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BSNLEU's items to be discussed in the forthcoming National Council meeting.

(1) Settlement of Wage Revision.

The DoT vide its letter no. no.F.62-2/2016-SU dated 27th April, 2018, has directed the CMD BSNL to get a Wage Revision agreement signed with the Recognised Trade Unions of the Non-Executives and send the same for its approval. Based on this direction of the DoT, a Joint Wage Negotiating Committee was formed. After threadbare discussions in the Joint Wage Negotiating Committee, the following new pay scales for the Non-Executives were finalised in the Joint Wage Negotiating Committee, through consensus between the Staff Side and the Management Side.

Grade	Existing (Rs)	Revised (Rs)
NE-1	7760-13320	19000-45700 ✓
NE-2	7840-14700	19200-49900 ✓
NE-3	7900-14880	19300-53000 ✓
NE-4	8150-15340	19900-56300 ✓
NE-5	8700-16840	21300-59800 ✓
NE-6	9020-17430	22000-63500 ✓
NE-7	10900-20400	26600-69300 ✓
NE-8	12520-23440	30600-79600 ✓
NE-9	13600-25420	33200-86300 ✓
NE-10	14900-27850	36400-94500 ✓
NE-11	16370-30630	39700-104000 ✓
NE-12	16390-33830	39900-114800 ✓

This Joint Wage Negotiating Committee was reconstituted after the retirement of Shri H.C. Pant, Chairman of the Committee. However, after the re-constitution of the Joint Wage Negotiating Committee, the Management Side started pressing on the Staff Side members to modify the proposed new pay scales, which have already been finalised in the Joint Wage Negotiating Committee through consensus. The Management Side wants to cut down the minimum and the maximum of all the pay scales of the Non-Executives, with the view to reduce the expenditure on account of pension contribution. The pay scales of the Executives are already finalised by the 3rd PRC. The BSNL Management has no power to cut down the pay scales of the Executives. Under this circumstance, it will be a great injustice that, the Management wants to cut down the minimum and maximum of the pay scales of the Non-Executives, in the guise of reducing the expenditure on pension contribution. Cutting down the maximum of the already agreed pay scales of the Non-Executives, will only help to make the "Stagnation" as a perennial problem. Hence, a deadlock has arisen on this issue in the Joint Wage Negotiating Committee. The Staff Side members do not want to cut down the pay scales which have already been finalised through consensus between the Management Side and the Staff Side. It is requested that, the top Management should intervene on this matter and remove the deadlock that has been created by the members of the Management Side in the Joint Wage Negotiating Committee.

(2) Implementation of a new promotion policy for the Non-Executives of BSNL.

The Non-Executive Promotion Policy (NEPP) was implemented in BSNL w.e.f. 23.03.2010. As a matter of fact, the agreement for this promotion policy was signed between BSNLEU and the

Management in October, 2008 itself. Hence, the Non-Executive Promotion Policy is almost 14 years old now. Much water has flown under the bridge, since the NEPP was implemented. Hence, a new promotional policy has to be put in place for the Non-Executives of BSNL. Undoubtedly, the NEPP has brought much improvements in the career progression of the Non-Executives, vis-à-vis the earlier promotional schemes, viz., the OTBP, BCR, etc.

At the same time, it is needless to state that, a lot of disparities and discriminations are existing between the NEPP and the promotional policy of the Executives (EPP). For example, under the Executive Promotion Policy (EPP), the first upgradation is given on completion of 4 years and the subsequent upgradations are given on completion of 5 years. Whereas, in the NEPP, the upgradations are given on completion of 4 years, 7 years, 8 years and 8 years for the Non-Executives absorbed from the DoT. In respect of the Non-Executives directly recruited by the BSNL, the upgradations are given only on completion of every 8 years of service.

Such disparities and discriminations in the promotional policies of the Executives and Non-executives, within the same organisation, are untenable. Hence, this issue needs to be addressed without delay. Likewise, the discrimination between the employees absorbed from the DoT and the employees directly recruited by BSNL, needs to be removed without further delay.

Further, large chunk of the Non-Executives suffer from the chronic problem of stagnation. This problem needs to be resolved immediately. It is important to state that, when an employee who is affected by stagnation is promoted to a higher pay scale, he continues to suffer from stagnation, even from the day one of his promotion in the higher pay scale. This is a very ridiculous situation, which needs to be removed immediately. In view of the above reasons, it is demanded that, a new promotional policy should be implemented for the Non- Executives.

(3) Review the results of the failed SC/ST candidates, in LICEs, by applying lower standard of evaluation, in accordance with the DoP&T order.

