

No. BSNL/7-18/SR/2010

Dated, the 23rd December, 2010

**Record of discussions of the meeting held at 11.30 hrs. on 14th December, 2010
with the representatives of All India BSNL Executives' Association**

List of participants

BSNL management

1. Shri R.K. Mishra, Sr. GM (Pers.)
2. Shri D.P. De, Sr. GM (Estt.)
3. Smt. A. Panda, Sr. GM (CA)
4. Shri N.K. Narang, Sr. GM (SR)
5. Shri Virender Prasad, DGM (Pers.)
6. Shri Harshvardhan Singh, DGM(Estt.)
7. Shri Satish Wadhwa, AGM (SR-II)
8. Shri V.K. Sinha, AGM (Pers.II)

Representatives of AIBSNLEA

1. Shri Prahlad Rai, Gen Secretary
2. Shri K. Satyanarayana, President
3. Shri G.R. Sharma, Fin. Secretary
4. Shri P. Venugopal, AGS
5. Shri Devesh Sharma, AGS
6. Shri Rakesh Sethi, CS

At the outset, Sr. GM (SR) welcomed all the participants, the issues raised by the General Secretary, AIBSNLEA in support of his notice for the demonstration on 20th December and two days dharna on 22-23 December, 2010 were discussed in the meeting, the details of which are -

1. **Immediate withdrawal of clarifications dated 19.02.2010 and 13.10.2010 issued by BSNL Corporate Office w.r.to AAO/Sr.AO/Sr.SOE and PA/PSs cadres, pay fixation in Executive Promotion Policy** - The association protested against issue of order dated 19.11.2010 keeping in abeyance the recovery of pay as per clarifications dated 19.2.2010 and 13.10.2010 and felt that the entire clarifications could have been kept in abeyance. Responding to the demand of the association, the management side clarified that order dated 19.2.2010 and 19.11.2010 related to the stoppage of recovery with immediate effect w.e.f. AAOs / Sr. AOs and PAs/PSs cadres and pay fixation in Executive Promotion Policy respectively. In addition, the matter has been referred to a Committee constituted on 19.11.2010 under the chairmanship of Sr. GM (Estt.). In case, the association has any additional inputs for consideration of the committee, the same can be submitted with DGM (Pers.).

recommendation is applicable only in respect of Govt. employees and not PSUs employees, like BSNL, whose IDA scale is regulated by the 2nd PRC.

7. **Sanction/creation of posts of PPS in the field units** - In response to the demand of the association for creation of posts of PPS in the field offices, the management side informed that the concern of the association is noted by the management.
8. **The single Rule for recasting of TES Gr. B officers seniority list should be implemented in BSNL** - Referring to a number of cases pending in various courts, the association demanded for a single rule for recasting of TES Group 'B' officers seniority in BSNL. In response, the management also agreed for a single rule for recasting seniority of TES Group 'B' officers so as to minimise litigation. In this regard, the management is proposes to file two more SLPs shortly. Finally, the management side informed that BSNL is actively pursuing the case of seniority of TES Group 'B' cadre in different courts to have single judgement so that single criterion on seniority issue could be followed. While concluding, Sr. GM (Pers.) also suggested that in case all the three General Secretaries of the major associations discuss among themselves and unanimously come to a conclusion, the issue can be resolved.
9. **Modification of BSNLMS RRs to allow the existing JTOs/SDEs (C/E/Arch) for the promotion to the grade of AGM/EE/Architect** - The association mentioned that as per the BSNLMS RRs, the existing JTOs/SDEs in Civil/Elect./Arch. Wings having diploma are not eligible to be promoted to the grade to AGM and demanded for modification of BSNLMS RRs. In the case of Architecture discipline, valid registration with the Council of Architects is a requisite condition, which is gross injustice. In response, the management side informed that the BSNL MS RRs for all the streams are same as was available to them in the erstwhile DoT and which would have been available to them had they continued in the Department. However, this matter is sub-judice.
10. **Change of designations of Executives on each Time Bound Promotion** - The association mentioned that on each up-gradation to the next higher grade, the designation as well as duties/responsibilities associated with the higher grade should be allowed and additional feedback has also been submitted by the Association. It was informed that the issue needs to be further examined.
11. **One time placement of SDE to Sr. SDE grade on 01.10.2000** - The association mentioned that as per DOT agreement and commitment of BSNL at the time of absorption of Group B officers in BSNL on 1.10.2000, SDEs who had completed 5 years of regular service were to be provided one time placement in the Sr. SDE grade, but this has not been done so far. In response, the management side argued that while framing Executive Promotion Policy in the year 2007, all pending issues of executives have been addressed. After detailed discussions, it was

