



BHARAT SANCHAR NIGAM LIMITED  
A GOVERNMENT OF INDIA ENTERPRISE)  
SR CELL, Corporate Office  
8<sup>th</sup> Floor, Bharat Sanchar Bhawan,  
Harish Chandra Mathur Lane,  
Janpath, New Delhi-110 001

No. BSNL/39-3/SR/2017

Dated, the 27<sup>th</sup> November , 2017

**Sub: Minutes of the adjourned 35<sup>th</sup> meeting of the National Council held on 13<sup>th</sup> November, 2017 under the chairpersonship of Director (HR), BSNL Board.**

The adjourned 35<sup>th</sup> meeting of National Council was held at 11:00 AM on 13th November 2017 in the Conference Hall, Bharat Sanchar Bhavan, and New Delhi. The list of participants is available at Annexure-I.

2. GM (SR) welcomed Director [HR] Chairperson of National Council and all the members of the National Council. He said that part 1 of the 35<sup>th</sup> National Council meeting was held in the month of May and because there were lot of items to be discussed in that meeting hence the council decided to adjourn the meeting . Now 16 left out items are being taken for discussion in this meeting. He mentioned that National Council is the highest platform where the Management side and the staff side sit together for amicable and peaceful resolution of HR issues in the interest of the employees as well as in the best interest of the company. He said that most of the time we are bailing water out of the boat and hardly get time to fix the holes. National Council Meeting provides an opportunity to fix the holes. He said that incidental informal interactions have their utility but the meeting like this is held with firmness of purpose. He hoped that fruitful discussions would take place with a view to solve as many issues as possible.

3. Director (HR), Chairperson National Council extended her warm welcome to all the Staff Side members of the National Council and official side. She wished that the residual items of the first meeting held a few months back would be covered in today's meeting & most of the issues would be settled amicably. There are several issues which have been casting small shadows on the staff - management relations of the BSNL and most of them are matter of perception. She hoped that the style of participative management, we have adopted, would continue and become a tradition in BSNL. She asserted that no decision can be taken in the confines of this office alone without sharing it with the staff side. She said that it would be her endeavour to make the administration highly responsive and more employee centric than ever before, for that trust, confidence and faith are the fundamental principles of HR management.. She appreciated that HR officers have shown utmost sincerity in trying to settle the very complex issues and there would be some issues which are still left to resolve and would certainly be there in every enterprise. However, it is management's firm resolve that with staff side support such issues would also be settled in near future. She also mentioned that 3<sup>rd</sup> PRC which is of utmost importance to everyone is imminent and she is very hopeful and very very optimistic that

again with staff side support the 3<sup>rd</sup> pay revision as well as consequential pension revision to all the employees of BSNL would be settled.. At the end of her opening address she hoped that today's discussion would be participatory and practical suggestions would come from all of the participants in the meeting.

4. After greeting all the participants , Leader, Staff Side drew attention of the chairperson towards following issues/difficulties being faced by field staff .

- a. Inordinate delay in payment of medical bills & cited the example of Bihar circle.
- b. Revision of wage of casual laborers.
- c. Delay in issuance of Presidential orders.
- d. Payment of PLI (Bonus).
- e. Promotion of qualified RMs to the Cadre of Telecom Technicians (Erstwhile TM).

5. Secretary, Staff Side extended warm welcome to the Management side and the Members of the National Council. He mentioned that after the last membership verification only one meeting of the national council has taken place due to reasons attributed to both sides. But hereafter, the periodicity for holding the National Council meeting may be maintained. He expressed his gratitude to management for passing a resolution in favour of settlement of wage revision with 15% fitment. . During his address he also raised following points for consideration

- a. A Committee to decide the payment of PLI. may be formed expeditiously, and the quantum of bonus should be decided without delay.
- b. Actions as per discussions held in previous National Council meeting, are not being taken by the concerned branches.
- c. Management has issued orders curtailing even peaceful trade union activities like dharna and hunger strike which should be reviewed.
- d. Notification has been issued for holding JE LICE, wherein minimum aggregate mark for the SC / ST employees has been laid down..
- e. The Non-Executives in BSNL are being provided with Rs.200/- SIM. Rs.429/- plan BSNL, with unlimited voice calls and 1 GB data per day, with three month validity may be implemented/extended to for Non- Executives of BSNL, in the place of Rs.200/- SIM.
- f. In the JAO LICE held last year, some qualified JAOs could not get posting, in view of the review of results that was made subsequently. It was requested that the left out candidates are also given posting.

