

BRIEF REPORT OF THE GENERAL SECRETARY

Placed for discussion in the

**Central Office Bearers & Advisors
Meeting held on
12th & 13th July, 2014
at
New Delhi**



**ALL INDIA
BHARAT SANCHAR NIGAM LIMITED.
EXECUTIVES' ASSOCIATION**

**Central Head Quarters,
New Delhi**

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**Central Office Bearers & Advisors Meeting
held on 12th (Saturday) & 13th (Sunday) July'2014 at New Delhi**

**DISCUSSION & DECISION ON ORGANISATIONAL MATTERS, MEMBERSHIP
VERIFICATION OF EXECUTIVES ASSOCIATIONS, STATUS OF HR ISSUES & VIABILITY
OF BSNL**

Respected President & Dear Comrades,

We are meeting here at New Delhi for the Central Office Bearers & Advisors meeting of AIBSNLEA, after All India Conference at Nashik from 10th November, 2013 to 12th November, 2013. In today's meeting, we shall have the objective assessment of the efforts that we have initiated and the result that we could achieve after 4th AIC. We may also like to decide here the future plan of actions on Organizational Matters, Membership Verification of Executives Associations, Status of HR issues & Viability of BSNL.

This Central Office Bearers & Advisors Meeting is being held at the most crucial period at New Delhi when BSNL has notified referendum and election is decided to be held on 10th Dec., 2014 and also BSNL is incurring losses for the five years and may further face losses. After 4th AIC Nashik, all the resolutions were immediately submitted to BSNL Management and DoT administration for settlement. All the issues of importance have been discussed in the informal meetings with Secretary DoT/CMD BSNL and other Sr. Officers of DoT/BSNL.

In the Organizational front, we are to ascertain that Circles/Branches are functioning well by holding regular Branch/Circle elections. All the organizational action calls given by CHQ are implemented successfully. The membership has increased at Branches / Circles and some more efforts are required to enroll more & more executives to strengthen the Association, in view of the membership verification of executive association. CHQ/Circle quota is being remitted regularly. There should be critical examination of our strength and weaknesses, so that proper corrective measures, wherever necessary, could be decided.

We are to discuss the status of HR issues related to various cadres, which are taken up by AIBSNLEA at the appropriate level. Settlement of the issues is too judged on proper perspective, so that the unresolved issues could be planned to be got resolved expeditiously.

BSNL's very existence and its viability is one of the important issues which need a thorough discussion. Performance of BSNL in all fronts will have to be analyzed properly. We shall have

to analyze why the growth of BSNL is not up to our expectation and come out with concrete proposals to make BSNL a strong and viable Organization. Confidence building measures in customers shall have to be given priority. Strategies are to be evolved for more revenue generation and its collection. This meeting may suggest reducing the operational cost and stoppage of unwanted expenditures. Delay in procurement of Drop Wire, CLIP Instruments, PIJF Cables, MLLN/CPE Modems etc is adversely affecting the growth of BSNL and deployment of ITS officers in BSNL are also matters of serious concern to all of us.

Struggle of SNEA (I) and AIGETOA demanding implementation of the assured Promotional Avenue i.e. CPSU Cadre hierarchy, implementation of E-2 & E-3 Standard pay scales may be a point for discussion in this meeting. Its impact and the results achieved will have to be assessed. The present status of the issue on which the agitation was launched shall certainly be reviewed. We are aware that the Management is not ready to implement CPSU Cadre hierarchy and E-2, E-3 standard IDA Pay scales. This meeting would also like to adopt time bound an action plan to get the issue sorted out once for all.

This would certainly be an important meeting before referendum. During the period, after 4th All India Conference, Nashik Maharashtra Circle to this Meeting, AIBSNLEA's consistent and untiring efforts yielded result in getting settled many issues. There had been numerous important developments which needs thorough and critical examination.

2.0 In the beginning of this report, we may discuss the organizational status and activities of the association, mainly covering the period since Aug'2013 after CWC Meet Guwahati.

2.1 Membership: The paid membership of the Association is now as against recorded at the time of 4th AIC, Nashik. After 4th AIC at Nashik in Nov. 2013, large numbers of Branches have not remitted the CHQ quota. All Circle/ Branches should ensure to clear the CHQ quota before next CWC meet at Hyderabad. The paid membership reflects the strength of the organization and good financial position gives boost to the organizational activities. The Circle/Branch Secretaries are to give special attention on regular collection of subscription and remittance of quota. Still there is sufficient scope to increase the membership.

