



SANCHAR NIGAM EXECUTIVES' ASSOCIATION

CENTRAL HEAD QUARTERS

All Communications
to the General Secretary

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To,

Shri. Arvind Vadnerkar ji,
Director HR, BSNL Board,
3rd Floor, Bharat Sanchar Bhavan,
H.C. Mathur Lane, Janpath, New Delhi.

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

Dated 7th August 2022.

Sub: Suggestions as called by SR cell on the Partial modification in facility of immunity from transfer to recognised and support Association.

Ref: Letter No. BSNL/20-4/SR/2022 dated 18.07.2022 by AGM SR BSNLCO.

Respected Sir,

With reference to the above letter, regarding partial modification in facility of immunity from transfer to recognised and support Association, we hereby appreciate concern of management to stop misuse of the immunity by certain individuals and initiatives. We are confident that with these initiatives, BSNL management will grab the miscreants which is need of time. But our only concern is that Management should not deprive the genuine and true leaders of association from their right to get immunity from transfer and none will be victimised by issuing arbitrary transfers which is the very purpose of immunity.

We regret for delayed response on our part as we have taken views of all 29 Circle Secretaries of SNEA all over India and hereby request for incorporation following points before arrival of final decision on the proposed modification on granting immunity to OBs of associations.

Sir, we appreciate the efforts of the SR Cell to devise a widely accepted and robust mechanism to prevent the misuse of this facility. At the same time we found that there is an indirect attempt for stopping/curtailing the facility of immunity by withdrawing it from SSAs/OAs and limiting it only up to BAs.

We submit the following points is support of our say in continuing the OA level existence of Association Branches

- i. This all of sudden change will destabilise the working of the associations and hence needs appropriate review of the proposal and it should be continued to be allowed, as allowed to Unions, as after VRS associations also have about the same membership as that of Unions.
- ii. Although, certain SSA are merged together and new administrative unit has been formed as BAs and earlier SSAs are redesignated as OA through Restructuring orders and the HR, Finance, Planning and Procurement processes are handled at BA level, the basic administration, Operation, maintenance of the Network and Sales and Marketing activities are still carried out at OA level which typically covers a vast geographical area covering different districts and hundreds of Kilometres. It is a fact that some of BAs are covering four SSAs and thus covering an area of 400 to 800 Kms of geographical area and hence function of Branches needs to be continued at OA level also.
- iii. Further, in the Metro Circles of Chennai TD and Kolkata TD there is no BA concept and only OA are existing. Thus in case of both these Circles, only one

Circle Branch will be existing when membership is about 300 to 400 executives. Hence for taking care of issues and grievances of members, there is need of continuation of District/SSA/OA Level Branches and it cannot be centralised at BA Level as being proposed.

- iv. In the recent past on 03/02/2022, vide letter No. BSNL/20-6/SR/2019, under point 2, it has been clarified that the SSA concept will continue as consolidated SSA/OA.
- v. In the draft policy for allotment of Accommodations for Unions and Associations issued by Letter No. BSNL/20-2/SR/2022 dated 18.07.2022 also the concept of OA level branch is accepted.
- vi. There are no changes in overall situation since these letters issued by BSNL management and hence the concept of SSA level Branches of associations should be continued.
- vii. Yes, it is agreed that the number of executives in OAs are also reduced and we will not insist for continuing immunity for all the three OBs i.e. DS, ADS and DT, but one/two among them depending on total membership should be continued to be granted immunity which will be interchangeable.

As such, we demand for continuation of approval of District/OA/SSA level organisations and if any particular BA has more than 100 memberships then one separate District Branch may be allowed to exist.

Further, the para wise comments as asked by SR Cell are as follows.

- a. Agreed in principle.
- b. As justified in above paras, we do not agree with limiting immunity only at BA level and it should be continued at SSA/Operation Area level. Further we have no issue that applicability of immunity is decided on the number of the members of that particular association in that Operation Area/SSA and suggest the following modification in the proposal given by SR cell.

Sr	Number of exclusive members of recognised/ Support in OA/SSA	Proposed by SR Cell	Required to be modified as
1.	0 to 9	Nil	Nil
2.	10 to 21	Nil	One at a time interchangeable among DS, ADS and DT
3.	21 to 50	Only DS	Two at a time interchangeable among DS, ADS and DT
4.	51 and above	Only DS, and DT	All three DS, ADS and DT. particular BA HQ.

- c. It is existing practice and hence agreed. Only required is it may be made somewhat elaborate and specific to transfers. Once, the OB is availing immunity of transfer at Intra SSA level, he/she should be continued to get immunity from Intra/Inter Circle transfers and if he/she is availing immunity of transfer at Intra Circle level, he should not be transferred at Inter Circle level
- d. The office Bearer claiming immunity, should have been a paid member of the association since the window last opened for changeover of Membership. For becoming Office Bearer in any association, he/she should be a basic member with salary deduction through ERP of that association at least for three months before the date of elections. For claiming immunity, he/she should hold the post eligible

for grant of immunity as on date of his/her transfer and not on date of publishing data of long stay as being proposed. The entry of data of holding post of OB eligible for immunity within one month of elections will be responsibility of BA Heads and in case the said entry is not made within one month, the same can be entered in ERP only with approval of Circle Head within period of two months from date of Elections and beyond two months same can be entered with approval of SR Cell BSNL CO.