6. In response to the addresses by Leader Staff Side and Secretary Staff side , the Management Side replied that the issues are being noted and concerned branches will be asked to take necessary action promptly.

7. Thereafter, the agenda items were taken up for discussion.

**Item no.1: Implementation of NEPP by removing the flaws and discrimination.**

**Staff side raised following points w.r.t. NEPP**

- (i) As per the NEPP order dated 23.3.2010, and also as per the agreement signed by the management and representative union, the pay scale up

gradation after 1.10.2000 only has to be counted as a promotion under NEPP and not the up gradation on 1.10.2000. But the up gradation granted on 1.10.2000 is being treated by the management as a promotion under NEPP. Orders be issued for correcting this.

- (ii) Counting post based promotion as promotion under NEPP is not proper. As per NEPP, the promotions under OTBP/BCR/Grade-IV/ACP etc only are to be counted as promotion under NEPP. But management has been implementing the NEPP wrongly by counting post based promotions under NEPP. This needs correction.
- (iii) The OTBP officials in Sr ToA cadre who were in the NE-7 pay scale of 7100-200-10100 are placed in the lower pay scale of 6550-185-9325 on surrendering their OTBP to get promotion under NEPP w.e.f. 1.10.2004. Reduction of existing pay scale on surrendering it to get promotion under NEPP is an anomaly since pay scale cannot be reduced except under punishment. This needs correction.
- (iv) The up gradation of the pay scale of Driver in 2002 and the conversion of LDC TA to ToA(G) on 1.7.2004 are being counted against NEPP. The up gradation/conversion in these cases is applicable to the entire cadre and not to any individual in the cadre. But the NEPP is not for the entire cadre and it is to be treated as a personal up gradation and as per the NEPP order dated 23.3.2010, "Time Bound IDA pay scale up gradations are personal to non-executive concerned and no claim what-so-ever can be made by comparison on grounds of seniority, class, community, cadre, stream etc. " Therefore, the up gradation of the pay scale of a cadre or the conversion of one cadre into another, cannot be counted against NEPP which is strictly personal to the employee. Hence it is required to cause orders for not counting these up gradations against NEPP.
- (v) The periodicity for counting the residency period in a pay scale for promotion under NEPP be relaxed in the case of SC/ST employees as is being done in some other PSUs.
- (vi) TSM in DoT regularized in BSNL be treated as DoT appointee for the purpose of granting promotion under NEPP. All such officials were issued Presidential Orders and hence became eligible for Government Pension like all other officials appointed by DoT. As per FR 26(a) all duty in a post on a time scale counts for increments in that time scale. The service of these officials as TSM in DoT was counted for increments in the time scale of Group D and these increments were included while fixing their IDA Pay in BSNL. Therefore in terms of the FR 26(a) their service as TSM was treated as duty performed in a post on a time scale. The DoT order dated 29-9-2000 on regularization of the TSMs indicated that the posts were available for all of them, but their creation was delayed by artificial ceilings which were lifted vide this order. Therefore in effect, they have worked in posts with time scale



pay and hence their TSM service is duty in terms of FR 26(a). Even though the DoT did not agree earlier, it is requested to take up this issue once again with the DoT.