2.2 Contribution towards legal fund: To protect the interest of the members, through the legal means, as and when required, we need to spend substantial amount to the legal cases. A separate fund has been created by one time collection of Rs. 200/-, special donation for court cases. But many Circles are yet to deposit the special donation to CHQ.

2.3 Membership verification of the Executives Association in BSNL:

At Present only two Associations of the Executives enjoy the trade union facilities in BSNL. However, after verification of their membership only one Association will be recognized and the 2nd one will be the supporting Association. The BSNL Management constituted a Committee under the chairmanship of GM(Trg.) BSNL CO to finalize the terms and conditions for verification of membership for Executives' Associations. AGM (SR) circulated the committee report to all Executive Associations for submitting views / suggestions to finalize the terms and conditions of membership verification of the executive Associations of BSNL. AIBSNLEA submitted its views / suggestions. Now the BSNL Management has decided to start the process of Membership Verification of the Executives Association. The terms & conditions have been notified.

All the Organizing Secretaries may brief the status of membership in their areas and the effort being made to increase the membership. The strategies to mobilize and ensure more and more members enrollment, this meeting may discuss in detail and finalize the future course of actions. The circular issued by CHQ is enclosed as Annexure-I for further discussion & decision.

2.4 Regular Election of Branch/Circle Body of AIBSNLEA: Most of the Branches/Circles, AIBSNLEA have conducted elections to form regular body by convening Branch / Circle conferences.

2.5 Journal/Circular/Websites: Our web site of AIBSNLEA i.e. www.aibsnleachq.in provides all latest information regarding meetings with DoT administration & BSNL Management for the information of the members and others. All important communications made and office orders are also promptly displayed on the web sites.

The consolidations of all the important events were taking place in the monthly journal of AIBSNLEA i.e. 'TELEWAVE'. The printing of TELEWAVE has been stopped in view of regular expenditure and its less usefulness in the present scenario.

2.6 Publication of BSNL Executives' Diary - 2014: AIBSNLEA printed BSNL Executives Diary for the year 2014 with improved quality and features. The publication of next issue of BSNL Executive Diary-2015 has to be decided in the next CWC meeting. All are requested to give their requirement in the next CWC meeting at Hyderabad.

2.7 Welfare Scheme: As per the decision of 2nd AIC Jaipur, all the claims received from various Branches / Circles have been cleared from the General Funds of AIBSNLEA. The welfare funds from TESA / AFSOA have not been transferred to AIBSNLEA. The GSs TESA/AFSOA have been requested to take necessary action for transferring the welfare fund to AIBSNLEA immediately but no response in this regard has been received.

In order to study and recommend various methods to strengthen the Welfare Scheme and raising fund, a committee was formed under the chairmanship of OS (S) with all other three O.Ss that is OS (W), OS (E) and OS(N) as members. The committee submitted its report in the last AIC held at Nashik. The AIC approved the Welfare Scheme which will be implemented after the membership verification of the Executive Association.

3.0 STATUS OF HR ISSUES: The record of discussions issued on 23.04.2014 of the formal meeting held with Director (HR) BSNL on 27.03.2014 is enclosed as Annexure – II.

3.1 Implementation of Executives Promotion Policy in BSNL: AIBSNLEA untiring & persistent effort's yielded result in getting issued Executive Promotion Policy on 18.01.2007 and got implemented but still some issues remains un-resolved as under:-

- **Implementation of CPSU cadre hierarchy- Change of designations on each Time Bound up-gradation on functional basis:** BSNL Management has given the draft proposal for submitting our views on this issue which was immediately uploaded on the CHQ website seeking the suggestions/views. Association has already submitted the comments/opinion on this issue to the Management but no meeting in this regard has been conducted.

