



SANCHAR NIGAM EXECUTIVES' ASSOCIATION

(Only Recognized Executives' Association in BSNL)

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the General Secretary

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No: SNEA/CHQ /Assns/2018-21/04

Dated 05th November, 2019.

To

Com Wasi Ahammed,
General Secretary,
AIGETOA.

Sub: Agitation programs demanding implementation of non-post based time bound functional promotion approved by the BSNL Board on 28.05.2018. Request to support and join the agitation w.e.f 04.11.2019 -- response to the letter reg:

Ref: No: GS/AIGETOA/2019/75 Dated 30.10.2019

Dear Com,

Kindly refer your letter dated 30.10.2019 in response to SNEA letter dated 28.10.2019 seeking support for the agitations from 04.11.2019 onwards. Since lot of issues was raised to create confusion among the Executives, I felt it is better to explain the facts for your information and the information of all the Executives.

As you are claiming, today we are not finding any easier or practical way for promotion from JTO to SDE cadre under SCF or LDCE even for the available vacancies. It was there for 6 months upto December, 2018 when Hon Ernakulam HC has given 6 months window. That time AIGETOA leadership was active and hell bent upon punishing the CMD/BSNL & others and not concerned on SDE promotion. But CMD and others retired comfortably but our JTOs did not got the promotion. Is it not the handy work of AIGETOA and the applicants who are already SDEs to deny the promotions to the JTOs, their own batch mates? We are unable to understand why so many SDEs are applicants in the case and stopping the JTO to SDE promotion? **Several times SNEA requested to withdraw the contempt petition and after lot of persuasion, we could convince the management to agree for promotion but AIGETOA never followed. SNEA could convince and persuade the management for giving SDE promotions even during contempt cases going on and got an affidavit filed in the Hon CAT, Ernakulam in that respect assuring promotions against all available vacancies which will cover most of the applicants upto the year 2008. But your lawyers informed the court that they have not received any promotion order though they waited up to the midnight of the previous day and insisted for the personal appearance of CMD, BSNL rather than accepting the assurance given by BSNL before the Hon. Court. This vitiated the atmosphere further. Infront of us and the management you played a safe game by always assuring us that we will withdraw the contempt petition but in the Court, AIGETOA activists vociferously pleaded for continuing with the contempt of court. Now also, repeating the same drama or game plan just to stop the promotions. You may recollect that we had invited the applicants (members and office bearers of AIGETOA) from Kerala to New Delhi just for facilitating the SDE promotion and SNEA spent about Rs 40,000/- for their travelling on the hope that they will withdraw the case and allow SDE promotions. Even today the provisional AIEL of JTOs is not published due to the court case at Hon HC of Kerala.**

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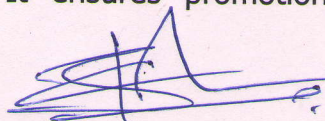
The history of SCF and LDCE is not so good. After 1994 DPC, further SCF promotions happened in 1998, 2000, 2001, 2002, 2004, 2005, 2007, 2009, 2011 and 2018, an average span of 2 years. LDCE held in 2002, 2007, 2012 and 2015, an average span of 5 years.

The contribution of AIGETOA in SDE promotion is to be taken as a case study!

1. Initially, AIGETOA claiming that they are equivalent to ADETs (ITS) and opposing even promotion to SDE cadre.
2. Tried to stay the LDCE 2007 in many CATs but failed. Given call to the members not to fill up the application for LDCE 2007. Sincere members who followed the direction are still JTOs but the leaders written the same LDCE, become SDEs in 2008 and claiming now DE promotion.
3. From 2009 onwards, till today, AIGETOA activists filed several court cases at Chennai and Ernakulam CAT to stop the SCF promotions. Earlier the target was DoT rect JTOs from 1993 rect year onwards who got absorbed in BSNL, leaving the Govt status and job security. In a small window, somehow one promotion order issued in 2011. Then another 8 years, upto 2018, no promotion from JTO to SDE cadres under SCF. LDCE promotions come in 2013 and LDCE and SCF promotion become a reality in May/June, 2018. The SCF promotion would have covered the 2001 rect JTOs also as their AIEL was already published. But AIGETOA activists got a negative judgment from EKM HC on the method of fixation of seniority among the Direct Rects and excess promotees (supernumerary from 2001 to 2007 rects) to stop 2001 batch? Whom to blame? AIGETOA actually protecting the applicants, most of them are SDEs, who got the negative judgment after 5 years of legal battle at Ernakulam alone. During this 5 years time, we could have promoted all the JTOs recruited upto 2008, well before 2018, through SCF and LDCE and the 2013 JTOs also could have been promoted by this time. All the efforts for SDE promotion under SCF was spoiled as mentioned above.
4. Today also AIGETOA is talking about the promotion of JTOs upto 2008 rects alone, what about the remaining batches? Again discrimination? Can they not accept promotion of a JTO having 5 year of service who is junior to them?
5. Earlier JTO to SDE promotion was delayed due to want of vacancies. But from 2009 onwards SDE promotions are stopped due to court cases initiated by AIGETOA activists. It is a fact that all the members are not under the control of Assns but Ex GS has assured several times that the applicants can be prevailed upon, which shows that they are under the control of AIGETOA leadership and many of them are their Circle and SSA office bearers.
6. From these developments, Executives can come to the conclusion who is creating hindrance for SDE promotion.
7. BSNL Board approved the new policy and the promotion is to be effected w.e.f. 01.07.2018, then why AIGETOA is hell bent upon post based promotion though SCF on a prospective date, in 2019 or ? Again the JTOs has to miss another one and half year service or more as SDE and no more promotions further? Only the career of those already become SDE has to be taken care?

