# Sanchar Nigam Executives' Association (India)

**CENTRAL HEAD QUARTERS**

E-mail:sneachq@yahoo.com

All communications addressed to the General Secretary

**K. Sebastin,** General Secretary
"SNEA Bhavan", B 11/1&2,
Ramesh Nagar, New-Delhi-110015
Ph.011-25934899 (HQ), 25191276(R)
09868266200 (Mob)


**No. SNEA(I)/CHQ/CMD/ 2012-14/34** **dated 10.02.2014**

**To**

**Sri R. K. Upadhyay,**
**CMD, BSNL**
**New Delhi.**

**Subject: Abject, deliberate and prolonged neglect of resolution of legitimate and just HR issues of BSNL Executives forcing Trade Union actions. Notice- reg:**

Respected Sir,

We have been consistently urging upon BSNL Management for more than five years now to address legitimate and just HR issues of Executives. Not only has resolution of critical issues been neglected but the committees set up by the competent authority to address these issues in Feb., 12 within a period of six months are in cold storage. We got virtually tired and fed up of reminding the concerned authorities to at least convene meetings of these committees so as to reach either agreement or disagreement.

The contempt with which these committees have been treated is virtually unprecedented. We have never witnessed a situation, neither in erstwhile DOT nor in BSNL till recently, where committees set up by competent authority to address issues are put in the cold storage. This is unbelievable and clearly conveys message that Management is bent up forcing this Association to go on to the streets at a time when this Association has had been exercising utmost and prolonged restraint not to disturb industrial peace when we have been making strenuous efforts and urging our members to put in their very best to revive an ailing Company. Our prolonged restraint and tireless efforts to get the issues resolved amicably through discussions has been clearly construed as our weakness.

**The result of this unseen apathy and callousness of the management has thoroughly demotivated and demoralized thousands and thousands of young executives whose role in turning around the Company undoubtedly is going to be critical. Our persistent pleadings and reminders that neglect of resolution of these issues will eventually lead to industrial unrest for which the management would be squarely responsible were also blatantly ignored for last about two years and we have sufficient records to establish this. We have no other option but to shout on the streets that BSNL Management is insensitive, indifferent and not at all interested in maintaining industrial peace and resolve issues amicably.**

## Demands:

1) **Replace existing non standard pay scales by standard pay scales of E2, E3, E4 etc for JTO/JAOs, SDE/AOs and equivalent cadres up to SGJAG. No demotion of the basic cadres JTO/JAO, SDE/AO.**

2) **Implement Time Bound Functional promotion between 4 to 6 years as per the terms and conditions for absorption in BSNL analogous to CPSU cadre hierarchy with first Time Bound promotion uniformly after 4 years w.e.f 01.10.2000.**
3) **30% superannuation benefit to BSNL recruited employees as per the agreement between the Forum of BSNL Unions/Associations and the BSNL Mgt on 12.06.2012.**
4) **Promotion from JTO(T) to SDE(T) under 67% quota for the vacancy years 2009-10 onwards, JAO to AO promotions, holding of LDCE from JTO(T) to SDE(T) against 33% quota for the vacancy years 2010-11 onwards, SDE to DE promotions in all streams, DE to DGM promotions.**
5) **Settlement of long pending pay anomalies i) Pay protection during officiating promotion till the implementation of TBP ii) Antedating of increment iii) Senior drawing less pay than Junior after promotions.**
6) **Increase the number of Management Trainees (Intl) from the proposed 150 to a minimum of 300 and take expeditious action to complete the recruitment process.**

## Trade Union Programmes:

**25.02.2014: Lunch Hour Demonstration at CHQ, CIRCLE/SSA HQs.**

**06.03.2014: Full Day DHARNA at CHQ, CIRCLE/SSA HQs.**

**19.03.'14 to 21.03.'14: RELAY HUNGER STRIKE at CHQ, CIRCLE/SSA HQs.**

**Further course of Trade Union action, if required, will be intimated in due course. We reiterate our keen resolve to address the issues amicably through painstaking discussions provided management has even meager concern towards maintaining industrial peace and revival of the Company.**

10/2/2014

**(K. Sebastin)**

**Copy to:**

1. Sri. M. F. Farooqui, Secretary, DoT for information and kind intervention for the implementation of standard pay scales in BSNL as per Govt /DPE orders.
2. Sri. A. N. Rai, DIR(EB), BSNL for information and necessary action please.
3-6. All Board of Directors, BSNL for information and necessary action please.
7. Sri. R. K. Goyal, GM(Estt), BSNLCO for information and necessary action please.
8. Sri. S S Aggarwal, GM(Pers), BSNLCO for information and necessary action please.
9. Sri. Neeraj Verma, GM(SR), BSNLCO for information and necessary action please.

