



Regd. DL(ND)-11/6158/2012-13-14

TELEWAVE

A HOUSE JOURNAL OF
ALL INDIA BHARAT SANCHAR NIGAM LIMITED EXECUTIVES' ASSOCIATION

Price : Rs. 4/-

NEWS FLASH

- Shri Anupam Srivastava, OSD, BSNL Corporate Office, New Delhi joined as Director (CM), BSNL Board on 01.05.2013.
- BSNL Corporate Office issued Promotion order of 71 CAOs to DGM(F) on adhoc basis on 03.05.2013.
- AIBSNLEA celebrated Foundation Day on 1st May by organizing special General Body Meetings / Get Together / Cultural Programmes / Seminars etc. at all the Circles / Branches.
- AIBSNLEA deferred future organizational action programme i.e. Mass Dharna on 15th and 16th May 2013 at all SSAs / Circle / BSNL Corporate Office for the next 3 months as BSNL Management approach was Positive for the settlement of issues, which is reflected in the 'Record of Discussions'.
- On 26.04.2013, DoT called volunteers from willing ITS Group 'A' officers working in Department of Telecommunications to work in BSNL/MTNL on deputation.
- BSNL Called VCRs/ACRs for Regular promotion to the SDE(C) grade under Seniority cum fitness quota (67% quota) on 26.04.2013.
- BSNL Called ACRs/VCRs for Regular promotion of executives in the grade of SE(C) or equivalent on 26.04.2013.
- BSNL Corporate Office issued order on 18.04.2013 regarding Promotion order issued on dated 30.03.2011 and subsequent orders from time to time of JTOs to the grade of SDE (Telecom) in BSNL against 67% seniority-cum-fitness quota (Promotion quota).
- Finance Ministry, Govt. of India reduced GPF interest rate from 8.80% to 8.70% for the financial year starting from 01.04.2013.

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VOL. 8 ISSUE - 5

MAY -2013

[Restricted to Members only]

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GS WRITES

The "Record of Discussions" of the meetings that AIBSNLEA had with Sr. GM(Pers), GM(SR), GM(Restructuring) and GM(Estt.) on 29th & 30th April'2013 has been released by SR Branch of BSNL CO on 2nd May'2013. The decisions taken on our issues/demands as has been recorded in the minutes clearly indicate the strenuous efforts made by AIBSNLEA to convince their issues. The Association successfully impressed upon the management to concentrate over the long pending issues for the settlement. The formal meeting provided opportunity to ventilate our feelings and to understand the BSNL management stand on the various issues. The Association could also bring the important issues back on track which were not being given importance by the management for the last two years. Since all the details on the issues discussed in the meeting can be seen from the "Record of Discussions" printed elsewhere. The brief is given i.e. Regarding immediate withdrawal of looking after arrangements and allowing officiating Promotion till the time all vacant DE/ DGM level posts are filled up on adhoc/regular basis – Management appreciated the concern of the Association and agreed that Association may give in writing the apprehensions envisaged in the looking after arrangement for further examination by the Management. Association immediately gave in writing the apprehensions on certain operational difficulties and strongly demanded for immediate withdrawal of looking after arrangements & revival of local officiating arrangement. It seems that after the clearance from the Competent Authority only the looking after arrangement may be reviewed.

On the issues of CPCs to fill up the vacant HAG/SAG/JAG/STS Group-'A' & Group-'B' grade posts. In response, the management side explained the position i.e. All the vacant posts of HAG, SAG level Executives are to be filled up as per provisions of BSNL MSRR-2009. Proposal for HAG/SAG promotion is being submitted, Promotion to the grade of JAG is pending because of the Ernakulam court order. To be in readiness, fresh VC has already been called for, Preparatory work is going on. MC approval for 1100 posts has already been received. Nevertheless there is a stay even for preparatory work from Chennai Court and case is being heard. Also 147 CQ officers and reserved category officers from list no. 6 and 7 are to be considered if promotion is effected. List No. 6 and 7 are quashed by lower courts and SLP has been filed. Necessary approval for all the above points are to be obtained for conducting DPC, VCs have been asked for filling up 2010-11 vacancy year and ACRs are being collected from the circles for vacancy year 2011-12. (a) Under Seniority Quota (67%) - This office has completed the exercise of promotion up to vacancy year 2008-09 along with Backlog vacancy up to 2005-06 under

Contd on page no. 22

Adviser - (I) : Sh.V. Keshava Rao , (M) : 9490758175	Adviser -(IV) : Sh. A.G. Joshi , (M) : 9422039222	Adviser -(VII) : Sh.S.K. Dalai , (M) : 9437434800
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Editorial

**Formation of a Group of Ministers (GOM) for reviving of
BSNL and MTNL- A Welcome Move**

Hon'ble Prime Minister Dr. Manmohan Singh has constituted a Group of Ministers (GoM) to look into reviving the ailing telecom PSUs — BSNL and MTNL. The GoM, which is expected to “consider and recommend measures that could be taken in the short, medium and long term for revival and revitalization of BSNL and MTNL”, will submit its recommendations in three months.

The panel includes Finance Minister Shri P. Chidambaram, as Chairman, Telecom Minister Shri Kapil Sibal, Commerce Minister Shri Anand Sharma, Law Minister Shri Ashwani Kumar, Planning Commission Deputy Chairman Shri Montek Singh Ahluwalia, I&B Minister Shri Manish Tiwari and Minister of State for PMO Shri V. Narayanasamy. The Department of Telecom (DoT) has sent agenda papers to GoM meeting.

Last month, Shri Kapil Sibal, Hon'ble MOC&IT had written to the prime minister urging him to set up a GoM to rescue the state-owned telecom players from financial distress. “Unless immediate steps are taken to revive and revitalize these PSUs, they would turn sick very shortly,”. Shri Sibal had also said that he expects BSNL to make losses of around Rs. 10, 000 crore in 2012-13, while MTNL's net worth is likely to get completely eroded. BSNL, which offers services in all regions except Mumbai and Delhi, registered a loss of Rs. 8, 851 crore in 2011-12 and MTNL registered a loss of about Rs. 4, 110 during the same period. Financial results for 2012-13 have not been declared by the companies.

Tough call -BSNL expected to make losses of around Rs. 10, 000 crore in 2012-13. BSNL predicts revenues for the FY13 will be around Rs. 25, 384 crore, down 9% from Rs. 27, 944 crore during 2011-12. He has also sought financial support from the government for reviving the two PSUs. “Immediate action together with financial support would be required to put these PSUs back on track.”

The Forum of BSNL Unions / Associations of two lakh and fifty thousand executives and Non-Executives Working in BSNL submitted the memorandum to the Group of Ministers constituted and entrusted with the task of taking crucial decisions for the revival of the Public Sector telecom companies, BSNL and MTNL for favourable consideration and prompt decisions.

The Forum is happy that the Government has appointed the GoM for the revival of BSNL and MTNL. The BSNL workers appreciate the necessity of the revival of BSNL which is required for a better service to the nation and its people.

BSNL and MTNL are the two strategic PSUs in the telecom sector with huge social obligations as government companies. BSNL has invested thousands of Crores of rupees in the Rural and remotest part of the country to develop optical fiber network and land lines whereas private operators invested nothing in these areas. Private operators invested only in lucrative mobile sector, where operational cost is very less. The entire burden of the social obligations of the Govt. to provide telecom services to the Rural and remotest part of the country falls on the shoulders of BSNL.

But Govt. violated the policy commitments of NTP 1999, thereby weakening the PSUs and giving undue advantages to the private operators. The violation of the policy commitments and arbitrary change in the policies midway such as Stopping of Access Deficit Charges(ADC), change in IUC regime, allowing private operators for roaming in CDMA which is against the licensing conditions, ' changeover from fixed license to revenue sharing., stoppage of refund of spectrum charges and license fees, procurement issues faced by BSNL in a fierce competitive environment as a Govt. PSU (in the name of L1 tender, CVC, CAG, national security etc), forcibly taking away Rs 18500 Crores from BSNL in the name of 3G and BWA spectrum charges etc are the major components which caused threat to BSNL and weakened it. It is a fact that BSNL was never in operational profit since its formation, leaving the subsidies and concessions available to it based on the above policy commitments of the Govt. In addition, the continuation of top Management of BSNL/MTNL on deputation for the last 12 years caused irreparable damage to the growth of PSUs.

There is no threat on BSNL as BSNL has got good infrastructure and expertise manpower but the measure problem is nothing but the senior managerial cadre (ITS) in BSNL should join BSNL ending the continuous deemed deputation status so that they can have sense of belongingness and commitment to BSNL. The committed workforce and leaders can only yield the better results.

AIBSNLEA WRITES

1.Revision of HRA to the staff posted in Ahmedabad City@ 30%-reg.

We would like to draw your kind attention on the Census-2011 Report received from District Census Officer, Saharanpur and instructions contained in the DPE No. 2(70)/08-DPC(WC) dated 26.11.2008, DOT letter No. 61-01/2009-SU dated 27 February, 2009 and BSNL C.O. No. 1-50/2008-PAT(BSNL) dated 5th March, 2009, wherein it is mentioned that the payment of HRA on the basis of the population of the cities to the employees of CPSEs has been considered by BSNL Corporate Office and increased the HRA @ 20% w.e.f. 1.12.2011 to all employees of BSNL, who are posted at Saharanpur City (more than 5 lakhs population).

In view of above, it is to bring to your kind notice that Directorate of Census Operations, Ministry of Home Affairs, Gujarat vide their letter No. CEN (Guj)-2011/110117/2011-Population (Guj.) dated 9th July, 2012 (copy enclosed) intimated to The Asstt. General Manager (EST), O/o Chief General Manager, Gujarat Telecom Circle about the population of Ahmedabad District with a break-up of total, rural, urban & Ahmedabad Municipal Corporation as 72,08,200, 11,49,436, 60,58,764 & 55,70,585 respectively. As per the above population confirmation letter from Directorate of Census Operations, Gujarat, the population of Ahmedabad Municipal Corporation is now more than 50 lakhs and therefore, based on the above instructions of DPE, DOT, BSNL C.O. and BSNL Corporate Office Order No. 11-03/2011-PAT(BSNL) dated 11th June, 2012 (Copy enclosed) the employees working in Ahmedabad Municipal Corporation area is also entitled for 30% HRA with effect from 1.12.2011.

We would therefore request your kind personal intervention to speed the matter for early issuance of Office Order increasing the HRA rate for the employees working in Ahmedabad Municipal Corporation area as it has been done by BSNL Corporate Office for the staff posted in Saharanpur City.

Copy endorsed to Sh. A.N. Rai, Director (HR), BSNL Board, New Delhi-110001, Sh. Neeraj Verma, GM(SR), BSNL Co, new Delhi-110001 and Sh. R.K. Goyal, GM(Estt.), BSNL CO, New Delhi-110001.

*No.AIBSNLEA/CHQ/CMD, BSNL/2013 Dtd:7.5.2013
(Addressed to Shri R.K. Upadhyay, CMD, BSNL, New Delhi-110001.)*

2. Regular promotion from JTO(C) to SDE(C) under Seniority Cum Fitness quota-reg.

Reference: BW CO Letter No. 2-2/2011/Dy.M(BW-II) dt. 31.01.2013

With reference to above cited subject & Co office letter referred above in which ACRs of 109 Nos JTOs has been called, In this connection, I would like to draw your kind attention towards the stagnation in the cadre of JTO (Civil). Stagnation level in this cadre is very alarming, as the JTO(C) of 1989 batch are still waiting for their first functional promotion even after completion of more than 24 years of regular service.

It is learnt that large number of vacancies of SDE(C) (App. 100) are laying vacant. Promotion order may be issued to all 109 JTOs. & Stagnation period may be reduced to implement the following suggesting:-

1. All the vacancies of SDE(C), as on date (at the time of issue of promotion order) should be filled.
2. Vacancies arises due to deputation of SDE(C) in other dept (where the deputation period is more than one year) may also be taken. (As per DPE Guidelines vide order no 22011/5/86-Estt.(D) dt.10.4.89 at P-4)
3. Vacancies of LDCE quota may also be temporary diverted to SCF quota. (As per column No 12 of Schedule of RR of SDE(C) circulated vide letter No. 20-24/2001-Pers-II dt. 28.02.02)
4. If required for balance JTO(C), panel may be prepared. (As per DPE Guidelines vide order no 22011/5/86-Estt.(D) dt.10.04.89 at P-3).

As we all are aware that the financial condition of BSNL is not good. Transfer after promotion will involve huge expenditure. As the vacancies are available in almost all the Circles, hence, the JTOs after promotion may be adjusted in the same circle to avoid the huge expenditure of BSNL. Following suggestions are also submitted for your sympathetic consideration:-

1. JTO(C) who is working as SDE(C) as Officiating / Look after basic may be posted on the same station on promotion.
2. JTO(C) may be adjusted in the same Circle after promotion (on seniority basis).
3. If vacancies are not available in the same Circle, then may be adjusted in the adjoining Circle.
4. All the request posting (after promotion) may be considered.

The above facts and suggestion are submitted for your kind and sympathetic consideration. It is also requested to expedited the Promotion Process so that the DPC conducted & Promotional order may be issued at the earliest, because the functional promotion is the only ray of hope for giving a healing touch to the pain of these executives to boost their moral in the BSNL's present scenario, when the executives

in the counterpart wing of BSNL are getting promotions at a better rate than the executives in Civil Wing and adjust the JTOs in the same circle on promotion to avoid the huge expenditure of BSNL on transfer.

Copy to Shri A.K. Gupta, PGM(BW), BSNL CO, New Delhi-110001.

*No.AIBSNLEA/CHQ/PGM(BW))/2013 Dtd:7.4.2013
(Addressed to Shri A.N. Raj, Director(HR), BSNL Board, New Delhi-110001.)*

3. Regarding benefit of 2nd ACP scheme of left out cases.

It is the matter related of executives who were not given the benefit of 2nd ACP scheme although they were completed 24 year of service. D.O.T. has issued last letter of ACP scheme on 20.02.2004. Some of the executives very few in numbers (25 nos) were left out due to various reasons i.e. due to non availability of ACRs or VCRs although they were eligible. The juniors were get benefit of ACP scheme but seniors were not getting by the above reason. Therefore, you are requested to take up the matter with Sr. DDG Electrical DOT to issue the order to BSNL that the ACP benefit may also be given by giving relaxation as given in his letter dated 30.03.2007, who were illegible up to 20.02.2004. It is also stated that in ELECTRICAL WING the 2ND ACP benefit upto 31. 03. 2004 had already given by DOT vide letter no 3-6/2001-EW dated 29. 03.2003.

