



**ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
OFFICERS' ASSOCIATION**

**CENTRAL HEAD QUARTERS
AD-87B, Pitampura, Delhi-110034.**

President
K.RAJASEKARAN
Mobile: 09443100950

Finance Secretary
SWAPAN K. BHATTACHARYA
Mobile : 09434136566

General Secretary
RAKESH SETHI
Mobile: 09868210449

No. AIBSNLOA/CHQ/2016/102

Dated: 4th February 2016

To

Shri D. Chakravarti,
Sr. General Manager (Pers),
BSNL Corporate Office,
New Delhi.

**Subject: Educational qualification for promotion to the grade of EE
(Civil/Electrical – Degree in Engineering and equivalence – reg**

Ref: 1. BSNL CO Letter No.400-106/2013-Pers.I dated 16.7.2015
2. BW Section Letter No.2nd ACP/DM (BW-II)/2015 dated 18.1.2016

Sir,

We request your kind attention to the BW section letter cited under reference 2 above, which we believe has been issued without consulting the Personnel Branch and which attributes to the Personnel section letter cited under reference 1 above, what is not stated in the letter.

2. The letter from BW section cited above, while disposing of representations from diploma holders (with 10 years of experience) for grant of second ACP which had been earlier denied to them on the grounds that they did not possess Degree in Engineering, states that,

- i. The BSNL MS RR does not cover the scope of ACP through any of its provisions, schedules and notes therein.
- ii. The clarification dated 16.7.2015 is an action by the Management specific to promotions to Executive Engineer grade in Civil/Electrical streams and has prospective effect w.r.t any promotions to be undertaken in future.
- iii. Any reference to DoT OM No.19-13/2012-CWG dated 11.2.2015 is purely for the purpose specifically notified in the clarification dated 16.7.2015
- iv. The said clarification is not required to be interpreted for any other convenience which the Management did not intend.

3. Personnel section letter dated 16.7.2015 itself is only clarificatory in nature and therefore any clarification cannot have prospective effect. Neither does the letter says that it has prospective effect as has been stated in BW Section letter cited above.

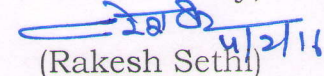
4. While it is true that the subject matter of the letter dated 16.7.2015 is related to Note 2 under Schedule IB of BSNL MSRR – 2009, it cannot be said that 'a diploma in appropriate field of Engineering with 10 year of experience shall be construed as to be equivalent to Degree in Engineering in the appropriate field' will apply only to BSNL MS RR-2009. In fact, the court judgment based on which DoT has given the clarification is only related to non-grant of ACP to diploma holders. The entire case

relates to the definition of 'Degree in Engineering and its equivalence' specified in the RR of the year 1994. When the court has ruled that diploma with 10 years of experience in the appropriate field is 'equivalent' to Degree in Engineering, the same benefit of equivalence cannot be denied for ACP promotion.

5. We therefore request you to kindly advise the BW Section to dispose of the representations requesting second ACP also on the same analogy for promotion to EE grade as per BSNL MS RR 2009 so that the diploma holders with 10 years of experience get their second ACP without any further delay.

With kind regards,

Yours sincerely,


(Rakesh Sethi)

General Secretary

Copy to: 1. Ms. Sujata Ray,
Director (HR), BSNL
2. Shri Vipin Sharma,
PGM (BW), BSNL CO