



SANCHAR NIGAM EXECUTIVES' ASSOCIATION KERALA CIRCLE

(Recognised Majority Association of Executives in BSNL)
SNEA Bhavan, Dharmalayam Road, TVM-695001

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No.SNEA/Kerala/2018-19/59

dated 11/10/2019

To
The Chief General Manager (Telecom)
BSNL, Kerala Circle
Thiruvananthapuram

Sub : Request to maintain the status quo - as SDE - Order dated 04/10/2019 of O.A. No 703/2019 of the Honorable Central Administrative Tribunal, Ernakulam Bench wrt JTO to SDE LDCE 2007.

- Ref: 1. Corporate Office Ltr F.No. 56-02/2016-Pers.(DPC)/104 dated 06.09.2019
2. Kerala Circle Office HR-III/3-25/Reve of SDE/LDCE/2019/15 dated 19.09.2019
3. CAT Ernakulam OA/703/2019 dated 04.10.2019
4. Tamil Nadu Circle Ltr no TSA/11-13/PRO/2018/29 dated 12.09.2019
5. CAT Madras bench OA/1243/2019 dated 17.09.2019
6. Corporate Office Ltr F.No. 1-14/2008-Pers.II (Vol.II) dated 18.09.2019
7. Tamil Nadu Circle Ltr no TSA/11-13/2016/Pt/73 dated 20.09.2019
8. Tamil Nadu Circle Ltr no TSA/11-13/2016/Pt/74 dated 23.09.2019
9. Corporate Office Ltr F.No. 1-14/2008-Pers.II (Vol.II) dated 04.10.2019

Sir,

BSNL Corporate Office had issued Office Order cited at Ref.1 above to revert 38 Regular SDEs working for more than 10 years, in which seven executives are now working in Kerala/STR. Consequent orders were issued by Kerala Circle vide letter Ref.2 above. Aggrieved by the unjust action meted out to them, the seven executives approached the Hon'ble CAT Ernakulam Bench vide OA/703/2019 on 24.09.2019. The Hon'ble CAT in its Interim Order vide Ref.3 has ordered Status Quo to be maintained till disposal of OA. In the light of the above it is requested to issue necessary orders to retain these executives as SDEs as done by T.N circle vide Ref.7.

At this juncture, it may be relevant to point out that the order of the Corporate Office letter under Ref.1 was first attempted to implement in the Tamil Nadu Circle vide letter Ref.4 above on 12.09.2019 in respect of 21 executives. The aggrieved executives moved the Chennai Bench of the Hon'ble CAT in O.A No.1243/2019 on 15.09.2019. The matter came up for consideration on 17.09.2019 and the Learned Tribunal vide OA Ref.5 above, noticed the severity of the consequences that will follow in the service of the persons claimed to be reverted directed the Corporate Office to consider the representations which the applicants therein were directed to file. Till such time the representations were disposed of, the Chennai Bench directed maintaining status quo.

Tamil Nadu Circle had implemented the order of the Learned Tribunal, Chennai by issuing order dated 20.09.2019 Ref.7 above by allowing these applicants to continue as SDEs. By the said order, in reference to the order of the Learned Tribunal, the earlier order dated 12.09.2019 Ref.4 was modified and the status quo of the applicants as Sub Divisional Engineers (Telecom) Grade was reiterated. The Status quo was further confirmed by Corporate Office vide letter Ref.9 on receipt of the Hon'ble CAT Madras order and communications from Tamil Nadu Circle.

The seven executives joined as SDEs in 2008/2009 as per the promotion orders released by Corporate office dated 03.11.2008. The charge of SDE was taken over by these executives not merely by this promotion orders, but after endorsing the same promotion order by Circle/SSA at appropriate levels by assigning the new portfolio including sub staffs/officials and assets. Thus these executives had assumed the charge of SDE by signing the charge assuming report of ACG-61. So the same procedure to be carried over by the Circle/SSA for relinquishing the charge of SDE to be taken place, if any reversion order is issued by Corporate office. Meanwhile CAT Ernakulam vide order dated Oct 4th 2019 directed to maintain the status quo. So, the concerned reversion order endorsed by BA/Unit for relinquishing the charge of SDE as well as Charge relinquishing report of these SDEs was not taken over yet. So the status quo of these executives still as SDEs to be maintained till the disposal of OA at CAT Ernakulam.

The relief of status quo has been given by the Learned Tribunal, Ernakulam and the seven executives of Kerala Circle should necessarily be treated only as a SDE as in the case of similarly placed SDEs of Tamil Nadu circle which was concurred by Corporate office as has been detailed above.

Hence we request you to not to take any further steps affecting continuance in service as SDE pursuant to the order of the Learned Tribunal, Ernakulam dated 04.10.2019. It is expected that Kerala circle will follow an employee friendly attitude in this crucial HR matter rather than driving the executives to unnecessary litigations till a final disposal is made by the Hon. Central Administrative Tribunal Ernakulam in the Original Application 703/2019.

**With kind regards,
Sincerely Yours**



**T.Santhosh Kumar
Circle Secretary,
SNEA Kerala**

Copy to:

1. GM(HR&A), O/o CGMT, Kerala Circle
2. GM STR, Ernakulam
3. Shri. K.Sebastin General Secretary, SNEA CHQ