*No. AIBSNLEA/CHQ/PGM(BW))/2013 Dtd:7.4.2013
(Addressed to Sh. A.K. Gupta, PGM(BW), BSNL C.O., New Delhi-110001.)*

4.Sexual harassment of one woman executive at Faridabad (Haryana) by Sh. P.K. Shrivastava, Sr. GM Faridabad(Haryana)-our protest against.

We regret to inform you that one woman executive at Faridabad(Haryana) has been sexually harassed for the last few years by Shri P.K. Shrivastava, Sr. GM, Faridabad(Haryana) Telecom Circle. Against this sexual harassment, she complaint to the higher officers in BSNL but all in vain.

Sr. GMTD Faridabad issued 13 transfers in last two years for sexual demands. Sexual harassment case was sent to CGMT Haryana through proper channel on 22.4.2013.Sexual harassment committee was constituted by CGMT Haryana Circle which has taken the statement of all witnesses as well as victim lady JTO but report has not been submitted by committee till date. It is reliably learnt that it is not being submitted under the influence of Haryana Circle Management on the pretext of taking the statement of GMTD Faridabad. In the mean time FIR was also lodged and ACP Faridabad is conducting enquiry. Due to delay in justice at local level on 3rd May 2013 members of Joint

Forum of BSNL Unions and Associations moved to BSNL Corporate office and met Director(HR). Director (HR) assured to forward disciplinary case to DOT for further action. On 6th May GMTD Faridabad applied in the court for anticipatory bail which has been denied by the court before surrender by the culprit (GMTD FBD).

However, recently due the protest actions by BSNL Unions/Associations the BSNL Management has compelled to transfer Sh. P.K. Shrivastava, Sr. GMTD, Faridabad (Haryana) to Ranchi (Jharkhand). But this can't be the remedy of the problem, this Association strongly demands immediate suspension of the culprit, immediate repatriation from BSNL and stringent action by initiating a disciplinary case. So as to ensure that the culprit is punished and he do not dare to commit such heinous act in future. It is reported that the Officer is habitual of doing such sexual harassment in his previous postings also.

We would therefore request you to kindly intervene in the matter on urgent basis to repatriate and initiate disciplinary action against Shri P.K. Shrivastava, Sr. GM, Faridabad(Haryana) so that justice is given to the woman executive who is sexually harassed and normalcy restored in Faridabad(Haryana).

Copy endorsed to Shri R.K. Upadhyay, CMD, BSNL, New Delhi-110001, Smt. Rita Teotia, Addl. Secy(T), DOT, New Delhi-110001 and Shri Uma Shanker, Jt. Secy(T), DoT, New Delhi-110001

*No. AIBSNLEA/CHQ/Secy(T)/2013 Dtd:07.05.2013
(Addressed to Shri M.F. Farooqui, Chairman TC & Secy(T), Govt. of India New Delhi-110001.)*

5.Deferment of Organizational Action Programmes commencing with effect from 29th April 2013 reg.

Ref: 1. No. BSNL/7-4/SR/2013 dated 30th April 2013.

2. No. BSNL/7-4/SR/2013 dated 02nd May 2013.

As per the above cited letter under reference, we extend our sincere thanks for the concern you have shown for the settlement of our long pending issues by holding formal meetings on 29th April and 30th April'2013 continuously for two days with this Association, in response to our Notice of Organizational Action Programmes dated 11.04.2013. We found during the discussions BSNL Management approach was Positive for the settlement of issues, which is reflected in the 'Record of Discussions'.

In view of this, to show gesture, this association has decided to defer the future organizational action programme i.e. Mass Dharna on 15th and 16th May 2013 at all SSAs / Circle / BSNL Corporate Office for the next 3 months.

We hope that BSNL Management will make sincere efforts for the settlement of issues as assured in the 'Record of Discussion' in a timeframe. We also assure you our fullest cooperation. We have also appealed our members to concentrate for the growth of BSNL.

Copy to endorsed Shri R.K. Upadhyay, CMD, BSNL, New Delhi-110001 and Shri A.N. Rai, Director (EB/HR), BSNL Board, New Delhi-110001.

*No. AIBSNLEA/CHQ/GM(SR)/2013 Dated:3.5.2013
(Addressed to Shri Neeraj Verma, GM (SR), BSNL CO, New Delhi-110001.)*

6. Discrepancies in the transfer and posting orders in the grade of CAOs -reg.

Ref:- Corp. Office Lr.No.2-1/2011 SEA BSNL dated 18.4.2013.

We would like to draw your kind attention on the above referred transfer and posting orders issued in the grade of CAOs, wherein 4 CAOs have been transferred from Kerala to Gujarat (Sl. Nos. 9 to 12) on account of their long stay in Kerala Circle. In this connection, it may please be noted that the following CAOs who are actually having more long stay in Kerala than the above officers have been omitted from the transfer list. It appears that their tenure in non-territorial circles, but worked in the territorial jurisdiction of Kerala, has not been counted for their long stay. As per the transfer policy, while computing the long stay in Station /SSA/Circle any tenure in non-territorial circle within the territorial jurisdiction of the circle shall also be counted (Section B Par 11(d)). As such they are having more long stay than the transferred CAOs. Their list is as given below:-

1. Shri B. Sasikumar – 87981
2. Shri V.C. Mathews – 88249
3. Smt V.G. Yemuna – 88521.

We would therefore request you to kindly intervene in the matter and revise the list by incorporating the names of the above mentioned officers having more stay, in place of the others as mentioned above.

*No. AIBSNLEA/CHQ/GM(FP)/2013 DATED:1.5.2013
(Addressed to The GM(FP), BSNL CO, NEW DELHI-110001.)*

7. Request for a transfer policy for JTOs of Hard Tenure Areas - Reg.

Please find enclosed herewith the representations of 54 JTOs of NE Circle, who have requested to frame transfer policy for BSNL recruited JTOs posted in Hard Tenure places

specifying period of tenure like in the case of other PSUs/ Central government departments. It is also requested that after completion of the above period of tenure, these JTOs are also to be transferred to their choice of place as in the case of others executives.

We would therefore request you to kindly issue necessary guidelines, will motivate the BSNL recruited JTOs working in the hard tenure places to work with full enthusiasm and a hope of getting transfer after a specific period. This will also encourage the new BSNL recruited JTOs to work at these hard tenure circles.

*No. AIBSNLEA/CHQ/Dir (HR)/2013 Dtd: 1.5.2013
(Addressed to Shri A.N. Rai, Director (EB/HR), BSNL Board, New Delhi-110001.)*

8. On behalf of the members of All India BSNL Executives' Association belonging to various disciplines of Bharat Sanchar Nigam Limited i.e. Telecom Engineering, Telecom Finance & Accounts, Telecom Civil/ Electrical/ Architectural / Telecom Factory Engineering wings, PA/PS/CSS Staff and other wings of Telecom services heartily welcome and felicitate you on assuming the high office of Director (CM), BSNL Board, New Delhi. We assure you our fullest co-operation in your endeavor.

Therefore, we would continue to hope that with your best efforts, BSNL will achieve the new mile stones in Mobile Sector.

*No. AIBSNLEA/CHQ/Dir(CM)/2013 Dtd :01.05.2013
(Addressed to Shri Anupam Srivastava, Director (CM), BSNL, New Delhi-110001.)*

9. Immediate withdrawal of looking after arrangements and allowing officiating Promotion till the time all vacant DE/DGM level posts are filled up on adhoc/regular basis-reg.

Ref.:- Pers. Cell, BSNL CO, New Delhi letters no. 412-13/2013-Pers.I (I) dated 22.03.2013 and 412-13/2013-Pers.I(II) dated 22.03.2013.

In the above cited references and subject matter, we would like to draw your kind attention that BSNL Corporate Office issued letter regarding withdrawal of the system/practice of Local Officiating arrangement or Local Officiating Promotion in BSNL and also introduced Look After arrangement by Executives availing higher scales of pay w.r.t. temporary shortages in the grades/posts of SDE / DE/ DGM in Circles. It is not beneficial to BSNL as well as the executives.

The latest Looking after arrangement formulated by BSNL Management is a humiliation to the Executives of BSNL. Normally Looking After is a temporary arrangement for filling the time gap for regularization process, leave

vacancies etc., but BSNL Management is trying to make this as a permanent set up for not effecting any regular promotions. The norms initially fixed for allowing Look After arrangement was basically the length of service and there is no harm in allowing officiating arrangement also on the same norms ordered by the Court of Law. The discrepancies/Operation difficulties in look after arrangement will be as under:-

- Looking after arrangements do not envisage implementation of SC/ST roster as well as no pay fixation in the higher grade.

- Looking after executives can't exercise statutory powers of the post i.e. administrative and financial as per prevailing rules.

- As per the above referred letters dated 22-3-2013, weightage has been given to those who achieved the time bound up gradation under EPP. But later, as per amendment dated 01-04-2013, seniority position has been given weightage, irrespective of pay scales. This has made this new Look After Policy worthless.

- As per the above cited looking after arrangements order, it has been said that executives with lower substantive grade but availing higher scale of pay may be considered for manning the higher grade on **“Stand-alone or Combined basis”**. While in local officiating arrangement the executive was promoted to the higher grade. Then why the executives will look after the charge of higher post without any extra remuneration?

- Looking After arrangement to a post cannot prolong indefinitely.

- If the LA arrangement is allowed to continue, then the executives will not get any further promotions. They have to satisfy with existing position with an LA till retirement.

- The officiating/ temporary promotions need to be restored in the larger interest of the BSNL and its executives; also every possible effort is to be made to get a final order from the court for processing regular promotions.

We would, therefore, request you to kindly withdraw looking after arrangements order by allowing Local officiating Promotions till the time all vacant SDE/DE/DGM level posts are filled up on adhoc/regular basis.

Copy endorsed to Shri A.K. Jain, Sr. GM(Pers.), BSNL CO, New Delhi-110001 and Shri Neeraj Verma, GM(SR), BSNL CO, New Delhi-110001.

No.AIBSNLEA/CHQ/Sr. GM(Pers.)/2013 Dtd: 30.4.13
(Addressed to Shri A.N. Rai, Director (EB/HR), BSNL Board, New Delhi-110001.)

10. Declaration of four SSAs of AP Circle i.e. Adilabad, Srikakulam, Khammam and Krimnagar SSA as soft tenure stations - reg.

We would like to draw your kind attention in the subject matter that in A.P. Telecom Circle, there are 22 SSAs spread over to a large area comprising of three geographical regions viz. , Andhra, Telangana and Rayalaseema.

In the following SSAs, Circle is facing acute shortage of supervisory officers due to lack of basic in infrastructure and amenities. The officers posted in these SSAs are reluctant to go and work and somehow managing to get cancelled the orders applying the different influences. Therefore, the shortage of the officers is continuing less than 50% to the satisfaction level. Hence, Keeping in view of the above reasons GM(HR/Admn), %CGMT, AP Circle vide letter no. TA/STA/70/4/TS/2008 dated 05.04.2013 (enclosed) has proposed following SSAs for declaring as All India Soft Tenure Stations with the reasons mention as below:-

S.No.	SSA/Station	Reasons for declaring as Soft Tenure Station
1.	Adilabad	More than 50% area is spread with deep forest. This is the border district of Maharashtra. No adequate medical/ educational facilities. Extreme climatic conditions.
2.	Srikakulam	Most backward district declared in AP. Tribal area with 50% forest area. Interior district with the hilly regions. Health hazardous esp. Dengue fever prone area. IHO also deputed a special team to investigate the reasons for fever, spread in this area.
3.	Khammam	Backward district with 50% forest area. Due to high quantity of florin in the water, florosis disease is spread over in the district. Always records highest temperature in Summer. Extreme climatic conditions.
4.	Krimnagar	Backward district with 90% rural area. Poor transport facilities. Under-developing area. Naval dominated area. Extreme climatic conditions.

We would therefore request you to kindly declare above SSAs as soft tenure stations so that acute shortage of executives may be managed effectively.'

Copy endorsed to Shri A.N. Rai, Director(HR/EB), BSNL Board, New Delhi-110001, Shri A.K. Jain, Sr. GM(Pers.), BSNL C.O., New Delhi-110001 and Shri Neeraj Verma, GM(SR), BSNL C.O., New Delhi-110001
No. AIBSNLEA/CHQ/CMD/2013 Dated :23.04.2013
(Addressed to Shri R.K. Upadhyay, CMD BSNL, New Delhi-110001.)

11. Consideration of request/tenure transfer cases of SDEs/DEs –reg. Ref: (i) AGM(Pers.II), BSNL CO, New Delhi letter no. 1-3(Misc)/2012-Pers.II Dated 14.07.2012. (ii) AGM(Pers.II), BSNL CO, New Delhi letter no. 1-11(ERP)/2012/Pers-II Dated 10.10.2012

We would like to bring to your kind notice that three years before more than 100 SDEs/DEs were posted in ERP Cell, BSNL Corporate Office at Gaziabad on the basis of volunteers and long standing tenure transfers. At the time of posting of these SDEs /DEs they were assured that on completion of their tenure in ERP Cell, they will be transferred back to their parent Circles. This Association also supported the Management view in the interest of ERP Project as well as BSNL. But now after a gap of three

years these SDEs/DEs requests for transfer are not being considered on the pretext of non posting of substitutes in ERP Cell.

BSNL Corporate Office Pers. Cell in the above cited reference called volunteers for posting in ERP Cell (BSNL Corporate Office) in the grade of SDEs(T) and accordingly 8-SDEs posting orders were issued on 10th Oct'2012 at their OWN COST which is not at all justified since the volunteers were called by BSNL Corporate Office. Hence, none of the transferred SDEs from various Circles has joined ERP Cell and the SDEs/DEs working in ERP Cell for the last three years are held up for relieving.

To provide justice and as per BSNL Executives transfer Policy, all the SDEs/DEs working in ERP Cell for more than three years should immediately be transferred back to their parent Circles as well as the SDEs volunteered for posting in ERP Cell & transferred at OWN COST should be modified in the interest of service. Similarly, transfers may also be considered on point to point basis to consider all long standing cases.

Likewise, more than 100 DEs of TN, KTK, STR, STP Circles were transferred on promotion in the year-2010 DPC to AP, KRL, MH, GUJ Telecom Circles due to non availability of DEs posts in these Circles. They have also completed more than two years service and have requested for transfer at their OWN COST but not considered. It has caused hardship and difficulties to these DEs.

We would therefore request you to kindly intervene in the matter so that all pending request/tenure transfer orders of SDEs/DEs are issued at the earliest to avoid the inconvenience and frustration of these executives.