You have stated that the SDE posts are utilized for upgradation to DE posts. But all those SDE posts restored back by DE promotion on 29.06.2018. We never oppose any promotion opportunities to the Executives. Why you are salient on the upgradation to AO cadre happened simultaneously? **Why AIGETOA making divisions among the Engg wing alone in the name of DRs, BRs, PRs and DoT rect, batch wise but not among Finance wing? Whether it benefitted any Executive? SNEA demanded further upgradation of posts of equivalent cadre in all the wings to bring parity but management did not agree to it and informed that remaining Executives will be given promotion w.e.f. 01.07.2018 through the new promotion policy approved, which AIGETOA very well knows.**

The new promotion policy was approved with the efforts of SNEA, AIBSNLEA and AIGETOA in which SNEA took major initiative, being Recognised Assn for finding an everlasting solution to the promotion issue for all the cadres. It ensures promotion on due date, even with



retrospective effect as of EPP. **GS/AIGETOA also part of all discussions with the management. Then how AIGETOA can back track now?**

The reply to the specific points mentioned in the letter is given below:

1. SNEA represents majority of the Executives recruited directly by BSNL after 2000 and taking care of their interest. The policy which we are demanding today is part of the terms and condition for absorption which finalized after legal battle at Hon PCAT, New Delhi and sustained struggle in 2002 by SNEA. For your information, the 2008 Joint Committee was formed for BSNLMS RR, regulating promotion from AGM to CGM, not for CPSU Cadre Hierarchy. The dissent note was on MT rect, not on other issues. **By the AIGETOA proposal for further delaying of the implementation of the approved policy which is due since 01.07.2018, we are delaying the promotion further, which again push the young Executives back to walls. Why AIGETOA not demanding the promotion from 01.07.2018 instead of a prospective date after putting legal hurdles?** DGM promotion is over due in many ways and there is no legal hurdles against it and more than 1000 posts are vacant for which an executive entered as JTO is waiting after 38 years of service.

2. It is surprising to note that then GS/AIGETOA appreciated the tough stand taken by the SNEA in the meeting but now, new set of OBs criticizing the same, strange in a Trade Union! Pl cross check with your former GS about the response at that time. Management never given any CPSU proposal which worth an examination. The Khan Committee was formed after the agitation of SNEA. The recommendations are with the joint efforts of the three Associations. For your information Khan Committee formed in 2015, not in 2016 and submitted the recommendations in 2015 itself. The demands seeking improvements over the draft policy has been made by each Association. Some of the demands accepted by the management and some are not accepted as usual. Residency period, Grades and relaxation for SC/ST remain untouched. The bench mark tightened by the management but the principle followed. In the past also management never accepted all the demands of the Associations. **GS/AIGETOA was part and parcel of all the discussions with the management for framing the policy.** Why you are not able to prevail upon the management if you are so powerful? **Only one demand of AIGETOA, DE promotion after 11 years instead of 12 years was not accepted by the management.**

In 2013-14, when Mr M C Choube, ED(CN) become Chairman of the Joint Committee, in the first meeting he offered E2 and E3 scales replacing E1A and E2A. That time DoT was also in favour. But AIGETOA insisted for E2 scale w.e.f. 01.10.2000 itself by which Chairman wind up the meeting in 15 minutes, stating that it is not the mandate of the Committee and thereafter no meeting took place. We missed that opportunity for ever.

