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भारत संचार निगम लिमिटेड
(भारत सरकार का उपक्रम)
BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

File No. 60-10/2015-SCT

MOST URGENT
Dated: 12.12.2017

To,
All Head of Telecom Circles,
Bharat Sanchar Nigam Limited.

Sub: Action against employees got appointment on the basis of fake/false certificates of SC/ST.

As we all are aware that Hon'ble Supreme Court has laid down procedure and guidelines in dealing the cases of false caste certificate holders vide its judgement dated 02.09.1994 in the case of Kumari Madhuri Patil vs Addl. Commissioner. As per the procedure, the false caste certificate complaints/cases are to be sent to the State/ District Level Scrutiny Committee for verification and report of the Committee shall be treated as final.

2. Further, after receipt of caste certificate as declared false by the Scrutiny Committee, necessary criminal action (lodging of FIR) and disciplinary action (under Rule-36 of BSNL CDA Rules) are to be initiated immediately against the accused employee.

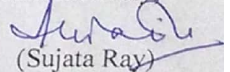
3. It is pertinent to mention that around 20 caste certificates have been declared invalid by the scrutiny Committee which are long pending in BSNL Circles for disciplinary proceedings and seven accused officials out of them are still continuing their official duty. These employees may have the opportunity to destroy/temper the related records available in the office. This way he/she may be able to affect the enquiry in the disciplinary case against him/her. It would be in the interest of service if the false caste certificate holders are placed under suspension to avoid above said activities. Therefore following directives should be strictly followed in dealing such cases:

- (I) After getting final False caste certificate report from the Scrutiny Committee, the certificate holder should be placed under suspension immediately under clause 30(1) (c) of BSNL CDA Rules 2006. Followed by initiation of necessary criminal action (lodging of FIR by concerned Admin unit of the Circle/ SSA) and disciplinary action i.e. issue of charge sheet under BSNL CDA Rule-36 by concerned vigilance unit against him/her.
- (II) Enquiry Authority should conclude the inquiry on the basis of day to day hearing and submit his report at the earliest but in no case more than a period of six months from the date of receipt of order of his appointment as Inquiry Authority as per the DOPT Notification dated 02.06.2017.
- (III) Disciplinary Authority should issue final order immediately after receipt of Inquiry report. Penalty imposed (dismissal or removal from service) should be acted as per the DOPT OM no. 36011/1/2012-Estt (Res) dated 10.01.2013.

Further, the Parliament committee on Welfare of Scheduled Castes and Scheduled Tribes is monitoring false caste certificate cases from time to time. In this context, the Parliament Committee has sought information from BSNL regarding initiating of criminal cases against the guilty employees, and the status of action taken against them.

This may kindly be treated as most urgent please.

Yours sincerely,


(Sujata Ray)

Director (HR)

copy to AGM (Pers-I) to upload at BSNL Intranet Portal.