Copy endorsed to Shri A.K. Jain, Sr. GM(Pers.), BSNL CO, New Delhi-110001

*No. AISBNLEA/CHQ/Dir(HR)/2013 Dtd:17.04.2013
(Addressed to Shri A.N. Rai, Director (EB/HR), BSNL Board, New Delhi-110001.)*

12. Stalemate in holding CPC from SDE (E) to EE(E) – regarding.

We are constraint to bring to your kind notice that PGM (Elect.), BSNL Corporate Office is unable to hold CPC to fill up about 40 vacant Executive Engineer (Elect.) posts for the last one year for want of information from CEs(Elect.) from various Telecom Circles regarding making entry in the Service Book of SDEs(Elect.) who have obtained Degree in Engineering from Distance Education mode while in service with due permission from BSNL.

PGM (Elect.) has issued reminders to the concerned CEs(Elect.) seeking the above information again and again, but all in vain.

It has caused delay in holding CPC to the eligible SDEs (Elect.) to Executive Engineer (Elect.) for the last one year. It has also caused stagnation in the career prospects of

the SDEs(Elect.) since they are waiting for more than 16 to 17 years having regular service of SDEs(E).

In view of the above, we would like to solicit your kind intervention in the matter to instruct all CGMs for sending the required information to PGM (Elect.) BSNL CO through their CEs(Elect.) in the time bound manner so that CPC from SDE(E) to EE(E) can be hold at the earliest.

Copy for information to Shri U.N. Rai, PGM(Elect.) BSNL CO New Delhi and Shri A.K. Jain, Sr. GM (Pers.), BSNL CO, New Delhi.

*No.AIBSNLEA/CHQ/Dir(HR)/2013 Dtd:16.04.2013
(Addressed to Shri A.N. Rai, Director (HR), BSNL Board, New Delhi-110001.)*

13. Bulk Inter-SSA transfer of executives'- in the cadre of JTO(T)/ SDE(T) in Kerala Telecom Circle-counting of stay outside for less than two years prior to 2007 as break for assessing long stay-Orders for Bulk inter-SSA transfers in the cadre of SDEs/ JTOs are under process now in Kerala Telecom Circle based on long-stay basis reg.

We would like to bring to your kind notice that orders for Bulk inter-SSA transfers in the cadre of SDE (T)/ JTO (T) are under process now in Kerala Circle based on long-stay basis. It is noticed that, service done in other SSAs for periods less than two years (during the DOT era, i.e., before declaring BSNL Transfer Policy in 2007) is not counted as a break for calculating length of stay in the lists now published. As a result of this, those who have already gone out of the SSA on transfer will be again and again transferred.

If the period of service in other SSAs with length of less than two years is not considered as a break in the calculation of long stay in the parent SSA, a good number of seniors who worked outside SSA in the interest of service, are again forced to go out. To avoid this anomaly, we request that, the service rendered in other SSAs prior to 2007 i.e., prior to the year in which BSNL transfer policy came in force, may be counted for break for the calculation of long standing even though it is a period less than two years, in view of the fact that, such a stipulation was not there prior to 2007. In fact such a relaxation in the case of break-period was allowed in 2011 consequent to the interference of this association. But now the Circle administration is denying this genuine demand.

We would, therefore, request you to kindly instruct the Kerala Telecom Circle to allow the genuine relaxation in this regard as done in the previous years. An early kind intervention is solicited.

Copy endorsed to Shri A.K. Jain, Sr. GM(Pers.), BSNL CO, New Delhi-110001 and Shri Neeraj Verma, GM(SR), BSNL CO, New Delhi-110001.

No.AIBSNLEA/CHQ/Dir(EB/HR)/13 Dtd:16.04.2013
(Addressed to Shri A.N. Rai, Director (HR/EB), BSNL Board, New Delhi-110001.)

14. Illegal deployment of ITS Officers in BSNL-reg.

We regret to mention that DoT orders dated 11.03.2103 vide which DoT has deployed the repatriated Group -'A' officers in BSNL while giving a go by to its own statutory rules and provisions of CCS (Pension) Rules 37A and in particular to Sub Rule 6 of Rule 37 A and Hon'ble High Court of Delhi in Judgement dated 17.04.2012 and its subsequent directions dated 15.02.2013 also Hon'ble Principal bench, CAT New Delhi vide OA no. 3124/2009 dated 01.07.2011 delivered judgment on 11.07.2011 "In the light of the above discussion the impugned order dated 24.09.2009 is quashed and set aside with directions to the Respondents not to give any further opportunity to the officers of the Department of Telecommunications, who continue to be on deemed deputation to BSNL and to repatriate them to their parent Department"

In response to the above judgment DoT reinitiated the process of absorption of Group -'A' officers in BSNL / MTNL in Sept'2011 but ITSA opposition continued and majority ITS Officers did not exercise option in BSNL/MTNL and opted DOT. On 3rd Nov'2011 DoT issued order vide letter no. A-11013/33/2011-Absorption Cell dated 03.11.2011 regarding repatriation of Group "A" officers of various services working on deemed deputation in BSNL/MTNL back to their parent department of Telecommunications (DOT). The deemed deputation also ended on 08.11.2011. DOT observing the situation and on the request of CMDs BSNL/MTNL and issued order vide letter no. A-11013/33/2011-Absorption Cell dated 08.11.2011 allowing deputationist ITS officers in BSNL/MTNL till their formal relieving. During the period at the instance of DOT, BSNL/MTNL management relieved about 360 ITS officers and about 40 Group-'A' Electrical wing officers in the month of Nov'2011.

Hereafter BSNL/MTNL Managements took a stand not to relive the remaining about 950 in BSNL and 83 in MTNL ITS Officers till the time of alternative arrangements. Immediately BSNL/MTNL notified SLD RRs-2011 for the recruitment of ITS officers on technical resignation under Rule -37 Pension and assured protection of pay and seniority in BSNL.

We under the banner of United Forum BSNL / MTNL Executives Associations strongly protested the back door entry of ITS Officers in violation of BSNL MSRRs-2009 and upgradation of 600 JAG posts to Sr. DGM Posts. These SLD RRs-2011 could not be implemented due to clarifications/ comments / opinion issued vide letter no. 4/13/2012-P&PW(D) dated 19.03.2012 by Dep'tt. of Pension and Pensioners Welfare on the queries raised by ITS Officers regarding recruitment in BSNL/MTNL.

Meanwhile the Court case filed some ITS Officers and ITSA in the Hon'ble High Court Delhi demanding Prospective Date of absorption came for hearing on 17.04.2012 and decided cut of date of absorption as 08.12.2005 instead of 01.10.2200 and directed applicants to exercise their option in BSNL/MTNL upto 30th April'2012(Two Weeks time) and if they donot opt BSNL/MTNL then they are to be relieved before 16th May'2012.

The operative portion of judgment of Hon'ble High Court Delhi judgment dated 17.04.2012 in the case filed by some ITS Officers is as under:-

- The deemed date of absorption of the petitioners fixed as 1.10.2000, is held to be illegal, being contrary to Rule 37-A (4) of CCS (Pension) Rules;

- The deemed date of permanent absorption of such of the petitioners who seek permanent absorption in BSNL/MTNL shall be 8.12.2005;

- The petitioners before this Court are given an option, to be exercised within two weeks from the date of this order, to revert to the Government or to seek permanent absorption in BSNL/MTNL as the case may be;

- Those Government servants who have already accepted permanent absorption w.e.f. 1.10.2000 will not be entitled to exercise a fresh option in terms of this order;

- BSNL/MTNL shall relieve such of the petitioners, who opt to revert to Government service within weeks of receipt of options from them;

- Such of the petitioners who opt to revert to the Government shall be appropriately redeployed by the Government in Government service through surplus cell of the Government. We have no doubt in our mind that the Government would not like to keep such of the petitioners who opt to revert to the Government idle and, subject to availability of the positions with it, give them such work as is deemed appropriate to be performed by them.

Against the above judgment BSNL /MTNL filed review application seeking twenty five months time to make alternative arrangement and in their relieving but Hon'ble High Court Delhi did not accept the same and allowed retention of ITS officers in BSNL/MTNL up to 30.09.2012. Wherein AIBSNLEA, SNEA(I) and BSNLEU also filed SLP for impledment but the same along with BSNL/MTNL review application was dismissed.

Following is the Judgment given by Hon'ble High Court Delhi on dated 15.02.2013.

CM Nos.16682/2012, 16683/2012, 16685/2012 and 18147/2012 (CM No: 16683/2012 is filed by AIBSNLEA, SNEA(I) and BSNLEU) .

1. The grievance of the applicants in CM No.16683/2012 and CM No.18147/2012 would be met if CM No.16682/2012 and CM No.16685/2012 are disposed of with a direction that within six weeks from today the mandamus

issued by this Court as per the decision dated April 17, 2012 would be positively complied with.

2. Issuing a direction that the mandamus issued by this Court as per the decision dated April 17, 2012 shall be positively complied with within six weeks from today, all above captioned applications stands disposed of.

Hon'ble High Court Delhi on **04.03.2013** dismissed DoT review application on ITS repatriation case. DOT filed review application to Hon'ble High Court Delhi praying that DoT is implementing Hon'ble High Court judgment dated 15.02.2013 for repatriation of ITS officers from BSNL/MTNL immediately & as per the decision of Union Cabinet ITS officers will further be sent on deemed deputation to BSNL/MTNL for the next 10 years and during these 10 years period, BSNL/MTNL will create their Management at higher level.

Hon'ble High Court Delhi at first instance itself dismissed the DOT review application & directed to implement Court order in its true spirit.

DOT prayer before Hon'ble High Court Delhi on ITS Case: 12. That in compliance with this Hon'ble Court order dated 15.02.2013 and also with a view to implement the Cabinet decision dated 13.02.2013, the respondent Department of Telecommunications wishes to issue the following orders:-

i. Repatriation of all Group-'A' officers including ITS officers currently on deemed deputation to BSNL/MTNL to DOT with immediate effect and consequent relieving of officers by BSNL/MTNL thereby completing the process of absorption of Group A officers of the DoT in BSNL/MTNL under Rule 37-A of CCS Pension rule 1972.

ii. Deployment of ITS officers in BSNL/MTNL for a period of 10 years on year to year diminishing basis as per the requirement plan on the terms and conditions as approved by the Cabinet w.e.f the date the BSNL/MTNL leave officers in pursuance of (i) above. This deployment has been approved by the Cabinet as a special dispensation to ensure that the services in these organizations are not disrupted and their operation do not suffer due to the lack of manpower and has no relation whatsoever with the absorption process initiated and completed under Rule-37A CCS pension Rules 1972.

iii. Direction to all the cadre Units of group A Services of the DoT to complete the process of cadre review which is already underway and declare the officers as are in excess of the revised sanction strength consequent on cadre review as surplus as per Cabinet approval.

PRAYER:

a) The Hon'ble Court may take cognizance of the course of action proposed in para 12 above pursuant to the decision

of the Cabinet and this Hon'ble Court's orders dated 17.04.2012, 01.10.2012 and 18.12.2012 and pass orders clarifying, if necessary, the order dated 15.02.2013.

b) Pass any order or further orders it deems necessary —

—
DoT issued order regarding redeployment of surplus Staff w.r.t. constitution of Surplus Staff Establishment (SSE) for Indian Telecom Services (ITS) on 11.03.2013.

The Contempt petition filed by AIBSNLEA, SNEA (I) and BSNLEU in the Hon'ble High Court Delhi against DOT orders dated 11.03.2013 to deployment of non-optee ITS Officers in BSNL came for hearing on 18.03.2013 in Hon'ble High Court of Delhi and after arguments, the contempt petition is admitted and posted for hearing on 25th July 2013.

AIBSNLEA, SNEA(I) and BSNLEU Writ petition 1803/2013 filed jointly praying for quashing the order of DoT dated 11.3.2013 to deploy unabsorbed ITS to BSNL came up for hearing 19.03.2013 in the Hon'ble Delhi HC. Hon'ble Delhi High Court judgment dated 19.03.2013 in Writ Petition 1803/2013 filed jointly by AIBSNLEA, SNEA(I) and BSNLEU praying for quashing the order of DoT dated 11.03.2013 to deploy unabsorbed ITS in BSNL. Hon'ble bench clearly states that the impugned orders dated 11.03.2013, which both in letter and spirit violate the orders which are passed in W.P.(C) 22515/2005 and especially the order passed in CM No. 16683/2012 (our impleadment application).

“Learned senior counsel for the petitioners, on instructions rightly states that the petitioners are really aggrieved by the impugned orders dated 11.3.2013 which both in letter and spirit violate the orders which are passed in W.P.(C) 22515/2005 and especially the order passed in CM No. 16683/2012”. “— Petitioners are also at liberty to initiate, if so required, appropriate independent proceedings in accordance with law”. The order of Hon'ble High Court is the outcome of DoT and BSNL order dated 11.03.2013 and a clear endorsement of the prayer contained in our WP.

· BSNL had 40,000 Cr cash reserve initially and making 10,000 Cr profit per year from 2001 to 2006. BSNL is claiming that ITS are the only technical experts. But during last three years BSNL registered heavy losses (this year it may go upto Rs 9000 Cr) when the deputationists are holding the key posts. All other operators who are not having ITS on deputation registered profit also.

· There is no difference between BSNL management and ITS as all the top positions are occupied by the ITS on deputation. CMD and 4 functional directors out of 5 are from ITS, all the Executive Directors and almost all the CGMs

are non optees on deputation. The absorbed officers are not given promotion as the deputationists are not vacating the posts they are holding in BSNL.

· Their only intention is to continue in Govt. service with full job security, continue in BSNL on deputation till retirement and enjoy all the benefits of a PSU and Govt. and take promotions on BSNL posts illegally till BSNL survives and then go back to Govt. in case collapse of BSNL.

· DOP&T vide its OM dated 08. 10.2010 decided that on conversion of a Govt. Deptt. to a PSU, "A maximum period of 5 years for framing of rules and another 2 years of phasing out repatriation to those opting to come back to Govt. has been prescribed".

· The BSNL's HAG/SAG/JAG level posts are not being filled up by BSNL's absorbed Group-'A' level executives. But these posts are being regularly filled up by deputationists ITS officers illegally. Whereas, BSNL Management should give priority on promotion to the BSNL's absorbed executives in comparison to the deputanist ITS officers.

· For DGM promotion there is no legal issue as Hon Kerala High Court already given direction to BSNL to give promotions based "subject to the outcome of the case" on a seniority

related case. Now the final arguments are over and judgment is reserved. DPC for 414 posts completed and orders can be issued any date if Mgt desires.

Sir, In the above background, we would therefore request you to kindly intervene in the matter so that justice is given to absorbed Group-'A' & 'B' Executives and to avoid discrimination which otherwise has forced us to contest legally. Continuation of any deputation in BSNL/MTNL will certainly affect adversely the Viability of these PSUs.

Copy endorsed to Shri Ajit Kumar Seth, Cabinet Secretary, Govt. of India, New Delhi, Shri M.F. Farooqui, Chairman TC & Secy (T), DOT, New Delhi, The Secretary, DoP&T, Govt. of India, New Delhi, The Secretary, DoP&W, Govt. of India, New Delhi, The Secretary, DPE, Govt. of India, New Delhi, Shri R.K. Upadhyay, CMD, BSNL, New Delhi-110001 and Smt. Rita Teatota, Addl. Secy(T), DoT, Govt. of India, New Delhi-110001.