- (vii) As per NEPP, the DoT employees absorbed in BSNL are eligible for promotion under NEPP on completion of 4/7/8/8 years service whereas the BSNL recruited employees are to be given promotion under NEPP on completion of 8/8/8/8 years of service. Although this differential periodicity was allowed to compensate BSNL absorbed employees having time bound promotion only after completing 16/26 years service in DoT, this situation cannot be allowed to continue for long. It is therefore requested to evolve a new Non-Executive promotion policy for granting 5 promotions at the rate of one promotion each on completion of 5 years service.
- (viii) As per the NEPP, E-1A pay scale has to be granted to the 10% of the non-executives in NE-12 pay scale provided they have completed one year service in the NE-12 pay scale. The Management Committee of BSNL has approved the proposal for grant of this executive pay scale accordingly and it has been pending with the BSNL Board for the last few years. It is requested to cause necessary action to get the approval of the BSNL Board so that this issue is settled without any further delay.
- (ix) As per the NEPP, an official promoted to a particular higher scale under NEPP at first and thereafter promoted to the same scale under post based promotion policy will get two additional increments, one each on NEPP and on PBP. But if the reverse happens and the official gets post based promotion to a particular scale in post based promotion, he is denied NEPP until 4/7/8 years after the said post based promotion. This anomaly needs rectification. For example the TMs who got NEPP to NE-9 scale at first and subsequently got promoted to TTA cadre with the same scale within a few months, got the benefit of two extra increments @ one each on each up gradation. But those who were promoted to TTA at first, just before a few months before becoming due for NEPP promotion to the same scale, were deprived of the NEPP. Therefore such post based promotions should not be counted against NEPP. Similarly those who got NEPP to a higher pay scale and subsequently got promoted to a post based promotion with a lower pay scale are deprived of their additional increment on account of their post based promotion. This needs rectification.

#### **Management side replied**

- (i) & (ii) Necessary orders has been issued to all heads of Telecom Circles vide this office letter No. 13-2/2017-TE dated 14.09.2017 to resolve the issues raised in these points.
- (iii) & (iv) A Committee Consisting of three officers i.e. GM (EF), GM (Estt.) & GM ((SR) delebearated on the issues at length and took into the provisions of NEPP scheme and viewed/recommended that there is no justification for acceding to the request of the staff-side raised in the meeting and BSNL may continue with the provisions enumerated in the NEPP already approved by the authority.



(v) The promotion Policy for Non-Executives in BSNL was formed on the basis of recommendations of the Promotion Committee comprising of the representatives of Management side and Representatives of the recognised Unions. Moreover, CLO (SCT) had been consulted and his comments were taken into account while finalizing the provisions of the policy. The Time Bound IDA scale up-gradation under the NEPP as the expression suggests are merely up-gradation of pay Scales and cannot be equated with post based promotions. However, as a concession, relaxed standards of evaluation for the purpose of time bound IDA scale up-gradation has been provided for SC/ST employees.

(vi) Matter will be placed in MC with details of financial implications.

(vii) NEPP has been under implementation since 2010 after due approval of BSNL Board and DOT. It is not considered feasible at this stage to make any alteration/change in the policy when the next pay revision is awaited.

(viii) This case is linked to HR Plan. Accordingly, the proposal was resubmitted to the DOT. The approval of DoT is awaited.

(ix) The issue raised in has no relevance in view of the policy of the NEPP which guarantees benefit of one increment on post based promotion in the same scale.

**After a deliberation on NEPP policy implementation on committee recommendation on each issue, Chairman directed that two members from staff side will meet the committee's chairman for further discussion.**

**Item No. 2 Relaxation in qualifying standards—educational qualification, age and residency period in a pay scale.**

Staff side requested that for appearing in the JTO LICE the condition of 5 years service in NE-9 pay scale be relaxed and instead, it can be 5 years in NE-6 scale. The age limit for JAO Exam prescribed as 53 may be increased to 55. Any graduate in any discipline be allowed to appear in JTO LICE. One time relaxation be allowed in educational qualification and age for appearing in JE LICE and TT LICE. The RMs having 10+2 qualification or diploma in engineering be allowed to appear in JE LICE. These relaxations will help in reducing the number of employees facing stagnation problem.

