

Sanchar Nigam Executives' Association (Only Recognised Executives' Association in BSNL)

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All Communications to
the General Secretary



Sebastin. K, General Secretary
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SNEA/CHQ/CMD/2018-21/82

Dated 28.04.2020.

To

Shri. P. K. Purwar,
Chairman and Managing Director,
BSNL, New Delhi.

Sub: Non Payment of Leave encashment, GPF, Ex-Gratia, Gratuity etc to VRS 2019 optees on non-existing and flimsy grounds:

- 1. All the pensionary benefits and Ex-gratia denied by withholding the VC for those having personal court cases (not related with BSNL) which is against the rules.**
- 2. Leave encashment and GPF withheld for those having disciplinary cases which is against the provisions of VRS 2019, clause 7(ii).**

In that case BSNL should not have accepted their VRS and allowed to continue in BSNL:

Ref: 1. Notification of BSNL VRS-2019 scheme and guidelines vide No: 1-15/2019-PAT(BSNL) Dated 04.11.2019:

2. CVO, BSNL letter No:22-22/2017/General/Vol. 1 dated 13.12.2019.

Respected Sir,

BSNL VRS-2019 scheme and guidelines were notified on 04.11.2019. Large number of employees opted the VRS 2019 and management accepted their VRS application also. However after accepting their VRS, the benefits like Leave encashment, GPF, Ex-Gratia, Gratuity etc for large number of VRS 2019 optees are not paid so far. To our knowledge there are two sets of employees suffering from the indifferent attitude of the management and the Govt.

1. Employees against whom personal court cases (not related with BSNL) are pending:

The employees opted for VRS under this category is the worst sufferer. Personal court cases of Civil nature are nothing to do with BSNL but their VC is withheld. As per the VRS guidelines, they are eligible for all the benefits like Leave encashment, GPF, Ex-Gratia, Gratuity etc. But none of the payments made to such VRS optees. The Leave encashment and GPF are their own savings, but that also not paid. BSNL issued an ambiguous letter leaving the issue to the discretion of the CGMs **(If BSNL HQ is not able to decide, then how CGMs are expected to take a favorable decision?)**. Many CGMs are reluctant to release the payment and referred the matter back to BSNL HQs. However no repose received by the Circles thereafter from BSNL HQ and the employees are suffering. **In such cases, the normal retirees are getting all the benefits on their retirement. The employees opted for the VRS on the firm belief that they are eligible for all the benefits and retirement benefits as per the guidelines issued on 04.11.2019. If they are not eligible for the benefits under VRS, it should have been intimated to them and their VRS application should not have been accepted by the Management. However management accepted their VRS application without vigilance clearance and not paid a single penny to them, putting them under severe hardships.**

2. Employees facing disciplinary cases:

The VRS 2019 guidelines specifically spell out the benefits that will be extended to the employees facing disciplinary cases. The relevant portion of VRS 2019 guidelines dated 04.11.2019 at 7(ii) of the Annexure is reproduced hereunder:

- (ii) The VRS option of employee(s) facing Departmental/ Judicial proceedings shall be accepted and Earned Leave encashment, Transfer grant, GPF/ CPF and pension will be released provisionally as per Rule 69 of CCS Pension Rules 1972.

Provided that the payment of Ex-gratia and Gratuity, shall be released only on the conclusion of and based on the outcome of vigilance/ disciplinary proceedings.

As per the above clause 7(ii), the employees facing Departmental enquiry will be paid Leave encashment and GPF, provisionally. However that also not paid to them so far and they are facing hardships.

The affected individuals sent their representation to the management and we expected that management will act quickly on it. However, no relief given to the employees so far which compelled us to take up the matter with the management. It is a complete breach of trust and understanding as the action of the management denying their own hard earned money and retirement benefits is completely against the guidelines issued by the Govt and the management on the subject, till the closure of window for VRS option.

In view of the above, it is requested to issue necessary directions to all the concerned:

- 1. To give vigilance clearance and make all the payment of the VRS 2019 optees facing personal court cases (not related with BSNL) as done in the case of superannuation retirement. The VRS application has been accepted even in VC withheld cases of such nature.**
- 2. To make payment of Leave encashment and GPF, provisionally to the VRS 2019 optees facing Departmental enquiry.**

With kind regards,

(Sebastin. K)

Copy to:

1. Shri. Anshu Prakash, Secretary (T), DoT, Sanchar Bhavan for kind intervention pl.
2. Shri. S K Gupta, Director(Fin), BSNL Board for information please.
3. Shri. Aravind Vadnerkar, Director(HR), BSNL Board for info and n/a pl.
4. Chief Vigilance Officer, BSNL CO, New Delhi.
5. Shri. Saurabh Tyagi, Sr GM(Estt), BSNL CO for info and n/a pl.