- **Date of effect of Implementation of revised IDA Pay Scales for the Executives w.e.f. 1.10.2000:** BSNL management has granted benefit of residency period w.e.f. 1.10.2000 to the Executives i.e. JTO/SDE (Civil/Electrical/Arch./TF) Engineering wings, CSSs, PAs/PSs, JAOs etc. for whom the RRs were notified after 1.10.2000 and accordingly the pay scales were upgraded. Whereas, as per Dr. Shahi's committee recommendations the upgraded scales for the above executives' should have been implemented w.e.f 1.10.2000 on actual basis or notional basis. Now BSNL Corporate Office has issued order of notional pay fixation for JAOs w.e.f. 01.10.2000, we are demanding similar benefit to other upgraded cadres also.
 - **Settlement of Pay anomaly cases wherein senior Executives are drawing less pay than their juniors:** BSNL CO, Pers. Cell has filed SLP against Hon'ble High Court, Kerala judgment in The Hon'ble Supreme Court of India, wherein AIBSNLEA has been impleaded.
 - **Amendment in BSNL MSRRs allowing Diploma holders to the promotion of EE:** As per these BSNLMS RRs, the existing JTOs/SDEs (C/E/Arch) Engineering wings having diploma qualification were not eligible to be promoted to the grade of Assistant General Manager EE/Arch. AIBSNLEA strongly protested against this discrimination and finally BSNL Management issued amendment on BSNLMS RRs allowing Diploma holder SDEs (C/E/Arch) to the post of EE as per 1994 DOT RRs. We have again pleaded to remove discrimination on the pretext of degree/diploma qualification to the promotion of EE from SDE (C/E/Arch) and parity with the JTO (T) / SDE (T). On our persuasion a committee comprising GM (Pers.), PGM (BW)/(EW)/(Arch) was constituted to examine the issue. We submitted our views to the committee members. Now the committee has submitted its recommendations to the Management Committee which has cleared the proposal. The BSNL Board approval is still expected. It is understood that 50%-50% EE(C/E) Posts will be shared by the Degree and Diploma holder SDEs (C/E).
- 3.2 Management Trainees Recruitment Rule-2009:** AIBSNLEA consistent effort yielded results in getting revised MT RRs-2013. BSNL Management revised MTRR -2013 allowing B.Sc. Ist Class/B.Tech. and 50 years age for internal candidates. Presently the issues raised by AIBSNLEA have been addressed up to some extent. Now, our considered opinion is that since the CPSU Cadre hierarchy for non - post based promotions up to JAG selection grade is under discussion in Committee, the MTRRs has no relevance.
- 3.3 DGM Recruitment:** The qualified and experienced Executives in BSNL having 10 to 20 years of service should also get an opportunity to compete with others for the DGM posts by making appropriate, justified and rational changes in the eligibility conditions. This would mark the beginning of allowing BSNL to have a management structure of its own at DGM level which by virtue of age profile will be groomed into senior management in due course of time. This strategic move will not only meet the career growth of aspiring talented executives in BSNL but will immensely contribute towards growth and viability of BSNL.
- 3.4 CPCs to fill up the vacant HAG/SAG/JAG, STS Group 'A' & Group 'B' Grade posts in BSNL on adhoc/ Regular basis :**

- (a) **JTO to SDE (T) CPC against seniority cum fitness quota:** As per the clarification received from DOP&T through DoT, the vacancy position of LDCE quota and seniority quota has been re-calculated for the years 2009-10, 2010-11, 2011-12 and 2012-13 now the CPC process has started. The ACRs/VCRs of eligible JTOs to SDE(T) promotions have already been received in BSNL CO. The Circles have been asked to ensure correct implementation of DOP&T OM dated 03.03.2008 for deciding the seniority/eligibility list. The promotion orders will be issued only after the stay order is vacated by Hon'ble CAT Bench Ernakulum. The hearing is expected on 16.07.2014.
- (b) **CPC from SDE (T) to DE (Adhoc):** Posting on promotion order from SDE(T) to 1587 DEs on Adhoc basis (OC=1240, SC=249, ST=98) have been issued on 19.07.2013. Against these promotions orders, a Contempt Notice has been issued by Hon'ble High Court Chandigarh to CMD, BSNL for operating the TES Gr. "B" seniority lists numbers (6) and (7) which has been quashed. The case is listed for hearing on 22.07.2014 in the Hon'ble Supreme Court of India thereafter the judgment will be submitted to the Hon'ble High Court Chandigarh for consideration. In case the Contempt Notice is dismissed or withdrawal then only the CPC will take place to fill-up about 1500 DEs post on regular basis.
- (c) **CPC from SDE(T) to DE Regular:** CPC from SDE(T) to DE Regular is in progress to fill up about 2700 DEs posts against the vacancies 2011-12, 2012-13 and 2013-14. ACRs/VCRs of few Circles are pending.
- (d) **CPC form DE to DGM (Engg.):** Posting on promotion orders from DE to 119 DGM(Engg.) was issued on dated 02.07.2013. Some left out cases were also considered. The CPC to fill-up 480 DGM Posts is in progress. ACRs/VCRs have been called by BSNL CO.
- (e) **CPC from JAO to AO:** CPC from JAO to AO was initiated long before and it was about to be completed to fill up about 1500 AOs vacant posts but mean while some JAOS filed case in Hon'ble Chandigarh CAT and availed stay order against CPC for proper implementation of SC-ST Roster as per Hon'ble Supreme Court judgment for considering backlog vacancies. Legal opinion was sought by the SEA Cell from BSNL's counselor of HR Telecom Circle to initiate CPC but he has opined not to issue any promotion order till the final outcome of the court case. Finally, the case was disposed off with a direction not to implement the SC/ST roster in promotions as per the judgment of Hon'ble Supreme Court in the Nagrajan case. BSNL CO SEA cell took the legal opinion and has sent to DoT/DoP&T for advice but the advice is still awaited. Meanwhile, the SEA Cell has initiated the CPC process and directed Circles to send the screening reports to C.O. to process the CPC to fill-up about 1800 vacant AOs posts. Most of the circles have sent the screening reports/VCRs but some circles are yet to send the report. We are continuously making efforts to expedite the CPC.
- (f) **CPC from AO to CAO Regular:** CPC work of CAO regular promotion is in progress to fill up vacant CAOs posts on regular basis but VCRs are still awaited. The promotion order will be issued shortly.
- (g) **CPC from AO to CAO (Adhoc):** Management has assured that as soon as the promotion order of CAO(Regular) are issued the CPC work from AO to CAO (Adhoc)