Management side replied that it will not be possible to modify the existing eligibility conditions of educational qualification and service as demanded by the staff side. However as far as the cadre of T.T. is concerned, the proposal for introduction of PQT for each LICE for candidates who do not possess 10th standard qualification, in the R.Rs for T.T. is under consideration and information from the field units is being collected.

**During discussion it was informed that educational qualification for T.T/JE/JTO as prescribed in RR is not possible for relaxation. However, the residual period for 5 yrs in NE9 scale for appearing JTO has been relaxed to NE-6 by MC and it is pending for approval in Board for want of additional information. Item may be closed.**



**Item no. 3 Revision of wage in r/o Casual labourers.**

Staff side stated that the Casual labourers are to be paid wages equivalent to the lowest of the CDA pay scales. This was followed in BSNL also. Now, the CDA pay scales are revised in accordance with the recommendations of the 7th CPC. Therefore, the wages of the casual labourers also need to be revised as per 7th CPC recommendation.

Management side informed the council that a Committee has been formed to examine revision of wages/pay scales as per 7th CPC. The committee has recommended that the issue of revision of wages of Casual Labour/TSM will be taken up after revision of pay scales of Non-Executive employees of BSNL.

**At the end of discussion on this issue it was agreed to relook the issue in the shortest possible time.**

**Item No.4 Enhanced wages for Contract labourers.**

Staff side demanded that the Central government Gazette Notification in November, 2016. Ministry of labour regarding enhanced wages to Contract labourers may be endorsed by BSNL .

Management side replied that the said notification being statutory in nature needs no endorsement from BSNL CO to implement it. However on persistent demand/requests of staff side members it was agreed to endorse the notification.

**It was agreed to close the issue.**

**Item No. 5 Promotion of Jr Accountant to Sr. Accountant.**

Staff side requested that the Ernakulam CAT order dated 17/8/2011 regarding promotion of Junior Accountants to Senior Accountants may be implemented in BSNL and all the Junior Accountants may be promoted to Senior Accountants as one time measure.

Management side replied that as per legal advice on this issue, BSNL has filed SLP before the Apex Court. The next date of hearing in this case is 22.01.2018. Since the matter is subjudice no action can take on this issue at present.

**Item No. 6 Promotion to the Cadre of Junior Engineer(T) (TTA) on seniority cum fitness basis:-**

Staff side members stated that that there are many Telecom Technicians (TMs) who do not possess the prescribed qualification i.e. 10+2. Therefore, there is necessity for provision for promotion as per seniority from amongst Telecom Technicians. They suggested that out of 50% departmental quota 15% vacancies may be earmarked for promotion by seniority cum fitness and RRs may be amended accordingly.

**After detailed discussion on this item it was agreed to re-examine the issue.**

**Item No. 7 Declaration of 4<sup>th</sup> Saturday of the month as Holiday:-**

Management side informed the Council that In the present scenario, in view of the highly competitive environment in Telecom Sector, which demands good customer care and better quality of service, declaring 4th Saturday in every month as holiday for all the BSNL staff which would include the field operating units will not be in the interest of BSNL. Item may be closed

**Item No. 8 Acceptance of membership in the councils:-**

Staff side requested that the condition of nomination in the councils need modification to ensure maximum participation of workers in the negotiating machinery. The restriction of nomination only from the members of recognized union be withdrawn for larger participation in the councils.

Management side replied that as per BSNL RNEA Rules 2012 nomination in the councils is to be made from the members of the union which has secured more than 7% votes in the Membership Verification. Moreover Nation Council meeting is a formal meeting and only recognised Unions are granted facility of formal meeting under the BSNL RNEA Rules 2012.

After detailed discussion on the issue it was agreed to discuss the item separately.

**Item no. 9 Expeditious steps for wage revision:-**

Staff side requested that a Joint committee consisting of representatives from unions and management may be formed immediately.

Management side informed that the issue has been referred to DoT for issuing guidelines in this regard and further action will be taken on receipt of guidelines from DoT/DPE.

