



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

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No.AIBSNLOA/CHQ/2016/124

Dated: 27th April 2016

To

Shri Anupam Shrivastava,
Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
New Delhi.

Sub: Plight of candidates who appeared for JAO LICE in 2012 against 40% quota – case of candidates from Kerala Circle – reg

Sir,

We would like to draw your kind attention to the plight of some candidates from Kerala circle who appeared for JAO LICE conducted in the year 2012 against 40% quota, who had sought legal remedy due to non-publishing of the results by Kerala Circle for 61 vacancies and were later declared successful and then sent for Phase I training through interim orders of Hon'ble CAT, Ernakulam but are yet to be appointed as JAO.

2. The reasons for not announcing the result of 61 vacancies, was attributed to a SLP pending before the Hon'ble Supreme Court. The said litigation was in fact filed by candidates who wrote the JAO Part-II Internal Competitive Examination held in 2010 and failed in Paper-V and had filed OA No.348/2010 and OA No. 603/2010 claiming revaluation. The above OAs were disposed of directing the respondents to take out a few sample papers and examine if answers based on Works Manual has been properly evaluated and if it is not so to evaluate the papers of all those who failed in Paper-V. The order of CAT was confirmed by the High Court. BSNL filed SLP Nos. 27298, 27299 and 27300 of 2012, which was admitted and the operation of the impugned judgment are said to be stayed.

3. The Hon'ble CAT Ernakulam has on 24.3.2016 directed to appoint the 34 applicants of JAO 2012 examination as JAOs subject to the outcome of SLP Nos.14956/2012, 15365/2012, 16345/2012 & 15743/2012 pending before the Apex Court and subject to the conditions notified in the examination but the applicant will submit before the respondents (competent among them) undertaking that if the Hon'ble Supreme Court in the pending SLPs decides against the interest of the applicants and as a consequent of the same if any amount becomes refundable, the applicants will refund the same to the respondents.

4. It is learnt that CGMT Kerala Circle has written to BSNL Corporate Office seeking guidance on the issue. We request that the whole issue be considered on the grounds that these candidates will be subjected to irreparable loss in case the Hon'ble Supreme Court decision favours appointment of these candidates, at a later date. On the other hand, the CAT order has provided a safeguard, by directing the applicants to submit an undertaking that if the Hon'ble Supreme Court in the pending SLPs decides against the interest of the applicants and as a consequent of the same if any amount becomes refundable, the applicants will refund the same to BSNL.

5. We therefore request you to cause an early and favourable decision in this regard by BSNL Corporate Office.

With kind regards,

Yours sincerely,



(Rakesh Sethi)
General Secretary

Encl: Copy of the CAT Ernakulam order

Copy to: 1. Ms. Sujata Ray,
Director (HR) BSNL.
2. Mr. Sunil Kumar,
General Manager (FP), BSNL CO.