will be taken up. However, the proposal for diversion of MT Posts (336 CAOs) to seniority quota has been cleared by BSNL MC and pending for BSNL Board approval.

- (h) CPC from CAO to DGM (F):** Promotion and posting of 161 Executives of STS level of Telecom Finance to JAG level of Telecom Finance on ad-hoc basis have been issued.
- (i) CPC from DGM (Fin) Adhoc to DGM (Fin) Regular:** The CPC work is in progress. Some VCRs are still awaited. Promotion orders are expected shortly.
- (j) CPC from JTO (E) to SDE (E):** CPC from JTO (E) to SDE (E) to fill up about 18 SDEs (E) vacant posts was completed and promotion orders were issued. The LDCE result was declared and posting on promotion was also issued.
- (k) CPC from SDE(C/E) to EE(C/E):** Efforts were made to initiate CPCs and accordingly the seniority list of SDEs(C/E) were finalized and also the information regarding degree availed while in service by some SDEs (Diploma Holders) was asked up to 21.02.2013 thereafter the CPC was initiated. Meanwhile, a Committee of PGM(BW), PGM(EW) and Sr. GM(Pers.) has been constituted to examine the degree availed while in service from Distance Education mode by some SDEs (Diploma Holders) and its implementation. Also the dispute continued between diploma holders and degree holders. Hence, the decision on modification of BSNL MSRRs which has been cleared by BSNL MC is still pending for BSNL Board approval. In view of this the CPCs to fill up EEs(C/E) posts could not be completed.
- (l) CPC from EE(E) to SE(E):** CPC from EE(E) to SE(E) to fill up about 18 SE(E) posts was completed and promotion orders were issued.
- (m) CPCs from SE to CE and CE to Sr. CE:** The CPCs from SE to CE and CE to Sr. CE have been completed and promotion orders were issued in Civil/Electrical Wings.
- (n) CPCs to fill up vacant AEs(Arch) and SDEs(Arch) Posts:** We requested for filling up of 16 vacant EEs(Arch) posts. 12 EEs(Arch) are working. To fill up vacant 16 EEs(Arch) posts, eligible SDEs(Arch) are not available.
- (o) CPC from JTO(C) to SDE(C):** After the approval of the Competent Authority, the seniority list of JTOs(C) has been finalized and the promotion **orders 63** SDEs(C) were issued. The LDCE to fill up SDE(C) posts was conducted and all the qualified SDEs (C) have been given posting on promotion.
- (p) CPC from to SDE(C/E) to EE(C/E):** ACRs of 83 SDEs (C) and about 40 SDEs(E) have been called for regularization as well as promotion of the post of EE (C/E) but could not be expedited as explained above in para 'k'.
- (q) Promotion orders from Assistants to Section officers and personal Assistant to Private Secretaries in the erstwhile CSS and CSSS:** These Executives are posted mainly in the BSNL Corporate Office. The promotion order for them are being issued on regular basis and some SOs have been promoted as AGMs and three AGMs(CSS) have been promoted as DGM in BSNL CO, New Delhi.

(r) Issue of promotion order from JTOs (TF) to SDEs (TF) on regular basis, SDE (TF) to DE/AGM (TF) and DE to DGM (TF): The CPC process from JTOs (TF) to SDEs (TF) on regular basis, SDE (TF) to DE/AGM (TF) and DE to DGM (TF) were completed and promotion orders have been issued.

