

BSNL EMPLOYEES UNION

Recognised Union in BSNL

(Registered Under Indian Trade Union Act 1926. Regn.No.4896)

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BSNLEU / 204(NC)

22.01.2018

To

Shri A.M. Gupta,
GM (SR), BSNL C.O.,
Bharat Sanchar Bhawan,
Janpath, New Delhi – 110 001

Sir,

Sub: - Nomination to the Staff Side of the National Council — reg.

Ref: - (1) BSNL Lr.No.BSNL/9-5/SR/2013 dated 16.10.2017.
(2) BSNLEU letter of even number dated 23.08.2017.

We wish to bring the following to your kind notice for favour of appropriate action.

Vide letter number cited under reference (2) above, BSNLEU nominated Shri Suresh Kumar, Sector-6/767, R.K. Puram, New Delhi – 110 022, as a member of the National Council. The Management, vide letter number cited under reference (1) above, has rejected our nomination, on the ground that, any minority union with less than 7% votes cannot be given the facility of formal meetings like NCM for discussion of general issues.

We are very much pained that, the right of BSNLEU, which is the Main Recognised Representative Union in BSNL, is denied the right to nominate a person of it's choice, to the council. In this regard, we wish to state the following for favour of your kind reconsideration of the issue.

Right from the inception of the Negotiating Councils in BSNL in 2002, the Recognised Union had been bestowed with the right to nominate persons of it's choice, to the councils. This had enabled the Recognised Union to nominate even persons who are not it's members. Thus, the Recognised Union had been able to utilise the expertise and knowledge of persons from outside it's fold also.

This right of the Recognised Union was challenged in the Hon'ble Ernakulam High Court, which initially granted a stay for such nominations. However, subsequently, based on a petition filed by BSNLEU, the stay was vacated, and the Hon'ble Court left it to the discretion of the BSNL Management, whether or not, to accept nomination of non-members to the council. It is regrettable that even after such a clarification given by the Hon'ble Ernakulam High Court, the BSNL Management refused to accept nomination of non-members to the council.

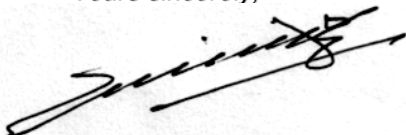
It is regrettable to note that, the Management has mixed-up the right of the Recognised Union to nominate even non-members to the councils, with the provision laid down in the New Recognition Rules that, only a union which secures 7% votes can get seat in the councils. We earnestly request you to kindly revisit this issue on the following grounds:-

- (a) Ever since the inception of Negotiating Councils in BSNL in 2002, the Recognised Union had been bestowed with the right to nominate even 'non-members' to the councils. It is very relevant to bring to your kind notice that, even the New Recognition Rule introduced on 26.12.2012, has not put in place any clause, to deny this right of the Recognised Union.
- (b) BSNLEU has accepted the New Recognition Rules introduced on 26.12.2012, in toto. At the same time, the provision that, '**only a union which secures 7% votes could get seat in the councils**' should not be misinterpreted to deny the Recognised Union, of it's right to nominate non-members to the councils.

In view of the foregoing, we earnestly request you to kindly bestow your personal attention on this issue and to revisit the same, for taking a favourable decision. In this regard, we would like to suggest that, our Union may kindly be permitted to have a joint discussion with the GM (SR) and the CGM (Legal), to iron out the differences on this issue.

Thanking you,

Yours sincerely,



[P. Abhimanyu]
General Secretary