



Government of India
National Commission for Scheduled Tribes
(A Constitutional Commission set up under Art. 338A
of the Constitution of India)

File No. LS/3/2012/MPNT2/SEPROM/RU-IV

24.10.2016

25

To,

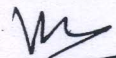
The Chairman cum Managing Director,
Bharat Sanchar Nigam Limited,
Bharat Sanchar Bhawan,
Harish Chandra Mathur Lane,
Janpath,
New Delhi.

**Sub: Representation of Shri Lalan Shah, Assistant Manager, BSNL
regarding notion promotion.**

Sir,

I am directed to enclose a copy of the Proceeding of the Sitting held in the National Commission for Scheduled Tribes on 20.10.2016 on the above mentioned subject for necessary action and to send the action taken report to the Commission at an early date.

Yours faithfully,


(V.P. Shahi)
Assistant Director

Copy to:-

Shri Lalan Shah,
Assistant Manager, Now CM Cell,
BSNL Corporate Office,
Janpath, New Delhi - 110 001.

7289-90
25/10/16
जारा गया
ISSUED

Recd copy
26/10/16

a/c

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. LS/3/2012/MPNT2/SEPROM/RU-IV

Proceeding of the Sitting held by Shri Ravi Thakur, Vice Chairperson, NCST on 20.10.2016 in the case of Shri Lalan Sah, Assistant Manager, BSNL regarding his promotion w.e.f. April 2010.

Date of Sitting 20.10.2016

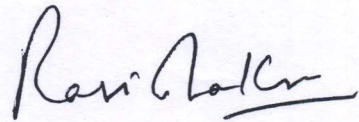
List of participants is as at Annexure-1

Pursuance to the proceedings of the Sitting held on 31.05.2013, 16.01.2015, 29.04.2015 and D.O.No. VC/NCST/2016/1179 dated 12.01.2016 in the matter vide which Commission advised BSNL to issue necessary orders for giving relief to the petitioner Shri Lalan Sah and for intimating the Commission, the NCST has not been informed of the status of action taken and the petitioner has informed the Commission that BSNL has not issued any such order. Consequently, a Sitting was convened on 20.10.2016.

During the Sitting, the Commission noted that petitioner Shri Lalan Sah has given promotion in the grade of UDC with effect from 01.07.2004 but the promotion order was issued on 31.03.2010 i.e. after a gap of approximately 6 years. In the meantime Departmental examination for promotion to the grade of Assistant Manager was held on 10.01.2010. No action has been taken by the BSNL on the request of Shri Lalan Sah for allowing him to appear provisionally at the Departmental Examination held on 10.01.2010.

The Commission noted that, great injustice has been done in this case by BSNL to the petitioner Shri Lalan Sah by depriving him the opportunity to appear in the Limited Departmental Competitive Examination held on 10.01.2010 although he was eligible and completed 5 years' service in the grade of UDC on 30.06.2009. Shri Lalan Sah appeared in the next LICE 2011 in which he was declared qualified and was promoted to the grade of Assistant Manager.

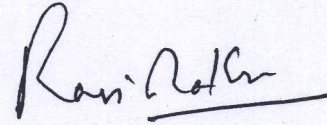
The Commission further noted that, during all the previous sittings BSNL took different stands and their stand was contradictory. The case of Shri Lalan Sah has arisen due to negligent attitude on the part of BSNL in deciding the cases expeditiously as they have not issued the promotion orders in the grade of UDC in time and also not allowed to appear in the LICE to the grade of AM held on 10.01.2010 even on provisional basis.



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

After detailed discussion in the sitting held on 20.10.2016, CMD BSNL and Director (HR) BSNL agreed to give relief to petitioner and settle the case as per advice tendered by NCST. The National Commission for Scheduled Tribes is of the view that grave mistake has been committed by BSNL by not deciding the issue at the appropriate time thereby denying genuine chance to an eligible candidate to appear for the Limited Departmental Examination. Hence the petitioner deserves to be granted promotion against the vacancy for which LICE 2010 was held and recommends that keeping in view the above facts and those brought out in the previous sitting, the BSNL may issue orders for promotion of Sh.Lalan Sah as AM on notional basis with notional pay fixation w.e.f. April, 2010 i.e. the date from which other successful candidates of LICE 2010 were appointed as AM. A copy of the order issued by BSNL may be furnished to the National Commission for Scheduled Tribes within 15 days.

The sitting ended with a vote of thanks to the Chair.



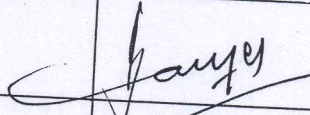
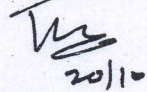
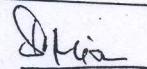
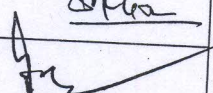
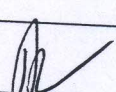
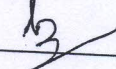
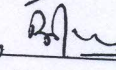
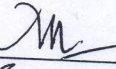
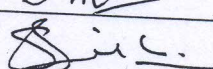
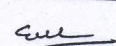

रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

National Commission for Scheduled Tribes

ANNEXURE-I

LS/3/2012/MPNT2/SEPROM/RU-IV

Sitting held on **20.10.2016** at **11.00 A.M.** in the case of Shri Lalan Sah, Assistant Manager, NOW-CM Cell, BSNL Corporate Office, Janpath, New Delhi regarding notional promotion w.e.f. 2010.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	National Commission for Scheduled Tribes		
1.	Shri Ravi Thakur Hon'ble Vice-Chairperson	In Chair	
2.	Mrs. K.D. Bhansor Director	Sh.P.T. Jammu Deputy Secretary	
3.	Shri V.P. Shahi Assistant Director		
4.	P.V. Mohandas PS to VC		 20/10
5.	Shri R.S. Mishra Sr. Investigator		
6.	Sh. Vinod Rawal INVESTIGATOR		
7.			
II	Officers of BSNL, New Delhi		
1.	Anupam Shrivastava CMD BSNL	BSNL Bhawan Janpath ND.	
2.	Sujata Tapan Ray Director (HR) BSNL	BSNL Bhawan Janpath, ND	
3.	BINDU ROY, DGM (Pers)	9868534400 (NW)	
4.	Anima Roy, GM (Pers)	BSNL Bhawan 9868178964	
5.	Surendra Singh CLO.	BSB, New Delhi 221, Eastern Court Janpath New Delhi 9868807711.	
III	Officers of CGMP, Shimla		
1.	S.K. GUPTA	CCM HP	
2.			
3.			
4.			
IV	Petitioner		
1.	LALAN SAH	BSNL Bhawan, ND 9868266002	
2.			

(CONTD-2)

- 6 II Shiv Singh, DGM (SCT) BSNL CO. 9868541254 PKJP
20/10/16
- 7 M. UDAYA KUMAR AGM (CSS), BSNL CO. 9868248776 PKJP
20/10/16
8. Pravin Kumar Jha DM (CSS) BSNL CO. 9868521422 PKJP
20/10/16
- 9 SMYAM NARAIN Sr GM Noida 9868117080 PKJP
20/10/16