- e. OK, agreed please.
- f. We fully agree with note on dual membership and support the stand of management that no dual membership is allowed except that with Welfare Association SEWA BSNL and any other association excluding OBs of SEWA BSNL who also cannot hold membership of association other than SEWA BSNL. We have already given details and requested to take corrective action for dual, triple and more membership asked by some individuals and granted by the Salary Disbursing Officers and action in still awaited.

Apart from above five suggestions proposed by SR cell and agreed by SNEA with certain modifications proposed above by understanding practical approach, we will suggest some additional points which will be supporting in granting immunity from transfer in true spirit and its limitation for genuine OBs of the associations eligible for immunity.

1. BAs having membership more than 100 can have two District Branches as one OA Branch and another BA Branch and facilities may be granted depending on existing membership as proposed above.
2. Further existing set up of District Branches at CGM headed offices should continue regardless of membership available at that particular SSA/BA Head Quarter.
3. Minimum membership of opening any District Level Branch should be ten and if membership of any association in BA is less than ten, then these members can be part of existing Branch at BA HQ or nearby SSA.
4. Further on grant of immunity, the executive concerned should be retained at the same place of posting and if his/her posting is changed from Telecom Circle to Non Recruiting Unit or vice versa even at same station, then it should be treated as transfer and he should not be again transferred on completion of period of immunity.
5. The facility of grant of immunity on promotions may be restored and OB concerned may be retained at the same place if he /she was holding the post of OB eligible for immunity on the date of his/her promotion.
6. For counting the number of members of a particular Branch for eligibility of immunity, date of elections of the concerned body should be the base and the same should be followed till the period of the elected body.
7. We also request that for the conduction of Election of Office Bearers of any association at all three levels in fair manner and to avoid doubts and complaints at a stage, it is required that one observer from respective level administration is available during the conduction of Election process. As of today the nomination of observers is done by certain offices and not followed by all offices and there is a need of uniformity. As such, it is requested to issue directions to the BA Heads to nominate an Observer at OA/BA Level elections, Circle Heads to nominate an Observer for Circle level elections and at CHQ level one election observer should be nominated by SR Cell, BSNL CO. These Observers should submit a written report to concerned Office with its copy to newly elected DS/CS or GS as the case may be.
8. We once again request that in case of dual/triple Membership by an individual i.e. submitting form of more than one association by an individual, corrective action may be taken by stopping deduction from all the associations and such non-

member of any association is eligible to submit fresh request of any one association by applying his/her wisdom and understanding the issues a fresh.

9. Further, the clarification issued by Pers Cell vide letter No. BSNL CO-PRII/19(13)/2/2021-PERS-II dated 09/06/2022 about linking process of grant of immunity from date of publication of long stay list. We have already made it clear that any co-option or premature elections for grabbing immunity should be discouraged but when elections are held on completion of tenure of earlier district Body then the facility of immunity should be continued to be granted without relating to the of publication of long stay lists. The publication of a long stay list is changeable criteria and hence cannot be relied upon and tenure of District Body is important and we also agree that the said OB should be holding the post of OB eligible for grant of immunity on the date of Transfer order. The OBs elected as OB after date of transfer order, will be naturally not eligible for grant of immunity, but he can be OB of the association at least three months from his joining at new OA/BA.
10. There should be separate ERP entry on election on the post of OB of association eligible for grant of immunity and details of availing immunity along with its level of applicability.
11. We are thankful for the positive response by SR Cell in making the Membership process online through ERP. Only request is that the same should be made effective at the earliest and no need to wait for the next changeover window as being proposed. This will help in submitting membership forms by individuals who are not member of any association and is willing to submit a membership form for any association as same is allowed as per clarification issued by SR Cell vide letter No. BSNL/20-6/SR/2019 Dated 26/10/2021.

Sir, we once again reiterate that SNEA is also against misuse of immunity by individuals and we do not have any objection in incorporating changes as per changed scenario but some of suggestions made by SR cell viz. not allowing association Branches at OA level will destabilise the basic structure of association activities and hence, we will request not to go ahead with any such suggestion.

These are our suggestions and we are hopeful that same will be given consideration in true spirit of saving Office Bearers of Association from victimisation by certain officers/offices and at the same time it will arrest misuse of immunity as noticed by administration,

With Warm Regards,

Sincerely Yours,

Encl: AA

Sd/-

M. S. Adasul
General Secretary
SNEA CHQ

Copy to:

1. CMD BSNL for kind information please.
2. PGM SR BSNL CO for kind information and n/a please
2. GM Pers BSNL CO for kind information and n/a please