. That this affidavit has been filed to bring on record the facts narrated herein above.

Handwritten signature

8. That this affidavit has been filed bonafide for securing the ends of justice.

9. That the statements made in this affidavit in paragraphs 1, 2, 4, 5, 6 & 8 are true to my knowledge, those made in paragraph _____ being matter of records are true to my information derived there from and the rests are my humble submission before this Hon'ble Court.

And, I sign this affidavit on this the 18th day of January, 2010 at Guwahati.

Identified by :

Gulam Zaffer Ahmed,
Advocate

Boakerhijl

DEPONENT