As per the DoP&T order no. 36012/23/96-Estt.(Res)- Vol.II dated 03rd October, 2000, the results of the failed SC/ST candidates, in the promotional examinations, should be reviewed, by applying lower standard of evaluation. However, this order is not being implemented in BSNL. In the internal examinations, viz., TT LICE, JE LICE and JTO LICE, SC/ST posts remain unfilled. The relevant portion of the aforementioned DoP&T order reads thus:-

"Provided that nothing in this Article shall prevent in making of any Provision in favour of the members of the Scheduled Castes and Scheduled Tribes for relaxation in qualifying marks in an examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State."

As per this order, the unfilled SC/ST posts should be filled up by reviewing the results of the failed SC/ ST candidates, by applying Lower Standard of Evaluation. BSNLEU has specifically taken up the case of Shri Mothi Lal, Motor Driver, HRMS No.199601629, who has narrowly failed in the JE LICE held on 18.12.2022. Hence, the Management is requested to ensure that, the results of the failed SC/ST candidates, in the LICEs, are reviewed in accordance with the provision contained in the DoP&T letter.

(4) Review of the Restructuring of Manpower.

After 80,000 employees retired under VRS-2019, Management re-fixed the strength of various cadres in a hotch-potch manner and without any relevance to the field level requirements. Hence, a review of the Restructuring Scheme is being strongly demanded. Now, the Corporate Office has called for inputs from the circles, for reviewing the sanctioned strength of various cadres. However, it is extremely disappointing to note that, the Restructuring Branch has narrowed down the scope of the review and has limited it to the review based on New Business, Projects, etc. This is nothing but, a routine exercise being done in the Organisation to re-fix the sanctioned strength based on new assets etc. This is not the review being demanded by the Union.

The Management has done an injustice to the Non-Executive cadres by drastically cutting down the sanctioned strength of their posts, as well as the posts in their promotional cadres of JTO, JAO, etc. At the same time, the cut effected in the posts of the senior officers is very minimal. The details of the posts cut down in the lower level cadres are given below.

JE and Draftsman – 76.94% ; Telecom Technician – 90.84% ; ATT – 79% ; OS / AOS / SOA / JOA (Sr.TOA) – 88.57% ; JHT / SHT – 64.04%. The posts in the JTO and JAO, which are the promotional cadres of the Non- Executives, has been cut down by 70.73%. At the same time, only minimal cut has been implemented in the posts of senior officers. The details are as follows:-

CGM / PGM / Sr.GM posts– only 27.27%. DGM/SE Eq. posts– only 21%. DR DGM posts– only 20%. AGM /CAO /EE posts– only 11.26%. The above figures clearly establish that, the posts of the lower grade cadres have been drastically cut, while only a cosmetic touch up has been made in the posts of senior officers.

It is an undeniable fact that, the Management had carried out Restructuring of Manpower without conducting any scientific study, considering the field level realities and requirements. The huge cut implemented by the Management in the strength of the Non-Executive cadres and in their promotional cadres, viz., JTO and JAO, has not only imposed huge workload on the Non-Executive cadres, but has also virtually denied their promotions to the higher posts. This is a very big injustice. In view of the foregoing, the Management is requested to conduct a scientific study regarding the manpower requirements in the Non-Executive cadres, as well as in the cadres of JTO and JAO. The Management is also requested to conduct a meaningful dialogue with the Recognised Trade Unions, regarding review of the Restructuring of Manpower.

(5) Banning of peaceful dharna, hunger strike, etc., in BSNL.

The BSNL Management is not allowing the even the holding of peaceful dharna, hunger strike, etc., by the employees. Vide it's letter no.BSNL/7-1/SR/2020 dated 17.02.2021, the Management has issued instructions to disallow the holding of peaceful agitations such as dharna, hunger strike, etc. In this connection, we would like draw the attention of the Management to the judgement of the Hon'ble Supreme Court, delivered in a bunch of public interest litigations on July 23, 2018, wherein it has been upheld that, ***the right to peaceful protests is a fundamental right, guaranteed under Article 19(1)(b).***

In this connection, we would like to state that, organising of dharnas and hunger strikes by trade unions, has been taking place in BSNL since the inception of the Company and even before that, i.e., during the days of the DoT. Observing hunger strike is a universally accepted Gandhian form of peaceful agitation. Hunger strike means nothing, but observing fasting by the employees, with the view to seek settlement of their justified demands. Such hunger strikes are being organised without causing any dislocation to the services.

Further, in it's aforementioned letter, the BSNL Management has stated that, all the activities during working hours (beyond lunch hours), resulting in cessation / retardation of work, like dharna / hunger strike, amount to strike. We wish to tell the Management that, nowhere in the Industrial Disputes Act, dharna and hunger strike are termed as strike. In view of this, we request the BSNL Management to withdraw it's instructions contained in it's letter no.BSNL/7-1/SR/2020 dated 17.02.2021.

