

# SANCHAR NIGAM EXECUTIVES' ASSOCIATION

CENTRAL HEAD QUARTERS

M. S. Adasul

General Secretary

(M) : 9423082352

E-mail : gssnea2022@gmail.com

All Communications  
to the General Secretary

To,

Shri. Arvind Vadnerkar ji,  
Director HR, BSNL Board,  
3<sup>rd</sup> Floor, Bharat Sanchar Bhavan,  
Janpath, New Delhi, 110001.

**No. SNEA CHQ/Corr/Dir HR /2022-23**

**Dated 9<sup>th</sup> December 2022.**

**Sub: Comments of SNEA on proposal for revision of Recruitment Rules of BSNL Management Services.**

- Ref:** 1. Letter No. BSNLCO-PERS/15(17)/4/2022-PERSI Dated 14/11/2022.  
2. Letter No. BSNLCO-PERS/15(17)/4/2022-PERSI Dated 24/11/2022.  
3. Letter No. 4-02/2021- Restg Dated 23/11/2021.  
4. Letter No. 400-106/2007-Pers.I Dated 12/10/2010.  
5. Letter No. 400-106/2013-Pers.I Dated 16/07/2015.  
6. DoPT OM No.AB.14017/12/88/-Estt (RR) Dated 25/03/1996.  
7. DoPT OM No. AB.14017/12/87/-Estt (RR) Dated 18/03/1988.  
8. DoPT OM No.AB.14017/48/2010-Estt. (RR) Dated 31/12/2010.  
9. DoPT OM No. AB.14017/61/2008-Estt. (RR) dated 24/03/2009.  
10. DoPT OM No. AB.14017/61/2008-Estt. (RR) dated 12/03/2010.  
11. Letter No. 400-6/2004-Pers.I Dated 18/01/2007.  
12. CAT Hyderabad Order Dated 11/02/2022.  
13. Letter No. 20-1/2001-Pers-II Dated 30/07/2007.  
14. Letter No. 400-6/2004-Pers.I Dated 18/01/2007.  
15. Letter No. BSNL/11/SR/2003 Dated 02/09/2002.

**Respected Sir,**

With reference to the above subject and letter calling for comments of SNEA on proposal for revision of Recruitment Rules of BSNL Management Services from AGM Pers Policy BSNL CO, we first convey sincere thanks for keeping the words and calling for views of associations before putting the proposal for approval of BSNL Board. We further appreciate the efforts of BSNL Management in putting some proposals for fast track promotions and showing some hopes of promotions of Executives who are waiting for years together for an opportunity to serve at higher level.

SNEA appreciates the aim of the BSNL Management to have its own Officers in BSNL Management for running BSNL services up to the level of CGMs. Though it is not clearly mentioned in these RRs we have been updated from time to time by your good office and we are also of the opinion that meritorious Executives need to be upgraded at higher post and reach the decision making posts of BSNL management.

It would have been better that instead of proposing an entire modification of BSNL MS RR 2009, the related clauses of BSNL MS RR 2009 which need additions/deletions are modified /replaced suitably and discussions held on these points only in which time could have been saved.

We are extremely sorry as we could not submit the comments in the time given as the comments are asked on a very serious subject which will have an impact on the career progressions of Majority Executives in BSNL. SNEA has about 12000 Members with 29 existing Circle Branches with existence of District Branch at each OA/BA of BSNL and hence we need some time to get feedback from all concerned. Further, in proposed revision of the BSNL MS RR 2023, certain new issues are added and some issues are twisted as compared to BSNL MS RR 2009 which took time to understand and to analyse its impact on Executive Fraternity of BSNL. We request your good self to direct the concerned officers in Pers Section BSNL CO to give sufficient time in future in submitting comments and views from associations like SNEA having highest membership.

We also feel that there was a need of discussions on certain issues to be clarified before submission of comments and it would have better that some basic level discussions were held with SNEA before finalisation of Draft BSNL MSRRs 2023 so that there would have been less to add on part of SNEA. But as none of the issues were discussed except the projection that BSNL Management is introducing Fast Track promotions for Executives in BSNL, we have many issues to bring to your kind notice and we are confident that your good self will give due consideration to all suggestions given by SNEA.

Sir, on collecting feedback from all the leaders and members of SNEA, we have seen that there is much unrest among the executives in BSNL on proposed Revision of BSNL MSRRs 2023 and overall, it is feeling that this is one of the attempts to close the doors of promotions at AGM and above level as certain stringent and unwanted clauses and conditions are added in this revision of BSNL MS RR.

It is surprise to all the executives in BSNL, when we are asking only 15 days relaxation for Account wing CAO Promotions and few months relaxation for DGM Telecom Promotions since long, but CMD BSNL has informed in clear terms that he will not give even single day relaxation and even no single post will be added by diversion. We all have firmly believed in it and this all of sudden action in which the stand of CMD BSNL is twisted in thousands of degrees and the eligibility conditions are relaxed by allowing eligibility without even completing single day service in feeder cadre AGM and eligibility of completion of four years of service as AGM is twisted and made it as 18 years that to be below the feeder cadre.

We would like to know the reasons for changing such an extreme firm stand of CMD BSNL to such extreme flexible stand that to be by twisting guidelines issued by DoT/DoPT. If flexibility was not allowed to respect the requests by all associations for diversion of post of SDEs/DGMs as done in past for AGMs promotions to cover all SDEs up to list 12/13, if few days relaxation was granted for CAO Promotions, if eligibility of few months was granted for DGM Promotions for all wings, if seniority list of SDEs in Civil was corrected at par with Telecom wing to happen AGM promotions then what made same management to add such extreme relaxation and diversion of SCF quota posts by adding LICE when MT already exists for competitive environment is beyond understanding of Associations and Executives who believed on words of CMD BSNL for firm stand of no relaxation, no diversion. We put on record that such a change of stand just within a few days has become reason for mass unrest among Executives in BSNL.

Further CMD BSNL has always expressed that he does not know anybody and hence he is firm on the stand as permitted by rules and he never thinks of any face or support to any individual and we fully appreciate this stand. But this stand of CMD BSNL is also twisted here as now the eligibility conditions for DGM/AGM Promotions are relaxed by keeping focus on a particular group of officers and depriving the eligible officers from their due promotions.

We have repeatedly requested to give Regular DGM Promotions to 130 Adhoc DGMs who are rendering devoted services for the last four years and to relaxation or no out of turn flexibility is required in it and we were assured by your good self but no orders are issued till date.

It has been firmly assured by CMD BSNL that after AGM Promotions action will be taken for DGM Promotions first and then second phase of AGM Promotions for filling vacant post of AGMs by reviewing the restructuring norms, but same assurance is not kept as all of sudden the changes in MSRRs is proposed on second day of AGM Promotions. It is feeling of all executives that certain officers in BSNL are not interested to give DGM Promotions to any AGM or Adhoc DGMs and hence such revision arbitrary in MSRRs is proposed so that matter is pulled in court of law and kept pending under litigation for years together and no DGM Promotion happens in BSNL.

We also put on record that some executives who are getting years of relaxation in eligibility conditions are very happy but percentage of such SDEs is less as they also are aware that though they are getting extra benefits at this stage, this is twisting of policy guidelines and they only have chance to appear for examination but chances of successful in overall critical process of selection through LICE are less.

With such additions of specific changes /modifications keeping focus on particular group of Executives will call for litigations and complaints and hence there is need on part of BSNL Management to see and confirm that modification proposed should be equally applicable and beneficial to all executives and well within frames of guidelines issued by DoT/DoPT which are applicable to PSU like BSNL.

Also, when all the associations in BSNL have demanded for filling all vacant post of DGMs which are vacant since last DGM regular Promotion in year 2015 as in last about eight years no action has been taken by BSNL Management for filling vacant posts of DGM Regular even though hundreds of eligible AGMs in BSNL were waiting for their DGM Regular Promotions. But none was given opportunity and majority of them are compelled to opt for VRS and now on name of VRS, instead of filling vacant posts among eligible AGMs who are already rendering services as DGM under Looking After Arrangements for last three years, Pers Policy section has proposed amendment in BSNL MS RR with major changes in eligibility conditions and hence we have certain objections on this proposed plan to deprive eligible AGMs from DGM Promotions by putting stringent conditions.

We feel that your good self or CMD BSNL are not aware about this game plan, and unfortunately this is the attempt of depriving eligible SDEs from AGM promotions eligible AGMs from DGM promotions and eligible GMs from PGM/CGM Promotions. Since last one year, all associations have requested for relaxation of condition of minimum services of eligibility by six months and all of sudden same is being relaxed to zero days and AGM promoted one day before or even non AGMs are being made eligible by diverting posts on which the existing eligible executives are rendering services under Looking After arrangements.

If it was and is not allowed for relaxation of conditions for already working LA Executives in feeder cadre under Looking After Arrangements, how it is allowed for non-eligible executives in non-feeding cadres needs to be clarified when more than sufficient executives are available. This is a direct attempt to give out of turn and special opportunity to few Executives who are not eligible for DGM Promotions as per the

existing BSNL MS RRs. We cannot deny involvement of wrong practices in making such arbitrary changes in favour of a particular group of executives denying the rights of another group of Executives.

Further after going through these amendments, it is seen that the amendment/revision of BSNL MS RRs is drafted by keeping focus on the future absorption of ITS Officers in BSNL and depriving the Officers who have already opted for BSNL and officers who are recruited by BSNL and serving devoted to BSNL for last 22 years. Practically it would have been a reverse approach as we were repeatedly informed by your good self and Hon. CMD BSNL that Management has intention to promote meritorious Executives of BSNL in a Policy manner. Unfortunately these amendments are a onetime action to deprive eligible SDEs/AGMs/GMs in the name of fast track Promotions to non-eligible SDEs/AGMs/GMs.

It is clear that after this first lot of DGM promotions as per revised RRs, the door for DGM promotions of next batches will be as good as closed because there will not be any vacancy created till further promotions. The creation of vacancy is not possible as after VRS scenario the comparatively young DGMs will take positions, will not retire on superannuation in coming few years, chance of their opting for VR/VRS are very less and chance of their occupying post of GMs as proposed in these amendments is about Nil.

We were expecting clarification and addition on the basis of the practical difficulties faced by BSNL in promoting Executives and solution for difficulties in building BSNL's Own Management as per directives of DoT and Government of India, but unfortunately none of the issues faced by BSNL are being taken care in proposed new MS RRs. As such, we do not find any purpose and aim in MS RR 2023 in favour of existing Executives in BSNL.