**Item no. 10 Payment of HRA to deputationists of parent offices:-**

Staff side mentioned that that many non-executive employees are transferred from parent SSA to other to work in Project and sSuch deputed officials are being denied HRA of parent unit. This needs rectification for getting HRA to the officials on deputation at the rate of parent SSA.

Management side replied that HRA is admissible as per actual place of duty and it is not dependent upon the Headquarter of the recruiting unit. In this regard, Gujarat circle has been asked to give option to the Non-executive employees that either they may continue at Vadodhara with HRA applicable for Vadodhara area or comeback to Ahmedabad. In addition, it has also been instructed to depute non-executives at Vadodhara (for WTP) from Vadodhara SSA only. Item may be closed



**Item no. 11 Payment of Medical allowance on the basis of 78.2% IDA fixation benefit.**

Management side informed the Council that item is being examined and is likely to be decided in one month time. Item may be closed

**Item no. 12 Inordinate delay in implementing the Rule 8 transfers of JEs (erstwhile TTAs) posted in the North East.**

Staff side members stated that the JEs (erstwhile TTAs) posted in the North Eastern circles of Assam, NE-1 and NE-2, on completion of the prescribed period of service have submitted their applications for transfer under Rule 8, to their parent circles. However, it is observed that these officials could not get transfers even after completion of many years of submitting the transfer applications. Now, a problem has arisen in their transfers. These officials have passed the JTO LICE. On completion of training and posting as JTOs, they will be placed in the waiting list of JTOs, for going out of the North Eastern circles. Already there is a long waiting list in the cadre of JTO, for going out of the North Eastern circles. It means, a JE, who has already completed around 7 to 8 years in the North Eastern circles, has to wait for many more years, for getting a transfer to their parent circles. It is requested that the Management should consider the cases of the above mentioned officials in a humane manner, and not as a routine matter.

Management side replied that orders have since been issued for counting of service rendered in JE(TTA) for considering transfer under Rule in JTO grade after qualifying the LICE on completion of one year of service in case of NE I and II, Assam, J&K and A&N Telecom. Circle or two years service in case of other circles.

**Item no. 13 Non-payment of GPF advance and Festival advance to the TSMs of NE-2 circle.**

Management side informed that the issue has been resolved and now It has been confirmed from NE-II Circle that GPF Advance and Festival Advance are being made to TSMs.

Staff side members expressed their satisfaction on settlement of this issue.

**Item no. 14 LICE for draughtsman to JTO (Civil / Electrical)**

Staff side members stated that one LICE for draughtsman to JTO (Civil / Electrical) against the 50% quota to be conducted was agreed by the Chairman of the National Council in the 28th meeting held on 30th January, 2013. But till date no fruitful results from the Management to conduct the exams. Staff side stated that are only a few draughtsman left at all India level and most of them are at the fag end of their service and are in the age group of 50 to 60. Moreover there is acute shortage of JTO(C) in



the department and draughtsman cadre is a wasting cadre and therefore, their services can be better utilized at JTO(C).

Management side replied that the proposal relating to giving one more chance to existing draughtsman (Civil/Electrical/ Telecom.) to appear in JTO(Civil)/ JTO(Electrical) exam under 20% Departmental quota was taken up in March 2015. The Management Committee of BSNL Board in its 236th meeting held on 31.03.2015 recommended the proposal for consideration and approval of the BSNL Board. The Board in its 163rd meeting held on 19.06.2015 direct that "The proposal be resubmitted in accordance with the revised HR plan to be finalized as per recommendation of the consultant". Accordingly, the case was referred to Estt/Restg Wing. It was intimated that BSNL HR Plan is under process and its finalization will take some time. The case was kept pending for finalization of BSNL HR Plan.

Due to acute shortage in the cadre of JTO(C) in the department and running delay in finalization of HR plan and under following observations, it has been viewed in the interest of BSNL to give a proposal to the BSNL Board for approval for conduction of special LICE for the left out draughtsman for promotion to JTO(C) as agreed in the NCM in 2015.