2. **Early settlement of Pay anomaly cases wherein senior Executives are drawing less pay than their juniors** - The association pointed out that the Executives promoted prior to 1.10.2010 as STS are drawing less pay than their juniors promoted as adhoc STS after June-July, 2010 and requested for suitable amendment of EPP. In response, the management side pointed out that anomaly is bound to exist when a senior officer is promoted to a higher post on regular basis in comparison to his junior, who first gets financial up-gradation and then regular promotion in the same scale, for which no solution is visible. After detailed discussion, the association offered to submit a brief in this regard for consideration of the management.
3. **Immediate holding of DPCs on seniority cum fitness basis and LDCE from JTO (T) to SDE(T) to fill up about 10,000 vacant SDEs posts** - In response to the demand of the association for immediate holding of DPCs for promotion to SDE (T) grade, the management pointed out that presently the Hon'ble CAT, Chennai has issued stay-order on holding of DPC on a petition filed by DR JTOs.
4. **Promotion from JTOs Offg. (TTAs) to JTO (Telecom) on regular basis and Removal of FR-35 for JTO (Offg.)**
5. **Removal of FR 35 JTO (Offg.)** - The association submitted that all officiating JTOs be regularised as one time measure and given the benefit of pay fixation under FR 22 (1)(a)(i) since they fulfil all the eligibility conditions for promotion to JTO cadre. Further, the officials, who have not yet undergone Phase-II training, are ready to undergo training. In response, the management side informed that certain TTAs qualified in the promotion quota screening test for the vacancies upto 31.8.1999 but did not come in the select zone due to non-availability of vacancies in the quota. BSNL, as a special case, was promoting them as JTO by diverting DR quota @ 500 posts per year since the year 2001, and waiting qualified TTAs are being given officiating promotion as JTO by the Telecom Circles on successful completion of 10 weeks Phase-I training. Subsequent to the orders of Hon'ble HC of Punjab & Haryana in CWP no. 5608/2007 the diversion of DR quota to promotion quota has been stopped since the year 2008. In these circumstances, these officiating JTOs cannot be promoted on regular basis. Furthermore, the SLP filed by the waiting qualified TTAs, officiating as JTOs, has been dismissed by the Hon'ble Supreme Court. Moreover, the diversion of DR quota, restoration of said diverted posts and creation of supernumerary posts to adjust the JTOs promoted against diverted posts etc. is under examination before Hon'ble HC of Punjab and Haryana wherein a contempt petition against BSNL management is also pending. Legal opinion has been taken in the matter which has opined that as the matter is sub-judice no decision on the issue can be taken at present.
6. **Immediate settlement of revision of pay scale of Asst. Director (OL) as per 6th CPC recommendations** - In response to the demand of the association for revision of pay scale of AD (OL) at par with those working in the GOI Departments/Ministries as per the recommendations of 6th CPC, the management pointed out that the 6th Pay Commission

agreed that the association shall submit additional documents in support of their claim for consideration of the management.

12. **Date of effect of implementation of revised IDA pay scales w.e.f. 01.10.2000 on notional benefit** - The association submitted that revised IDA pay scales for all the cadres have come into force w.e.f. 1.10.2000 with actual benefit, but counting of residency period is not benefiting the senior JTOs/SDEs in Civil/Elect/Arch cadres in the EPP. Hence, the date of effect of implementation of revised IDA pay scale should be effective from 1.10.2000 on notional basis. In response to the demand of the association, it was explained that EPP was issued in consultation with the Executives' associations. The issue could have been raised at that time and presently there is no scope for further negotiations.
13. **First and subsequent up gradation to the next higher grade on completion of 4 years of service in all cases** - The Association mentioned that after introduction of revised pay scales and grant of 3% increment every year, the financial up-gradation in Time Bound Promotion from 6-4 years has become irrelevant. Hence, first and subsequent up-gradations to the next higher grade may be provided on completion of 4 years of service in all cases. Re-acting to the demand of the association, the management side averred that up-gradations can be made after 5 years in all cases on uniform basis, which was not agreed to by the association.
14. **Immediate notification of new IDA pay scales (E1A/E2A) for JTO / SDE equivalent Executives** - The association mentioned that pay scales E-1A, E-2A, E-9A have been sent to DOT with the approval of BSNL Board. The delay in finalisation is causing great financial losses to the executives and needs to be expedited. Reacting to the demand, the management side advised informed that the issue is pending with DOT, who are being reminded for early decision.
15. **Immediate Settlement of EPF issues on transfer of DR Executives'** - The association submitted that although yearly EPF statement is being supplied to BSNL recruited executives, but the issue of the transfer of their EPF account from one place to another is still unresolved. In response, the management side informed that with the transfer of an executive from one place to another, his EPF account number gets changed. The problem of non-transfer of balance in the previous account lies with the EPF authorities. With a view to resolve all EPF related issues, Sr. GM (CA) informed that it is proposed to form EPF Cells for interaction with EPF authorities and requisition for additional staff to man these Cells has also been sent.
16. **Regularisation of adhoc STS, JAG & SAG level Executives' of all disciplines** - The association pointed out that approx. 1571 DEs have been regularised and additional 800 DE regular vacancies are still pending. These need to be filled up urgently. In response, the management replied that present the matter is sub-judice and the next date of hearing is 6th January, 2011. Till such time, no action can be taken.

