

BHARAT SANCHAR NIGAM LIMITED  
A GOVERNMENT OF INDIA ENTERPRISE  
CORPORATE OFFICE  
5<sup>TH</sup> FLOOR, BHARAT SANCHAR BHAVAN, JANPATH, NEW DELHI-110 001  
( LABOUR ESTABLISHMENT SECTION )

F. No. 7-43/2012- LE  
Dated: 5<sup>th</sup> October, 2012  
11.

To  
All Heads of Circles/Units  
BSNL

Sub: Reinstatement/regularization of casual labourers - reg

Sir,

It has come to the notice of this office that a number of Writ Appeals and SLPs are being filed in the High Courts/Supreme Court in matters relating to reinstatement/regularization of casual labourers directly by the Circles in a mechanical manner and without getting approval of Establishment Branch of the Corporate Office. It has also been noticed that when the SLPs get dismissed or when contempt petitions are filed by the workmen, advice of this office is sought at the last moment.

In this connection attention is invited to Letter No. 272-64/2001-Pers-IV dated 6.11.2001 (copy enclosed) wherein inter alia, categorical directions have been issued that where the court has issued directions to reinstate/reengage the workman, the Circle Units on receipt of the copy of the judgement/order, will have to send the case with full details/documents to this office immediately.

It would be clear from the above that wherever any order/judgment of the Lower Courts is received and an appeal is proposed the same should be filed only with the consent/approval of this office. It is therefore, reiterated that wherever/whenever any Court orders reinstatement/regularization of casual labourers this office should be informed of the same immediately by sending the case history with full details, pertinent documents, the court orders and the legal opinion of the Advocate defending the case. It is further reiterated that no SLP on the subject mentioned above should be filed without the consent of this office.

The above instructions may be brought to the notice of all units working under your circle.

Encls: As above

Yours faithfully,

*Harsh Singh*  
11/10/12

( HARSH VARDHAN SINGH )  
ADDL. GENERAL MANAGER (ESTT.)

Tel/Fax No. 23715155

Most Immediate  
Court Matter

No. 272-64/2001-Pers.-IV  
BHARAT SANCHAR NIGAM LIMITED  
[A Government of India Enterprise]  
CORPORATE OFFICE  
PERSONNEL - IV SECTION  
Sanchar Bhawan, New Delhi-110001

Dated: 6.11.2001

To

All Chief General Managers,  
Telecom Circles/Telecom Distt. Chennai/Calcutta  
Heads of all other administrative Units.

Subject:- Reinstating casual laborers in pursuance of Court orders -reg.

Sir,

The Circle units are aware that there is total ban of engagement of casual labourers with effect from 31.3.1985. Even though, in certain court cases filed by the Ex-casual laborers, the Hon'ble Court issues directions to reinstate/re-engage the casual labourer and subsequently the Dept. is constrained to take back the workman on duty to comply with the directions of the Court. However, instances have been noticed that certain Circle units are reinstating/re-engaging casual labourers, to comply with the directions of the Court, without examining the possibility for filing appeal in any higher legal forum and without obtaining the specific approval of the HQ/corporate office. This has been viewed very seriously.

It is, therefore, once again advised that no casual labourer will be re-engaged/ reinstated without the specific approval of this office.

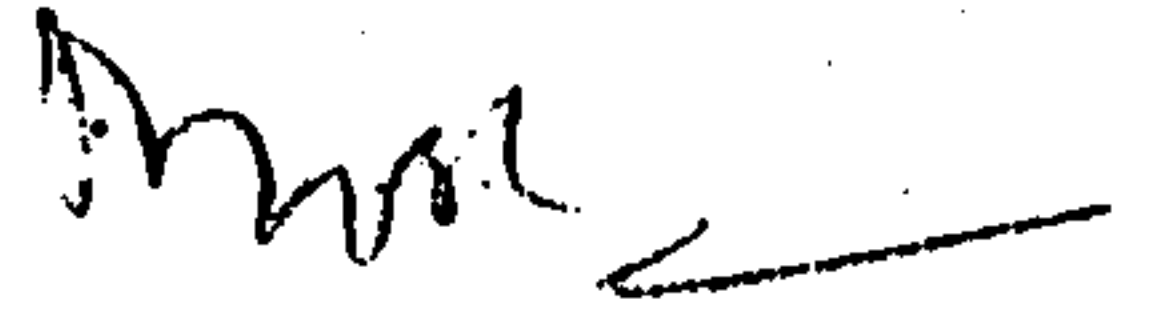
It may please be noted that in such cases, where the Court has issued directions to reinstate/reengage the workman, the Circle units, on receipt of the copy of the Judgement/Order, will have to send the case with full details/documents immediately, to this office for consideration/examination. It has also been noticed that some Circle units are dealing the Court cases very casually and not bothering to send the cases to this office, in time. This leads to delay in processing the case as well as amounts to contempt of court.

It has also come to the notice that Circle units has engaged casual labourers against Group 'C' post. In this connection, it is mentioned that engaging of casual labourers against Group 'C' is an illegal action. No appointment of casual workers should be made for performing duties of Group "C".

Contd...2

All Circle Units are requested to furnish the information in respect of casual labourers, who were engaged against Group "C" post, may please be furnished to this office (in the enclosed Proforma ) urgently for information and further necessary action. Even "NIL" report may be furnished.

Yours faithfully,



(M. BAJPAI)  
ASSTT. DIRECTOR GENERAL (PER. IV)  
Fax: 3725 255

Encl: Proforma

**Details of casual labourer engaged against Gr.C post**

Sl.No.	Name	Post against which the C/L is working	Date of engagement	Date from which working against Gr.'C' post	Whether the casual labourer is continuing against Gr. C post in pursuance of Court direction. If so, the details thereof.
1	2	3	4	5	6