We also find that BSNL Management is giving much importance for Recruiting BSNL Officers from Outsiders with much flexible conditions like campus selection and depriving the BSNL recruited/Absorbed Officers with highest experience in Telecom field with additional educational qualification acquired over the years by putting stringent conditions and depriving eligible officers from their due promotions.

We feel that BSNL management is aware of this unrest among the executives in BSNL and due & proper care will be taken by BSNL management in framing and finalisation of uniform BSNL MS RR 2023 equally applicable and beneficial for all executives giving first priority to interest of BSNL and with pure intention of fast Track Career Progression of BSNL Absorbed and BSNL recruited Executives of BSNL with fair competition that to be after filling vacant posts as per existing MS RRs.

Further, BSNL MS RRs for all wings/streams should be equal and there is no need for separate RRs for Telecom/Civil/Elect/Account and TF/Arch/ CSS wings separately as being proposed. As such, we have not given any comments on Draft RRs of TF wing. We do not find any justification in it and if the Pers Policy section has any justification for it the same may be please shared.

As asked by Pers Policy Cell we have collected and consolidated feedback from the executives in BSNL and the same is listed as our comments. This consolidation is done in three parts and the details are attached for ready reference Viz.

- I. **Annexure-I** Justification in support of request by SNEA for not revising BSNL MS RRs 2009 till filling all existing vacant posts of AGMs/DGMs and PGM/CGMs.
- II. **Annexure-II** General Suggestions for framing this long-Term Policy about career progression of Executives who are waiting for their turn for years together,
- III. **Annexure III** Modifications/Addition/Deletions required in the proposed revision of Recruitment Rules for Management Services of BSNL.

We are ready for discussions and feedback with supporting documents of our say and we request to have to depth discussions on this proposed review of BSNL MS RRs which can be practically implemented in BSNL without any litigation and the AGM/DGM/PGM promotion Process based on existing RRs is not trapped in court cases due to these amendments.

Naturally, the proposed changes may be discussed with all Stake holder Associations in BSNL and come out as agreed by all amended BSNL MS RRs in Policy manner and not in pick and choose or selective manner as being proposed now. We understand that it is not possible that all the associations will not come to conclusion on all points of amendments, but we are confident that Management and all the associations can come to conclusion at least on majority points and few disputed points if any can be decided by BSNL Board with High level wisdom and guidelines of DoT/DoPT in the larger interest of BSNL and its Executives.

Hence, by analysing all the issues in the proposed Revision of BSNL MS RR 2023 in present circumstances, we hereby submit the following for your kind and sympathetic consideration in the larger interest of BSNL and its executives as whole.

- A. We request to keep on hold this proposal for amendments/revision of BSNL MS RRs 2009 and bring a real proposal with practical fast track promotions of BSNL recruited/ absorbed officers after filling the presently vacant posts of AGMs/DGMs and PGMs.
- B. We request to take immediate action to fill vacant posts of AGMs/ DGMs/ PGMs as per existing RRs and then incorporate modifications if any well within the guidelines and directions by DoPT/DoT on this subject.
- C. By understanding unrest among the Executives we request your honour to have proper review of the proposed BSNL MS RRs 2023 by giving priority to BSNL and its own management which is the aim of BSNL Management as informed us from time to time.
- D. We request your good self that instead of revision of BSNL MS RRs 2009 as whole and please exercise the powers of BSNL Board vide Clause 1.3 of BSNL MS RRs 2009 and incorporate only the changes required in it after VRS Scenario as projected.
- E. We request to continue the same BSNL MS RRs for All wings and there is no need of separate RRs separately for Telecom/Civil/Elect/Account and TF/Arch/ CSS wings separately and hence we have not given any comments on Draft RRs of TF wing.
- F. We request in case BSNL wants to introduce the LICE after filling all vacant posts of DGMs/AGMs then it may be limited to maximum 33% including MTs and 67% vacancies need to be filled up the Seniority cum fitness quota. Otherwise new posts may be created and filled under LICE Quota and the present post may be utilised for SCF promotions
- G. We request to remove the restrictions for AGM/DGM Promotions on grounds of educational qualifications and let all executives (JTO& above as on date of notification of new BSNL MS RRs) in feeder cadre with requisite service years continue to be eligible for AGM and above level Promotions also irrespective of educational qualifications.
- H. Critical issues like restoration on increment, restoration of increased eligibility years and similar other issues raised by us may be please give due consideration with priority to BSNL Absorbed/Recruited Executives in BSNL.

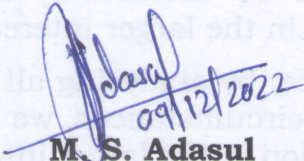
I. We request to give us time for discussions on certain issues which need clarification on proposed amendments in BSNL MS RR 2009 before final call is taken on these MS RRs 2023 for its submission to the Board for approval.

We are confident that our suggestions will be given due consideration and BSNL management will come out with accepted by all Proposal for BSNL MS RRs giving opportunity to eligible executives as per their rights and at the same time giving Fast track promotions to meritorious student well within the guidelines issued by DoPT/DOT and mainly without twisting these guidelines as one time approach but it should be permanent arrangement in a policy manner.

Thanks in advance.

With Warm Regards,

**Encl: AA**

  
**M. S. Adasul**  
**General Secretary**  
**SNEA CHQ**

**Copy to:**

1. The CMD BSNL for kind information and with request to look into the concern raised by SNEA, in the interest of BSNL and in the interest of its own Executives as being time to time assured by your good self.
2. All other Directors of BSNL Board for kind information and with request to give time to SNEA to brief our concern before any final decision in Board Meeting on amendments /replacement of BSNL MS RRs 2009.
3. The Chairman and Members of the Committee for Proposed Amendments in Draft SDE MS RRs 2009 with request to give time to SNEA to brief our concern before any final decision on amendments /replacement of BSNL MS RRs 2009.

**Justification in support of request by SNEA for not revising BSNL MS RRs 2009 before filling all existing vacant posts of AGMs/DGMs and PGM/CGMs.**

1. Every action has some specific reason and in overall process of revision of BSNL MS RR 2009, nothing is mentioned as justifications/reasons/need/aim for proposed revision of MS RRs and only VRS cannot be reason for proposed major modifications of the BSNL MS RRs. But during earlier discussions it was informed that BSNL Management is coming with Proposal of Fast track promotions, which also is not clear here as this is one fast track for few Executives and No promotions for majority of Executives of BSNL.
2. From the draft it seems that the Proposal of modification of RRs is put forth by keeping aim to promote particular group of Executives as AGMs by making them eligible by twisting the BSNL MS RRs 2009 when sufficient number of eligible Executives from feeder Cadre are available for filling existing vacant posts.
3. Further as mentioned in BSNL MS RRs 2023, this is a onetime action proposed by BSNL Management to conduct LICE in calendar year 2023 & 2024 only for promotion to DGM grade as per the provisions of these amended Recruitment Rules and this is not permanent arrangement. It makes clear that this is not policy but one time action to extend out of turn benefits to groups of AGMs/SDEs who are not eligible as per existing BSNL MS RRs and stopping promotions of majority of executives of BSNL.
4. SNEA has already submitted that about all Executives have got functional upgradation and many JTOs have reached Pay sales of DGM and there is no single rupee expenditure involved in giving promotions through time bound promotions for which proposal is pending at DoT for the last five years. If BSNL goes with it, there is no expenditure involved and all can be promoted up to AGM Grade in time Bound Manner.
5. If BSNL opts for going to LICE at DGM and AGM Level at this stage when six important Projects of DoT/GoI are in full swing all over India, majority of Executives will focus on LICE as for many this will be last opportunity to get promotions. Thus introduction and conduction of LICE at this crucial stage keeping aside existing well defined procedure of Promotions through SCF Quota will directly affect these important Projects going on in BSNL and hence the proposal of revision of BSNL MS RR may be dropped at this stage.
6. Further **BSNL has not good experience for conduction of LDCE as every time it has been part of ligations and complications as seen in the history. The LDCE Passed Executives have the worst experience after successful in LDCE** and many who have successfully qualified LDCE are never given position of LDCE and are always denied their right and uplifted position under LDCE Quota. Rather before conducting LDCE Management is supporting LDCE to some extent but after conduction of LDCE first the results are delayed for years together and after declaration of results also promotions orders are not issued in time and unfortunately steps are taken so that matter reaches court challenging certain steps and practically no one is getting benefits of LDCE.
7. BSNL/DoT has never conducted LDCE in time and later on the name of date of joining their seniority is changed to the position below SCF quota defeating the very purpose of LDCE. It can be seen that LDCE passed Executives in Qualifying cum competitive quota held in June 2004 and successfully promoted up to DGM are reverted as SDE i.e. two stages below. But those who were successful only in qualifying Exams but not passed LDCE are promoted as DGM. Same is the case with LDCE held in 2002 and 2007. The seniority of 2002 LDCE passed SDEs was

changed just before they were due for promotions and their position at top of Seniority list No 6 was downgraded to the bottom seniority list No. 7.