(s) CPC from JAG to SAG and SAG to HAG: The CPCs have been conducted to fill up about 16 SAG level posts and 8 HAG level Posts in Telecom Operations by BSNL absorbed ITS Officers and the ITS officers absorbed under Rule 37. Similarly the SAG/HAG level posts in Telecom Finance, Civil/Electrical/Arch/TF Engineering Wings are also being filled regularly.

3.5 Withdrawal of the system/practice of Local Officiating Arrangement or Local Officiating Promotion in BSNL and Introduction of Look After arrangement by Executives: BSNL Corporate Office issued letter regarding Withdrawal of the system/practice of Local Officiating Arrangement or Local Officiating Promotion in BSNL and Introduction of Look After arrangement by Executives availing higher scales of pay w.r.t. temporary shortages in the grades/posts of SDE / DE/ DGM in Circles on 22.03.2013. BSNL yet to review the order.

3.6 Serious anomalies in the TES Gr. 'B' officers' seniority lists: Hon'ble Supreme Court CA No. 4339 of 1995 dated 28.09.2006 and CP Civil No. 248 of 2007 in CA No. 4339 of 1995 dated 25.03.2008 in the judgment directed the respondent that they shall rearrange the seniority in terms of the principals laid down in P.N. Lal's case restoring their earlier position and shall not put any employee over and above the present petitioners on the basis of the seniority in the service in the entry year. While implementing the above judgment DoT/BSNL has re-casted the seniority of $45+20+9+4=78$ (about) TES Gr. 'B' officers only whereas, thousands of TES Gr. 'B' officers are to be provided similar benefit. Now TES Gr. 'B' officers promotions to DE is being issued on the basis of two seniority lists i.e. one on rule-1966 and another on para rule-206 basis. It has caused serious anomaly and heart burn to the TES Gr. 'B' officers in BSNL. Regarding implementation of Rule-206 or Rule-1966, BSNL Management has filed SLP in the Hon'ble Supreme Court for clarification. The SLP came for hearing on 08.07.2014 and now posted to 16.07.2014 for final hearing.

The Hon'ble Supreme Court on 12.5.2008 passed interim order for maintenance of "**Status quo**" inspite of the said interim order BSNL issued promotion order for the posts of DGM to 172 DE/AGM out of 270 SDEs on 8.2.2012. Contempt petition no. 403 of 2012 was filed by promote Sh. M. Shamugam for initiating contempt processing against contemnor CMD BSNL and other officials of BSNL. The said contempt petition no. 403 of 2012 was listed before the Hon'ble Supreme Court on 26.7.2013 and the Hon'ble Court issued show cause notices and directed for personal appearance of contemnors CMD, BSNL, Director(HR) and AGM (Pers.) of BSNL. The case was heard on 23rd Sept' 2013 and finally contempt was disposed off. The next date of hearing is yet to be notified.

AIBSNLEA OA 2126/2009 in Principal Bench CAT, New Delhi reference mentioned in the Operative portion of the judgment on 147 SDEs (LDCE Quota) retrospective seniority case:

"We have to remind ourselves, some more are waiting in the wings, watching the proceedings, to jump on at the appropriate time. We cannot, but, record our deep anguish and displeasure at such conduct. We say this, because, the matter has been raised in various Benches of the Central Administrative Tribunal in Chandigarh, Cuttack, Calcutta

and the Principal Bench with varying results. We only notice the proceedings pending before the Principal Bench (Judicial I) Delhi of the Central Administrative Tribunal, in O.A 2126/2009 wherein all the 147 merit based candidates are stated to be parties. We have been taken through the order of the Principal Bench dated 21.9.2011 wherein the proceedings pending before the various Benches were noticed, while considering the application for reference to a larger Bench. The Principal Bench has referred to OA No.86/2009 which challenged the seniority of the 147 persons as also the stay order of this Court dated 18.2.2010. The Principal Bench in paragraph 11 held so:

Contention raised by the counsel for the respondents before us is that since two contradictory views have been expressed by different Benches of the Tribunal, namely, Ernakulum Bench and Chandigarh Bench, the matter should be referred to the Full Bench. We, however, of the opinion that even if the matter is referred to the Full Bench, no purpose would be served because ultimately this very issue is pending before the Hon'ble High Court of Kerala. Once the Hon'ble High Court of Kerala gives its view, it would be binding not only on the parties but also on the Tribunal unless, it is upset by the Hon'ble Supreme Court or by some other High Court in some other proceedings. At that time the matter can be finally resolved." Hon'ble High Court Kerala delivered the judgment on 30.07.2013 by quashing the retrospective seniority of 147 SDEs of LDCE quota against the affected parties filed 4 SLPs in the Hon'ble Supreme Court. BSNL also filed SLP which was heard on 07.07.2014 and the Hon'ble Court has allowed BSNL for promotions on the existing seniority list and posted case for final hearing in the last week of Sept-2014.

