



BSNL EMPLOYEES UNION

Central Head Quarters

Ph.: 011-25705385
Fax : 011-25894862

P. Abhimanyu
General Secretary

BSNLEU/305 (BHR)

Main Recognised Representative Union.
Dada Ghosh Bhawan, 2151/1, New Patel Nagar,
Opp. Shadipur Bus Depot, New Delhi-110008
E-mail : bsnleuchq@gmail.com, Website : www.bsnleu.in

15.06.2022

To,

Shri Arvind Vadnerkar,
Director (HR), BSNL,
Bharat Sanchar Bhawan,
H.C. Mathur Lane, Janpath,
New Delhi – 110 001

Sir,

Sub: - **Non-issuing of Presidential Orders to 140 officials in Darbhanga district of Bihar circle – requesting to take up the case with the DoT for the expeditious issuing of POs - req.**

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

It has been brought to our notice that, many officials working in Darbhanga district of Bihar circle have not been issued with Presidential Orders so far, even though they are fully eligible to be issued with the same. All these officials worked as casual labourers and have been duly conferred with Temporary Status. Thereafter, all of them have been regularised and posted as Regular Mazdoors. Both, conferment of Temporary Status and subsequently posting as Regular Mazdoors, the relevant orders of the DoT and BSNL have been duly complied with. It is painful to note that, despite having fully complied with the orders of the DoT and BSNL, all these officials are not still issued with Presidential Orders. In this connection, we would like to draw your kind attention to certain important court orders, as well as orders of BSNL Corporate Office.

Firstly, the Hon'ble CAT, Patna, has issued an order in OA-599 of 1996 with MA-147/98 dated 18th February, 1999. In that order, inter alia, the following directions have been given by the Hon'ble CAT, Patna.

(iv) The Respondents shall draw up a seniority list of the DRMs / Casual Labourers and assign them proper seniority with reference their initial dates of engagement, as well as length of service.

(v) The Respondents shall examine the question of conferment of Temporary Status and regularisation of their services as per the relevant Rules. The exercises relating to (iv) & (v) shall be completed within 4 months from the receipt of a copy of this order (copy enclosed as Annexure-1).

Based on the above directions of the Hon'ble CAT, Patna, the General Manager, Darbhanga, vide letter no.GMTD/DBN/DRM/2000-2001 dated at DBN the 01.05.2001, has conferred Temporary Status to 191 Mazdoors. The Temporary Status has been conferred w.e.f. 01.08.1998. The list of 191 Mazdoors is annexed to the aforementioned letter of the GM, Darbhanga. However, it is also mentioned in that letter that, these 191 Mazdoors are conferred with Temporary Status ***on provisional / adhoc basis and that their engagement will be terminated at any time if it is found that these labour cards are not genuine and their engagement in the dept. is not as per Rules*** (copy enclosed as Annexure-2).

Thereafter, the GM, Darbhanga, vide letter no. GMTD/Rectt./TSM-RM/49 dated 18.07.2002, has appointed 140 TSMs as Regular Mazdoors. However, in this letter also it is mentioned that, ***the grant of RM status to the 140 TSMs is purely on adhoc basis, if at any stage the work diary/Labour card of any candidate is found to be false/forged, the RM/TSM status shall be withdrawn and shall be liable for removal from job after observing necessary formalities.***



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It is important to bring to your kind notice that the letter conferring Temporary Status to 191 Mazdoors were issued on 01.05.2001, wherein it is mentioned that this **order was provisional / adhoc basis** and that, conferment of Temporary Status is subject to verification of the records. Again, order for appointment as Regular Mazdoor was issued to 140 TSMs on 18.07.2002, wherein also it is mentioned that, it was **purely on adhoc basis** and subject to verification. Common sense tells us to ask as to why RM appointments were given without verification of documents.

Further, the billion dollar question is, why from 2001 onwards, verification of the genuiness of the records of initial engagement of these Mazdoors have not been done by the BSNL Management. All these 140 RMs have been duly appointed by the BSNL Management, based on the Temporary Status conferred on them, w.e.f. 01.08.1998. If the Management is having the slightest doubt that these officials had entered based on forged documents, then, it should have been proved through a transparent enquiry and action should have been taken based on such an enquiry.

However, for the past 21 years, the Management has not been able to prove that all the 140 officials have entered by using forged documents. This is because the documents of their initial entry as casual labour are genuine. It is also important to mention here that, charge sheets were issued to all these officials and subsequently all the charge sheets have been withdrawn based on BSNL Corporate Office letter no.8-1/2018-LG dated 11.10.2018. Based on this, the GMTD, Darbhanga, vide Memo no.GMTD/DBN/Provisional/RM/2018/13 dated 01.12.2018, has withdrawn the charge sheets issued to all the 140 Provisional RMs of Darbhanga SSA (copy enclosed as Annexure-3).

It is also important to mention that one Shri Jagdish Sah, Regular Mazdoor, who is one among the 140 Regular Mazdoors, has gone on transfer to ETR, Patna, where he has been issued with Presidential Order (copy enclosed as Annexure-4). When one among the 140 RMs is issued with Presidential Order, why the same cannot be issued to the remaining RMs also.

Finally, we request you to kindly bestow your attention to the pathetic condition of the officials who are suffering due to the non-issuing of Presidential Orders. Some of the officials have died and their families are not getting family pension. Many officials have retired without getting pension. We earnestly request you to kindly do the needful, so that Presidential Orders are issued to the aforementioned officials of Darbhanga district, without further delay.

Thanking you.

Yours sincerely,

(P.Abhimanyu)
General Secretary

Encl: As above.

Copy to: Shri Saurabh Tyagi, PGM(Estt.), BSNL CO., Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001