

The Supreme Court bench consisting of Hon'ble Justices Sri Madan B.Lokur and Sri Deepak Gupta has issued order on 1.8.2018 in CA No. 7423-29 of 2018 clarifying the order issued by the Supreme Court in Umadevi case. As per this order dated 1.8.2018, " each department or each instrumentality should undertake a one-time exercise and prepare a list of all casual, daily-wage or ad hoc employees who have been working for more than ten years without the intervention of courts and tribunals and subject them to a process verification as to whether they are working against vacant posts and possess the requisite qualification for the post and if so, regularise their services."... "The true effect of the direction is that all persons who have worked for more than ten years as on 10-4-2006 [the date of decision in Umadevi (3)] without the protection of any interim order of any court or tribunal, in vacant posts, possessing the requisite qualification, are entitled to be considered for regularisation". "Under the circumstances, we are of the view that the Regularisation Rules must be given a pragmatic interpretation and the appellants, if they have completed 10 years of service on the date of promulgation of the Regularisation Rules, ought to be given the benefit of the service rendered by them. If they have completed 10 years of service they should be regularised unless there is some valid objection to their regularisation like misconduct etc".

The left out casual majdoors and TSMs who have completed 10 years by 30.9.2000 are eligible for regularization against vacancies available. Since the regularization in BSNL is based on the concept of vacancies to be treated as available to the extent of candidates eligible for regularisation and the RM post does not need any educational qualification. Since the Supreme Court directed to consider regularisation of the candidates who complete 10 years on the date of the promulgation of regularization rules.