3. **In the case of JTO to SDE promotion, the applicants are brought to New Delhi on the expense of SNEA to find some solutions.** Fruitful discussions was also held with the management and management agreed for promotion to all the vacancies. Applicants present also accepted that settlement. However, later on as an afterthought AIGETOA and the applicants changed their stand insisting for promotion for all the applicants, some are 2008 batch when sufficient vacancy was not available to accommodate all. Your adamancy and unreasonable stand for promotion to all irrespective of vacancy only provoked the management and they maintained their stand to fill up all the existing vacancies. SNEA pleaded repeatedly to get the promotion for all the available vacancies. AIGETOA failed to grab that opportunity and spoiled the golden opportunity by not agreeing to withdraw the court case at Ernakulam.

Again the same set of people stopped the approval of the CPSU Hierarchy by BSNL Board in December, 2017 by getting stay on the proposal. That delayed whole promotion and the date of effect shifted from 01.01.2017 to 28.05.2018, another contribution from AIGETOA and its activists. For your better understanding:



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i) SNEA demand for date of implementation of the proposal as 01.01.2017 for the advantage of the Executives who lost several years was accepted by the CMD and DIR(HR). Management Committee of the BSNL Board also approved it w.e.f. 01.01.2017, making it clear that the demand was genuine. However the proposal could not be considered by the Board due to the stay obtained by AIGETOA members from Ernakulam CAT. After getting the stay vacated with the efforts of SNEA, the proposal was placed belatedly and BSNL Board does not agree to that proposal for retrospective date and approved the proposal w.e.f. 28.05.2018.

ii) The promotion policy is approved by the BSNL Board on 28.05.2018. Even management is not having doubt, then why AIGETOA? Verify from the minutes of the Board meeting.

iii) Almost all the vacancies in all the cadres, except SDE cadre filled as on 29.06.2018. So, 01.07.2018 is the ideal date for change over to the new policy. By doing that, the service will be counted from 01.07.2018 onwards in the promoted Grade, for the future promotion. In a multi cadre organization one can easily understand that all the vacancies cannot be filled simultaneously in all the cadres and create an ideal situation. **Why AIGETOA is insisting for post based promotion which is already under litigation over seniority and reservation issue and that also from a prospective date, instead of 01.07.2018, losing one and half years service for future promotions? Already 16 months lapsed. Even the provisional AIEL could not publish so far due to the case at Ernakulam.**

By post based promotions, can you ensure timely promotion after every 5 years?

i) Can we promote all the eligible JTO(Arch) recruited from 1988 onwards, JTO(C) from 1994, JTO(TF) from 1995, JTO(E) from 1998 to SDE Grade?

ii) Can we promote all the JTO(T) recruited from 1999 to 2013 to SDE Grade?

iii) Can we promote all the SDE(Civil) promoted from 1988 to 2008, SDE(E) promoted from 2000 to 2008, SDE(TF) promoted from 2001 to 2008 to AGM Grade?

iv) Can we promote all the SDE(T) promoted from 2004 to 2008 to AGM Grade?

v) Can we promote all the SDE(Civil) promoted from 2009 to 2015, SDE(E) from 2009 to 2015, SDE(TF) from 2009 to 2015 to Sr SDE (Manager) Grade?

vi) Can we promote all the SDE(T) promoted from 2009 to 2015 to Sr SDE(Manager) Grade?

What is the road map for promotion beyond SDE Grade?

The apprehension of AIGETOA about further court cases are to be read with its tendency of filing court cases since 2007 to stop all the promotions and all progressive things. **It is to be admitted by AIGETOA that last 10 years, JTO to SDE promotion is blocked only due to the court cases and contempt petition filed by AIGETOA activists. For what?**

Finally, negativity will not serve any purpose. Positive thinking and positive approach only will resolve the outstanding issues. Only ray of hope to come out of the litigation is by switching over to the new non-post based promotion policy approved by the BSNL Board by way of amendment to the existing EPP-2007 at the earliest and we sought the support for that purpose. The restructuring of BSNL and VRS will be implemented by January, 2020 with huge reduction of post? Then what option we are having? The delay costs very much to the Executives who had put 10 to 30 years of service and waiting for their promotion. Thousands of their Juniors in other wings already got promotion 16 months back, on 29.06.2018 itself and we are holding the policy implementation for no reason. This will harm their interest beyond our imagination and not at all justified. For protecting their interest, we are demanding its implementation from 01.07.2018 to have parity with the Executives who got the promotion on 29.06.2018 and for maintaining relative seniority. Thereafter we can work together for further improvement on the policy. Definitely we are in favour of any improvement in the approved policy. We are for that.

Comradely Yours,

(Sebastin. K)