



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)

(A constitutional body under Article 338A of the Constitution of India)

F. No. NCST/SER-989/MCIT/5/2023-SSW (RU-II)

Dated: 18.03.2025

To,

Shri Ravi A.Robert Jerard,
Chairman -Cum- Managing Director,
MTNL
5Th Floor, Mahanagar Doorsanchar Sadan,
9, CGO Complex, Lodhi Road,
New Delhi - 110003
Email: cmd@bol.net.in

Shri Neeraj Mittal,
Secretary,
Ministry of Communication,
Deptt. of Telecommunications,
Sanchar Bhawan, 20, Ashoka Road,
New Delhi - 110001
E-mail: secy-dot@nic.in

Sub: Delay in promotion of ST Employees by MTNL - a representation dated 07/07/2023 received from Shri Chuttan Lal Meena and others, Senior Manager(Telecom), MTNL, New Delhi.

Sir/Madam,

I am directed to enclose herewith a copy of Minutes of the Sitting taken by **Shri Nirupam Chakma, Hon'ble Member, NCST, New Delhi on 28.02.2025 at 11:00 noon** on the above mentioned subject for necessary action.

2. It is requested that Action Taken Report/Compliance Report on the recommendations of Minutes of Sitting may be furnished to this Commission within **15 days** positively.

Encl: as Above.


(H.R. Meena)

Research Officer

E-Mail: researchofficer-esdw@ncst.nic.in

Copy for information to: -

Shri Chhuttan Lal Meena,
Area Manager (VKJ),
Telephone Exchange
Room No.106,1st Floor, Bhikaji Cama
Place, New Delhi - 110066
Mob No. 9013134899

2. PS to Hon'ble Member (Shri Nirupam Chakma)
3. NIC for uploading.



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Minutes of the Sitting held on 28.02.2025 at 11:00 A.M. under the Chairmanship of Shri Nirupam Chakma, Hon'ble Member, NCST, New Delhi on Petition of Shri Chhuttan Lal Meena and others, MTNL, New Delhi regarding "Request for Immediate Regular Promotion from Senior Manager to Deputy General Manager (Telecom) for Eligible ST and SC Candidates."

Date of Sitting: 28.02.2025 at 11:00 A.M.

List of Participants: As per Annexure

Shri Chhuttan Lal Meena, along with other Senior Managers (Telecom) at MTNL, New Delhi, has submitted a petition dated 07.07.2023, highlighting the undue delay in their promotion from Senior Manager to Deputy General Manager (Telecom), despite the availability of vacant positions. Shri Meena, who has been performing the duties of Deputy General Manager (Telecom) on a "Look After" basis since 01/02/2020, was originally promoted to Senior Manager (Telecom) on 20/09/2018. With more than 4 years and 9 months of regular service, he and his colleagues fulfill the eligibility criteria for promotion to Deputy General Manager (Telecom) as per MTNL's promotion policy. Despite meeting all the requisite criteria and fulfilling the responsibilities of Deputy General Manager, the promotion process has been significantly delayed. The petitioners allege that the delay is intentional, as all eligible candidates belong to the Scheduled Tribe (ST) and Scheduled Caste (SC) categories, and that MTNL's corporate office has failed to issue the promotion orders. Consequently, the petitioners have sought urgent intervention from the National Commission for Scheduled Tribes (NCST) to ensure the prompt issuance of their rightful promotion orders.

- The Commission issued a notice dated 01.08.2023 to the Chairman-cum-Managing Director, MTNL, requesting an Action Taken Report (ATR) within 30 days. MTNL's response, received on 18.12.2023, stated that due to the financial constraints faced by the organization, and in line with the Government of India's approval, MTNL implemented the Voluntary Retirement Scheme (VRS) 2019 to reduce its workforce and mitigate financial losses. As a result, 14,387 employees opted for VRS and were relieved on 31.01.2020. Subsequently, MTNL is undergoing an organizational restructuring and manpower planning process, which has impacted the determination of available posts in each cadre. Consequently, the regular promotion process, including promotions for Senior Manager Executives like petitioners, could not be planned or implemented. However, MTNL assured that despite these constraints, financial up-gradation and scale adjustments for employees, including the petitioners, are being carried out in accordance with MTNL's applicable policies.

3. The Commission has corresponded multiple times with the concerned authorities and petitioners. The case remained unresolved, and two sittings were held on 09.02.2024 and 25.09.2024. During the sitting on 25.09.2024, the following recommendations were made:-

(i) MTNL was directed to provide, within 15 days of receiving the minutes, the order/decision/circular that led to the halt on promotions across all cadres.

(ii) MTNL was instructed to submit the decision of the Committee of Secretaries/Group of Ministers to the Commission as soon as a final decision is made.