- 3.7 Implementation of E-2, E-3 standard IDA Pay scales to JTO and SDE equivalent executives in BSNL:** No intermediary scales have been permitted under DPE O.Ms. dated 26.11.2008 and 02.04.2009. Generally, promotion has to be from one 'Grade' to next higher 'Grade' with it corresponding scale as per the promotion policy of respective CPSEs. A CPSE cannot have more than one pay scale in a grade (say DGM & GM in E8 pay scale) to promote its executives within the same grade". Ignoring the DPE O.Ms. on implementation of 2nd PRC recommendation for standard pay scales E-2 & E-3 for JTO/SDE equivalent executives, BSNL Management is continuing efforts to implement E1A & E2A intermediate IDA pay scales in BSNL for JTO/SDE equivalent executives, which is not at all justified. In view of this, standard IDA pay scales E-2 & E-3 as recommended by 2nd PRC are to be implemented in BSNL for JTO and SDE equivalent executives to provide justice. But the proposal to clarify the substitute pay scales of E-1A, E-2A and E-9A IDA pay scales have been sent to DoT by BSNL and now DoT has sent it to DPE for clarification.
- 3.8 Restructuring of AD (OL) Cadre:** The committee constituted under the Chairmanship of Addl. GM (Estt.) has finalized and submitted the report to the competent authority to revise the pay scale of AD (OL). Shortly case will be put up to the competent authority for approval. We have demanded to restructure the cadre to ensure promotions up-to DD (O/L) STS level.
- 3.9 Regularization of offg. JTOs:** Hon'ble High Court of Punjab & Haryana at Chandigarh was pleased enough to close the Contempt of Court case COCP 1431/2008 against CMD BSNL & others filed by some petitioners in WPC 5608/2007 in the matter of diversion of DR quota JTO vacancies. The counsel for contempt petitioners have chosen to withdraw the contempt petition and the high court has been pleased to dispose of the contempt petition on his statement. No adverse observation with account to supernumerary posting of Officiating JTOs have been made by the court virtually accepting the stand of BSNL to adjust earlier test qualifying offg. JTOs. This order paved the way for adjustment/regular

promotion of all other offg. JTOs as a one time measure all over India. The BSNL Management finally decided to amend the JTO RR-2001 with new JTO RR-2014 which has been cleared by the BSNL MC and pending for BSNL Board's approval. As soon as the Board approval comes the regularization of offg. JTOs will take place.

3.10 Regularization of Postal JAOs: The process for regularization of postal JAOs was completed and regularization orders were issued.

3.11 Allowing to exercise option to Deptt. JAOs on their promotion: The pay anomaly case of departmental JAOs was processed by PAT Cell. A committee formed headed by PGM(SR), Sr. GM(Pers.), GM(Estt.), GM(EF) and GM(FP) and the said committee finalized the report and submitted to competent authority for approval. The said Committee recommended five additional increment benefits to Deptt. JTOs/JAOs at par with direct recruit JTOs/JAOs and accordingly implemented. But allowing option to Departmental JAOs in the executive cadre is yet to be considered by the committee.

3.12 Antedating of pay - anomaly due to accrual of increment of Junior earlier than the senior after fixation of pay in revised pay scale implementation of 2nd PRC: We further requested to restore the original order dated 23.09.2009 wherein provision for ante-dating the increment of the senior to that of the junior was envisaged. Alternatively, management can think of any other solution that will address the issue of anomaly wherein the junior does not draw more pay than the senior and also the senior does not face any drop in his basic pay which he/she will be drawing by virtue of the 3% annual increment provided in the rule. The Committee constituted to examine the case has not recommended to change the present order.

3.13 Implementation of DPE order for payment of 78.2% IDA fitment benefit w.e.f. 01.01.2007 in BSNL: DoT issued Presidential Directives on 10.06.2013 and for implementation of 78.2% IDA pay fixation order. BSNL also issued order immediately. But DoT is yet to issue order for BSNL Pensioners on 78.2% IDA fitment benefit. The DoP&W has cleared the proposal of notional pension fixation subject to the approval of DoE. DoE has raised some queries to DoT. DoT is yet to reply the queries.

