



Sanchar Nigam Pensioners' Welfare Association

Reg.No: SOCIETY/WEST/2021/8902564

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SNPWA/CHQ/Secy (T)/3/26

Dated 16th, June 2026

To

Sh Amit Aggarwal,

Secy(T), ND

Subject: Request for immediate intervention and implementation of judicial orders in the case of Shri M. G. Prabhakara Panickar, PwBD employee – Long pending promotion and consequential benefits, retired from BSNL

Sir,

This Sanchar Association seeks your kind and urgent intervention in the long-pending case of Shri M. G. Prabhakara Panickar, a Person with Benchmark Disability (PwBD), who has been compelled to wage a legal battle for nearly three decades merely to secure the promotional benefits legitimately due to him under the law and consistently being denied by BSNL..

Shri Panickar joined the erstwhile Posts & Telecommunications Department in 1983 and was promoted as JTO in 1991. Under the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the Government instructions issued thereunder, he became eligible for consideration for promotion to the cadre of SDE against the PwBD quota on completion of the prescribed qualifying service.

Regrettably, despite repeated representations and despite the clear mandate of the disability reservation policy, his claim was consistently denied, compelling him to approach various judicial forums. After prolonged litigation, the Hon'ble CAT, Ernakulam Bench, directed that he be promoted as SDE with effect from 23.07.1996 and be granted further promotion to the cadre of Divisional Engineer on completion of six years' service in the SDE cadre. The judgment was upheld by the Hon'ble High Court of Kerala, and subsequently the Special Leave Petition filed against the High Court judgment was dismissed by the Hon'ble Supreme Court, thereby conferring finality on the issue.

However, notwithstanding the unequivocal judicial pronouncements and the dismissal of the SLP by the Apex Court, the orders have not been implemented in their true spirit. Instead, varying interpretations and shifting stands have emerged, resulting in continued denial of justice to the officer.

Initially, BSNL had categorically taken the stand that promotions relating to the pre-BSNL period fell within the jurisdiction of DoT. Subsequently, review DPCs were conducted only from the period after BSNL formation, effectively bypassing the core issue directed to be addressed by the courts, namely, grant of promotion from 23.07.1996 under the PwBD reservation quota and all consequential benefits flowing therefrom.

The Hon'ble High Court of Kerala, while hearing the contempt proceedings, found the implementation inadequate and granted a final opportunity for full compliance. Honble Court, after observing persistent defiance of compliance of its Orders finally felt constrained to Suo- Motto implead U.O.I through, Secy, Department Telecommunications, to ensure comprehensive delivery of Justice to a Physically Challenged person who has been subject to intense and prolonged mental agony and torture by the BSNL Management.

The facts of the case clearly demonstrate that:

1. The dispute pertains substantially to the pre-BSNL period when the employee was serving under the Department of Telecommunications.
2. The judicial directions have attained finality up to the Hon'ble Supreme Court.
3. The applicant has suffered extraordinary hardship by litigating for almost 29 years for enforcement of a statutory right available to a PwBD employee.
4. Any further delay would amount to perpetuating an injustice that the courts have repeatedly sought to rectify.

In the above circumstances, SNPWA most respectfully requests the Department of Telecommunications to intervene decisively and issue appropriate orders to ensure complete and faithful implementation of the judicial directions by:

- (i) Granting Shri M. G. Prabhakara Panickar notional promotion to the cadre of SDE with effect from 23.07.1996 against the PwBD reservation quota and fixing his seniority accordingly.
- (ii) Granting consequential promotion to the cadre of Divisional Engineer (DE/AGM) on completion of the prescribed residency period in the SDE cadre, with all attendant seniority benefits as directed by the Hon'ble Courts.
- (iii) Directing BSNL to undertake all consequential review DPCs and grant further promotions to the higher grades of DGM, Joint GM and Addl. GM, wherever due, strictly in accordance with the applicable Recruitment Rules and the judicial directions.
- (iv) Ensuring that the implementation is carried out in its entirety so that the prolonged litigation reaches a just and equitable conclusion.

Above mentioned reliefs that we request to be granted by DOT are nothing but Judicial Pronouncements of Hon High Court of kerala and the reason we are seeking your intervention is solely based on the fact that continued defiance of these Judicial Orders by BSNL has virtually coerced Hon High Court to Suo- Motto implead Secy(T) in the ongoing legal proceedings

Sir, this case is not merely about the promotion of an individual employee. It concerns the credibility of the disability reservation policy, the sanctity of judicial pronouncements and the commitment of the Government towards protecting the rights of Persons with Benchmark Disabilities. After nearly three decades of relentless struggle, Shri Panickar deserves closure, dignity and the justice that has already been affirmed by every judicial forum he approached.

We therefore earnestly request your personal intervention for expeditious resolution of this matter and issuance of appropriate directions to all concerned authorities.

With regards,

Yours Sincerely



(G. L. Jogi)

General Secretary

Copy to:

1. Sh Deb Kumar Chakrabarti, M(S)/ DOT. He is requested to take immediate cognisance of the fact that DOT, as Administrative Ministry, has ben Suo Motto impleaded by Chairman & Managing Director, Bharat Sanchar Nigam Limited, for isduibg necessary instructions to BSNL for compliance of its orders.
2. Sh Robert J. Ravi, CMD/ BSNL, for n/a pl.
3. Dr Kalyan Sagar Nippani, Director (HR)/BSNL, for n/a pl.
4. Sh Rajeev Kaushik, PGM(P)/BSNL, for n/a pl.
5. Sh P. Lodha, DDG(E)/ DOT, for n/ a pl.
6. Shri M. G. Prabhakara Panickar – for information.