*(No. AIBSNLEA/CHQ/CMD/2013 Dated: 12.04.2013
Addressed to Shri Kapil Sibal Hon'ble Minister of
Communications & IT Govt. of India New Delhi -110001.)*

Congratulations

Congratulations! AIBSNLEA's consistent efforts yielded result in getting released the 'Record of Discussions' after two days marathon meetings on dated 29th and 30th April' 2013 with BSNL Management in response to our Notice of Organizational Action Programmes dated 11.04.2013. BSNL Management sincerely tried to resolve our long pending issues but some issues could not be settled due to pending court cases and on some issues positive initiative have been taken up towards settlement. We are confident that shortly our most of the pressing issues will be resolved. In view of the concern shown by the BSNL Management as gesture, AIBSNLEA CHQ decides to defer the ongoing Organizational Action Programme i.e. holding Mass Dharna on 15th and 16th May 2013 for the next three months.

We are extremely thankful to Director (HR), BSNL Board for arranging formal meeting on our long pending issues. We also extend sincere thank to Sr. GM (Pers.), GM(SR), GM(Estt.), GM(Restg.), DGM(Pers.), DGM(SR), DGM(Restg.), AGM(SR), AGM(Pers.-II) & AGM(Pers.-V) and others for their continuous presence in the meeting for thorough and useful discussions.

We extent our sincere thanks to all the members and well-wishers throughout the country for their overwhelming support and active participation in the first phase of agitational programme i.e. sending of the Savingram and Holding of Special General Body meetings.
We also appeal to our members to continue to concentrate for the growth of BSNL.

BSNL /DOT ORDERS

1. Expenditure Control in BSNL.

In partial modification of BSNL letter No. 7-8/2010/EF/Part/ 1 dated 05.09.2011, the competent authority has decided that as financial performance of BSNL is not improving, All India LTC facility will remain frozen for all BSNL Employees till further orders. However, the employees who cross the age of 59 years shall be allowed to avail one All India LTC during the last year of their retirement.

Other terms & conditions of the above letter dated 05.09.2011 will remain unchanged.

Copy endorsed to PPS to CMD, BSNL, New Delhi, PPS to Dir(HR) / Dir(Ent.) / Dir(CFA) / Dir(CM) / Dir(Finance) BSNL Board, All Executive Directors, BSNL C.O., New Delhi, All PGMs / GMs, BSNL C.O., New Delhi, DGM(CA) / (EF) BSNL C.O., AGM (R&P) / (EF) BSNL C.O., Pay Bill / Cash / L&A Sections, BSNL C.O. and Guard File.

2. Preparatory exercise for All India Eligibility list of JTOs(T)- preparation of assessment sheet and schedule for furnishing ACRs- regarding.

Kindly refer to this office letter No. even dated 17.09.2012 and subsequent reminders on 30.10.012, 05.12.2012, 03.01.2013, 19.02.2013, 12.03.2013 and on 12.04.2013 whereby circles were requested to furnish the Screening Committee Report in the prescribed Performa including ACRs grading of the eligible JTOs and other relevant details as contained therein for taking up the promotion activity to SDE (T) grade under seniority quota. The details of assessment received/not received from the circles are as under:

Assessment received from the circles :

BBNW, ETP, CHTD, CTD, GUJ, HP, J&K, KRL, KTK, MH, MP, NE-I, NE-II, NTR, PB, UP (E), UKD, WB and WTP.

Assessment so far not received from the circles:

A&N, AP, AS, ALTTC, CG, ETR, HR, ITPC, JKD, NCES, NETF, NTP, OR, QA, RAJ, STP, STR, T&D, TN, UPW & WTR.

It is requested to the Circle Heads of the left out circles to look in to the matter personally and ensure that the informations/details as asked for should be furnished immediately.

I am further directed to refer Pers.(DPC) letter no. 451-03/2010-11/13/2-Pers(DPC) dated 01.05.2013 wherein a schedule for submission for the ACRs for promotion to DE(T)/AGM is given and to say that Circles are requested to follow the same schedule for submission of ACRs of JTOs required for promotion to SDE(T) cadre and ensure that the ACRs should furnish to this office as per the schedule.

No.2-15/2012-Pers.II

Dated: May 6th, 2013

(Addressed to All Heads of Telecom Circles, All Heads of Telecom Projects, All Heads of Telecom Regions, All Heads of Administrative Units and Bharat Sanchar Nigam Limited.)

3. Collection of ACRs for promotion to DE(T) / AGM on regular basis for probable vacancy year 2010-11 & 2011-12 - Preparatory work regarding.

After receiving few phonic information from some of the circle offices, it is clarified that there are two letters posted on intranet on the subject cited above vide letter 1r. no. 451-03/2010-11/13/1 dated 30.04.2013 and 1r. no. 451-03/2010-11/13/2 dated 01.05.2013 respectively. All the circle offices may go through both the letters mentioned above for further necessary action.

No.451-03/2010-11/13/2-Pers(DPC) Dated May 3rd,2013
Addressed to All Head of Telecom Circles & Other Administrative units of BSNL

4. Method of Pay fixation in IDA Pay scale in respect of absorbed officials of BSNL who were promoted prior to 01.10.2000 but opted under FR 22(1)(a)(i) for fixation of their pay in the promoted scale on the date of their next increment in the lower grade which falls after 01.10.2000.

I am directed to refer to DOT OM No. 1-1(1)/2006-PAT dated 17.12.2008 circulated vide this office Circular No. 32 issued under No. 1-5/2004-PAT(BSNL) dated 27.09.2012 on the above cited subject and to state that it has come to the notice of this office that some circle/units have yet not implemented the orders of Govt. on the issue.

Therefore, it is requested that the instruction/orders contained in the DOT letter OM No. 1-1 (1)/06-PAT dated 17.12.2008 may be implemented immediately without any further delay.

No. 1-5/2004-PAT(BSNL)/Pt.V Dated 03.05.2013
(Addressed to All Head of Telecom Circles, All Head of Other Administrative Units, Bharat Sanchar Nigam Limited.)

5. Record of discussions of the meeting of All India BSNL Executives' Association with the BSNL management held on 29th and 30th April, 2013

In response to the notice for organisational action programme commencing w.e.f. 29th April, 2013 by All India BSNL Executives' Association, meetings were held between the representatives of AIBSNLEA and the BSNL management on 29th and 30th April, 2013. The following issues came up for discussion during the meeting -

(1) Immediate withdrawal of looking after arrangements and allowing officiating Promotion till the time all vacant DE/ DGM level posts are filled up on adhoc/regular basis

- The Association explained that the officers given looking after charge of the higher posts, instead of the earlier arrangement of local officiating, is creating certain operational difficulties and also expressed apprehension that the officers may not be able to exercise statutory powers, in response to which the management side informed that vacant posts of DE/DGM could not be filled up due to litigation in seniority lists. With a view to resolve the issue the Association agreed to give in writing the apprehensions envisaged in the looking after arrangement for further examination by the management.

(2) CPCs to fill up the vacant HAG/SAG/JAG, STS Group 'A' & Group 'B' grade posts in BSNL on adhoc/regular basis

- The Association side mentioned that a good number of senior level posts are lying vacant which is adversely affecting the viability of BSNL and also causing stagnation in the career prospects of Executives; and also requested for immediate filling up of the same. In response, the management side explained the following position -

Filling up of HAG/SAG posts - All the vacant posts of HAG, SAG level Executives are to be filled up as per provisions of BSNL MS RR-2009. Proposal for HAG/SAG promotion is being submitted.

Filling up of DGM posts - Promotion to the grade of JAG is pending because of the Ernakulam court order. Minutes of the DPC is already done and got it approved. In the meantime VC got expired on 17.4.2013. To be in readiness, fresh VC has already been called for.

Filling up of DE posts:

(a) STS (adhoc) - Preparatory work is going on. MC approval for 1100 posts has already been received. Nevertheless there is a stay even for preparatory work from Chennai Court and case is being heard. Also 147 CQ officers and reserved category officers from list no. 6 and 7 are to be considered if promotion is effected. List No. 6 and 7 are quashed by lower courts and SLP has been filed. Necessary approval for all the above points are to be obtained for conducting DPC.

(b) STS(Reg.) - VCs have been asked for filling up 2010-11 vacancy year and ACRs are being collected from the circles for vacancy year 2011-12. However, approval with respect to 147 CQ officers and officers coming in list no. 6 and 7, as stated above, is to be obtained.

Filling up of SDE posts :

(a) Under Seniority Quota (67%) - This office has completed the exercise of promotion up to vacancy year

2008-09 along with Backlog vacancy up to 2005-06 under seniority quota. The DPC for the said vacancy year was done in 2011 and the promotion order was issued on 30.3.2011 i.r.o 1861 JTOs. However the promotion order issued could not be executed completely due to stay granted by Hon'ble High Court Chennai in O.A. No. 16102/2011 and 26246/2011. Now the court cases have been concluded in favour of BSNL, accordingly order for joining of left out JTOs has been issued on 18.4.2013. It is further intimated that the preparatory work for the promotion for vacancy years 2009-2010 to 2011-2012 has been started by calling for assessment sheets of the eligible JTOs from respective circles but the left out activities of the previous DPC are to be completed first which includes the unassessed cases of backlog vacancy year and 2008-09 vacancy year as well.

(b) Under Competitive Quota (33%): Under Competitive quota (33%) a LDCE for the vacancy years 2006-07 to 2009-2010 & for backlog vacancy upto 2005-06 was held on 4.3.2012 and the result of same was released by DE Section on 4.7.2012. In this competitive exam, 2729 candidates have been declared successful against the normal vacancies of 3024 & backlog vacancies of 271 respectively. The process to promote these 2729 successful candidates had been started. However, CAT Guwahati bench has restrained BSNL from consideration of the said promotion in a court case filed by some officers. Rectt. Section is dealing with the court cases.

(3) Regularisation of officiating JTOs and Removal of FR-35 pay fixation

- The management side informed that about 6000 TTAs had qualified for the JTO's examination out of which 3500 were regularized by diverting DR quota vacancies. This diversion was challenged before High Court of Punjab & Haryana and on the direction of High Court; the diverted vacancies were reverted to DR quota. These JTOs have been regularised by way of creating supernumerary posts. The matter is still pending before the High Court and a contempt case is still pending. Thus in the current scenario the services of the remaining officiating JTOs cannot be considered for regularization. As far as the matter of fixation of pay of officiating JTOs under FR-22 (I) (a) (i) is concerned, the matter is still sub-judice by way of 14 Nos. of WPs with Hon'ble Apex Court of Kerala, Ernakulam. Since both the matters are sub-judice, no decision on the issue can be taken at present. Thereafter, the Association requested that these officiating JTOs may be exempted from ensuing LICE and their regularisation should be decided before giving posting to successful candidates of the LICE. JTO LICE planned for 2.6.2013 shall be held as per schedule and Officiating JTOs have to appear in the JTO LICE. It was mentioned by GM (Estt.) that BSNL is taking views of Sr. BSNL Counsel /Legal Cell to find if something can be done regarding

officiating JTOs and the Association may give in writing anything that they want to be shown to Sr. BSNL Counsel.

(4) Implementation of assured Executive Promotion Policy in BSNL - On the Executive Promotion Policy, the Association raised the following issues and the management response is indicated against each –

Issue	Management's response
(a) Implementation of CPSU cadre hierarchy-change of designations on each Time Bound upgradation and functional basis.	Detailed discussions have already taken place in this regard in the two meetings of the Committee. The management side propose to hold an internal meeting and thereafter shall have another meeting with the Associations within a month's time.
(b) Settlement of Pay anomaly cases wherein senior executives are drawing less pay than their juniors.	The issue with regard to the settlement of pay Anomaly has already been settled through the EPP and as also through the deliberations of the High Level Committee which established the finality of the issue [Through order no. 400-11/2011-Pers.l(pt.) dated 23.04.2012]. The purported pay anomaly cases being attributed to the implementation of Executive Promotion Policy after the order of Hon'ble Kerala High Court have been moved by BSNL to the Apex Court.
(c) Amendment in BSNL MSRRs allowing Diploma holders to the promotion of EE.	A proposal is being submitted to the Management Committee on the lines of proposal for Engineering side.
(d) Date of effect of implementation of revised IDA pay scales for the Executives w.e.f. 1.10.2000	The management side agreed to have the issue examined.
(e) One time placement of SDE to Sr. SDE	

(5) Amendment in Management Trainees Recruitment Rules 2009 and DGM Recruitment

- The management side informed that this matter is under consideration. Modified MT RRs have been submitted to BSNL Board for consideration.

(6) Implementation of E-2, E-3 standard IDA pay scales to JTO and SDE equivalent executives in BSNL

- The management side mentioned that in the absence of revised E1A pay scale, the JTOs have been granted five advance increments on minimum of E1 pay scale to bring their initial Basic Pay at Rs.19,020/-, which is about Rs.170/- more than the minimum of the revised E1A pay scale. Further, it was informed that the issue relating to revised E1A, E2A and E9A pay scales has again been taken up with DOT for reconsideration vide CMD BSNL DO letter dated 9.11.2012 to Secretary (T) and a reminder is being sent shortly.

(7) Arbitrary reduction of JAG and STS posts by 30% under the garb of Remuneration Committee even without conducting elementary work study – unwarranted and motivated attack on bare minimum promotional avenues available to 35,000

Executives – On the issue of arbitrary reduction of JAG and STS posts by 30%, the management side informed that the Remuneration Committee directed the BSNL Board to reduce 30% posts at senior level which does not include STS level posts. Further, extensive discussions have taken place with the members of the Remuneration Committee and explained to them about the non-feasibility of reduction of posts. At present, the proposal is with the BSNL Board and the Board has not taken any view on this issue.

8. Serious anomalies in the TES Gr. B officers seniority lists

- Considering a number of litigations on TES Group B seniority lists, the management side informed that the issue has been placed before the Hon'ble Supreme Court to decide the issue once for all. In response, the Association requested to have the issue expedited.

9. Restructuring of AD(O/L) cadre

- On the issue of restructuring of AD OL cadre, the management side informed that the issue has been referred to a Committee, whose report is expected in a month's time.

10. Regularisation of Postal JAOs

- The Association pointed out that DOT has already issued the orders in 2009

for regularisation of Postal JAOs, but no action has been taken so far and DOPT orders also exist which envisage deemed confirmation after a period of six years. In response, it was informed that pendency of two court cases, BSNL is not able to confirm external candidates. However, BSNL is pursuing for early disposal of the cases.