MTNL, in its letter dated 21.10.2024, informed the Commission that the organizational restructuring is still in progress and has not yet reached finality. Consequently, the Departmental Promotion Committee (DPC) for regular promotions could not be held post-VRS 2019. MTNL also mentioned that it will submit any final decisions from the Department of Telecommunication(DoT) to the Commission when available.

4. On 04.12.2024, during the latest sitting, it was recommended that the petitioners' promotion case be re-examined and presented to MTNL's Board or the highest authority, as assured by the Director (HR & EB), to prevent career stagnation and financial loss for MTNL employees. An Action Taken Report (ATR) was requested within 30 days of receiving the minutes.

5. In response to the petitioners' concerns, MTNL vide letter dated 20.01.2025 clarified that there has been no discrimination against them, as no promotions have taken place within the Telecom Stream, to which the petitioners belong. Despite this, the petitioners are drawing a pay-scale (E7) higher than the DGM (E6) position they are seeking, resulting in no financial loss. MTNL acknowledged its operational and financial challenges, including defaults on sovereign guarantee bonds and bank loans, which have impacted day-to-day operations, including staff salaries. A Service Agreement with BSNL has been executed to maintain MTNL services, and staff requirements are under consideration. Additionally, a proposal for Voluntary Retirement Scheme (VRS) has been submitted to the Department of Telecommunications (DoT) for approval. MTNL management is aware of the promotion issue and will pursue the Departmental Promotion Committee (DPC) once the financial situation stabilizes. Any final decisions by the Government or DoT will be submitted to the Hon'ble Commission

6. In their rejoinder dated 21.01.2025, the petitioners emphasized that despite several hearings and recommendations from the NCST, MTNL has failed to take corrective action regarding the denial of regular promotions for eligible ST candidates to the post of Deputy General Manager (Telecom). The petitioners expressed concerns over the loss of seniority and career progression, as they have been performing the duties of Deputy General Manager (Telecom) since February 2020, but without their service being accounted for seniority or future promotions. Despite the availability of vacant posts, the petitioners reiterated their request for the immediate issuance of regular promotion orders, as assured by the Chairman-cum-Managing Director (CMD) during previous hearings. They urged the Commission to issue necessary instructions to the Secretary, Department of Telecom, Government of India, and the CMD of MTNL for immediate action to prevent further career stagnation and financial loss.

7. On 28.02.2025, a sitting chaired by the Hon'ble Member, Shri Nirupam Chakma, NCST, was attended by the Additional Secretary of the Department of Telecom, the Director (HR) of MTNL, senior officers from both the Department of Telecom and MTNL, as well as the petitioner. The Additional Secretary informed the Commission that MTNL is facing a financial crisis and has been declared a Non-Performing Asset



(NPA). As a result, MTNL is unable to meet its debt obligations or pay employee salaries on time. Furthermore, any further restructuring within MTNL can only occur once it has addressed its outstanding financial commitments. The Additional Secretary also stated that an internal review would be conducted on the matter.

8. The Commission notes that, following its sitting on 25.09.2024, a recommendation was made for the production of the order/decision/circular regarding the halting of promotions across all cadres. However, the respondent authority has failed to furnish the same to date. It is further noted that the Action Taken Report (ATR) for the sitting held on 04.12.2024 was submitted with a delay of 15 days and was found to be unsatisfactory.
9. The Commission is of the view that, in the absence of any official order/decision/ circular explicitly halting promotions across all cadres, any such claims made by the authority are untenable and counterproductive. Moreover, in the absence of such official order/decision/circular, the denial of promotions to the petitioners, who belong to the Scheduled Tribe (ST) community, lends credence to the allegations of caste-based discrimination raised in the present case.
10. In view of the above observations and discussions, the Commission hereby recommends as follows:

(i) Promotions for eligible candidates to the post of Deputy General Manager (Telecom) that are due since 01.01.2023 but have been withheld or halted by MTNL without any formal/official orders/decision/circular, shall not be further delayed. And, MTNL may immediately issue promotion orders in favor of the petitioners with effect from 01.01.2023 in accordance with the established rules and procedures.

Further, the Secretary, Department of Telecommunications (DoT), in coordination with the Chairman and Managing Director (CMD) of MTNL, shall take immediate and proactive steps to resolve the promotion issue, stabilize MTNL's financial position, and address delays in promotions without further hindrance.

(ii) MTNL shall submit an Action Taken Report (ATR) to the Commission within 15 days of receiving the Minutes of the Meeting.



(Nirupam Chakma)
Member, NCST

निरुपम चाकमा / Nirupam Chakma
सदस्य / Member
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार / Government of India