(6) Difficulties being experienced by the DR JEs in getting transfers under Rule-8 and Rule-9 of BSNL Transfer Policy.

(a) Transfers under Rule-8.

It has already been brought to the notice of the Management many times that, the DR JEs are facing a lot of hardships in getting transfer under Rule-8. Even after completing 5 years of service, as required under Rule-8, the DR JEs are not getting transfers. Initially, pending implementation of the Restructuring, the Management did not consider the requests of the DR JEs, for transfer under Rule-8. Even thereafter, circles have been classified as Surplus circles and Deficient circles and transfers under Rule-8 are being considered only from the Surplus circles to Deficient circles. This has created a very big problem for the DR JEs to get transfers to their home circles. Hence, the Management should come forward to solve this problem.

(b) Transfers under Rule-9.

The employees who are faced with compelling domestic problems, apply for temporary transfer under Rule-9 of BSNL Transfer Policy. A couple of years back, the BSNL Management has imposed stringent conditions for getting a transfer under Rule-9. The conditions are so severe that an official can get temporary transfer only when his / her parents are affected with dreaded ailments

like kidney failure and cancer. Such restrictions are inhuman. The CMD BSNL has already assured the All Unions and Associations of BSNL to undertake a review of the stringent conditions imposed in Rule-9. However, such a review has not been done so far. It is requested that, this assurance of the CMD BSNL should be fulfilled taking the Recognised Unions and Associations also into confidence.

(7) Non-declaration of the JTO LICE results in Punjab circle and the lackadaisical attitude of the Circle Administration.

The results of the JTO LICE, held in Punjab circle for the Vacancy Year-2014-15, has not been declared so far, due to legal wranglings. The issue was discussed more than once with the Director (HR).

As a result of these discussions, a direction was given to the Punjab circle administration to file an MA. This MA has also been filed long back. However, no breakthrough has come in this issue due to the lackadaisical attitude of the Punjab Circle Administration. This has already been brought to the notice of the Director (HR) on a number of occasions. For example, the case was listed for hearing on 31.05.2023. On that day, neither the BSNL counsel nor any officer of the Punjab Circle Administration, was present in the court.

On 31.05.2023, the cases listed up to serial no.80 were heard. BSNL's case was listed against serial no.99. The Hon'ble judges, after hearing the cases listed up to serial no.80, made an announcement in the open court that, they were prepared to hear any urgent case, if at all counsels of both the sides were present in the court. Utilising this opportunity, BSNL's case could have been brought up for hearing. However, this did not happen since neither BSNL's counsel nor any officer of the Punjab circle administration was present in the court.

We need not elaborate the mental agony and financial loss being suffered by the candidates who have appeared in the JTO LICE for the VY-2014-15, but are languishing due to the non-declaration of the results. The BSNL Management is requested to take meaningful steps for the early disposal of the MA in the court.

(8) Enhancing the ceiling for the outdoor medical claim with voucher.

The Corporate Office, vide its letter no. BSNL/Admn.1/15-12/18 dated 08.05.2020, has fixed the ceiling of the outdoor medical claim with voucher, as **15 days' basic pay plus DA as of 01.04.2020**. The Management is allowing only 15 days' pay plus DA for the reimbursement of outdoor medical claim with voucher. The worst part of this is that 15 days' basic pay plus DA of the current year is not being taken, but is frozen with the basic pay plus DA as of 01.04.2020.

During these 3 years, the CGHS rates have been considerably hiked by the government. Further, the costs of medicines have also sky-rocketed due to inflation. Under these circumstances, it is very unfair on the part of the Management, to keep the ceiling as 15 days' pay as of 01.04.2020. Hence, the Management is requested to revise the ceiling and make it as 15 days' basic pay plus DA as of 01.04.2023. Further, it is also requested that, the ceiling should be reviewed every year and it should be fixed as 15 days' pay (basic pay + DA) as of the 1st April of that particular year.

(9) Allowing District Unions to function at the OA level.

After completion of the Consolidation of Business Areas, an impression is being given by the Management that, it accepts only the CHQ, Circle and BA level bodies of the Recognised Union. Earlier, the CHQ, Circle and District bodies of the Recognised Union were accepted by the Management. Even after the completion of the Consolidation of Business Areas, the Recognised Trade Unions have functional district unions in a sizable number of OAs. These district unions are functioning in accordance with the provisions of the Constitution of the Union, as approved by the Registrar of Trade Unions. In many OAs, the paid membership of these OA level district unions is more than 50. The Recognised Trade Union cannot allow the Management to shut-down the District Unions functioning at the OA level. Hence it is demanded that the Management should allow:-

- (a) Functioning of the District Union at the OA level, wherever sufficient membership is available.
- (b) Functioning of Local Council at the OA level.
- (c) Allow the Office Accommodation already allotted to those District Unions functioning at the OA level.