11. Withdrawal of 19.02.2010 order treating the promotion of AAO/Sr.AO/Sr.SDE as time bound promotion instead of post based promotion - In response to the demand of the Association for treating the promotion of AAO/Sr.AO/Sr.SDE as time bound promotion instead of post based promotion, the management side informed that the issue has already been settled through the EPP and its clarifications as also through the deliberations of the High Level Committee which established the finality of the issue through order dated 23.04.2012.

12. Allowing to exercise option to Deptt. JAOs on their promotion who got promoted on or after 7.5.2010 - The management side informed that the option was made available to Non- executives at the time of 2nd pay scale revision to get fitment benefit from the date of promotion falling upto the date of notification of wage revision order dated 7.5.2010. There is no previous precedent in BSNL as well as in Govt. to exercise such option beyond the date of notification of pay revision order as it will render it open ended for ever.

13. Antedating of pay – anomaly due to accrual of increment of junior earlier than the senior after fixation of pay in revised pay scale implementation of 2nd PRC - In response, the management side informed that a committee was constituted to examine the issue and the Committee has opined that the order issued under letter no. 2-8/2009-PAT(BSNL) dated 23.9.2009 is in order and clarifications issued under letter No. 2-8/2009-PAT(BSNL) dated 14.6.2010 are based on existing guidelines available on this subject. The report of the committee has been duly seen by Dir (HR)/ Dir(F) and has been submitted to CMD, BSNL for approval and accordingly the final decision will be conveyed to the Association.

14. Special drive for recruitment of JTOs/JAOs as Circle cadre to meet the requirement of Tenure Circles - It was informed that BSNL is planning to recruit JTOs and the requirement of Tenure Circles will be duly addressed.

15. Implementation of DoT Order No. 17-38/2009-VM.1 dated 21.2.2013 for inter circle transfer of BSNL Executives based on ODI/Agreed Lists - In response to the demand of the Association for implementation of DOT order dated 21.2.2013, the management side informed that the same has already been issued and uploaded on

BSNL intranet. Thereafter, the Association pointed out that the case of those officers who were transferred and intend to come back to their original Circle within a period of three years in the interest of service and secondly those within a period of two years at own cost are to be considered. The management side agreed to examine such cases separately.

16. Two weeks of training to executives whose pay is upgraded and on every promotion under EPP on the basis of offline examination process in Training Centres - The Association mentioned that the management has already relaxed the provisions of mandatory training under EPP for those officers who are 55 years of age. It was further mentioned that officers over 55 years of age, who are not computer-savvy, may be given option to write their exam off-line. At the repeated insistence of the Association, the management agreed to have the issue examined.

17. Grievances of PA/Stenographers' cadre - (a) Post based promotions for PA/PS to PPS/Sr PSS; (b) Common Recruitment Rules & Nomenclature in BSNL; and (c) Introduction of promotion policy for Stenos (Dying cadre) - (a) In response to the demand of the Association, it was informed that action has already been started for creation of PPS posts, to which the Association further mentioned for complete implementation of H.K. Gupta Committee. After elaborate discussion, it was decided that the Association will make available a copy of the H.K. Gupta Committee report for further examination. (b) The Association agreed to submit a proposal in detail and the management side agreed to examine the same.

18. Stream lining of EPF Statement of BSNL recruited employees - It was informed that (i) centralization of EPF accounts will be worked out in consultation with EPFO to avoid any problem in EPF account transfer when employees get transferred, (ii) EPF contribution for training period will be considered and examined in terms of decision of Hon'ble Chennai High Court; and (iii) EPF contribution on the pay exceeding Rs.6500/- will be extended as per the option of employees subject to applicable provisions of EPF Rules.

19. Superannuation benefits to directly recruited employees as per DPE guidelines - The management side informed that as per the agreement dated 12.6.2012, the matter has again been referred to a committee to re-examine the issue. Presently, the issue is being deliberated by the committee. Further, the Committee will be requested to submit its report within a month's time.

20.Implementation of DPE order for payment of 78.2% IDA fitment benefit w.e.f. 1.1.2007 in BSNL - The management side informed that with the approval of BSNL Board, a proposal for implementation of benefit of merger of 50% IDA as on 1.1.2007 effectively amounting to 78.2% for the purpose of fitment and pay fixation in the revised pay scales, has been sent to DOT for approval of the Govt. on 10.9.2012. Subsequently, DOT raised certain queries on the issue which have been duly replied vide this office letters dated 15.11.2012 & 22.2.2013. So far, the approval of the Govt. on the BSNL's proposal for implementation of the above mentioned pay revision for BSNL employees has not been received from DOT. Reminder to DOT is being sent for expediting the case.

21.Extension of LTC facility to retiring officer after August 2013 - The management side informed that extension of All-India LTC facility to the retiring officers is under active consideration of the management.

22. Executives are being harassed and terrorized by contract labour in KTD and WB Circles – protest regarding - The Association pointed out that for the last one month contractual labour is protesting in Kolkata Telephone District for non-receipt of salary in time and they are also harassing and terrorizing the Executives posted in WB Circle, especially KTD. The contractual labour is also demanding the benefit of Gratuity. The management side responded to get the information from the KTD and bring the same to the notice of higher management for resolution of the problem.

Copy to endorsed Sr. GM (Pers.), BSNL C.O., GM (Estt.) / GM (Restg.), BSNL C.O and GS, AIBSNLEA and Sr. PPS to Director (HR), BSNL Board
No. BSNL/7-4/SR/2013 Dated, the 2nd May, 2013

6. SLP(C) No.4553/2012 in OA No. 1282/2010 filed by BSNL Officers Association Vs CMD BSNL & Ors in CAT Principal Bench, New Delhi-reg

An OA bearing No.1282/2010 was preferred by BSNL Officers Association before Hon'ble CAT, Principal Bench on 6th May, 2010, seeking parity with the officiating JTO of Kerala circle for fixation of the pay of it's member JTOs under FR 22(1)(a)(i) without restriction of FR 35. The OA was admitted by the Hon'ble Principal Bench which vide it's order dated 26th August, 2010 ordered as under:-

“...For parity of reasons, we allow present OA in terms of the decision of Ernakulam bench of this Tribunal in the matter of M. V.Salilakumar & Ors. Vs CMD & Ors.(supra). However, we make it absolutely clear that the fate of the applicants herein would be dependent upon the writs filed by the respondents in Kerala High Court. That being so, if the writs allowed, the

respondents may withdraw the benefits given to the applicants and, therefore, there will be no need for the respondents to file separate writ in this case.”

The WP No.1339 of 2011 filed against the above order of the Hon'ble CAT, Principal Bench was dismissed by the Hon'ble High Court of Delhi, which upheld the decision of the Principal Bench. A SLP(C) bearing No.4553/2012 was preferred before the Hon'ble Supreme Court of India, which upheld the orders of the Principal Bench and observed as under:-

“It goes without saying that in the light of the observations made by the Tribunal and those made by the High Court if the Writ Petitions filed by the petitioner/corporation before the Kerala High Court are eventually allowed and the judgement of the Ernakulam Bench and the CAT is set aside, any benefit which the petitioner - corporation may have extended to it's employees pursuant to the said judgement can be reversed not only qua those who are parties to the said case but also qua all such employees as have on the analogy of said order obtained benefit from the petitioner/corporation with or without intervention of the CAT or the High Court.”

In view of the above judgement of the Hon'ble Apex Court, it has been decided by the competent authority to implement the orders dated 26th August, 2010 of the CAT, Principal Bench. The implementation will be effective from 26th August, 2010 i.e. the date of the orders of the Hon'ble CAT, Principal Bench and will be limited only to those officials who were members of the BSNL Officers Association on 6th May, 2010 i.e. the date on which OA No.1282/2010 was filed before the Hon'ble Principal Bench. The implementation will be subject to the outcome of the fourteen WPs arising out of TA No.84 to 97/2008 pending before the High Court of Kerala at Ernakulam. As clarified by the Hon'ble Supreme Court of India, in the event of the success of the fourteen WPs filed before the Hon'ble High Court of Kerala at Ernakulam, the amount so paid to the members of the BSNL Officers Association as well as other officials who have been extended the benefit with or without intervention of any CAT or High Court will be recoverable from the beneficiaries.

All Heads of Telecom Circles/NTR/Districts are further advised to take appropriate steps for recovery of the amount paid to those of the officials who may retire in the intermittent period i.e. before the pronouncement of the final verdict of the Hon'ble High Court of Kerala at Ernakulam in the fourteen WPs pending before it.

No. 3-8/2010/Pers-IV Dated 30th April, 2013
(Addressed to All Heads of Telecom Circle / Districts, Chief General Manager, NTR, Bharat Sanchar Nigam Limited.)

7. Collection of ACRs for promotion to DE(T)/AGM on regular basis for probable vacancy year 2011-12 -Preparatory work regarding.

In continuation to this office letter of even no. dated 15.3.13 and 22.3.13 it is to intimate that the list of officers as mentioned below are enclosed herewith for verification of particulars like st.no, sen.no, DOB, Category and Name and if any correction/omission is identified in the list, the same may be intimated to this section immediately.

	From	To
Seniority no. for OC	14290	16747
Seniority no. for SC	14049.6.1	17198.277
Seniority no. for ST	Refer annexure-A	

1. For officers of OC category from sen.no.14290 to 15014.1, SC category from 14049.6.1 to 14951 and for ST category from st.no. 101502 to 103007 it is requested to refer this section letter no.451-03/2010-11/13/1-Pers.DPC dated 30.4.13 wherein the discrepancies found in ACRs available in DPC section for the period from 2004-05 to 2008-09 are mentioned and for few cases 04-05 is also requested along with 2005-2010 ACRs. It is clarified that for the said seniority range except the not available & not reviewed ACRs mentioned in the Ir dated 30.4.13, ACRs from 2004-05 to 2008-09 are available in DPC section and ACR for 2009-10 may be brought to prepare the tabulation sheet at corporate office as instructed in earlier letter. **It is requested to read the "Date since when working as Adhoc DE" as "Date since when working as SDE" and add one more column for Hrms No. in the format of Tabulation Sheet enclosed with letter dated 15.3.13.**

2. For officers of OC category after sen.no. 15014.1, SC category after sen.no. 14951 and for ST category after st.no. 103007, it is requested to see the remarks column of the name list enclosed, wherein the cases of non-traceable and for whom ACRs from 2004-05 to 2008-09 are available in DPC section are mentioned.

In regard to non-traceable cases, the circle offices may verify their record and intimate their present status, whether the executive is working or had ever worked in their circle. If the officer is working in their circle, ACRs from 2004-05 to 2009-2010 along with tabulation sheet duly checked and signed by the officer of the rank not below the DGM(Admn) may be furnished to this office immediately.

3. Circle offices are requested to collect ACRs from DPC section in respect of the retired/promoted officers, on their return and the necessary arrangement may be made on their own to take back the ACRs.

As directed all the instructions may be adhered and as per the schedule below, the circle offices are requested to submit the ACRs.

Schedule for submission of the ACRs and other requisite data to Corporate Office

Date	Name of the Circle
13.5.2013(Monday)	A&N,ALTT,AS,BR,BRRAITT
14.5.13(Tuesday)	AP,CGHR,CTD,DNW, Telecom Store CA
15.5.13(Wednesday)	CHTD,ETP,ETR
16.5.13(Thursday)	GUJ,HP,HR,ITPC
17.5.13(Friday)	J&K,JKND,KRL,MP
20.5.13(Monday)	KTK,MH
21.5.13(Tuesday)	NCES,NE I,NE II,NTP,NETF
22.5.13(Wednesday)	NTR,OR,PB,OA
23.5.13(Thursday)	RAJ,STP,STR
24.5.13(Friday)	T&D,UKND,WB,WTP,WTR
27.5.13(Monday)	TN,UP(E),UP(W)

No.451-03/2010-11/13/2-Pers(DPc) Dated May 1, 2013 (Addressed to All Heads of Telecom. Circles & Other Administrative units of BSNL.)

8. The Look After Arrangement by executives availing higher scales of pay - proviso and clarification thereof.

The 'Look After Arrangement' has been introduced vide this office letter No . .412-13/2011-Pers.I(II) dated 22nd March, 2013 and has become operational. With regard to the filling of vacancies to cover the stop-gap arrangement, the following guidelines may also be observed:-

1. The Look after Arrangement' in the given grades may not exceed 180 days at a time.
 2. Statutory guidelines, relating to reservation in promotion, may also be adhered to in 'Look After Arrangement'.
- This has the approval of the Competent Authority

Copy endorsed to The PPS to CMD, BSNL/all Executive Directors, BSNL C.O., New Delhi, The CVO/ PGM/GM (Pers.)/(Estt)/(Trg.)/(EF)/(FP)/(BW)/(Civil)/(Elect.)/(Arch.)/(TF), BSNL C.O., GM(Recct.), BSNL CO, New Delhi, The AGM(Pers.II/Pers.IV/Pers.V/CSS), BSNL C.O., The DM(Admn.I/II/CSS/L&A/Paybill/Cash/Pension, BSNL C.O.,The Rajbhasha Adhikari, BSNL C.O. for Hindi version, All AMs, Pers. I Section and Spare copy/Order Bundle.

No. 412-13/2011-Pers-I Dated- April 29, 2013 (Addressed to All Heads of Telecom Circles/Metro Districts/Maintenance Regions/Projects/ Stores/ BRBRAITT/ ALTT and All other Administrative Units, Bharat Sanchar Nigam Limited.)

9. Notice for organizational action programme commencing w.e.f. 29th April, 2013 by AIBSNLEA – regarding

Ref: AIBSNLEA letter no. AIBSNLEA/CHQ/CMD/2013 dated 11.4.2013

This has reference to AIBSNLEA letter referred to above and the detailed discussions the Association had with the BSNL management on 29th and 30th April, 2013. You would appreciate that all the issues raised by the Association have been discussed thoroughly to your satisfaction and 'Record of discussion' of the meeting will be issued shortly, within a day.

2. In view of the deliberations held and the understanding reached on the issues, you are requested to desist from organizational action programme commencing w.e.f. 1st May, 2013 in the interest of industrial peace and harmony in the organisation.

No. BSNL/7-4/SR/2013 Dated 30th April, 2013
(Addressed to Shri Prahlad Rai, General Secretary, All India BSNL Executives' Association, New Delhi.)

10. Permanent Absorption of Group B officers(TES Grp -B / JTO) under suspension during absorption process.

Ref: DOT Letter no 29-1/2006-SNG Dated 19.03.2013 forwarded with this office letter of even no dated 12.04.2013

Kindly refer the above letter under cited subject available on BSNL intranet. The desired information, as mentioned below, is not received yet from your circle.

