



# ALL INDIA BHARAT SANCHAR NIGAM LIMITED EXECUTIVES' ASSOCIATION

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**No. AIBSNEA/CHQ/Director(HR)/2020**

**Dated 12<sup>th</sup> Feb' 2020.**

To,

**Shri Arvind Vadnerkar,  
Director (HR),  
BSNL Board,  
New Delhi -110001.**

**Subject: Breach of Service Bond Agreement- Undue pressure given by the Circle Admin of A&N Circle to DR JTOs of 2017 batch for extension of Bond Agreement from 2 years to 5 years– Reg.**

**Reference** 1) No: AIBSNLEA/A&N/PB/2019-20/16 Dated. 23rd December 2019  
2) No: CGMT/A&N DR JTO 2017-GATE/16-17 Dated 30.06.2017  
3) No: CGMT/A&N/DR JTO-2017/2016-17/91 Dated 04.12.2019  
4) BSNL CO, ND Lr. No: 12-2/2016-Rectt Dated 22.05.2017

**Respected Sir,**

We would like to draw your kind attention on the above cited subject. In this regard, it is intimated that the DR JTOs of 2017 batch of Andaman & Nicobar Circle have submitted the Service Bond Agreement for 02 Years at the time of their joining in training as per the instructions and format provided by the A&N Circle, BSNL. Now, at a later date after completion of more than two years of submission of the Service Bond, the A&N Circle Administration has issued revised instructions vide letter under reference 3 above by quoting the reference of BSNL CO, New Delhi instructions vide letter under reference 4 above for submitting a new bond for 5 Years validity.

These JTOs have represented to the Circle Administration for the consideration of two years Bond submitted by them as per the earlier instructions but it is not acceded to by the Circle Administration, instead Circle Administration has issued continuous reminders to these JTOs to submit the New Bonds for 5 years validity which is against Natural Justice and the Breach of Agreement. These aggrieved JTOs approached the Circle Secretary, AIBSNLEA, A&N Circle with the request to get the justice. The Circle Secretary A&N Circle has taken up the issue with the CGMT A&N Circle but it was not considered. Some facts in this regard are furnished below:

- 1) The Candidates had submitted the Service Bond Agreement for a period of 02 Years (Clause No. 3) at the time of joining of training as per the instructions and format provided by the BSNL and was agreed by Both the Parties.
- 2) Changing in the Service Bond Agreement on a later date i.e., after two years is the Breach of Bond Agreement (Clause No. 4) by the BSNL.
- 3) The surety too had agreed for 02 Years period as per existing Agreement (Clause No. 5 & 6), but due to the present financial crunch in BSNL, the surety denies for any involvement in Bond with BSNL.
- 4) As per Indian Contract Act 1872, an Agreement can only be changed or modified with mutual consent of both the parties, and any enforcement carried out on one party by other for change in such agreement is a punishable offence. The Circle Admin & HR Office is threatening DR JTOs for taking Disciplinary Action against them if they won't change the Bond validity.
- 5) Already 03 JTOs resigned & left the services of BSNL from A&N Circle with 02 Years Bond Agreement only.
- 6) Afterwards, a JTO under waiting list has joined in BSNL in August 2018 and he was also asked by the Circle Administration to submit 02 Years Service Bond only.

**In view of the foregoing, it is requested to kindly intervene in the matter and render justice to our DR JTOs-2017 batch members and necessary instructions may kindly be issued to A & N Circle Administration for acceptance of two years Service Bond as per the existing instructions prevailing at the time of the training.**

With kind regards,

**Yours Sincerely,**  
-sd-  
**(S.Sivakumar)**  
**General Secretary**

**Copy for kind information and necessary action to:**

1. Smt. Samita Luthra, GM (Rectt.) BSNL CO, New Delhi- 110001.
2. Shri A.M. Gupta, GM (SR) BSNL CO, New Delhi –110001