



**CORPORATE OFFICE
PERSONNEL-II BRANCH**

4TH Floor, Bharat Sanchar Bhawan, Janpath, New Delhi- 110001

No.:- 1-8/2009-Pers.II

Dated: - March : 07, 2016

Subject:-Regarding grant of one increment to the grade of SDE(T) executive qualified in LDCE exam held on 04.03.2012.

Pers. Branch, BSNL CO is continuously receiving representations either through individually or through circle concerned on the subject mentioned above.

In this context, It is informed that the issue regarding extending the benefit of notional date of promotion with all consequential benefits through promotion to SDE(T) grade under 33% LDCE quota has already been settled by Hon'ble Supreme Court in its judgement dated 12.08.2014.

It has been pronounced in the said judgement that "----- It is held that the view of the CAT Bangalore Bench in original application No. 181 of 2009 decided on 26.04.2010 and the decision of the Karnataka High Court dated 21.04.2011 affirming the decision of the Tribunal dated 26.04.2010 are not correct view and do not lay down the correct legal position. Since the special leave petition from the judgement was dismissed by this court on 25.08.2011 and a petition seeking review of that order has also been dismissed, the benefit of notional promotion given to 124 employees with effect from 23.01.2002 remains unaffected, but the benefit of the above decision cannot be given to the present respondents in view of the legal position explained above."

Since the issue has been settled, the benefit granted to 124 officers cannot be extended to other similarly placed officers.

Parimal Kumar
07.3.16

(PARIMAL KUMAR)

Astt. General Manager (Pers II.)

To

1. All the Heads of Telecom Units.
2. PGM/Sr.G.Ms/G.Ms, BSNL CO/ERP.
3. Official website BSNL.