1. List of officials under suspension during absorption process who exercised the option in time.
2. List of officials under suspension during absorption process who exercised the option after stipulated time (at belated stage, after 20.10.2003)
3. As to whether the officials under suspension during absorption process were denied to exercise the option.
4. If (3) is yes, the list of such officials along -with reasons may be provided The above information is to be furnished to DOT so that the absorption process of the employees of Group B officers who exercise the option after 20.10.2013 may be considered accordingly by DOT.

In case, no information regarding this is received by 02.05.2013, It may be presumed that there is no such case in your circle and the same may be communicated to DOT.

Copy endorsed to Sr GM (Esst.) BSNL CO for kind information and Shri R.C.Ahuja, U/S DOT, SNG sec, Sanchar Bhawan, New Delhi

F.No. BSNL/11/SR/2012 Dated 29.4.2013
(Addressed to All Chief General Managers BSNL.)

11. Collection of ACRs for promotion to DE(T)/AGM on regular basis for probable vacancy year 2010-11 -Preparatory work regarding.

The process of collecting ACRs and setting-right the discrepancies found in ACRs for future STS regular promotions is under process in this office as a **preparatory work**. In this connection, it is requested that ACRs for the period from 2004-05 to 2008-09 and for few cases 04-05 to 09-10 may be furnished in respect of the officers mentioned in Annexure-A. In the annexed list few officers after sen.no.14290 for OC category ,after sen.no.14049.6.1 for SC category and 4 ST category officers for whom ACRs have been requested for preparatory work vide this office letter dated 15.3.2013.As requested in the remarks column of the **annexure-A**, the action may be taken on Top priority.

2. The Tabulation Sheets duly checked and signed by an officer of the rank not below DGM(HR/Admn) of the Circle concerned may also be furnished indicating the grading of the various Executives. While indicating the grading, in case there are more than one ACR in a particular year then in such cases the period wise grading is to be indicated. The grading may be given in 'MS Excel' format (enclosed).The softcopy as well as hardcopy of the tabulation sheets are required to be furnished. Example indicated in the format with this office letter dated 15.3.13 may be followed by all the Circles.

3.While furnishing the ACRs, the following instructions may be adhered to.

I. In the case of ACRs (Full/Part) lying in Corporate office it is requested to check with DPC section before proceeding further and AGM(Admn) of the concerned circle accompanied with one officer with laptop who is IT familiar to prepare the tabulation sheet at corporate office will report to AGM(DPC), Personnel Branch, 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi. The consolidated tabulation sheet will be prepared/ signed/stamped by concerned AGM (admn) at BSNL Corporate office on behalf of DGM (HR/ Admn) of the Circle concerned.

II. In case of any ACR found missing or not written, the reasons as to why the ACR was missing/not written may be given. In case of any ACR not reported/reviewed during the period mentioned, the certificate as per instructions contained in the DOP&T O.M. No. 21011/1/93-Estt. (A) dated the 14th January, 1993 may be furnished along with ACRs of previous years.

III. Kind attention is also invited to this office letter No. 400-70/2010-Pers.I dated 10.05.2010 (copy enclosed) regarding instructions issued by DoP&T vide letter No. 21011/1/2010-Estt.A dated 13.04.2010 on below benchmark gradings in ACRs prior to the reporting period 2008-09 and objective consideration of representation by the competent authority against remarks in the ACR or for upgradation of the final grading. It is requested that in case of the below bench mark gradings in ACRs during the years 2004-05 to 2008-09 (and for few cases to 2009-10) in respect of any officer, in such case a photocopy of ACR may be sent to the officer for his representation, if any, within 15 days of such communication and the decision of the competent authority may please be intimated to this office. As per BSNLMS RR,2009, the bench mark grading for considering the officers for promotion to the grade of Executive (STS) is -Good, no adverse, not more than one Average' in case of OC category and 'Good, no adverse, not more than two Average' in case of SC/ST category.

IV. A 'Shown Certificate' in regard to below benchmark grading in ACR(s) for the year 2008-09 may please be placed in ACRs and may be ensured that disclosure certificate for the year 09-10 is filled as mandatory.

4. It is further requested that the circle offices may verify their record regarding 79 officers (**Annexure-B**) who come under "non traceable' category and to intimate their present status ,whether the executive is working or had

ever worked in their circle. If any of these officer is working in their circle, ACRs from 2004-05 to 2009-2010 along with tabulation sheet duly checked and signed by the officer of the rank not below the DGM(Admn) may be furnished to this office immediately.

5. Circle offices are requested to collect ACRs from DPC section in respect of the retired/promoted officers, on their return and the necessary arrangement may be made on their own to take back the ACRs. The schedule for collection of ACRs for the preparatory work for vacancy year 2011-12 will be issued shortly. The same schedule may be followed for submission of the requisite ACRs/documents in this case also.

It is requested that one set of authentic copy of ACRs may be retained in circles for their use and the ACRs sent to DPC section will be returned only after completion of the prescribed task.

No. 451-03/2010-11/13/1-Pers(DPC) Dtd April 30, 2013
(Addressed to All Heads of Telecom Circles & other Administrative units of BSNL.)

12. Extending the benefit of ACP on upgraded scale to the Executive cadres of Civil/Architect/Electrical/Telecom. Factory and CSS/CSSS etc. who had earlier opted for EPP and could not exercise option i.r.t. Order No. 15-70/2007-Pers.II dated 20.5.2010 and 24.05.2010 - regarding.

Please refer to this office letter of even no. dated 2.7.2012 and subsequent reminders dated 11.7.2012, 17.7.2012, 20.7.2012 & 23.7.2012 followed by D.O. reminders dated 24.9.2012, 28.10.2012, 20.12.2012, 18.1.2013 and 26.2.2013 from Sr. GM(Pers.), whereby details with regard to the number of Executives who had earlier opted for EPP and not ACP due to non grant of ACP on upgraded scale alongwith consolidated financial implication involved in each case on account of payment of revised pay & allowances including arrears if such Executives are given option for ACP were sought for by this office for submission of the same to the CMD, BSNL. But till date, due to non submission of relevant data by the Circles/field units to PGM(BW)/PGM(Elect)/PGM(Arch)/GM(TF) at Corporate Office with respect to their letter No. ACP/AD(BW-II)/2007(Pt) dated 5.7.2012, 31.7.2012, 12.10.2012 & 19.11.2012, this office is unable to settle this long pending issue.

As the matter has been unduly & abnormally delayed, Circle Heads are requested to look into the matter personally and get the requisite information furnished in the prescribed proforma immediately to the concerned GM/PGM of Civil/Electrical/staff branch/cadre controlling authority at Corporate Office with a copy to the AGM(Pers.II), BSNL C.O., so that action in this regard is taken by this office without any further delay. If no information is available or no such Executives are available, a NIL report may also be furnished.

No. 20-43/2012-Pers.II Dated 01.04.2013
(Addressed to All Chief General Managers Telecom, Bharat Sanchar Nigam Limited.)

OFFICE MEMORANDUM

13. Calling for volunteers from amongst ITS Group 'A' officers working in Department of Telecommunications to work in BSNL/MTNL on deputation

The undersigned is directed to refer to the subject mentioned above and to say that applications are invited from willing ITS Group 'A' officers working in Department of Telecommunications for their deputation in BSNL/ MTNL on the terms and conditions as laid down in DoT OM No. A-11013/64/ 2012-Abs. Cell (II-A) dated 11.03.2013.

2. The officers of all grades of ITS Group 'A', who are working in Department of Telecommunications may send their willingness to Director (Staff), DoT HQ, New Delhi within 15 days of issuance of this OM.

3. This issues with the approval of Secretary (T).

Copy endorsed to Sr.DDG, TEC, Sr. DDG, Security (TERM), All DDGs of TERM Cells And Director (IT), with a request to upload the circular on the official website of DoT, CMD, BSNL and CMD, MTNL Dated: 26th April, 2013

14. Judging the non-performers.

Ministry of Communication and IT, Department of Telecom. vide their letter No 10-11/ 2012-SU-I, dated 16.04.2013 has issued the criteria for judging the non-performers in BSNL during the quarterly review of revenue performance by Hon'ble Minister of Communications. The criteria is enclosed herewith. In this connection it is intimated that these parameters needs to be revaluated SSA wise treating the SSA as private center. These data to be compiled on month to month basis and sent through email to project.vijay.pmo@gmail.com . Data in respect of the last FY may please be compiled and sent to this office by 23rd evening for the review proposed on 25th of April, 2013. While valuating the increase in the mobile market share in SSA as enumerated at Sl.No.2(a) SSAs may submit the increase/decrease of gross mobile connection given by the SSAs over the previous FY.

Criteria for Judging the Non Performers

S.No.	Parameters	Weightage	Total Weightage
1	Increase in Profitability of the SSA considering each SSA as a profit centre	50%	50%
2(a)	Increase in mobile market share (increase in Gross mobile connections of the SSA)	8%	25%
2(b)	Percentage increase in Fixed Lines	8%	
2(c)	Increase in Broadband Revenue as percentage of total revenue.	7%	
3	Quality of service		25%
3(a)	Call setup success rate > and = 97%	6%	
3(b)	Call drop rate < and = 2%	6%	
3(c)	BTS accumulated down time < and = 2%	6%	
3(d)	Percentage fault repair by next working day (Landline) > and = 90%	7%	
	Total	100%	100%

No. 9-11/2010-P7P (Vijay) Dated 22.04.2013
(Addressed to All CGMs, North Zone Circles, BSNL.)

OFFICE MEMORANDUM

15. Comprehensive review of instructions pertaining to vigilance clearance for promotion-regarding.

Instructions issued vide O.M. No. 22012/1/99-Estt. (D) dated 25.10.2004 based on the O.M. No. 22011/4/1991-Estt. (A) dated 14.09.1992 (issued on the basis of procedure laid down by Supreme Court in K.V. Jankiraman case AIR 1991 SC 2010) makes it clear that vigilance clearance for promotion may be denied only in the following three circumstances:-

- (I) Government servants under suspension;
- (II) Government servants in respect of whom a charge sheet has been issued and the disciplinary proceedings are pending; and
- (III) Government servants in respect of whom prosecution for a criminal charge is pending.

Withholding of vigilance clearance to a Government servant who is not under suspension or who has not been issued a charge sheet and the disciplinary proceedings are pending or against whom prosecution for criminal charge is not pending may not be legally tenable in view of the procedure laid down in the aforesaid O.Ms.

2. Existing instructions provide for processing the cases of disciplinary proceedings in a time bound manner. A number of cases have however, come to notice where initiation of disciplinary proceedings/issue of chargesheet/processing of the case is considerably delayed by the administrative Ministries/Departments. Such delays allow an officer whose conduct is under cloud, to be considered for promotion. It becomes essential in respect of officer(s) in whose case disciplinary proceedings are contemplated or pending and are included in consideration zone for promotion, necessary action be taken for placing the proposal before the DPC so that vigilance clearance is not allowed as per conditions mentioned in para 1 above.

3. The Hon'ble Supreme Court in its judgment dated 27.08.1991 in Union of India Vs. K.V. Jankiraman etc.(AIR 1991 SC 2010) has held

"5. An employee has no right to promotion. He has only a right to be considered for promotion. The promotion to a post and more so, to a selection post, depends upon several circumstances. To qualify for promotion, the least that is expected of an employee is to have an unblemished record. That is the minimum expected to ensure a clean and efficient administration and to protect the public interests. An employee found guilty of misconduct cannot be placed on par with the other employees and his case has to be treated differently. There is therefore, no discrimination when in the matter of promotion, he is treated differently".

4. The issue of promotion of an officer who is technically cleared from vigilance angle but in whose case it may not be appropriate to promote him/her in view of doubtful integrity or where a charge-sheet is under consideration etc. has been under examination in this Department.

5. The O.M No. 22012/1/99-Estt. (D) dated 25th October, 2004 further provides that a DPC shall assess the suitability of the Government servant coming within the purview of the circumstances mentioned in para 2 of the Office Memorandum No. 22011/4/91Estt. (A) dated 14.09.1992, alongwith other eligible candidates, without taking into consideration the disciplinary case/criminal prosecution pending. No promotion can be withheld merely on the basis of suspicion or doubt or where the matter is under preliminary investigation and has not reached the stage of issue of charge sheet etc. If in the matter of corruption/dereliction of duty etc., there is a serious complaint and the matter is still under investigation, the Government is within its right to suspend the official. In that case, the officer's case for promotion would automatically be required to be placed in the sealed cover.

6. When a Government servant comes under a cloud, he may pass through three stages, namely, investigation, issue of charge sheet in Departmental Proceedings and/ or prosecution for a criminal charge followed by either penalty/conviction or exoneration/ acquittal. During the stage of investigation prior to issue of charge sheet in disciplinary proceedings or prosecution, if the Government is of the view that the charges are serious and the officer should not be promoted, it is open to the Government to suspend the officer which will lead to the DPC recommendation to be kept in sealed cover. The sealed cover procedure is to be resorted to only after the charge memo/ charge sheet is issued or the officer is placed under suspension. The pendency of preliminary investigations prior to that stage is not sufficient to adopt the sealed cover procedure.

7. The law on sealed cover based on the judgment of the Apex Court in Union of India vs. K.V. Janakiraman etc. (AIR 1991 SC 2010), is by now well settled. The O.M. dated 14.9.92 confined the circumstances for adopting sealed cover to the three situations mentioned in para 2 of the said O.M. Even after recommendation of the DPC, but before appointment of the officer if any of the three situations arise, the case is deemed to have been kept in sealed cover by virtue of para 7 of the O.M. dated 14.9.92.

8. As regards the stage when prosecution for a criminal charge can be stated to be pending, the said O.M. dated 14.9.92 does not specify the same and hence the definition of pendency of judicial proceedings in criminal cases given in Rule 9 (6)(b)(i) of CCS (Pension) Rules, 1972 is adopted for the purpose. The Rule 9 (6)(b)(i) of CCS (Pension) Rules, 1972 provides as under :-

"(b) judicial proceedings shall be deemed to be instituted - (i) in the case of criminal proceedings, on the date on which the complaint or report of a Police Officer, of which the Magistrate takes cognizance, is made".

9. For the purpose of vigilance clearance for review DPC, instructions exist in O.M. No. 22011/2/99-Estt.(A) dated 21.11.2002 that review DPC will take into consideration the

circumstances obtaining at the time of original DPC and any subsequent situation arising thereafter will not stand in the way of vigilance clearance for review DPC. However, before the officer is actually promoted it needs to be ensured that he/ she is clear from vigilance angle and the provision of para 7 of O.M. No. 22011/4/91-Estt. (A) dated 14.09.1992 are not attracted.

