



**ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
EXECUTIVES' ASSOCIATION
CENTRAL HEADQUARTERS
NEW DELHI**

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No.: AIBSNLEA/CHQ/CMD/2012-13

Dated:12.07.2012

To
Shri R.K.Upadhyay,
Chairman-cum-Managing Director, BSNL,
New-Delhi-110001.

Sub:- Demand for early implementation of BSNL Board's Decision to give Regular posting as JTOs to all officiating JTOs (qualified & trained TTAs)

Ref:- This Association letter No. AIBSNLEA/CHQ/CMD/2011-12 dated 7-4-2012 and No.AIBSNLEA/CHQ/CMD/2011-13 dated 15-5-2012.

Respected Sir,

Your immediate personal kind attention is invited to our letters cited above regarding the issue of regularization of officiating JTOs. The litigation originated in the Hon'ble Haryana High Court created a stalemate blocking the further operation of completing the regularization process in the year 2008. By that time 3500 officials were regularized and the remaining 2000 are still waiting for their turn for **the last 7 years**. Obviously, CWP 5608/2007 filed in the Hon High Court of Haryana by a vested interest group, contained false statements and incorrect information which were supported illegally by a colluding group within the Corporate Office as well as the office of CGM Haryana, against the true interest of the Company. This group tactfully suppressed the real contents of and facts about the BSNL Board's decision dated 30-3-2001 and presented a fabricated version of the same in the High Court. When the petitioners furnished wrong information regarding their length of service and thus misguided the court in the matter of eligibility for appearing in promotion test, this colluding group with in BSNL did not challenge it for the company, but they also concealed the real facts about the actual length of service of the petitioners from the notice of the High Court in favor of the opposite parties. Hence the Decision of the HC on the Writ Petition went against BSNL in the year 2008, and paved way to the subsequent Contempt of Court case No.1431/ 2008 against CMD. Theses all we have explained in our letters cited above with clear satisfying evidences.

Even after completing **a very long period of four (4) years** the Contempt of Court case against the CMD BSNL is unnecessarily and purposefully got dragged only to torpedo the decision of BSNL board and to harass the 2000 officiating JTOs striving hard for the company **for the last 7 years in various JTO posts** throughout the country.

In this context your personal kind attention is invited to our letters cited above where in we have categorically alleged the flops committed by BSNL in contesting the CWP 5608/2007 and subsequent Contempt of Court case No. 1431/2008 in Chandigarh High Court and demanded inquiry against the erring officers in Corporate Office and Haryana CGM's office. We also demanded to proceed legally and departmentally against the petitioners in CWP 5608/2007 in Chandigarh High Court , who submitted false affidavit in the court in the matter of their service particulars which ultimately led to the present stalemate and contempt of court case against the CMD.

It appears that even at this stage BSNL Corporate office is not moving in the right direction. No enquiry has so far been ordered to probe in to the misdeed and offense brought to your notice through our letters cited. **The Contempt of Court case is still being dragged like anything as if some body is playing behind it only to deny justice to the eligible group. The contempt case stands posted for next hearing on 30th July 2012 which is likely to be adjourned for the uncaring attitude of the BSNL officers. No sincere efforts are being made by the officers concerned in BSNL Corporate office to settle the contempt case finally.**

We therefore make the following demands vehemently:-

- 1) Appoint a dedicated and unbiased team consisting of legal experts, to look in to the contempt case with regard to the information furnished by us in our two recent letters dated 7-4-2012 and 15-5-2012 cited above, and to approach the Apex Court for getting an immediate order instructing the Chandigarh High Court to dispose the Contempt of Court case immediately without delaying it further by the HC simply raising irrelevant grounds and entering in areas beyond its jurisdiction, as the matter involves the life and future of 2000 hardworking employees of BSNL.**
- 2) If it is not feasible, please start immediately the process of regularization of all officiating JTOs by a one-time upgrading of the posts as already demanded by this association and all other recognized trade unions repeatedly. There is no need to wait for the settlement of Contempt case for this process. The Contempt case should not be a ban for implementing the BSNL Board's decision in the matter of giving regular posting to officiating JTOs. This case was originated due to lapses**

committed by BSNL officers who handled the case and not because of any fault of the officiating JTOs.

- 3) **Proceed against the officers in corporate office and Haryana CGM's office who colluded with the petitioners and furnished wrong information to the court of Law and thus mishandled the cases (WP and CC).**
- 4) **Proceed legally and departmentally against the petitioners who furnished wrong information in court of law regarding service particulars based on which the Writ Petition went against the Company.**
- 5) Now the HC of Chandigarh is connecting the Contempt Case with the conducting of LICE to JTO as per RR-2001. **As a matter of right, all the officiating JTOs (qualified & trained TTAs) are to be upgraded to regular JTOs before conducting any such LICE to JTO. Those who are officiating as JTOs continuously for the last 7 (seven) years, after undergoing the Phase-I training as per the relevant RR, should not be asked to write another examination for becoming JTO. Hence we demand to settle the issue of regularization of officiating JTOs first, before going for another LICE to JTO.** This is a very sensitive item to be settled without affecting the morale of the officials in accordance with the prevailing decision of the BSNL Board of 2001.

Hope your good office will view all the above demands with its deserving seriousness and implement the Board's decision of 2001 in its true spirit.

With kind regards,

Yours Sincerely,
-sd-
(PRAHLAD RAI)
General Secretary

Copy to:-

The Director (HR)/ GM (Establishment), BSNL Corporate Office, New Delhi-110001