8. The seniority of 2012 LDCE passed SDEs is changed just before they were due for promotions and their position at top of Seniority list No 9 is downgraded to the bottom seniority list No. 12. Same will be the position of 2018 LDCE passed SDEs and there is doubt that all of sudden their seniority may also modify directly disqualifying them from LDCE. In recent AGM Promotions also 97 LDCE passed SDEs are not promoted and their position is kept vacant.
9. The MTRRs were finalised in 2012 and till today BSNL could not successfully recruit a single MT as matter is struck up in court cases. BSNL is not even in position to conduct LDCE/LICE for JTO/SDE Cadres every year and two more LDCE are being introduced that to be keeping 60% posts reserved for LDCE/LICE/MT Quota and keeping only 40% posts for seniority Cum Fitness quota. Thus BSNL has worst history about LDCE/LICE and till Management is trying to introduce LDCE at DGM level is nothing but inviting more Court cases and disputes among the Executives and keeping indirect lock of DGM Promotions
10. BSNL has already conducted MT RR Examination and Process for selection of MTs is yet to complete even after four years of holding Examination and any changes in modification of RRs before finalisation of MT recruitment Process will surely call for some court case/s as seen in the past or it may be contempt of Court Order.
11. As per letter No. 4-02/2021- Restg Dated 23/11/2021, Clause 1 & 9, the BSNL manpower plan shall be reviewed after 2 years from the date of its implementation and this review is due on 01/03/2022. As of now, only posts shown in Manpower Plan 2021 are given and this is not the correct approach and efforts need to be done for filling actual vacancies existing as on date of implementation of new MS RRs.
12. Since 2020 i.e. when Norms for restructuring were finalised last, there are many organisational changes in BSNL and as per directions of Government of India, BBNL has been already merged with BSNL and proactive steps are being taken for merger of MTNL with BSNL. HR Issues related to Merger of MTNL and BBNL with BSNL needs to be taken care of or these amendments may be given final shape once the HR issues due to merger of BBNL and MTNL with BSNL are settled.
13. Also, we have observed that in Manpower Plan 2021, the numbers of posts were not justified as per norms decided by BSNL and total number of sanctioned posts after VRS are practically less than the posts physically justified as per the norms decided by BSNL. As such, there are many changes required in the Total Number of sanctioned posts of Executives in BSNL which is the basis for proposed amendments in BSNL MS RRs 2009.
14. Thus, the number of posts taken into consideration for proposed amendments of BSNL MS RRs are not correct and practical. There is need to take correct Figures of Sanctioned post in all cadres from AGM to CGM and hence before finalisation of new MSRR, BSNL has to recalculate the number of Sanctioned post on basis of mergers of BBNL/MTNL and also and give promotions to all the eligible in all cadres.
15. Hence till completion of the merger procedures of BSNL, MTNL and BBNL, the review of Major policies of Promotions will not be a practical approach. The review of BSNL MSRRs may be taken after the completion of process of Merger of BBNL/MTNL with BSNL and till time the existing BSNL MS RRs may be continued to promote AGMs to STS Grade irrespective of their educational Qualifications of eligible AGMs to DGM Cadre may be issued for filling vacant posts as per these existing MS RRs.



16. During VRS 2019 about all DGMs in all streams except few have left BSNL creating huge vacancies in DGM Cadre in Feb 2019. By understanding acute shortage BSNL issued orders for Promotion of 140 AGMs that to be Adhoc DGMs. But on all other vacant posts of DGMs which are about 1100, regular AGMs are holding responsibilities of DGMs since Feb 2019 and by now about all have rendered more than three years of devoted services as DGM LA. If the quota of total DGMs is divided in LICE, then many of them will not be eligible for Promotions of DGM under SCF Quota and the chances of their becoming DGM by successfully going through proposed LICE are very less, rather it is Nil. This will spoil the working atmosphere in BSNL.
17. It is natural to say that the competition can be among the same cadre and age group and not by neglecting factors affecting fair competition and no entry from non-Feeder cadres is allowed in LICE/LDCE. Here BSNL is proposing eligibility for DGM Promotions even without becoming AGM and further AGMs recruited as JTO in Year 1984 onwards are compelled to compete with JTOs recruited in Year 2005 which cannot be fair competition.
18. The executives of BSNL have passed many examinations starting with a competitive examination for becoming DR JTOs or LICE JTO and entry in JTO Cadre is not possible without competition. Then for every financial upgradation all these executives are undergoing Mandatory Training and Mandatory Examination and only successful Executives are given financial upgradation. Many have successfully entered SDE cadre under LDCE Quota. Some have successfully passed MT Examination and waiting for Interview and GD for last three years. That means many of BSNL Executives have undergone two LDCE/LICE Examination and are now eligible for DGM Promotions and will have to again write LICE. Further since long BSNL is recruiting GATE Qualified JTOs and CA qualified JAOs and all are high level intellectuals in BSNL and they are repeatedly compelled for writing competitive examination is injustice to them and their such high level of intellectual is challenged and doubted at each and every stage.
19. As per feedback from the majority of executives, the LICE at each and every stage of promotions are not required and it is difficult for everyone to compete at each stage. It may be pleased to see that the BSNL absorbed and BSNL recruited Officers are undergoing different Internal /Refresher Training, Mandatory trainings and Examinations for getting Time Bound Promotions under EPP 2007, LICE even for becoming JTO, then LDCE for SDE Promotion.
20. But there is no even internal examination, LICE proposed for GM and above level officers recruited by DoT or absorbed in BSNL and they can reach to the level of Member in DoT without even any interview for selection or any mandatory training and passing of examination/LDCE/LICE. This principle needs to be applied to BSNL absorbed and BSNL recruited officers and there is no need of any LICE only for DGM level post in BSNL MS RRs as proposed.
21. Further DGM is not an entry level cadre in BSNL Management services and hence by no way the LICE for entry at DGM level can be justified. In no PSU such LICE is introduced for Promotions through the LICE and all PSUs and different offices of Government of India including DoT are following path of Seniority Cum Fitness Quota for Promotions and how can be BSNL different from and BSNL cannot separate itself from the purview of DoT and DoPT Guidelines.
22. If LICE is to be made applicable for DGM Level officers as proposed in BSNL MS RRs then please make LICE applicable for all posts from DGM to CGM and make it equal treatment for all and do not limit it only for AGM /DGM level.
23. Though it is proposed for amendments in BSNL MS RRs by showing 4500 vacancies in AGM posts (450 + 450+3600), practically 3200 vacancies are filled in

and only 900 vacancies are available under MT Quota and BSNL has not completed process of first phase of MT recruitment and hence chances of second phase of MT Quota and SETs Quota with amendments in RRs is most difficult task and will take years together. We find that the possibility of successfully holding fresh MT/SET DR or LDCE is about Nil and practically the chance of becoming DGM by the newly promoted AGMs and SDEs made eligible for DGM LDCE by twisting RRs is as good as Nil. **Some of them are being misguided for DGM promotion through revised MS RRs 2023 on cracking LDCE without any competition from seniors and are trapped in in game plan calling for court cases and indirectly not to allowing single Executive of BSNL either absorbed or recruited by BSNL to get position of DGM Regular.**

24. Since formation of BSNL MS RRS 2009 i.e. for last 12 years BSNL has not given DGM regular promotions to any AGM except few in 2015 and many were compelled to retire as AGM Adhoc forget about AGM regular or DGM Promotions.
25. Now first time since formation of BSNL MS RR 2009, sufficient AGMs are available for DGM Promotions and just before few days of their eligibility this game of amendment in RRs by introducing LDCE is nothing but deliberate action calling for court cases and keep matter trapped in court case so that no single AGM who are rendering services as DGM under LA /Adhoc arrangements are promoted as DGM Regular.
26. Further left out SDEs in list 9, 10, 11 and about all SDEs in 12 and 13 are waiting for their Turn as AGM as some of their juniors are promoted as AGMs. With these amendments except for a few that will be through successful LDCE, the doors of AGM promotions will be closed for others and there will be no chance of becoming DGMs as dream shown through MS RRs 2023. This will be putting salt on the wounds of these SDEs from list 9 to 13 who are waiting for their promotions as assured by CMD BSNL in second phase of AGM Orders once the first Phase of AGM Orders are issued and we request management to respect their sentiments for second promotion even after 20 to 25 years of service.
27. In DGM Cadre total vacancies are 1236 and unfortunately more than 1200 posts are vacant in absence of DGM Regular Orders and works are managed through Look After Arrangements for years together. Only few regular DGMs are entrusted in charge of GMs and hence practically all posts of DGMs are vacant in BSNL as no regular DGM is working as DGM.
28. As per proposed BSNL MS RRs, 450 AGMs will be promoted as per Recruitment Rules of Senior Executive Trainee (DR) in BSNL and till these RRs are not finalised. As such, to move ahead with BSNL MS RR Modification, the Recruitment Rules of Senior Executive Trainee (DR) in BSNL needs to be finalised and that to be before finalisation of BSNL MS RR 2023 as this is base for Promotion for AGM Grade. Here in a strange approach post are kept vacant for unborn babies and the grownups are deprived from their rights and career progression for which they are waiting for years together.
29. Further for Promotion to any cadre either through DPC or LDCE/LICE, the feeder cadre is substantive cadre and it may be seen that for promotions in all posts of Managerial services from AGM to CGMs sufficient eligible Officers are available in all cadres. **The need of relaxation of eligibility conditions and to go below the feeder cadre arises when sufficient number of eligible officers in feeder Cadre are not available which is not the case as on today for any managerial cadre in BSNL.**
30. DoPT Guidelines dated 31/12/2010, 25/03/1996 and 18/03/1988 (reference 6,7 and 8) states that where the eligibility service for promotion prescribed in the existing rules is being enhanced (to be in conformity with the guidelines issued by

this Department) and the change is likely to affect adversely some persons **holding the feeder grade posts on regular basis**, a note to the effect that the eligibility service shall continue to be the same for persons holding the feeder posts on regular basis on the date of notification of the revised rules, could be included in the revised rules. But in the present case, the regular AGMs are being deprived from DGM Promotions by making them ineligible for zone of consideration by twisting RRs and ineligible SDEs from Non Feeder cadre are made eligible, which is in violation of DoPT guidelines.

31. Further, DoPT has defined the number of minimum years' service required for promotion to any cadre vide No. AB.14017/61/2008-Estt. (RR) dated 24/03/2009 and No. AB.14017/61/2008-Estt. (RR) dated 12/03/2010 (Reference 9 and 10) and the same needs to be followed by BSNL. Copies attached. But it may be seen that in this MS RRs 2023, the attempts are made to promote some of executives who do not have even single day of the eligibility service in feeder cadre or even for executives who do not exist in feeder cadre and attempts are made to increase minimum length of service by years together and attempt is made to delay the promotions or stop the promotions of these Executives as some of them may retire and will not get opportunity for promotion even though sufficient posts are vacant. This is direct and deliberate violation of DoPT guidelines on the subject matter and needs corrective action.
32. Further, the relaxation is limited specifically to 18 years which has no base and it can be either limited to Pay scales they are drawing or all the SDEs should be allowed to compete. That the SDEs with E4 and above scale may be allowed for DGM LICE as it has a fixed base. But just limiting 18 years of service criteria seems to again deprive a good number of SDEs from appearing for LICE Examinations.
33. The biased approach and focus on specific group of executives is clearly visible from the fact that SDEs with 18 years of services are allowed to appear for DGM LICE, but in the same line JTOs are not made eligible for writing AGM LICE and no reason is mentioned in it.
34. Further there is no base or justification given for relaxation of condition to exactly 18 years and it can be relaxed to less or more years. If BSNL wants to get more competitive Executives then all SDEs should have been made eligible for DGM LICE and all JTOs should have been made eligible for AGM LICE.
35. When BSNL has already given an opportunity for all Executives in BSNL from JTO to compete in MT Examination, why the same is restricted in LDCE quota needs to be made clear. We find that allowing and not allowing JTOs for MT and LDCE quota is only major difference in LDCE and MT and hence there is no need of separate examinations of LDCE and MT for appointment as AGM/DGMs and either it may be MT or LDCE with maximum post under this Internal quota limited up to 33% leaving 67% posts for SCF Quota.
36. As per DoPT guidelines well followed in BSNL, the zone of consideration for any Promotions is two to three times of posts proposed for promotion and here BSNL has increased the zone of consideration ten times of posts proposed for DGM LICE. As of now with relaxation of eligibility conditions as proposed, there will be competition among 7000 to 8000 SDEs/AGMs and posts proposed for promotion are only 600. As such chances of success are rare for many and due to different circumstances and only 10% can think of cracking the LDCE and success may be limited to less than 5% as process involves Pick and choose approach of psychometric tests and interview which has scope for favouring some individuals and not allowing others will lead to some corruption as seen in some recruitments.