10. Opening of sealed cover on conclusion of proceedings, is covered in the instructions in para 3 of the O.M. dated 14.9.92. In cases where by the time the Departmental Proceedings are concluded and the officer is fully exonerated but another charge sheet has been issued, the second charge sheet will not come in the way of opening of sealed cover and granting promotion notionally from the date of promotion of the junior and para 7 of O.M. dated 14.9.92 will not apply as clarified in the O.M. No. 22011/2/2002-Estt.(A) dated 24.2.2003. After the disciplinary proceedings are concluded and penalty is imposed, vigilance clearance will not be denied. The details of the penalty imposed are to be conveyed to the DPC.

11. This Department has issued separate instructions for accordance of vigilance clearance to a member of Central Civil Services/holder of Central Civil post with respect to (a) empanelment (b) deputation (c) appointments to sensitive posts and assignments to training programmes (except mandatory training) vide O.M. No. 11012/11/2007-(Estt. A) dated 14.12.2007. It has been further clarified in the O.M. No. 11012/6/2008-Estt. (A) dated 07.07.2008 that these instructions do not apply to promotions. While consideration for promotion is a right of an employee but empanelment, deputation, posting and assignment for training (except mandatory training) is not a right of an employee and is decided keeping in view the suitability of the officer and administrative exigencies.

12. It may thus be noted that vigilance clearance cannot be denied on the grounds of pending disciplinary/ criminal/ court case against a Government servant, if the three conditions mentioned in para 2 of this Department's O.M. dated 14.09.1992 are not satisfied. The legally tenable and objective procedure in such cases would be to strengthen the administrative vigilance in each Department and to provide for processing the disciplinary cases in a time bound manner. . If the charges against a Government servant are grave enough and whom Government does not wish to promote, it is open to the Government to suspend such an officer and expedite the disciplinary proceedings. 13. All Ministries/Departments are, therefore, requested to keep in view the above guidelines while dealing with cases of vigilance clearance for promotion of the Government servants.

Copy endorsed to President's Secretariat, New Delhi, Vice-President's Secretariat, New Delhi, The Prime Minister's Office, New Delhi, Cabinet Secretariat, New Delhi, Rajya

Sabha Secretariat/Lok Sabha Secretariat, New Delhi, The Registrar General, the Supreme Court of India, New Delhi, The Registrar, Central Administrative Tribunal, Principal Bench, New Delhi, The Comptroller and Auditor General of India, New Delhi, The Secretary, Union Public Service Commission, New Delhi, The Secretary, Staff Selection Commission, New Delhi, All attached offices under the Ministry of Personnel, Public Grievances and Pensions, National Commission for Scheduled Castes, New Delhi, National Commission for Scheduled Tribes, New Delhi, National Commission for OBCs, New Delhi, Secretary, National Council (JCM), 13, Ferozeshah Road, New Delhi and Establishment Officer & A.S., All Officers and Sections in the Department of Personnel and Training, Facilitation Center, DOP&T (20 copies), NIC (DOP&T) for placing this Office Memorandum on the Website of DOP&T Establishment Section (200 copies).

Dated the 2nd November, 2012

(Addressed to All Ministries/Departments of the Government of India.)

16. Calculation of monthly contribution towards cost of pension payable in respect of BSNL absorbed employees- Reg

In continuation to Circular No CA-269B and as desired by the competent authority, the pension contribution payable in respect of those BSNL employees who are retiring within 6 month shall be settled on maximum of the pay scale w.e.f 01.04.2013 to till further order. Any pension case left unsettled because of this reason may be got settled by paying the pension contribution accordingly.

No.500-57/12-13/CA/BSNL/VOL.IV Circ No. – 269CDtd 22.4.13

(Addressed to All Chief General Manager, All BSNL Circle.)

OFFICE MEMORANDAM

17. Modification in the Scheme & Syllabus of Limited Internal Competitive Examination (LICE) for promotion to the grade of Personal Assistant of BSNL C.O. as per recommendations of the Committee constituted to suggest a comprehensive policy for review of result of failed SC/ST candidates and the changes to be made in the Scheme & Syllabus of the exam in order to bring uniformity - reg,

As per the recommendation of the Committee constituted to go into the details of various instructions issued from time to time and suggest a comprehensive policy for review of result of failed SC/ST candidates and the changes to be made in the Scheme and Syllabus of the examination in order to bring uniformity, the following modifications have been made in the Scheme & Syllabus of LICE for promotion to the grade of Personal Assistant of BSNL C.O.

2. The Scheme and Syllabus of LICE for promotion to the grade of Personal Assistant against 50% quota in BSNL C.O. issued vide this office OM dated 19-02-2008 is revised as under:

EXISTING	REVISED
<p>N.B. i) The minimum qualifying marks for the Written Test will be 40% in each of the three subjects individually and 45% in aggregate. In case of SC/ST candidates, the minimum qualifying marks will be 35% in each of the three subjects individually and 40% in aggregate.</p>	<p>N.B. (I) The minimum qualifying marks will be 30% in Paper-I, 37% in Paper-II and 37% in aggregate for OC candidates. In case of SC/ST candidates, the minimum qualifying marks will be 23% in Paper-I, 33% in Paper-II and 33% in aggregate.</p>
<p>ii) The total number of marks kept for Paper - II (Skill Test) Shorthand being 300, a candidate has to obtain at least 100 marks to qualify the test. This test, being of 5 minutes duration @ 100 wpm, the permissible limit of mistakes is 25 i.e. 5% of 500 words. Correspondingly, 8 marks are deducted for each mistake. Candidates, who have committed more than 5% mistakes (i.e. more than 25 mistakes) & as a result scored less than 100 marks, are FAILED.</p>	<p>ii) The total number of marks kept for Paper - II (Skill Test) being 300, an OC Candidate has to obtain atleast 111 marks and SC/ST candidates at least 99 marks to qualify the test. This test, being of 5 minutes duration @ 100 wpm, the permissible limit of mistakes is 23 for OC candidate and 25 for SC/ST candidates. Correspondingly, 8 Marks are deducted for each mistake. Candidates who have committed more than 23 mistakes (in case of OC candidate) and 25 mistakes (in case of SC/ST candidates) and scored less than 111 marks (in case of OC candidate) and less than 99 marks(in case of SC/ST candidates) are FAILED.</p>

Below para 5, para 5(a) is added as under:

"Negative marking shall be adopted in all objective type question papers of LICE and for each wrong answer 25% of the mark of that question should be deducted". These changes are effective from the date of issue of this letter This issues with the approval of the competent authority. Copy endorsed to GM (Rectt.), BSNL C.O., All PCEs/CEs (Civil)/Elect./Arch), BSNL for wide publicity in this regard amongst the officials concerned working under the control, All Executive Association, OL Section of Hindi version, Notice Boards, Bharat Sanchar Bhawan/Eastern Court for information of officials concerned.

No. 106-3/2011-CSS

Dated 18th April, 2013

18. Transfer of officers appearing in Agreed & ODI List - instructions reg.

I am directed to forward a copy of letter No. 17-38/2009-VM.I dated 21.2.2013 received from DoT on the above cited subject and to say that necessary action may be taken as per the instructions contained in the DoT letter.

Copy for information and necessary action to The CVO, BSNL CO., PGMs(Fin./BW/Electrical/Arch), BSNL CO, New Delhi and GM(Estt.)/AGM(Pers./CSS), BSNL CO.

No. 21-14/2012-Pers.II Dated 18th April, 2013

(Addressed to All Heads of Telecom. Circles & Administrative Units of Bharat Sanchar Nigam Limited.)

19. Problem in respect of ILL working in Tamilnadu Circle- regarding

Ref: General Secretary, AIBSNLEA letter No. AIBSNLEA/CHQ/Dir(CFA)/2013 dated 21.02.2013

This has reference to your letter dated 21.02.2013 on the subject noted above. It has been intimated by the O/o CGM, BBNW Circle that a complaint was received by NOC Bangalore on 25.12.2012 regarding non accessibility of AICTE website from Tamilnadu and Andhra Pradesh States. NOC Bangalore was requested to trace the roots from circles and after analysis escalated the case was referred to MPLS team and Bandwidth Management team New Delhi for further analysis. It has been intimated by the Bandwidth Management team that the issue of websites of AICTE not opening was due to blocking of customer IP pools of BSNL by AICTE Networking Team. The issue was taken up with the AICTE who in turn referred the case to M/s TULIP their service provider where the website was hosted. The issue was resolved on top priority and the site was made accessible immediately.

2. The accessibility of website was confirmed after rectification from Tamilnadu Circle and was found OK.

F.No. BSNL/31-2/SR/2013

Dated 18.04.2013

(Addressed to Shri Prahlad Rai, General Secretary, AIBSNLEA.)

20. Collection of ACRs -Regarding.

The process of collecting ACRs and setting-right the discrepancies found in ACRs for future STS regular promotions is under process in this office as a **preparatory work**. In this connection, it is requested that ACRs for the period from 2005-06 to 2009-10 may be furnished in respect of the officers having seniority numbers mentioned below, to this office (The retired/VRs etc. cases may be excluded).

	From	To
Seniority no.for OC	14290	16747
Seniority no.for SC	140496.1	17198.277
Seniority no.for ST	Refer annexe-B	

2. The Tabulation Sheets may also be furnished indicating the grading of the various Executives duly checked and signed by an officer of the rank not below DGM(HR/Admn) of the Circle concerned. While indicating the grading, in case there are more than one ACR in a particular year then in such cases the period wise grading is to be indicated. The grading may be given in "MS Excel" format (enclosed). The softcopy as well as hardcopy of the tabulation sheets are required to be furnished. Example indicated in the said format may be followed by all the Circles.

3. While furnishing the ACRs, the following instructions may be adhered to.

I. In case of ACRs lying in Corporate office, AGM(Admn) of the concerned circle accompanied with one officer with laptop who is IT familiar to prepare the tabulation sheet at corporate office will report to AGM(DPC), Personnel Branch, 4th Floor, Bharat Sanchar Bhawan, Janpath, New Delhi. The tabulation sheet will be signed/ stamped by concerned AGM(admn) therein on behalf of DGM(HR/Admn) of the Circle concerned.

II. In case of any ACR found missing or not written, the reasons as to why the ACR was missing/not written may be given. In case of any ACR not reported/reviewed during the period mentioned, the certificate as per instructions contained in the DOP&T O.M. No. 21011/I/93-Estt.(A) dated the 14th January, 1993 may be furnished along with ACRs of previous years.

III. Kind attention is also invited to this office letter No. 400-70/2010-Pers.I dated 10.05.2010 (copy enclosed) regarding instructions issued by DoP&T vide letter No. 21011/I/2010-Estt.A dated 13.04.2010 on below benchmark gradings in ACRs prior to the reporting period 2008-09 and objective consideration of representation by the competent authority against remarks in the ACR or for upgradation of the final grading. It is requested that in case of the below benchmark gradings in ACRs during the years 2005-06 to 2009-10 in respect of any officer, in such case a photocopy of ACR may be sent to the officer for his representation, if any, within 15 days of such communication and the decision of the competent authority may please be intimated to this

office. As per BSNLMS RR,2009, the bench mark grading for considering the officers for promotion to the grade of Executive (STS) is 'Good, no adverse, not more than one Average' in case of OC category and 'Good, no adverse, not more than two Average' in case of SC/ ST category.

IV. A 'Shown Certificate' {As annexed} in regard to below benchmark grading in ACR{s} for the year 2008-09 may please be placed in ACRs and may be ensured that disclosure certificate for the year 09-10 is filled as mandatory.

It is requested that one set of authentic copy of ACRs may be retained in circles for their use and the ACRs sent to DPC section will be returned only after completion of the prescribed task.

4. Above exercise may be completed by the Circles on top priority basis and ACRs be kept ready. The circle wise schedule for submission of ACRs will be intimated in due course.

No. 451-03/2010-11/13-Pers(DPC) Dated 05th Mar,2013 (Addressed to All Heads of Telecom. Circles & other Administrative units of BSNL.)

21. Preparatory exercise for All India Eligibility List of JTOs(T)- preparation of assessment sheet-regarding.

Sir,

Kindly refer to this office letter No. 2-15/2012-Pers.11 dated 30.10.2012 vide which a provisional all India Eligibility list on the basis of information/details furnished by respective circles was endorsed. The list includes all OC/SC eligible JTOs (as per SDE (T) RR) up to recruitment year 2001 and all eligible ST JTOs up to recruitment 2005. It was prepared on the basis of recruitment year to which the JTO belongs involving the chronology of. training marks, attempt and then departmental/external candidate (in 1: 1 ratio as per DoP&T guidelines) in a particular recruitment year with the assumption that gradation list pertaining to the recruitment years included in the said list had been decided/finalized by circles before 3.3.2008 (as per clarification issued by Pers. IV section vide its letter no. 5-38/2009-Pers.IV dated 23.10.2012) as all the JTOs in the list are having date of joining prior to 3.3.2008. Since circles are preparing the gradation list of JTOs, it has become the responsibility of respective circles to certify that the gradation lists belonging to the particular recruitment years included in the eligibility list were decided/finalized by them before 3.3.2008 and accordingly, the seniority of their JTOs shown in the lists prepared by them are in order.

In view of above, the circle Heads are requested to furnish the necessary certification that gradation list pertaining to the recruitment years included in the eligibility list had been decided/finalized before 3.3.2008 and the seniority of their JTOs shown in the lists prepared by them are in order as per the guidelines issued by Pers.IV section, BSNL CO

from time to time in this regard. This is required to finalize the said eligibility list to avoid any litigation in future. This issues with the approval of Competent Authority

Copy endorsed to G.M(Estt.),BSNL CO New Delhi.
No.2-18/2007-Pers.II(pt.I) Dtd :April,21, 2013
(Addressed to All Heads of Telecom Circles, All heads of Telecom Projects, All Heads of Telecom Regions, All Heads of Administrative Units, Bharat Sanchar Nigam Limited.)

22. Extension of medical facilities under BSNLMRS to retiring employees facing disciplinary proceedings at the time of retirement and non-release of PPO due to pending disciplinary proceedings.

Please refer to your office letter no. WH/10-9/Medical/misc/corr/84 dated 7.12.12 on the subject mentioned above. The issue was deliberated and it was decided that in case of officers retiree on superannuation but no PPO was issued to them, but provisional pension was granted to them, such employees can be extended medical facility co-terminus with the period for which provisional pension is granted, till finalization of disciplinary case. This has approval of the competent authority.

Copy for information to All CGMs
No. BSNL/Admn.I/15-10/13 Dated April 13,2013
(Addressed to The Chief General Manager, Bharat Sanchar Nigam Limited, Gujarat Telecom Circle, Ahmendabad-380006.)

23. Declaration of Soft tenure areas - regarding.

Further to this office letter No. 412-10/2009-Pers.I dated 09.05.2012, the under mentioned areas/stations/SSAs of the Telecom Circles are hereby declared as soft tenure [in addition to the areas already declared as such] :-

The facilities/liabilities attached with soft tenure shall henceforth be applicable to the above mentioned areas/stations/SSAs as the case may be. This has the approval of the Competent Authority.