3.14 Two weeks of training to executives whose pay is upgraded and on every promotion under EPP: AIBSNLEA's consistent efforts yielded result in getting released the letter no. 32-27/2004-Trg[Vol. VII] Dated: 18/02/2013 for relaxation in mandatory Training under Executive Promotion Policy for officers, who are of 55 years and above age on the date of their respective upgradation order, these officers will have the option of undergoing one week Refresher Course as a part of the mandatory training under EPP followed by appearing in online exam at the respective Training Centre but our efforts will continue to withdraw the Mandatory Training.

3.15 Grievances of PA/ Stenographers' cadre :

• **PENDING ISSUES :**

- **Post based promotions for P.A/P.S:** With restructuring and declaring the cadre of stenographers as 'dying cadre', the entry cadre is now Personal Assistants (Executive) with only one promotional avenue available as P.S., as against executives of other streams viz. JTO / JAO having promotional avenue up to the level of G.M. and above. In order to reach at least at the level of SG JAG (E-6) before retirement, we suggested the following post based promotion for the Personal Assistants:-

- All the posts of Stenographers, Personal Assistants and Personal Secretaries may be pooled together and placed in the ratio of 40% (E-1) PA, 40%(E2) P.S. and 20 %(E3) PPS.
- As per the recommendations of the H.K. Gupta Committee, all the HAG level officers may be provided with secretarial assistance at the level of E-4. A committee has been constituted to examine the PPS Posts creation justification.
- All Officers (PA/PS/PPS) who are in E-4 scale for a period of 5 years or have completed 23 years of service from the date of entry in the cadre may be promoted to E-5.
- All officers who have been promoted to E-5 and have completed a minimum period of 3 years may be placed in E-6.
- **Common Recruitment Rules & Nomenclature:** Different Recruitment Rules for PA and PS have been issued by Corporate Office for field units and Corporate Office. This method does not exist in any of the PSUs. Common RRs for field units' stenographers and corporate office stenographers should be there.
- **Introduction of Promotion Policy for Stenos (Dying cadre):** There are about **251** Stenographers working throughout the country in the field units of BSNL. Out of these **251**, majority of the stenographers have completed more than 12 years and is placed in the pre-revised executive pay scale of 9850 & 11875 as the case may be at par with PA/PS. The Stenographers who have been granted ACP in the executive pay scale ceased to be non-executives as per BSNL HQ order No. 1-22/2009-PAT (BSNL) dated 30.04.2009, yet the status attached to the pay scale has not been accorded to them. Promotion policy for non-executives has also been notified now. The only cadre which has been kept outside the purview of both the promotion policies is the Stenographers (dying cadre). Neither Executive Promotion Policy nor Non-Executive Promotion policy has been made applicable to this small group of **Stenos drawing executive pay scale**. If no promotion policy is implemented, there is no scope of any Time Bound Promotion in future and have to retire from the present position when others may enjoy the benefits. This discrimination is against natural justice.

3.16 EPF Statement of BSNL recruited Employees: Yearly EPF statement is being supplied to BSNL recruited Executives in response to our detailed letter and we are continuously monitoring the same. We requested Director (HR/EB) to resolve EPF issue for BSNL recruited JTOs at the earliest.

3.17 Superannuation benefits to directly recruited employees as per DPE guidelines: We requested Director (HR/EB) to resolve superannuation benefits to directly recruited employees as per DPE guidelines. We requested that BSNL should contribute 12% as Superannuation Benefits in respect of Direct Recruits, to fulfill the limit of 30% contribution and the effective date of implementation of Superannuation benefits of BSNL Recruited Employees must be 01.01.2007.

As per DPE OM 26.11.2008, CPSEs would be allowed 30% of Basic Pay as Superannuation benefits. So, BSNL should contribute at the rate of 12 % (Basic plus DA) on monthly basis and 8.33% Contribution of BSNL and 1.16 % of Government to EPS Fund should be continued.

As per DPE OM dated 24-1-2013, it has clarified that DPE OMs do not provide for mandatory contribution on the part of employees and suggested that employees' contribution to their post retrieval benefit would enhance their social security and therefore CPSEs can frame scheme as per their requirement We suggests that the employee

contribution in this respect should not be taken mandatory. The committee headed by ED (Fin.) Ms. Geeta Rau has left the decision on BSNL Management in this regard.

3.18 Meetings of Staff welfare Board / Sports & Cultural Board BSNL: The Meeting of BSNL Staff welfare Board & Sports & Cultural Board BSNL is being regularly attended by GS as special invitee. Similarly BSNL Corporate Office issued instructions to nominate representative from AIBSNLEA at Circle level also.