37. Neither DoPT nor DoT has yet introduced the psychometric tests for recruitment or promotions and this is only applied in Private companies and on what grounds BSNL has proposed this psychometric test in PSU like BSNL needs to be clarified along with authenticity and applicability of tests and BSNLs preparedness for same.
38. As per the Terms and conditions for absorption based on the Hon PCAT order dated 06.08.2002, and Letter No. BSNL/11/SR/2003 Dated 02/09/2002 etc (Reference 15) the promotion up to Jt GM(E7) (NF) in BSNL should be on Time Bound basis between 4-6 years and some steps are taken by BSNL in these directions but matter is reported to be pending in DoT for certain clarification on reservation.
39. The matter of implementation of BEPPARR 2018 is under active consideration of DoT and in recent letters DoT has clarified it. Further this matter is yet to be decided by court and case is pending at PCT Chandigarh and any modification during pendency of court case on subject matter is not correct.
40. Further this modification of MS RRs is against the BSNL Board approved BEPPARR 2018 and the recent directions of Hon Hyderabad CAT order dated 11/03/2022 on the above subject (Reference 12).
41. Further the matter of SDE RR as per proposal sent by BSNL is under active consideration of DoT but the same is not yet decided by DoT. Any modifications in AGM and DGM level before finalisation of RRs for SDE cadre and SET for Direct recruitment is not correct procedure. There is no hurry in making such arbitrary changes for relaxation of eligibility conditions for becoming DGM through competitive quota.
42. Further, the draft RR 2023, proposing post-based promotion to AGM and DGM equivalent cadres is not legally valid as it is in complete violation of the Terms and conditions of absorption of BSNL as DoT has assured for five promotions in BSNL as per directives of Hon. Court.
43. It is also assured by DoT that executives absorbed in BSNL will stand en-bloc senior to Executives recruited by BSNL and this amended BSNL MS RRs 2023, will be against this assurance by DoT as terms and conditions of absorption.
44. One side BSNL is protecting the interest of the ITS officers who may or may not be absorbed in BSNL and other side the written assurances given by DoT to the absorbed Officers for five Time Bound Promotions in BSNL is not given consideration. It is fact that no ITS Officer working in DoT is interested to join BSNL at DGM level and many working in BSNL and entrusted higher post of GM are making all out efforts to go back to DoT and some of them have approach court of law and dispute is still pending. Some GM level officers are seen to change their mind after financial support given by Government to BSNL and when sufficient funds are available for expenditure, they are showing willingness for joining BSNL on deputation. As such, chances of recruitment of absorption as of now and in future are less as good as Nil.
45. Further there is huge Salary difference between BSNL recruited GMs, BSNL Absorbed GMs and GMs working on deputation even though their work profile and responsibilities are one and same. Total salary of BSNL recruited GMs is about Rs 2.2 Lakh, BSNL absorbed GMs is about 2.15 Lakhs and GM on deputation is about Rs. 4.0 Lakhs. Apart from this, GMs on Deputation are getting all allowances like Transport allowance, Educational Allowance and HRA at higher rates, Study leaves and certain facilities like LTC, Medical reimbursements are also more than the BSNL Absorbed/Recruited GMs. Further officers on deputation are free to opt for any other department/PSUs and they are free to leave BSNL, but BSNL

absorbed/Recruited GMs are not leaving BSNL as they are not allowed to leave BSNL on deputation.

46. Thus GM deputed from DoT to BSNL is causing additional expenditure of Rs 2.0 Lakhs Per month and Rs24 lakhs per year and for 562 deputed officers the extra expenditure on BSNL per year is Rs. 1124 Lakhs. This is if salary is compared with entry level GMs and if we compare salary of senior GMs/PGMs with similar responsibility the difference further widens and overall expenditure is increasing. When Expenditure wise also deputation is costly, DoT and GOI has given limit for having own management of BSNL within two years, then there is no need of adding deputation as part of BSNL MS RRs and focus of BSNL MS RRs should be to abide by guidelines given by DoT/GoI.
47. If it is not possible for PGM/CGM level then deputation may continue only at PGM/CGM level, but BSNL should start giving respect and responsibility to BSNL absorbed and Recruited GMs/DGMs/AGMs and save good amount of BSNL.
48. BSNL has allowed some JEs with Technical background and Engineering Qualification to appear for JAO Examination and with Engineering Graduation qualification where they will be eligible for AGM Telecom and other post needs to be clarified. Otherwise they will not be allowed for Account wing promotions as they do not have degree required for Account wing and they may not be allowed for Telecom wing on the name of fact that they are recruited for Account wing.
49. We also put on record that there is a feeling that these amendments are proposed to favour a particular group of SDEs and to give them next promotion of DGM with immediate effect by depriving the already promoted AGMs in 2018 and now eligible for DGM Promotions.
50. We Feel that and it is evident from the fact that in this Proposed revision of BSNL MS RRs, the management is proposing unfair competition between AGMs recruited as JTO recruited in 1989 and JTO recruited in 2005 and it is but natural that there will be one sided attempt and eligible AGMs are being deprived of their due promotions by introducing LICE when BSNL is not able to complete the process of similar Competitive option available as per BSNL MT RR 2014.
51. BSNL cannot introduce two modes of competitive quotas for entry Level at DGM i.e. LDCE and MT that to be when BSNL has always failed to meet high expectations of LDCE qualified Executives in BSNL and could not complete the MT Recruitment Process for the last four years.
52. In any LDCE examination held at any level, the quota reserved is maximum 33% and here BSNL has proposed LDCE quota 60% and our main concern is to add more than 33% posts under competitive quota at any level. As per present proposal BSNL is introducing 50% LICE and 10% MT thus total 60% posts will be filled under Competitive quota and only 40% posts will be available for Seniority Cum Fitness (SCF) Quota against existing 100% quota for the same. This is against guidelines of DoT/DOPT and cannot be accepted by anybody except a few who are shown dream of fast track promotions for themselves.
53. In SCF Quota also, the Seniority cum selection process is being added depriving the eligible executives who are discharging duties of DGMs for the last three years under LA arrangements and their juniors will be promoted as Regular DGMs and they will be reverted as AGM. This is not justice and respectful approach towards eligible executives and hence needs deep review and understanding of the contributions and feelings of these executives by BSNL Management to have fast track promotions in real sense with equal opportunity to all and not by unfair competition as seen now.

54. BSNL has proposed two separate BSNL MS RRs for Executives in Technical wings like Telecom, Account, Civil and Electrical wing and for Telecom Factories, CSS/CSSS, PPS, Architecture wings and it can be seen that LICE pattern is not introduced equally in all streams and it is limited only to Executives for Telecom, Account, and Civil and Electrical wings. There competition here is scarcity of posts in other wings as compared to Telecom wing and hence introduction of LDCE can be more justified where such competition exists. But here LDCE is not being added and nothing is mentioned about existence of MTs and competition thereof.
55. If LICE is to be introduced for Meritorious Executives of some wings, a similar opportunity of promotions through LICE needs to be given for all streams. And meritorious Executives in these wings cannot be deprived of any such opportunity of fast track as proposed now. There is no need for Separate BSNL MS RRs for wings and Cadres and Management has to treat all executives in a similar manner as was done in BSNL MS RRs 2009.
56. By considering all above aspects one can understand that the proposed amended is nothing but eye wash by showing daydream of fast track promotions Hence, we oppose the draft RR and request BSNL management to reconsider the proposed amendment of RR and suitably modify it as Time Bound Functional Promotion between 4-6 years up to SG JAG grade as per the Terms and conditions for absorption and the present BSNL MSRRs may be continued till filling of all vacant posts in all wings and all cadres.
57. Under Note 1 of Schedule IA, in justifying relaxation of conditions of eligibility of AGMs it is being falsely projected that eligibility conditions are relaxed for LICE Examination to be held only in 2023 and 2024 as a one-time measure as promotions are held up for the last many years at AGM level. Whereas factual position is that in 2018 BSNL has promoted about 7000 AGMs. The details of AGM Promotion orders issued are attached for ready reference.