# Annexure (Brief about the pending issues):

## 1) Replace existing non standard pay scales by standard pay scales of E2, E3, E4 etc for JTO/JAOs, SDE/AOs and equivalent cadres up to SGJAG. No demotion of the basic cadres JTO/JAO, SDE/AO.

The intermediary pay scales of E1A and E2A proposed by BSNL Management for the JTO/JAO, SDE/AO and equivalent cadres were repeatedly rejected by the DoT. On implementation of the 2nd PRC, the DPE has time and again instructed all the CPSUs to switch over to the standard pay scales instead of intermediary pay scales. The latest reminder in this respect was issued by DPE in its OM dated 24.12.2012, much after the constitution of the Joint Committee. All other PSUs like BHEL, NTPC and ONGC, with intermediate pay scales earlier as in BSNL, have since switched over to the next higher standard pay scales w.e.f 01.01.2007 based on the guidelines of DPE/Govt of India.

**This, being the case, the Joint Committee constituted in Feb'12 has not, till this date, met even once to discuss the issue, a classic example of the Management's lack of concern on the genuine grievances of the Executives.**

**The basic pay of all the Executives working in BSNL as on 01.01.2007 will not be changing as all of them crossed the minimum of the next higher pay scale itself. As such the financial implication of implementation of standard pay scales will be bare minimum, limited to the new recruits after 01.01.2007.**

Non finalization of standard IDA pay scales for JTO/JAO, SDE/AO for the last 6 years has fully demoralized entire 6000 JTO/JAOs recruited after 01.01.2007 at the very beginning of their career itself and is also adversely affecting time bound promotions from JTO/JAO grade to the higher grades and fixation of the pay of about 12000 Executives. **Today the Executives recruited after 01.01.2007 face huge difference in pay compared to their counterparts recruited prior to 01.01.2007 to the tune of Rs 3800 in basic pay itself.**

**The move to demote the JTO cadre in the proposed amendment to the JTO RR 2014 should be stopped immediately.**

## 2) Implement Time Bound Functional promotion between 4 to 6 years as per the terms and conditions for absorption in BSNL analogous to CPSU cadre hierarchy with first Time Bound promotion uniformly after 4 years w.e.f 01.10.2000.

Time Bound Functional promotion from JTO and equivalent cadres upto Selection Grade JAG grade between 4-6 years was part of the terms and conditions for absorption in BSNL. The officers of DoT got absorbed in BSNL as per this terms and conditions. But this was not implemented in BSNL in its true spirit. The same promotional avenue is uniformly applicable for the Executives recruited by BSNL also. The Joint Committee constituted by BSNL Management in Feb'12 met on a few occasions to discuss this issue. But no progress has been made in resolving this issue by implementing Time Bound Functional promotion without any link with the availability of posts.

The JTOs of 1993 to 1999 is the worst affected lot as far as Time Bound promotion is concerned. They got the first TBP only on 01.10.2006 after 11 to 7 years of service where as their Juniors got the first TBP after just 4 years of service. Most of the JTOs of 2001 batch also affected as they also got their first TBP after 5 years. This is a serious anomaly to be addressed by extending first TBP uniformly after 4 years for all the executives irrespective of whether they got the first TBP before 01.01.2007 or after that.

## 3) 30% superannuation benefit to BSNL recruited employees as per the agreement between the Forum of BSNL Unions/Associations and the BSNL Mgt on 12.06.2012.

The 2nd PRC recommended 30% superannuation benefit to all the direct recruit employees of BSNL and the Govt decided to implement this recommendation as a social security measure in all the CPSUs. As per the agreement reached between the Forum of BSNL Unions/Associations and the BSNL Management on 12.06.2012, the Management agreed to review their earlier decision against implementation of the recommendation by referring the matter to a Committee. It is understood that the Committee just recommended 2% contribution from the BSNL side instead of a required 10 to 11%. Management has to review the recommendations of the Committee and extend the full benefit of 30% as this is related to superannuation and social security.

## 4) Promotion from JTO(T) to SDE(T) under 67% quota for the vacancy years 2009-10 onwards, JAO to AO promotions, holding of LDCE from JTO(T) to SDE(T) against 33% quota for the vacancy years 2010-11 onwards, SDE to DE promotions in all streams, DE to DGM promotions.

### a) Promotion from JTO to SDE(T):

The JTOs of 1995 batch are waiting for promotion for the last 17 years. As on date more than 5000 vacancies remain unfilled in SDE cadre. The Last promotion order was issued on 30.03.2011. Eventhough the preparatory work for the DPC has started more than 2 years back, there is no progress in the work as the concerned officers are not at all serious about promoting the JTOs waiting long for their promotion. There has been absolutely no effort by the BSNL to get the stay vacated from Hon CAT, Ernakulam with no application filed by it yet, even after a lapse of 8 months from the stay. The concerned section appears to be hiding under the shelter of the stay, even though anyone with common sense knows that the stay will remain unless an application is filed to vacate it.

