



BSNL EMPLOYEES UNION

Central Head Quarters

Ph.: 011-25705385
Fax : 011-25894862

P. Abhimanyu
General Secretary

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

BSNLEU/ 202 (VFN)

03.07.2019

To,

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

Sir,

Sub: - Denial of trade union rights in the name of Membership Verification – req.

Ref: - BSNL letter no.BSNL/5-1/SR/2018 dated 02.07.2019.

With reference to the letter cited above, we wish to bring the following to your kind notice, for favour of appropriate action.

Vide the letter cited above, the BSNL Management has issued an instruction to all the unions which are participating in the 8th Membership Verification, not to resort to any type of agitational activities till the process of the 8th Membership Verification is completed. The Management has also threatened in this letter, that it would consider to debar the union which resorts to agitational activities, from participating in the 8th Membership Verification, apart from taking other actions, which it may deem fit.

In the above cited letter, the Management has argued that, any union, resorting to agitational programme during the period of Membership Verification, would be denying level playing field to other unions, which are participating in the 8th Membership Verification.

In this connection, we wish to mention that the letter cited under reference, and the directions given therein, are in violation of the fundamental rights of a trade union. The laws of the land permit a trade union to take recourse to legal agitational programme, including strike, after the issuing of due notice. The BSNL Management cannot take away this right of a trade union, in the name of Membership Verification.

Secondly, the argument of the Management that, any type of agitational activities by unions during Membership Verification process sway voters towards a particular union and is against the spirit of level playing field and amounts to breach of propriety. This argument of the Management is totally unfounded. As per the existing law of the land, any union is free to go on agitational programme, in case of denial of justice to the employees. As such, the argument that, one union going on agitational programme, results in denial of level playing field to others, is hollow and unfounded.

The matter of the fact is that, the BSNL Management wants to shut down all legitimate agitational programme in BSNL, in the name of Membership Verification. This letter cited under reference is legally untenable.

BSNLEU strongly opposes the directions contained in the letter cited under reference, and requests the Management to withdraw the letter immediately.

Thanking you,

Yours sincerely,


[P. Abhimanyu]
General Secretary

- Copy to: (1) The Chief Labour Commissioner (Central), Shram Shakti Bhawan, Rafi Marg, New Delhi-110 001.
(2) The CMD BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001
(3) The Director (HR), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001

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

File No. BSNL/5-1/SR/2018

Dated 02nd July, 2019

To

The General Secretary,
All Applicant Unions

Subject:- 8th Membership Verification for recognition of Non-Executive Employees Union-reg.

It is mentioned that the notification for conduct of 8th MV has already been issued and various activities related to it are being undertaken regularly. With this notification, all the applicant Unions are provided level playing field. During this period, they are given meetings at all India/Circle/SSA levels with the officers concerned with the MV process on issues purely related to it. The applicant Unions are enjoined upon not to resort to any type of activities except related to MV.

However, it is observed that some of the Unions have resorted to Dharna, Demonstrations etc., ignoring the fact that MV process is underway and during this process the Management cannot hold any dialogue with any Union on the issues other than MV. It is imperative to mention that the recognition of the employees union has ceased during May, 2019. To ensure fair poll, level playing field is provided to all Unions which allows voters to make up their mind on whom to vote without being influenced by such activities.

In the light of above facts, it is brought to the information of all concerned that any type of agitation activities by Unions during MV process sway voters towards a particular Union and is against the spirit of level playing field and amounts to breach of propriety. Accordingly, Unions are advised expressly not to resort to any type of agitation activities during this period (MV), failing which the Management may consider to debar such Union from participating in the MV apart from other actions as deemed fit.

(A.K. Sinha)

Dy. General Manager (SR)

Copy for information to:

1. All CGMs, BSNL
2. CRO/ GM (Rectt), CO
3. RLC (Central), New Delhi