<b>Sr</b>	<b>Order No.</b>	<b>Date</b>	<b>Officers Promoted</b>	<b>Wing</b>
1	BSNLCO-PERS/13(11)/3/2022-DPC	16/11/2022	1891	Telecom
2	BSNLCO-PERS/15(11)/6/2022-PERS1-Part	14/11/2022	3	TF
3	BSNLCO-PERS/15(11)/8/2022-PERS1-Part	11/11/2022	1	Architecture
4	BSNLCO-PERS/15(11)/7/2022-PERS1-Part	10/11/2022	4	CCS Cadre
5	BSNLCO-PERS/15(11)/9/2022-PERS1-Part	09/11/2022	53	Electrical
6	F. No 101-03/2016-CSS	02/01/2020	2	CCS
7	412-03/2017-Pers. I	14/11/2018	2	Telecom
8	2-80/2015-Elect (Pt)	11/09/2018	2	Electrical
9	412-03/2017-Pers.I	08/08/2018	28	Telecom
10	412-03/2017-Pers.I	16/08/2018	44	Telecom
11	412-03/2017-Pers.I	20/07/2018	123	Telecom
12	412-03/2017-Pers.I	06/07/2018	98	Telecom

13	412-03/2017-Pers.I	05/07/2018	151	Telecom
14	412-03/2017-Pers.I	04/07/2018	773	Telecom
15	412-03/2017-Pers.I	29/06/2018	129	Telecom
16	412-03/2017-Pers.I	29/06/2018	3450	Telecom
17	3(3)/Pro-EE(C)/Regular/M(BW-IV)/2018	30/06/2018	139	Civil
18	2-80/2015-Electrical (Pt)	29/06/2018	125	Electrical
19	101-03/2016-CSS	06/10/2017	7	CCS
		<b>Total</b>	<b>7025</b>	

58. When total about 7000 SDEs are promoted as AGMs that to be all streams and wings including recent order before two days of the publishing Draft RRs, how Pers DPC section can project that AGM promotions are held up in BSNL for last many years and makes it base for out of turn entry from other Cadres than the feeder cadre, needs to be critically analysed.
59. It may be further seen that in 2018 total about 5000 SDEs were promoted as AGMs by diversion of posts from SDE Cadre which were excess than the sanctioned posts and if VRS 2019 would not have been implemented in Year 2019, till today there would have been excess AGMs. Apart from 2018, BSNL has issued AGM Promotions for Electrical wing, Arch wing, TF wing and Telecom wing in Nov 2022. But in a very false way it is proposed here that AGM Promotions are not issued for the last many years.
60. Further nothing is mentioned about the Executives recruited and devotedly working for implementation of Official Language and they also need to be given opportunity to get promotions and as of now the ADOLs in E5 Scales are compelled to work as ADOL and doors of AGM level are not opened for them. BSNL Management cannot make a difference in RRs for wings and it should be equally applicable to all wings and streams. Here ADOL are not allowed to even become AGM as many of them are waiting for years together and they are again deprived of their right of promotion to higher cadre.
61. BSNL has issued orders for AGM/EE Promotions for Telecom, Electrical, CSS, TF wings and the similar orders for Account wing and Civil wing are yet to be issued due to pending court cases. Any changes in BSNL MS RRs before the promotions of Account and Civil wing is unwanted and unethical and away from principle by CMD BSNL for equal treatment to all. BSNL has to give justice to these Executives.
62. Further out of about 1300 AGMs working in BSNL, and many of the reserved category Executives are placed at Bottom of the Seniority list below position of 600. Thus diverting 600 posts to LDCE quota will directly impact on their promotions and will be deprived from the DGM Promotions at last moment changes in RRs. This will be a deliberate attempt to deprive the AGMs pertaining to reserved category and will definitely call for intervention of Parliamentary Committee, NCSC and court cases and hence BSNL has to take care of it.
63. BSNL has already brought MTRRs and DR DGM Recruitment as a fast track mechanism which is well in existence till now. In MT RRs JTOs are also allowed to appear the AGM examination and become DGM at age of 30 to 35 years and for such MTs it is quest possible to reach higher management of GM level and it is unfortunate that BSNL has not yet completed the process of MT even after five

years of conduction of Examination for Internal candidates and even though court has issued directions to complete process in Time Bound Manner. BSNL has already recruited DR DGMs and many of them have become eligible for post of PGMs/CGMs and are ready to take positions of CGMs, but they are not given opportunity.

64. When BSNL has already this fast-track Promotion through DR DGMs and MTRR, then there is no need of fresh RRs on name of SETs and LICE which is not really fast track promotion as being projected but it is attempt to stop the existing Fast Track promotions wherein BSNL executive can reach to the post of CGMs with fixed span of time.
65. It is seen that in this BSNL MS RRs 2023, nothing has been mentioned about reservation in AGM Promotions for SC/ST Candidates even though it is applicable as per the recent DoPT guidelines.
66. Also nothing has been mentioned about the PwBD reservation which is applicable up to AGM Promotions. As per recent guidelines reservation for PwBD candidates is applicable for AGM Promotions and hence it needs to be incorporated in BSNL MSRRs.
67. We further put on record that if BSNL decides to go for the diversion of 600 DGM posts to LICE Quota, then it will directly affect the AGMs who are promoted under reserved Category and normally kept at the bottom of seniority list. In BSNL 1384 AGMs are working and naturally majority of reserved Category executives are placed at the bottom of the list and hence in this DGM Promotions the AGMs with reserved category will be directly affected when they are successfully serving as AGMs for years together.



## General Suggestions for proposed amendments in BSNL MS RRs

1. Our special request is to take care that this revision of BSNL MS RR 2023 is not approved in hurry and at least not before the time the existing vacancies in all cadres of AGM and above are filled in and SDE vacancies created with these promotions are not filled in. The matter may not be opened immediately without clearing issues raised with it and matter may not be allowed to be trapped in court of law as being seen while time of moving this proposal and clearly visible clauses modified in this proposal. **There should not be any hurry in approval and implementation of MSRR 2023 and issues should be sorted out in the interest of BSNL with priority and focus on its own executives.**
2. As informed to us in different discussions the Aim and Purpose of amendments of BSNL MS RR 2009 and framing new BSNL MS RR is to have BSNL absorbed and recruited officers in its Senior Management and also to provide fast track promotions to the BSNL absorbed /Recruited officers. But same has not been neither mentioned in these Proposed BSNL MS RRs nor is it visible from the draft of MS RRs 2023. It is requested that the clause of Aim and Purpose of these BSNL MS RR is mentioned in clear words in these RRs itself by adding separate clause and amendment also should be introduced in these directions and nowhere it should be allowed that the promotions as per existing are delayed due to new MS RRs.
3. If BSNL management has intention to have its own Management through these MS RRs 2023, total quota of LICE and MTs should be strictly limited to 33% Criteria and 67 % posts should be filled in through Seniority Cum Fitness quota as per existing BSNL MS RRs 2009.
4. The vacancies existing before Finalisation of new MS RRs 2023, should be filled in with existing BSNL MS RRs 2009 and the new MS RRs 2023 should be made effective for all the vacancies created after the approval of New MS RRs 2023.
5. It would be highly appreciated if BSNL Management take some special initiatives for creating additional posts at AGM and DGM level by review of restructuring norms, by addition of post due to merger of BBNL, Bharat net and by 4G Saturation projects etc and these new posts are kept reserved for MT/SET/LICE Quota and existing vacancies are filled in as per existing BSNL MS RR 2009.
6. BSNL is having highly qualified internal talent as since long BSNL has been recruiting highly qualified GATE JTOs and highly qualified JAOs with CA. There is a need to explore their talent by giving preference to their working experience in BSNL. Others without any working experience in BSNL will not be helpful for growth of BSNL to the extent this internal Talent will be useful for BSNL.
7. **SNEA has always opposed Recruitment in BSNL Management from External quota and we always and now also support exploring the internal talent with fixed total quota of maximum 33% LICE/MT/SET after filling existing vacant post.** This will help BSNL in exploring internal talent and at the same time Executives in BSNL will get opportunity to explore their talent and the senior executives will continue to get their promotions as per their seniority cum Fitness quota without facing any examination.
8. In BSNL, the LDCE/LICE has been always trapped in litigations and it may be please seen that due to inaction on part of certain officers in BSNL or not holding DPC/LDCE/LICE Examination in Time or calendar wise, there are many court cases and Promotions are held up in litigations. It is bitter truth that some of LDCE qualified Officers are disrespected by revision of seniority to the extent that

Officers promoted at position of DGM are reverted to two stages/grades below to the cadre of SDE.

9. **It is seen that LICE is proposed only at Grade of DGM and not for any other posts and if LICE is to be introduced at DGM level. If it is introduced at DGM Level, the same may be introduced up to CGM Level which needs more meritorious Executives to lead from Top Most Positions of BSNL.** For such LICE also quota may be limited to 33% of total posts and no recruitment from Outsiders at any level. Otherwise, introduction of LICE only at AGM/DGM level to be limited to only Telecom, Civil, Electrical and Account wing is not acceptable to SNEA.
10. Syllabus for all Examinations to be decided while publishing the RRs and it should not be left at mercy of the officers to decide it with any scope for bias at any stage.
11. Nothing has been mentioned about Calendar of LICE Examinations or holding DPCs and the same should be added as part of these RRs and also as part of any other RRs to be framed by BSNL.
12. The dates or at least month for holding LICE examination in every Calendar year should be fixed in RRs so that the LICE exams are held in time and the candidates appearing for LICE Examination get prepared for Examination well in advance.
13. The Calendar for LICE should be strictly followed otherwise responsibility is fixed for abnormal delay with concerned officers responsible for holding LICE in that particular Calendar Year.
14. The ITS Officers are nowadays not recruited for BSNL services and as per their recruitment Rules their services are meant for Department of Telecom. Due to differences in Pay Scales and other issues no ITS officer is interested to leave Government Status and get absorbed in BSNL and this is a well established fact and BSNL cannot neglect it. **As such, BSNL should not think of absorption of such DoT recruited officers and priority needs to be given to promote /recruit BSNLs own management.**
15. In extreme case of shortage at any level, BSNL wants officers on absorption, then priority needs to be given to the ITS Officers who have at least few years experience of working in BSNL and such recruitment by absorption needs to be limited only to CGM/PGM level posts as BSNL is having sufficient number of GMs/Jt GMs for maintaining services of BSNL.
16. Further, many GM level Officers are willing to work in BSNL on deputation and their services can be used on deputation till BSNL Management formulate its own recruited/ absorbed/ promoted management level officers. There should not be any compulsion on the ITS officers to join BSNL either on absorption or deputation and hence there is no need for any provision of Absorption/deputation of ITS Officers in BSNL.
17. As per DPE Guidelines No. 18(6)/2001-GM-GL-77 dated 28/12/2005 (Reference 11) on subject matter of Deputation of Government Officers to posts in public sector undertakings the terms and conditions of Deputation are defined but DoT has taken approval for deputation from Cabinet Note and this procedure continues even after 22 years of formation of BSNL. The DPE guidelines states under para 4 that the criteria for exemption of any particular category of posts from the "Rule of immediate absorption" should be non-availability of suitable persons for particular posts. All attempts should be made to fill up the post on a regular basis. The option for filling up a post on deputation should be used as an exception when all other aspects have been exhausted.
18. Further as per these guidelines, the deputation period of Govt Officers to any PSU for any officer is minimum three and maximum five years, but in BSNL any officer

may join BSNL on deputation and go back to DoT at any time and also can continue on deputation of years together. There is a need for certain conditions of minimum and maximum years to serve BSNL on deputation.