It was agreed that proposal should not be linked with HR plan and the case seeking approval for conduction of special LICE for the left out draughtsman for promotion to JTO (Civil) is being examined by Estt. .

**Item. No. 15 Cancel the orders issued by the CGM, Karnataka for allotment of additional space for TERM Cell and TRAI in BSNL building at Bangalore.**

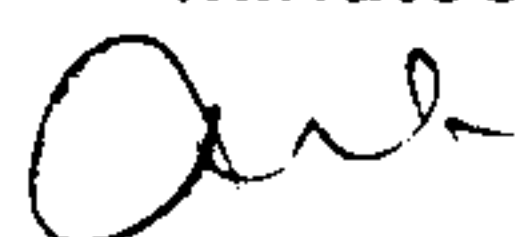
Staff side stated that in many circles BSNL buildings are being taken over by the DoT and demanded that prime buildings of BSNL should not be handed over to DoT / Term Cell.

Management side replied that now circles/field units are instructed to refer such cases to BSNL CO and it was assured that the interest of BSNL would be taken care in this regard.

**Item no. 16 Restructuring of Industrial Cadres.**

Staff side stated that on introduction of new technology, the field staff have been given facility of upgradation of skill through restructuring of cadre but the same has not been extended to Industrial Cadre in Telecom Factories. The executives in the Telecom Factories have been upgraded but the Industrial staff was ignored. The Committee constituted to address this issue has submitted recommendations to Management through GM (TF), Corporate Office long back but the same is lying pending for years together.

Management side replied that the Committee for restructuring of non-executives of Telecom. Factories had submitted its recommendations long back in 2006-07. After examination by different cells at corporate Office many recommendations are implemented. However, in the meantime with the introduction of NEPP scheme, financial up-gradation has been granted to Industrial cadres of Telecom. Factories



and with depletion of manpower due to retirement etc., the issues, appears to have lost its significance.

After detailed discussion on this issue it was agreed to re-examine the cadre restructuring of non-executives in Telecom. Factories.

8. GM(SR) expressed his gratitude to all the participants in the meeting for their cooperation in smooth conduct of the National Council meeting. The meeting ended with a vote of thanks to the Chair.



(A.K. Sinha)

DGM (SR), BSNL C.O.

To

All Members of the National Council (By Name)

Copy for information to:

1. ES to CMD, BSNL.
2. PPSs to All Directors, BSNL Board.
3. PGM(BW), BSNL CO.
4. GM(TF), BSNL CO
5. OL Section - For Hindi translation.
6. Guard file.

**List of Members who participated in the adjourned 35<sup>th</sup> meeting of National Council held on 13<sup>th</sup> November, 2017**

**Management Side:**

- |     |                    |   |                    |
|-----|--------------------|---|--------------------|
| 1.  | Director (HR)      | - | <b>Chairperson</b> |
| 2.  | PGM (EF)           |   |                    |
| 3.  | PGM(BW)            |   |                    |
| 4.  | GM(FP)             |   |                    |
| 5.  | GM(Estt. & Rectt.) |   |                    |
| 6.  | GM (Admn.)         |   |                    |
| 7.  | GM (SR)            |   |                    |
| 8.  | GM(TF)             |   |                    |
| 9.  | Jt.GM(Pers.)       |   |                    |
| 10. | DGM (SR)           |   |                    |

**Staff Side:**

- |    |                            |   |                              |
|----|----------------------------|---|------------------------------|
| 1. | Shri Chandeshwar Singh     | - | <b>Leader, Staff Side</b>    |
| 2. | Shri P. Abhimanyu          | - | <b>Secretary, Staff Side</b> |
| 3. | Shri Islam Ahmad           |   |                              |
| 4. | Shri Animesh Chandra Mitra |   |                              |
| 5. | Shri Swapan Chakraborty    |   |                              |
| 6. | Shri P. Asokababu          |   |                              |
| 7. | Shri Prakash Sharma        |   |                              |
| 8. | Shri D.K. Bakutra          |   |                              |
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