

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS**

**LOK SABHA
UNSTARRED QUESTION NO. 3452
TO BE ANSWERED ON 8TH AUGUST, 2018**

VIOLATION OF ARTICLE 16 (4a) BY MTNL

3452. DR. UDIT RAJ:

Will the Minister of COMMUNICATIONS be pleased to state:

- (a) with reference to reply given in Lok Sabha on 21st March, 2018 by Ministry of Communications to the unstarred question (USQ) 4230, whether the Government's attention is drawn towards the fact that Article 16 (4a) of the Constitution has been violated by Department of Telecom (DoT) and MTNL by defying instructions issued vide DoP&T OM No. 2001/1/2001-Estt. (D) dated 21st January, 2002;
- (b) if so, the reaction of the Government thereto along with the reasons therefor;
- (c) whether contradictory replies have been given by the Ministry to Parts (c) & (d) of USQ 4230 and part (b) of USQ 2852 by M/o Social Justice and Empowerment and if so, the reasons therefor;
- (d) whether the National Commission for Scheduled Caste (NCSC) has failed in discharging its duty required to be performed under Article 338 (5) (a) & (b) to safeguard consequential seniority of MTNL officers belonging to SC category and if so, the details thereof and the reaction of the Government thereto; and
- (e) the steps taken by the Government to ensure implementation of the said DoP&T instructions along with the action taken by the Government against the errant officials of DoT and MTNL?

ANSWER

**THE MINISTER OF STATE (IC) OF THE MINISTRY OF COMMUNICATIONS &
MINISTER OF STATE IN THE MINISTRY OF RAILWAYS
(SHRI MANOJ SINHA)**

- (a) & (b) Seniority list of TES Group 'B' officers was finalized by DoTon 17.01.2007 in pursuant to 85th Amendment Act, 2001 and in consonance with verdicts pronounced by various Courts of law. Based on this, MTNL implemented seniority list of their officers by circulating on 05.03.2009.
- (c) & (d) Information is being collected.
- (e) DoP&T instructions are adhered to by Department of Telecom in letter and spirit. In case of any court judgement and its implementation which differs from DoP&T instructions, advice of DoPT is taken.