19. As per these DPE guidelines, deputation is not allowed on posts where sufficient manpower is available. In BSNL 130 DGM Adhoc and 1400 AGMs are available and serving BSNL as DGMs under LA or Temporary arrangements, but their names are not considered for DGM Promotions and are made in BSNL MS RRs on name of cabinet decision for deputation even on DGM level is being permitted in violation of DPE guidelines.
20. It is now 22<sup>nd</sup> year after formation of BSNL and BSNL is just keeping an aim to have its own management but nothing is visible in present BSNL MS RRs 2023 so that BSNL could have its own management by 2025 target given by DoT/Government of India. While framing guidelines to have BSNL own Management through BSNL MS RRs up to CGM level and below Board level, BSNL has to give due consideration to the DPE Guidelines and the MSRRs cannot be framed on basis of Temporary deputation as per approval taken from Cabinet and BSNL has to follow guidelines of Cabinet to have its own management. **Unfortunately, in these BSNL MS RRs 2023, the same is totally missing and efforts are made only to continue deputation of certain officers in BSNL in violation of DPE guidelines and we request to incorporate the DPE guidelines and GoI Instructions to have BSNL's own management.**
21. These MS RRs seem to be framed by keeping absorption of future ITS officers in BSNL at Centre and we all are aware that there is much reluctance among all non-absorbed ITS officers for absorption in BSNL. It may be seen that total number of Officers recruited by BSNL and absorbed in BSNL are more than 95% as compared to ITS officers getting absorbed in BSNL. As these are MS RRs framed with main objective for creating BSNLs own Management and to follow directions of DoT and Government of India on this subject matter by year 2025 and hence BSNL should keep Absorbed Officers and BSNL Recruited officers at Centre and frame the MSRR accordingly.
22. It may be made clear that till approval of new BSNL MS RR 2023, or if new RRs are trapped in litigation as seen in the past, BSNL will go ahead with the promotions in Managerial Cadres on the basis of existing BSNL MS RR 2009. If it is not possible to clarify, then please see that all vacant posts are filled as per existing RRs and modifications may be implemented for further promotions after filling all vacant posts
23. BSNL has already taken action for improvement of work culture by attaching online attendances and IPMS with APRs of officers and evaluation of APRs is one of the criteria of eligibility for Promotions. AS such, there is no need for any separate evaluation of eligibility Criteria other than APRs and VCs of the BSNL Absorbed/Recruited officers in any promotions.
24. No Bar for any promotion on grounds Educational Qualification, gender or recruitment cadre as being continued in this MS RRs etc. BSNL Management has already replied in different Court cases and dispute of educational qualification has been always in dispute and trapped in Court Cases. Further as mentioned in Proposed RRs, the Managerial posts do not need any technical expertise and no one should be restricted from Promotion to any cadre and all the executives in Feeder Cadre regardless of educational qualification should be allowed for promotion through higher posts either through LICE or SCF Quota.
25. It seems from the draft MSRR that BSNL is giving importance only to degrees on Paper and not giving any importance to the experience and expertise in Telecom services and its related convergence of telecom technologies in the field of various

applications to enhance the new business opportunities. It is a well known fact that practical experience carries more importance than the experience from theoretical approach. BSNL is already recruiting highly qualified i.e. GATE/CA qualified executives when practically there is no need of such highly qualified works in BSNL as seen till now. We are recruiting GATE qualified JTO and asking him for SIM Sale is not proper utilisation of the talent and hence BSNL has to come out of the attitude of giving importance to only Engineering graduates and give equal opportunity to all for higher posts once they are completing eligibility services in feeder cadre.

26. SET /MT are equivalent recruitment positions and it needs to be confirmed that both are same and seniority of MTs recruited under 2018 will be given/adjusted as per existing BSNL MS RR and BSNL MT RRs.
27. In BSNL promotions are held from January to December in Calendar Years but eligibility for next promotions is counted on 1<sup>st</sup> January. Thus, many executives who are promoted in January to June have to wait for one year to become eligible, but executives promoted in the month of December become eligible within a few days as on 1<sup>st</sup> January. This is injustice to executives promoted in January or nearby Months. Hence qualifying the service for promotion may be counted every six monthly viz 1<sup>st</sup> January and 1<sup>st</sup> July of the vacancy year and relaxation of six month must be given to the senior if his junior and batch mate qualifies for service length for considering them for promotion.
28. It is feared among the executives that with amendments in RRs, the Time Bound Non-Functional Financial upgradation will be scrapped. It may be part of certain rumours to confuse the executives in BSNL. Hence, we request to mention in the proposed BSNL MSRR 2023 in clear words so that at later stage no one dares to twist the issue by wrong interpretation and dragging matter in court
29. To avoid any ambiguity and if it is decided by BSNL Management to go ahead with LICE for any post, then please add clause of granting minimum two months personal or special leave to all the candidates for preparation of LICE for DGM level so that equal opportunity is given to all Executives to compete with full preparations.
30. It is fast track promotion only for a particular bunch of SDEs or newly promoted AGMs and it will create roadblocks in promotion of others. Further these fast-track promotions are limited only for post of DGM and none of them can be promoted for post of GMs/CGMs as it is proposed that all posts of GMs/PGMs and CGMs will be filled through ITS Officers either on deputation or through Absorption.
31. Through BEPPARR 2018, the condition of educational qualifications was removed by making all Executives even recruited today eligible for promotion to higher grades and the same needs to be taken care of in BSNL MS RR 2023.
32. In SDE cadre, 33% quota is reserved for LDCE and in AGM promotion, 60% quota is reserved for LDCE. Similarly for DGM promotion, more than 60% posts are reserved for LICE/MT Promotions. This is beyond the authorization /delegation of powers to BSNL by DoPT/DoT guidelines and we request that BSNL should abide by DoPT/DoT guidelines on the subject.
33. Normally any promotion is done among the executives in Feeder Cadre and here also all SDEs regardless of Educational Qualification should be eligible for AGM Promotion under Both quotas. By understanding the years of together service rendered by the executives, and the stand taken by BSNL in earlier court cases in CAT Chennai and reproduced in present court case at CAT Chennai, it is required that more clarity is given by BSNL to avoid any confusion and litigation in this matter. **Rather review of RRs is one of the opportunities to clear this ambiguity left out in MSRR 2009 and BSNL Management should use it in the**

**proper way and should not keep any scope for court cases again on such known issues.**

34. But unfortunately instead of making the issues clear as per stand taken by BSNL in different court cases, the condition of Engineering Graduate is to be now without footnote for relaxation as available in MS RR 2009. This is not acceptable for us and we request to remove the condition of Engineering Graduate and make all the Executives from feeder Cadre eligible for AGM/DE/DGM promotions. We also request that with removal of condition of Engineering Graduate the Foot Note 2 in proposed modification of MS RRs may be removed and all working JTOs/SDEs should be made eligible for AGM Promotions which will avoid any court case as being called for every now and then by particular group of Executives.
35. BSNL has and is recruiting Meritorious Diploma Holders, Science Graduates in JE/JTO Cadre and giving them entry in JTO/SDE cadre through LDCE/SCF, these executives have joined BSNL/DoT with clear hopes that there is no Bar in getting Promotions in Managerial level and BSNL has to give firm assurance of career progressions to these JTOs.
36. It is to bring to your kind notice that it is general feeling among Executives which is supported by certain actions on part of Officers in BSNL Management that this action of putting condition of Engineering Graduate for becoming AGMs through LDCE and SCF Quota is direct support by the certain Officers in BSNL Corporate Office to the recently filed Court case in Chennai CAT before case is decided by the court. We request not to take any action against the stand taken by BSNL in court of law and create further issues in issuing pending Promotion Orders.
37. Further BSNL has issued modifications in BSNL MS RRs 2019 vide letter dated 12/10/2010 (reference 4) and 16/07/2015 (reference 5) allowing Non Engineering Graduates for AGM Promotions. These issues are already cleared by BSNL and hence there should not be any confusion on part of anybody allowing Non Graduate Engineers also for AGM Promotions. Hence necessary changes need to be done in clause of educational qualification for AGM/DGM promotions under BSNL MS RRs.
38. If possible, due weightage for additional qualifications like MBA, PGDBA/PGDM, CA, M Tech, Diploma etc may be given some weightage in screening or interview. But all executives from feeder cadre eligible as on date 1<sup>st</sup> January should be equally eligible for all LICE/LDCE proposed under MSRR 2023 irrespective of qualification.
39. As per practice followed in BSNL, the LICE is scheduled for Promotions of Non-Executives to Executive Cadres and LDCE is scheduled for Promotion from one Executive Cadre to another Executive Cadre, but in this Competitive proposed for promotion from Executive-to-Executive cadre of AGM/DGM it is named as LICE. The details need to be clarified or corrected for such specific mention of LICE in place of LDCE.
40. The clause Note 6 of Schedule I A, totally bans BSNL absorbed/Recruited Officers entering at GM level and no chance of even thinking of PGM/CGM level. This modification seems to be proposed by keeping focus on not allowing BSNL recruited DGMs now serving as GMs at higher level. In Cabinet note also it is mentioned that BSNL has to evolve its own management up to year 2026 and this decision of limiting GM and above posts only for ITS officers is against the Cabinet decision and hence needs review.
41. It is crystal clear that the so called fast-track promotions is limited only for AGM/DGM posts and none of BSNL recruited or absorbed officer will be allowed to be part of Senior Management of BSNL at GM and above level, then how it is projected as Fast Track promotions needs to be critically analysed and understood by one

and all. It is evident and we feel it that the proposed fast track promotion to few executives that to only at DGM level and no promotions for all other BSNL recruited /Absorbed ITS and Non ITS Officers who have joined BSNL with assurance for Priority in Promotions on absorption in BSNL.

42. The Time Bound Promotion Policy approved by BSNL Board i.e. BEPPARR-2018 ensures promotion up to the post of AGM/DE hence before implementing the new MSRR, implementation of BEPPARR-2018 in true spirit as now the issue of reservation which was the only hurdle in it is cleared. If BSNL Management wants any modification in BEPPARR-2018 or wants revised Time Bound Functional Promotion Policy with new name but with criteria of non-posts-based promotions in five years then the same may be decided a fresh.
43. **We are ready for discussions and negotiations required in defining the issues pending in these Time Bound Promotions up to AGM/DE level. But Time Bound Functional Promotions up to AGM/DE level must be ensured and approved before approval of new BSNL MS RRs.**
44. We do not have any issue, who is signatory of such Modified RRs, but it would be better if as done in past, the RRs are issued with signature of at least GM level Officer.