3.19 Payment of pension contribution of the IDA pay scales: We requested to BSNL Management to take up the matter with DoP&T/DoT for modification in payment of pension contribution from highest of IDA pay scale to the actual basic pay from BSNL. As the case was referred to DPP&W and DOP&T by DoT and now DoT vide letter no. 7-45/2008/TA-I/409-433 dated 01.03.2012 submitted that Ministry of Finance (Deptt. of Expenditure) has not concurred the above proposal. Hence the Pension contribution in respect of absorbed BSNL employees are to be recovered as per the previous methodology as stipulated vide DoT letter no. 7-45/2008/TA-I/409-433 dated 25.02.2010 but the Govt. yet to take the decision in this regard.

3.20 Deployment of ITS Group 'A' Officers in BSNL : The contempt case on ITS issue in Hon'ble High Court of Delhi was listed for hearing on dated 25.07.2013 as Item No. 3 in Court No. 7 before Hon'ble Justice S.K. Misra at the High Court of Delhi at New Delhi. Mr. Rajshekhar Rao appeared on behalf of the Petitioners. Mr. Sikri appeared on behalf of BSNL and Mr. Vaibhav Kalra appeared on behalf of DOT.

There was some defect as regards the memo of parties which will have to be rectified at our end in as much as certain Respondents mentioned in the memo of parties in the Court File did not appear to have any mention in the Prayer and relief clause. In view of the same, the Ld. Judge was pleased to grant 2 weeks time to the Petitioners to file the amended Memo of Parties. The counsel appearing on behalf of Respondent No. 3, 4 & 6 sought time to file a Reply and the Ld. Judge directed the Respondents to file a separate Affidavit for each Respondent. Further, Mr Rao made brief submissions which led to filing of the instant Contempt Petition particularly the breach of the Hon'ble High Court's Orders on three occasions. However on the issue whether the personal presence of the Respondents would be required in Court, the Ld. Judge was of the view that the same should be decided on the basis of the Reply filed and to be determined at a later stage.

Therefore in view of the above, the matter now stands adjourned for further proceedings.

4.0 Other Organizational Activities :

- **Establishment of Association office and permanent assets:** At present the Association Office is being run from BSNL's accommodation. However, the proposal for some accommodation may be taken on permanent basis /rented basis for stay purpose of our members at CHQ New Delhi.
- **Winding-up of all constituent Associations:** All the General Secretaries of constituent Associations have been requested again and again to take necessary steps to wind-up the constituent Associations and transferring their movable/ immovable properties/ assets to AIBSNLEA. But no constituent Association has taken necessary steps in this regard. As per the decision of 4th AIC Nashik the legal proceedings has been initiated.

5.0 **Organizational Action programmes:** The details of the Organizational Action programmes / meeting under the banner of United Forum of BSNL Executives' Associations and Forum of BSNL Unions/Associations at CHQ Office are being placed regularly on the website for information.

A. **Functioning of United Forum of BSNL Executives Associations:-** AIBSNLEA, SNEA(I) and AIGETOA under the banner of United Forum of BSNL Executives Associations were taking up the common issues mainly holding of CPCs to fill up vacant JAG / STS grade posts on regular and Adhoc basis, CPSU Cadre hierarchy, Implementation of E-2, E-3 standard IDA Pay scales, transfer policy, amendment in EPP, MTRR, BSNL MSRRs, DGM RR etc similarly on the issues related to viability of BSNL. But, after the decision on membership verification of majority Executive Association the functioning of United Forum has been derailed. However, some time before AIGETOA was on agitation for the settlement of the above issues for which we have already extended our solidarity and moral support. SNEA (I) also preferred to launch the agitation programme alone. In our opinion joint struggle under the banner of United Forum of BSNL Executives Associations could have been better to resolve the issues.

6.0 **Forum of BSNL Unions & Associations**

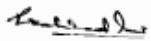
The forum of BSNL Unions and Associations has submitted a Memorandum to the Hon'ble Prime Minister of India for revival of BSNL and has requested to the Hon'ble MoC&IT for granting a meeting to discuss all the issues related to viability of BSNL in person.

Conclusion: This is a brief report having reported the important developments & activities of the Association after the 4th All India Conference held at Nashik in November 2013 mainly to have quick catch-up of the major developments that took place during the period, so that the discussions, on the various items, on agenda of this meeting become easier. Most of the issues related to the members of AIBSNLEA are available in the report. We are extremely thankful to the comrades of Delhi Circle & BSNL Corporate Office Circle for holding this meeting at Delhi.

Thanking you,

AIBSNLEA – UNITY – ZINDABAD ! AIBSNLEA ZINDABAD ! BSNL ZINDABAD !

Comradely yours,


(Prahlad Rai)
General Secretary