

No.15-15/2001-STG.II
Government of India
Ministry of Communications & Information Technology
Department of Telecommunications

421, Sanchar Bhavan,
20-Ashoka Road,
New Delhi-110 001.

Dated the 14th September, 2009.

To,

1. The Chairman & Managing Director, BSNL, New Delhi.
2. The Chairman & Managing Director, MTNL, New Delhi.

Subject : SLP No. 11339/2008 titled 'K. Vishwanathan Vs UOI' in Hon'ble Supreme Court of India.

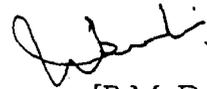
Sir,

I am directed to say that the Hon'ble Supreme Court vide their interim order dated 12/05/2008 (copy enclosed) in SLP No. 11339/2009 in the matter of 'K. Vishwanathan Vs UOI' has ordered as under :-

"Issue notice. Meanwhile, status quo as of today shall be maintained".

2. In the said SLP, UOI is the only respondent. Accordingly, BSNL/MNTL may ensure that the seniority position of 270 (269+1) TES Group 'B' officers who were promoted vide DoT order No. 15-78/99-STG.II dated 01/02/2001 and who have been placed in seniority list No. 2 of TES Group 'B' officers issued on 20/03/2001 is maintained intact as per Hon'ble Supreme Court's interim order dated 12/05/2008 as mentioned above and if immediate junior of these officers are considered for promotion [adhoc/regular], these 270 competitive quota officers may also be considered for promotion with reference to their present seniority position at par with their juniors. However, their promotion shall be subject to final outcome of the case pending before the Hon'ble Supreme Court. Action taken in the matter may be intimated at the earliest.

Yours faithfully,



[B.M. David]

Under Secretary to the Govt. of India
Tele No.23036282/Fax No.23716099

Encl : As above

No.15-15/2001-STG.II
Government of India
Ministry of Communications & Information Technology
Department of Telecommunications

421, Sanchar Bhavan,
20-Ashoka Road,
New Delhi-110 001.

Dated 15, December, 2009.

To,

The Chairman & Managing Director,
Bharat Sanchar Nigam Limited,
New Delhi.

[K.A : DGM (Pers.), Personnel Section, BSNL CO, Bharat Sanchar Bhavan, New Delhi]

Subject : SLP No. 11339/2008 titled 'K. Vishwanthan & 3 others Vs UOI' in Hon'ble
Supreme Court.

Sir,

I am directed to refer to your letter U.O. No.404-21/2009-Pers.(LC) dated 03/11/2009 on the above mentioned subject and to say that the matter has been duly examined in consultation with Legal Adviser, DoT. In this connection, it is intimated that -

- i) In the said SLP, UOI represented by the Secretary, DoT is the only respondent.
- ii) The case has been defended by DoT in Hon'ble CAT, Chennai Bench and Hon'ble High Court of Madras.
- iii) The matter is now pending in Hon'ble Supreme Court and the judgment of Hon'ble Apex Court will be binding on every body i.e., DoT, BSNL and MTNL.
- iv) The case has already been sent to Central Agency, Ministry of Law, Justice & Legal Affairs to file reply in the above referred SLP.

2. In view of above, it has been decided that there is no need for BSNL to get itself impleaded or file SLP in the Hon'ble Supreme Court in this case.

Yours faithfully,


[K.D. Sharma]

Under Secretary to the Govt. of India
Tele No.23036226/Fax No.23716099