**Modifications/Addition/Deletions required in the proposed revision of Recruitment Rules for Management Services of BSNL after filling existing vacant posts.**

1. As per clause 1.3 Powers for relaxation/ modification/ amendment to these rules will vest with the BSNL Board, then all other clause should be well defined in these RRs and in no other clause there is specific need of keep powers of Board reserved for modifications e.g.
  - a. Clause 2.3- The scope of the Common management posts can be expanded as per the business requirement of the Company with the approval of Management Committee of BSNL Board.
  - b. Clause 2.8 -Recruitment by any other method approved by BSNL Board from time to time.
  - c. Clause 9- Zone of consideration as decided by Board.
  - d. Clause 11- Sealed cover procedure.....or as decided by Board
  - e. Schedule I – Clause 3 LICE for DGM – The Scheme and Syllabus, Rules and other details for LICE shall be such as the Management Committee of the Board may prescribe from time to time
2. As per last sentence of clause 2.3 which states that the scope of the Common management posts can be expanded as per the business requirement of the Company with the approval of Management Committee of BSNL Board. We request that the same also needs to be decided in This MSRR Telecom 2023 and it should not be kept at the discretion of CPC or BSNL Board. Such a requirement if any can be taken care of by the authority of BSNL Board under Clause 1.3 and no need to mention it separately as done now.
3. Further, when it is clearly mentioned under clause 2.3 that the common Management post of GM Level and above of the BSNL Management Services like HR/ Administration/ Marketing/ Sales /EB etc. where technical expertise is not necessitated by virtue of Telecom operations then there is no need of any eligibility of educational qualifications with technical background as mentioned under relevant clauses.
4. By understanding the difficulties aroused in understanding general phrases without specific understanding/meaning, the phrases “requisite qualifications” and “any streams of management on merit basis” mentioned under Clause 2.3 needs to be elaborated in clear words to avoid ambiguity and court cases in future.
5. Under Clause 1.2 it is mentioned that these rules shall be effective from 01/01/2023, but it is fact that about 1400 AGMs promoted in Year 2018 are becoming eligible for DGM promotion on same date and already about 130 DGM Adhoc are also available in BSNL who needs to be promoted as DGM Regular. All these Officers need to be given DGM Promotions as per existing BSNL MS RRs and then only the date of new MS RRs may be made effective. **As such, instead of giving a fixed date of effect from 01/01/2023, it may be please made effective from date of its final approval by BSNL Board and after consideration of names of all eligible AGMs/DGM Adhoc for Regular Promotions, whichever is later.**
6. Under Clause 2.8 (a) it is mentioned that, the mode of recruitment shall be **by only examination and interview and all other modes including campus selections should be removed** as it will give scope for selection on pick and choose basis and bias of influence of certain officers in Selection Process.

7. Under Clause 2.8 (b) it is proposed that the alternative mode of recruitment may be through immediate absorption (under Rule-37 of CCS Pension rules 1972) in the grades of CGM/PGM, GM and DGM as per requirements and as per procedure to be laid out at appropriate time. In this regard it is to note that **BSNL has more than sufficient AGM level Officers who are eligible for DGM Promotions, hence there is no need of any Officer in BSNL by mode of immediate absorption at DGM level in BSNL. Same is case with GM level Officers already sufficient number GMs have occupied the positions, DR DGM are working in BSNL can be promoted as GMs and DGM Adhoc also can be entrusted charge of GMs in OAs/BAs as some of them are already handling these positions successfully. Yes, BSNL is having shortage of absorbed PGMs/CGMs to some extent and the mode of recruitment by immediate absorption may be limited to PGM and CGM level Officers and not for any other cadre.** As such this clause should be limited to GM/ CGM posts or may be deleted.
8. Further clause may be suitably added in BSNL MS RRs 2023 that in promotions and postings, BSNL will give priority for to own officers of BSNL i.e. all BSNL absorbed or BSNL recruited officers over the Officers on deputation from other Departments. This addition will motivate the Officers to join BSNL on absorptions as many are not opting because absorbed officers are not given priority in Promotions and posting. This has been one of the important reasons why the Senior Officers prefer continuing on deputation instead of getting absorbed in BSNL.
9. Clause 2.9 Mode of Promotion needs to be defined while framing these Rules itself and can be amended as per revised guidelines of DoPT/DoT. It should not be left with free hands at the time of DPC and selection process. CPC should have fixed guidelines to decide eligibility of executives for any Promotions under BSNL MS RRS 2023.
10. Further eligibility Criteria should be Seniority cum fitness with conditions of only VCs and APAR Grading and not Selection by Merit as proposed in Modified RRs. There should be well-defined rules for the same while defining these RRs under clause 2.9 as follows.
  - a. Selection through 67% of internal AGM's/DE under Seniority Cum Fitness on the basis of Benchmark based on APARS & Vigilance Clearance.
  - b. Selection Through 33% of Internal Candidates through LICE or MTs /SETs Through Exam & Interview
11. Under Clause 2.11 Year of Examination the phrase in respect of absorbed Group "A" officers, the word Gr A may be removed and it should be corrected as in respect of absorbed officers or as in respect officers Absorbed at any Cadre/Recruited by BSNL and Promoted to Gr an Officers.
12. Under Clause 6.2 it is mentioned that all these absorbed Group "A" officers shall rank en-bloc senior in their respective grade to any executive or Management Trainee/Senior Executive Trainee and higher level of respective streams, recruited or promoted by BSNL in any grade **in that particular Calendar Year**. It is not fair that the absorbed officer in later year becomes senior to the officers already working in same cadre before joining of this absorbed officer and hence the en-bloc seniority needs to be limited to that particular Calendar Year and the seniority and respect of others who have joined BSNL in earlier years needs to be maintained at least calendar year basis.
13. **Qualifying service:**
  - a. Under the Schedule-I, Sl. No.1 in Column no.5 for 67% of internal quota through promotion of regular SDE (T) and 33% of internal quota through



Limited Internal Competitive Examination (LICE), the condition of Educational Qualification of Engineering Graduate is made Mandatory which is against the prevailing rules.

- b. We request to modify the clause of promotion to DE/AGM under 67% quota through SCF under Schedule-I, Sr. No. 1, Method of Recruitment (b), Column no.5 Field of Selection and the minimum qualifying service may be modified as, for executives to be promoted to the grade of DE/AGM shall be engineering degree or equivalent in Telecommunications, Electronics & Computers/IT/ Electrical for Telecom Operations. However, for existing incumbents holding the posts of Executives (JTO(T) & above) on regular basis on the date of notification of previous MSRRs dated 14-07-2009 shall continue to be eligible for promotion to the grade of DE/AGM (Telecom) equivalent to STS grade irrespective to their educational Qualification. Same has been already modified vide amendment letter No. 400-106/2007-Pers.I Dated 12/10/2010 under Schedule I D of BSNL MS RR 2009 (Reference 4).
- c. We request to modify the clause of promotion to DE/AGM under 33% of internal quota through LICE quota as mentioned in Clause 7.1-Schedule-I, Sr. No. 1, Method of Recruitment (c) Column no.5 Field of Selection and the minimum qualifying service may be modified as 33% of internal quota through Limited Internal Competitive Examination (LICE) in which an Executive in service of JTO (T) and above irrespective of educational qualification, shall be eligible
- d. The criteria of relaxation of Engineering Degree vide Foot Note 2 have already become reason form many court cases and it will continue division among the executives in BSNL and hence Foot Note 2 may be permanently removed with modification as under point b above.
- e. We request that with the changes in relevant clause as above making all SDEs eligible for AGM Promotions under SCF Quota irrespective of educational qualification and making all JTOs above with 5 years regular service eligible for AGM Promotions under LICE Quota.
- f. For promotion to DE/AGM under 67% quota through SCF under Schedule-I, Sr. No. 1, Method of Recruitment (b), Column no.5 Field of Selection for eligibility condition is **seven** years of regular service as on 1<sup>st</sup> January of Vacancy Year. But at the same time for promotion to DE/AGM under 33% quota through LICE under Schedule-I, Sr. No. 1, Method of Recruitment (c), Column no.5 Field of Selection for eligibility condition is **Five** years of regular service as on 1<sup>st</sup> January of Vacancy Year. **To make it fast track promotions in real sense, we request to keep eligibility condition equal in LICE as well as SCF equal i.e. Five years of regular service as on 1<sup>st</sup> January of Vacancy Year.**
- g. As per BSNL MS RR 2009 all posts of DGM are to be filled in under SCF Quota and no single post is reserved for LICE Quota. As per DoPT guidelines, LICE quota can be maximum 33% of total vacant post as on 1<sup>st</sup> January of Vacancy Year. But now all of a sudden 50% out of the total vacant post of DGMs are being diverted to LICE Quota. BSNL vide Letter No. 20-1/2001-Pers-II dated 30<sup>th</sup> July 2007 has earlier revised SDE LDCE quota, from 25% to 33% quota (Reference 13). Means minimum 67% Quota of total vacancy needs to be reserved for SCF Quota.
- h. **But we hereby request to restore all 100% posts for DGM SCF Promotions and LICE/MT Quota may be taken by addition of new posts.** If BSNL is in need of LICE DGMs, we may create additional posts at AGM and DGM level by review of restructuring norms, by addition of post due to merger of BBNL,

Bharat net and by 4G Saturation projects etc and these new posts may be kept reserved for MT/SET/LICE Quota and existing vacancies are filled in as per existing BSNL MS RR 2009.