17. **Consideration of all pending requests/tenure transfer cases and seniority cases of SDEs/DEs and AOs/CAOs** - In response to the demand of association for regularisation of adhoc STS, JAG, SAG officers and filling up of all vacant JAG/STS level posts on regular/adhoc basis, the management side informed that Hon'ble Central Administrative Tribunal, Madras Bench, vide order dated 26.11.2010 in OA No. 983/2010 filed by All India Graduate Engineer Telecom Officers Association, has stayed the operation of Foot Note 2 below Schedule 1A of BSNLMS RRs 2009. Further, the legal opinion is also not favourable, which states that unless stay is vacated, no promotion can be made.
18. **Consideration of all pending requests/tenure transfer cases and seniority cases of SDEs/DEs and AOs/CAOs** - The association mentioned that most of the request transfer applications of SDEs/Des are not considered and executives who have completed tenure at hard tenure Circles need to be relieved immediately. In response, the management side informed that transfer requests of Des have also been considered and orders for 15 DEs issued on 20.10.2010. Tenure/deserving cases will always be considered, but normal transfer cases are not encouraged since this costs to the company.
19. **Holding of DPC for 1999 JAO batch to AAO** - The association demanded holding DPC of 1999 batch with retrospective effect, i.e. 1.10.2003 when these JAOs became eligible to be promoted as AAO, but BSNL declared AAO as wasting cadre in 2004 without holding their DPC. The matter was discussed in detail and Sr. GM (Pers.) mentioned that the matter will be got examined in consultation with PGM (EF).
20. **Implementation of DPE OM dated 02.04.2009 regarding fitment benefit from 68.8% to 78.2% with effect from 01.01.2007** - In response to the demand of association for implementation of fitment benefit from 68.8% to 78.2%, the management side informed that the issue was submitted to BSNL Board for consideration. The Board discussed the proposal in detail. After detailed deliberations, the Board decided to defer the implementation of the benefit of 50% of IDA merger for pay fixation till the Company's financial position improves considerably and there are visible signs of recovery.
21. **Immediate completion of absorption process of ITS Group 'A' officers in BSNL** - In response to the demand of the association for immediate completion of absorption process of ITS Group 'A' officers in BSNL, the management informed that basically the issue relates to the Government. The consultation process with the Ministries has already started and it will take some more time. It is also understood that the Cabinet Note is being finalised.
22. **The IDA pension revision order for BSNL pensioners who retired before 01.01.2007 should immediately be issued by the DOT** - The association pointed out that the Hon'ble MOC&IT had informed the JAC leaders on 20th April, 2010 that the Cabinet Note on IDA pension revision has been prepared and sent to Cabinet for approval, but till date order from DOT is yet to be issued. BSNL informed that since issue is with

from DOT is yet to be issued. BSNL informed that since issue is with DOT and is under consideration of the Government, BSNL management is not in a position to give any further inputs.

23. **Rent free 3G mobile service and Broadband connections should be provided to all BSNL Executives** - In response to the demand of association for rent free 3G mobile service and broadband connections to all BSNL executives, the management side informed that a proposal for provision of concessional broadband to all officials below JAG level is under consideration.
24. **BSNL CO should take immediate action to solve the problems related to O&M of CDR System which are resulting in surrender of a huge number of landline connections and in turn loss of business and revenue** - In response to the demand of association for solving the problems related to O&M of CDR system, it was informed that the system is in transition period and efforts are being made to resolve the teething problems. Some of the responses to various issues of various Circles are already listed on the intranet. Association members desired for pro-active action on roll-out issues and formation of active teams in various zones for follow-up on problems.

After discussions on all the issues raised by the association, Sr. GM (SR) requested the General Secretary, AIBSNLEA to withdraw its proposed demonstration on 20th December, 2010 and two days dharna on 22nd and 23rd December, 2010, to which the General Secretary responded that they will consider positively.

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28.12.2010

(Satish Wadhwa)
AGM (SR-II), BSNL C.O.

Copy to :

All concerned

Copy for info to :

Sr. PPS to Director (HR)