### b) JAO to AO promotions:

This promotion has also been badly delayed due to litigations. The DPC has not been held was delayed for years together and hundreds of AO posts are vacant at present. Now the legal hurdles have been overcome. What required is a sincere and expeditious actions to complete the DPC.

### c) Holding LDCE from JTO(T) to SDE(T):

The LDCE for the vacancies from 2010-11 onwards are still pending. Eventhough the vacancies are notified and intimated to recruit cell, action from recruit cell is wanting. The proposal to make a single paper instead of two separate papers and revision of syllabus to be expedited.

### d) SDE to DE promotions in all streams, DE to DGM promotions.

SDE(T) to DE(T) promotions for the vacancy years 2011-12 and 2012-13 for about 1000 posts are still not completed. Similarly preparatory work promotion for another 1700 posts for 2013-14 year is yet to be started. Thousands of Executives with more than 15 years of service as SDEs are waiting for the promotion.

In Civil/Electrical wing, delay in amendment of BSNLMS RR blocked the entire promotions eventhough the preparatory work is completed.

In the cadre of DGM, more than 500 posts are lying vacant for which preparatory work is started.

## 5) Settlement of long pending pay anomalies i) Pay protection during officiating promotion till the implementation of TBP ii) Antedating of increment iii) Senior drawing less pay than Junior after promotions.

### a) Pay protection for the increments drawn during officiating promotion:

Fixation benefit is guaranteed in the TBP policy order issued on 18.01.2007 either from a lower scale to a higher scale or from the same scale to the same scale irrespective of the fact that the promotion is Regular or Adhoc or officiating. This TBP policy was approved by the BSNL Board and the DoT. However, arbitrarily, this provision has been withdrawn by a clarification dated 30.05.2007 without the approval of the BSNL Board. Can a clarification issued by the section without the approval of the Board nullify a Board decision, it is a moot question? Later on, on 19.02.2010 another clarification was issued that even the pay drawn during officiating period (in DoT or BSNL till the implementation of TBP policy) will not be protected! On protest from the Associations, on 19.11.2010, BSNL issued a letter directing the Circles not to recover the payment pending review by BSNLCO. Even after 3 years, no decision has been taken on this. Now the concerned Executives have started retiring and the CCA refuses to accept the BSNL order keeping the recovery under abeyance. CCAs recovering the entire outstanding amount to the tune of lakhs of rupees and settling the pension after reducing the pay by one to two increments.

### b) Antedating of increment to address the pay anomaly where junior getting higher pay than senior on implementation of 2nd PRC:

This anomaly occurred on implementation of the 2nd PRC when junior started drawing increments in the revised pay scale earlier than the senior as the increment is 3% of the basic pay instead of a fixed amount. The anomaly has been comprehensively addressed by the BSNL order dated 23.09.2009. Surprisingly, after nine months of implementation of this

order, another order was issued on 14.06.2010 superseding the earlier order dated 23.09.2009. The second order fails to address the anomaly and violates the FRSR as the opted executives are denied their rightful increment after 12 months. The opted Executive's first increment is drawn after 13 to 23 months instead of 12 months. In case of Central Govt employees, this has been addressed by antedating the increment of the senior to that of the junior as was done by BSNL in the original order dated 23.09.2009.

**c) Senior drawing less pay than the Junior on implementation of TBP policy:**

Similar anomaly has been addressed in favour of the Non executives. Surprisingly in the case of Executives, Management took a stand that this is not an anomaly. This has been challenged in the Hon Courts and the judgments from the Hon CAT and the High Court are against the stand of the BSNL. Now the judgment is implemented for the applicants alone forcing others to approach the Hon Court. This has to be uniformly implemented for all the affected Executives.

**6) Increase the number of Management Trainees (Intl) from the proposed 150 to a minimum of 300 and expeditious action to complete the recruitment process.**

Immediate recruitment of MTs is the need of the hour to fill up the vacuum at the middle Management level. All the talented DoT recruited JTOs crossed 40 years of age and the BSNL recruited talents in 2001 and 2002 year also going to cross 40 years in the near future. Most of them may not get a second chance also. Few years back BSNL proposed to recruit 500 MTs (250 Intl and 250 Extl), but now the proposal to recruit only 150 MTs does not have any logic. The no of MTs should be increased to a minimum of 300 in the initial recruitment. The recruitment section is not taking any action for the recruitment of MTs.

**Yours faithfully,**

10/2/2014

**(K. Sebastin)**