- i. For promotion to DGM under 67% quota through SCF under Schedule-I, Sr. No. 2 (1), Method of Recruitment, Column no.5 Field of Selection for eligibility condition is **Four** years of regular service as on 1<sup>st</sup> January of Vacancy Year. But at the same time for promotion to DGM under 33% quota through LICE under Schedule-I, Sr. No. 2 (2), Method of Recruitment, Column no.5 Field of Selection for eligibility condition is **Three years** of regular service as on 1<sup>st</sup> January of Vacancy Year. **To make it fast track promotions in real sense, we request to keep eligibility condition equal in LICE as well as SCF equal i.e. Three years of regular service as on 1<sup>st</sup> January of Vacancy Year.**
  - j. For promotion to GM Schedule-I, Sr. No. 5, Method of Recruitment, Column no.5 Field of Selection for eligibility condition is Six years of regular service as on 1<sup>st</sup> January of Vacancy Year and in BSNL RR 2009 it was five years. When this revision is proposed for fast track promotion, their service years should have been reduced but the same are increased here and we request to restore it to Five years or reduce it further to four years to make it fast track promotion and to have BSNL own DGMs/GMs in earlier period.
  - k. For promotion to GM Schedule-I, Sr. No. 7, Method of Recruitment, Column no.5 Field of Selection for eligibility condition is **Eleven** years of regular service as on 1<sup>st</sup> January of Vacancy Year and in BSNL RR 2009 it was **Three** years. When this MS RR Amendments is proposed for fast track promotion, their service years should have been reduced but the same are increased here by around four times making it 11 years from three years and no justification, reasoning is given for such multifold increase in years creating confusion. Rather we feel it is a typing mistake and needs corrections. If it is implemented, then neither Sr GM nor young BSNL recruited AGM/MT/DGM officer or ITS Officer can reach to position of PGM/CGM in BSNL as one has to complete 30 years regular service to reach Sr GM from MT/AGM/DGM and need further 11 years to Reach PGM/CGM making it total 41 years to reach PGM/CGM level. (Viz. MT Three Years. AGM Four Years, DGM Five Years, Jt GM Four Years, Add GM Six Years, Sr GM Eight Years, making it 41 Years). As such, no one from BSNL will be elevated to PGM/CGM Level in his lifetime and for the next many years, BSNL cannot have its own management as directed by DoT/GOI as target to complete by 2026. **We request to restore it to Three years to make it fast track promotion and to have BSNL own PGM/CGMs in an earlier period.**
14. Clause 9. The Zone of consideration should be fixed while formulating BSNL MS RR 2023 and it may be modified as per the further guidelines from DoPT and there is no need for any decision from BSNL Board as incorporated here. BSNL Board is always free to amend any part of this RRs under clause 1.3
  15. Clause 10 Bench mark In Schedule II, the Benchmark for AGM and DGM promotion is very stringent. It is seen that from DGM to CGM promotions, the Benchmark equal which cannot be justified. The Benchmark for AGM and DGM promotion needs to be restored as that BSNL MS RRs 2009.
  16. Clause 11: The sealed cover procedure may be defined and fixed while finalising these RRs which will be strictly followed by CPC and it should not be left to BSNL Board and BSNL Board is empowered to incorporate changes as and when need arises.
  17. Clause 13: Benefit of Increment.

- a. On being found fit for IDA pay scale upgradation, fixation as per FR-22 1(a) (i) or as per the company equivalent rules in force from time to time, shall be allowed. The following line in BSNL MS RR 2009 may be restored in this clause. Any executive who has been granted NFSG scale on 01/10/2000 or later, their pay will also be fixed as FR 22(1) (a) (i)
- b. Under clause 13.2 line “Further where the Executive's pay scale is the same as that of promoted post, benefit of 1 increment in the current scale of the executive shall be granted on promotion.” is omitted and this is not acceptable to us because it will finish the meaning of getting the promotions and it is also against EPP. As per EPP, one additional increment (not fixation) allowed on post based promotion if the Executive pay scale is same as that of the promoted grade. Otherwise apply the BSNL Board approved BEPPARR-2018 which gives Functional promotion along with the time bound promotions.
- c. The clause 13.2 may be corrected and restored as Consequent to grant of any post-based promotion, the executive's pay will be fixed as per FR-22 1(a)(i) or as per the company equivalent rules in force from time to time, only in cases, where such post carries higher scale from the current scale of the executive being promoted. **Further where executives’ pay scale is the same as that of promoted post, benefit of one increment in the current scale of the executive shall be granted on promotion.** In cases where the executive's current pay scale is higher or same as that of the promoted post, such post based promotions will be treated as placements with grant of substantive status of the post. This provision exists in BSNL MS RR 2009 and there are no changes in circumstance and no need of removal of this financial benefit on Promotion with higher responsibility. Further it is always seen that the benefit of increments is available for only a few executives who may be junior and hence the same needs to be continued for all with equal treatment of financial benefit on promotions.
- d. With restoration of clause 13.2, the newly added Clause 13.3 for not granting increment may be deleted.

18. **Clause 14 Liability of Transfer:** The liability of all India Transfer of BSNL recruited or absorbed Officers are already part of terms and conditions of BSNL/DoT recruitment and absorption process and there is no need of its mention again in these or any other RRs separately. Further, these MS RRs are applicable from AGM to DGM Level and though it is not possible to accommodate CGM level Officers in the same Circle it is quite possible to accommodate many AGM level Officers in Same Circle. Thus, when these MS RRs are applicable for cadres ranging from AGM to CGM and posting criteria for posting of CGMs and AGMs much differs with practical approach and hence this clause may be removed from the Proposed BSNL MS RR 2023. If it is to be continued then it may be added that Executives will be posted on same Circle depending on Vacancy position and in case of excess Officers in particular Circle, the Junior most Promoted officer from that Circle will be transferred out of Circle and posted to the Circles having shortage of Executives in Promoted Cadre or just deficit Circle.

19. **Clause 18 Interpretation** – In proposed clause it may be added for taking views of Majority and Support Association and this clause may be suitably modified as follows. Where any doubt arises as to the interpretation of any of the provisions of any of these rules or the regulations made there under, **in such doubtful interpretation, the views of Majority and support Association recognized at that particular time will be called for** and then the matter shall be referred to BSNL Board whose decision shall be final **and binding to all.**

20. Note 1 of Schedule IA in BSNL MS RRs 2009 related to EPP 2007 approved vide letter No. 400-6/2004-Pers.I Dated 18/01/2007 is removed from this amended BSNL MS RRs 2023 without giving any justification. Same is reproduced here and we request to restore this note related to continuation of benefits of EPP 2007 (Reference 14). The IDA Scales of the executives of Group A level, either absorbed or directly recruited by the company, belonging to IDA Scale of 13000-350-18700 & 14500-350-18700 will be upgraded to IDA pay scale of 14000-350-18700. This will be in case any executive belonging to such levels does not get post based promotion corresponding to the next grade within a period of 4 to 6 years.
21. Note 1 under Schedule IA of BSNL MS RR 2023 is to be deleted as promotion through LICE quota can be made from the feeder cadre only, strictly deciding the eligibility by counting the service rendered in feeder cadre. This clause is ambiguous and justification given for relaxation of eligibility conditions is a false projection as about 7000 SDEs are promoted as AGMs over the period. Even as per BSNLMS RR 2009 dated 14.07.2009, all Executives as on that date are eligible for promotion to get promotion to AGM, DGM, GM etc. irrespective of educational qualifications. For DGM grade, the AGM grade is the feeder cadre and service in AGM grade should be the only criteria for deciding eligibility for LICE promotion to DGM grade. Lower cadre service cannot be counted at least till sufficient eligible executives are available in feeder cadre. It is surprising that such free hand relaxation is given only in eligibility conditions only for DGM promotion and not for any other post in Senior Management. There are more than 1400 eligible AGMs available which is more than the present sanctioned posts of DGMs.
22. Under Schedule I, in first Part it is proposed that educational qualification for executives to be promoted to the grade of DE/AGM shall be engineering degree or equivalent in Telecommunications, Electronics & Computers/IT/ Electrical for Telecom Operations. It means the Executives i.e. JTO and above with B Sc, Diploma or similar degrees will not be allowed for AGM Promotions and how it can be fast track promotion for them. It is not Fast Track Promotion, but it is attempting to stop their entry in AGM cadre and will be dead lock for promotions. It is seen that no such restriction is put for entry of ITS Officers in BSNL either on deputation or recruitment on absorption. This biased approach of officers in Pers DPC Cell may be under influence or pressure of certain officers or Committee members of Committee for finalisation of Draft MS RRS 2023.
23. Under Note 2 of Schedule I, in Second Part, it is proposed that however, existing incumbents holding the posts of Executives on regular basis on the date of notification of previous MSRRs dated 14/07/2009 shall continue to be eligible for promotion to the grade of DE/AGM (Telecom). When BSNL MS RRs are being modified w.e.f. 2023, then why date of joining as Executive in old BSNL MS RR 2009 is taken needs to be clarified. We request to modify the second part as it is proposed that however, existing incumbents holding the posts of Executives (JTO and above) on regular basis on the date of notification of MSRRs 2023 shall continue to be eligible for promotion to the grade of DE/AGM (Telecom) irrespective of their Educational Qualifications.
24. Already this issue of educational qualifications is challenged in court of law and BSNL has taken stand that an Executive of BSNL with 10 years of working Experience in BSNL is equivalent to Engineering Graduate and the same has been certified by the courts also. In recent reply to CAT Chennai in case filed challenging Educational Qualifications , BSNL has reproduced the same stand and how within period of one month BSNL again continues against its own stand in court case and put restrictions in MSRRs on grounds of Educational qualifying and debar the certain group of Executives even from the AGM promotions and how it can be projected as fast Track Promotion of Executives in BSNL, whereas all such

Executives recruited by DoT/BSNL with Non Engineering Graduation degree are being denied their right of even becoming AGMs on available track and forget of any fast track as being falsely projected.

25. Criteria of selection to AGM/DGM posts through Interview/ Psychometric Test etc are unwanted and gives scope for pick and choose selection of executives through human tendency and it will surely lead to corrupt practices. BSNL is Government Organization and it is bound to go ahead with guidelines issued by DoPT and till today DoPT has not issued any Circular for introduction of Psychometric Test. We request to keep the selection based on LICE and evaluation of APRs and VCs of the executive under zone of consideration and if required Interview can be introduced at DGM level with maximum weightage of 5% in overall section process. Syllabus also needs to be finalised for the LICE along with the notification of BSNLMSRRs 2023.
26. Further Note 3 to 7 of BSNL MSRRs related to grant of relaxation to meet emergency requirements of higher posts in BSNL to fill vacant posts by relaxation of eligibility conditions are abruptly removed and no justification for the same is given. This Notes should be restored so that any issues faced in further course of time can be settled in the larger interest of BSNL
27. Under Note 6 of Schedule of BSNL MSRRs 2023, it is clearly mentioned that 562 post of ITS officers on deputation in BSNL are reserved and all post of GM and above level are to be filled only with ITS Officers, then what is need of adding these posts in MSRR Modifications for AGM/DGM level posts needs to be clarified.
28. Seniority under Schedule IIB (Clause g to j): The qualifying service or eligibility for promotion is decided as on 1st January of the Vacancy Year. When eligibility for promotion under various quotas is decided based on Vacancy Year and promotion to vacancies of same Vacancy Year is through various quotas, the seniority also should be based on Vacancy Year. It is requested to make provision for DGM Promotions for both LICE as well SCF quota for a particular Vacancy Year in the same year and fix the seniority.

\*\*\*\*\*