S.No.	Name of Circle	SSAs/Areas/Stations declared as tenure stations
1.	Orissa	Gajapati District
2.	West Bengal	Darjeeling, Kalimpong & Kurseong Civil sub-divn.
3.	Punjab	Bhatinda SSA, Ferozepur SSA
4.	Bihar	Bhagalpur SSA, Bettiah SSA, Gaya SSA, Munger SSA, Saharsa SSA & Sasaram SSA
5.	Madhya Pradesh	Jhabua, Sidhi, Singrauli, Balaghat, Shahdol, Khargone & Panna stations
6.	Maharashtra	Sindhudurg SSA & Gadchiroli SSA

Copy endorsed to The PPS to CMD, BSNLI all Executive Directors, BSNL C.O., New Delhi, The CVO/PGM/GM(Pers.)/(Estt.)/(Trg.)/(EF)/(FP)/(BW)/(Civil)/(Elect.)/(Arch.)/(TF), BSNL C.O, GM(Rectt.), BSNL CO, New Delhi, The AGM(Pers.II/Pers.IV/Pers.V/CSS), BSNL C.O., The DM(Admn.I/II/CSS/L&A/Paybill/Cash/Pension, BSNL C.O., The Rajbhasha Adhikari, BSNL C.O. for Hindi version., All AMs, Pers. I Section and Spare copyl Order Bundle.

No. 400-36/2011-Pers.I(Pt.) Dated: April 15th, 2013
(Addressed to All Heads of Telecom Circles/Metro Districts/Maintenance Regions/ Projects/ Stores/ BRBRAITT/ ALTIC, All other Administrative Units, Bharat Sanchar Nigam Limited.)

24. Preparatory exercise for All India Eligibility List of JTOs(T)- preparation of assessment sheet-regarding.

Please refer to this office letter No. even dated 17.09.2012 and subsequent reminders on 30.10.2012, 05.12.2012, 03.01.2013, 19.02.2013 and on 12.03.2013 whereby circles were requested to furnish the Screening Committee Report in the prescribed Performa including ACRs grading of the eligible JTOs and other relevant details as contained therein for taking up the promotion activity to SDE (T) grade under seniority quota. So far the required information/details have been received from GUJ, HP, J&K, KTK,KRL, MH, MP,NE-I, NE-II, BBNW, PB, UKD, UP(E), WB and WTP, circles only. The other circles have not responded as yet and this has been viewed seriously.

You are again directed to look in to the matter personally and ensure that the informations/details as asked for should be furnished immediately, so that the promotion exercise can be undertaken without any further delay.

No. 2-15/2012-Pers.II Dated April 12,2013
(Addressed to All Heads of Telecom Circles, All heads of Telecom Projects, All Heads of Telecom Regions, All Heads of Administrative Units Bharat Sanchar Nigam Limited.)

Wedding Bells

Shri N.C. Soni, CAO, MP Telecom Circle at Indore celebrated marriage of his son Sh. Manoj with Ms. Pooja on dated 6th May' 2013.

Meeting of the Forum of BSNL Unions/Associations

Meeting of the Forum of BSNL Unions / Associations held on 2nd May, 2013: A meeting of the Forum of BSNL Unions / Associations was held on 2nd May, 2013 at BSNL MS Office. Com. Islam Ahmad (NFTE), presided. Convener, Com. V.A.N. Namboodiri, gave a brief report on the latest developments since the last meeting. He pointed out the main issues for discussion viz. the revival of BSNL, orders on 78.2% IDA fixation etc. All the members actively participated in the ensued discussion. GS, CS BSNL CO, New Delhi attended the meeting. After detailed deliberation, the following decisions were taken.

(i) Revival of BSNL: It was decided to submit a memorandum to the Group of Ministers headed by Shri P. Chidambaram, Finance Minister, on the revival of BSNL. The memorandum should contain about the financial assistance assured at the time of corporatisation, the discrimination meted out to BSNL, the necessity for financial assistance from govt. etc. A committee was formed to prepare the memorandum which will be finalized in the Forum meeting to be held on 07.05.2013. The subcommittee meeting will be held on 6th May at 1200 hours at Corporate Office.

(ii) 78.2% IDA fixation: It was decided to maximum pressurize the BSNL Management and DoT to get the orders on 78.2% IDA issued without further delay.

(iii) Restoration of Medical allowance, LTC etc: Forum will take up for restoration of all these benefits to the employees.

The next meeting of the Forum will be held at 1500 hours on 07th May, 2013 at BSNL MS Office.

Kind Attention

Sexual harassment of one woman executive at Faridabad by Sr. GMTD, Faridabad transferred: BSNL Management was compelled to transfer P.K. Shrivastava, Sr.GM, Faridabad (Haryana) to Ranchi (Jharkhand) in the face of strong protest from the employees against the sexual harassment of one women executive at Faridabad for the last few years. Her complaint to the higher officers was in vain.

On 03.05.2013, about 100 officials from Faridabad and Corporate office, a good number of them women workers, gate-crashed to the office of the Director (HR) and demanded immediate action against the Sr. GM for his harassment of the official, including 13 local transfers within a span of 2 years! At last the Director (HR) agreed to transfer the Sr. GM immediately and the order was issued then and there transferring him to Ranchi. The demand of the unions for suspension was also agreed, which will be issued after approval from the Controlling Authority. The Unions/Associations also demanded that the Sr.GM should be repatriated to DOT immediately.

We congratulate our Comrades of Faridabad, Haryana and the Comrades of BSNL Corporate Office for their prompt and active participation in gate crashed to the Office of the Director(HR). Comrade V.P. Singh Circle Secretary AIBSNLEA, BSNL Corporate Office along with other Unions/Associations representatives was also present in the Director(HR) Meeting.

Circle/Branch News

- A General Body Meeting of AIBSNLEA, Circle Branch, Haryana Circle was held on 19.03.2013 and following Branch Office Bearers were elected unanimously: President – Sh. Sunder Lal, DGM(Fin.); Branch Secretary-Sh. Anil Kumar, AO; Financial Secretary – Sh. S.L. Makkar, AO.

- The Circle Conference of AIBSNLEA ALTTTC, GZB Circle was held on 01.05.2013 at Ghaziabad and Elections were conducted for the selection of new Circle body. Com. Janardhan AO, Com. Satyendra Kumar DE and Com. K.P.Singh AO were elected as Circle President, Circle Secretary and Circle Financial Secretary respectively.

CHQ Office Bearers Visits

GS, AGS(C/E/Arch/TF), AFS and CS Delhi Circle met PGM(BW) on 07.05.2013. DGM(BW) was also present. The following issues have been discussed.

(a) Promotion from JTO(C) to SDE(C) under seniority-cum-fitness quota: We have handed over the letter for promotion of all JTO(C) whose ACRs & VCRs were called. PGM(BW) has assured to look into the matter and also assured that the CPC will be conducted as soon as the VCRs are received. The VCRs of following Circles are awaited: NTR Delhi, Gujarat, Haryana, Jharkhand, Kerala, Maharashtra, MP, Odisha, Rajasthan, Tamilnadu (Few JTO(C) as C. Mohan), Uttrakhand, UP(E), UP(W) and WB Circles.

All the CSs are requested to please Coordinate with Circle DGM(Vig.) and take immediate steps for early sending of VCRs of JTO(C) to BSNL Corporate Office, New Delhi.

(b) 2nd ACP case of SDE(C) & EE(C) i.e. left out cases upto 31.03.2004 (Total 25 Nos.) due to various reasons i.e. not supply of ACRs & VCRs may be take up with Sr. DDG(BW) DoT for one time relaxation. PGM (BW) assured to look into & take up the case with Sr. DDG (BW), DoT.

(c) Approval of BE & B.Tech. From Distance education in Civil Wing: So many orders and Circulars have been given to PGM (BW). PGM (BW) told that case is lying with Sr. GM (Pers.) and after the clearance, promotion will be initiated.

(d) Promotion from SDE(C) to EE(C): PGM (BW) informed that ACRs & VCRs have been already called. As soon as ACRs and VCRs are received, the CPC will be conducted.

(e) Amendment in BSNL MSRRs-2009: We have discussed about status of BSNL MSRRs amendments. PGM (BW) informed that the note is put up for MC approval. Hope by the end of this month MC and Board will approve the MSRRs amendment-2009 i.e. diploma holder will be eligible for promotion of EE(C/E).

(f) Request transfer cases of SDEs(C) & EEs(C): PGM (BW) assured that the request applications are forwarded by our Association will be considered & order will be issued shortly.

(g) Entry level training of SDE (C) promoted through LDCE : The matter has been discussed & PGM(BW) asked that the name of the executives who are affected & not completed entry level training at JTO(C) post may be informed then the issue will be taken up for relaxation.

GS, AGS(C/E/Arch/TF) met GM(SR) on 07.05.2013 and discussed

(a) Early settlement of the issues discussed in the formal meetings on 29th April'2013 and 30th April'2013: GM(SR) assured that follow up action on all the issues is taken up and assured for early settlement of the issues.

(b) Membership verification of majority executive Association: We requested for early membership verification of majority executive Association. GM(SR) assured to look into the matter.

GS discussed with GM(FP), BSNL CO to expedite DPC from CAO to DGM(F) on 01.05.2013. GM(FP) mentioned that DPC from CAO to DGM(F) has been completed & being sent to the competent authority for approval. He assured for early promotion order.

GS, AGS(HQ) and Vice President, AIBSNLEA, BSNL CO Branch Shri S.K. Awasthi met Shri Anupam Srivastava, Director (CM), BSNL Board on 01.05.2013 and heartily welcomed & felicitated him on assuming the high office of Director (CM), BSNL Board, New Delhi today. We assure him our fullest co-operation in his endeavor

Meeting with BSNL Management on the Charter of demands on 30.04.2013: We decided to cancel Massive Demonstration on 1st May'2013.: Our discussions with BSNL Management on the demands raised in the Notice for Organisational Action Programmes started w.e.f. 29th April'2013 continued on second day also (i.e. today). All the 22 issues were discussed thoroughly in the presence of Sr. GM(Pers.), GM(SR), GM(Restructuring), GM(Estt.), DGM(Pers.), DGM(SR), AGM(SR), AGM(P-V) and AGM(P-II). During discussions we explained in details the genuineness of the issues and pleaded for settlement. All the officers present in the meeting appreciated our concern and assured for early settlement of issues. Also, expressed difficulties in some issues due to pending court stay order and repercussions.

GM(SR) BSNL Corporate Office vide letter no. BSNL/7-4/SR/2013 dated 30th April'2013 has assured that tomorrow itself the "Record of Discussion" of the meeting will be issued and has also requested to desist from Organisational Action Programme commencing w.e.f. 1st May'2013.

In view of the positive concern shown by the BSNL Management towards settlement of the long pending issues, we have decided to cancel Massive Demonstration on 1st May'2013. Further details will be communicated shortly.

GM(SR) arranged a meeting of AIBSNLEA representatives on 29.04.2013 in response to the Notice served on 11.04.2013. Sr. GM(Pers.) chaired the meeting. GM(Restructuring), GM(Estt.), DGM(Pers.), DGM(SR), DGM (Restructuring) and AGM(SR) were present in the meeting. GS, FS and AGS(HQ) attended the meeting. GM (SR) explained the concern of BSNL Management that Management is sincerely trying to resolve the issues raised by the Association and started discussion on the demands. Com. GS thanked the Management for their concern expressed and expected that most of the issues can be resolved through discussions, if due concern is given. During detail discussions 40% issues could be discussed and decided to continue discussions tomorrow also at 15.00 Hrs.

Comrades, though the discussion on the demands has started today in a conducive environment but review of

agitation programmes will depend on the positive outcome of the demands.

All the CHQ Office Bearers, Circle / Branch Secretaries are requested to ensure successful implementation of Organisational Action Programme i.e. MASSIVE DEMONSTRATION on 1st May'2013.

Savingram Campaign and holding of Special General Body Meetings throughout the country have been implemented successful today.

GS, AGS(HQ), AGS(Fin.) met GM(FP) on 22.04.2013 and discussed:

(a) CPC from CAO to DGM(Fin.): We requested to expedite CPC from CAO to DGM(Fin.). GM(FP) mentioned that CPC from CAO to DGM(Fin.) is in progress, most of the ACRs have been accessed and CPC will be completed in the next week since some members of CPC are on leave in this week. He also assured that remaining 28 - CAOs CPC to DGM(Fin.) promotion will also be initiated immediately.

(b) CPC from AO to CAO Regular: GM(FP) assured that as soon as the promotion order from CAO to DGM(F) are issued, the CPC from AO to CAO Regular will also be completed.

(c) Request/tenure transfer of AOs: We extended thanks for the consideration of request transfers of CAOs and also requested for consideration of request / tenure transfer cases of AOs. GM(FP) assured to consider all the pending request / tenure transfer cases of AOs shortly.

GS, AGS(HQ) met GM(FP) on 18.04.2013 and discussed

(a) CPC from CAO to DGM(F): We requested to expedite CPC from CAO to DGM(F). GM(FP) mentioned that today CPC is being conducted by SEA Cell to fill up about 88 DGM(F) posts. He assured for early promotion orders. He also assured to initiate another CPC to fill up remaining DGM(F) posts.

(b) CPC from CAO(Adhoc) to CAO (Regular) : GM(FP) assured that just after the promotion orders issued for DGM(F) the CPC from CAO(Adhoc) to CAO (Regular) will be initiated.

(c) CPC from JAO to AO: GM(FP) informed that in one court case judgment is delivered but another court case in Hon'ble CAT Chandigarh is posted for hearing on 29th April'2013. He assured as soon as the stay order is vacated, CPC will be initiated.

(d) Consideration of request/tenure transfer of AOs/CAOs: We requested to the request/tenure transfer of AOs/CAOs. GM(FP) assured to look into the matter.

Meeting with GM(SR), BSNL Corporate Office on 17.04.2013: GM(SR), BSNL Corporate Office called GS for discussion in response to the notice given by AIBSNLEA on 11.04.2013 for Organisational Action Programmes commencing w.e.f. 29th April'2013. Accordingly, GS, AGS(HQ) met GM(SR) for discussion. GM(SR) while discussing the 22 demands as mentioned in the Notice, appreciated our concern and appealed that Management is serious to resolve genuine issues through negotiations hence the agitation should be avoided. We pleaded that

our Association is always for the settlement of issues through negotiations but since the Management is not at all concentrating to resolve the long pending genuine issues of all the executive cadres to whom this Association represents, under the compelling circumstances the Notice for Organisational Actions has been served. However, in case the issues are resolved in due time the Organisational Action Programmes may be reviewed. After brief discussions GM(SR) decided to hold the formal meeting on 29th April'2013 at 15.00 Hrs .

GS, AGS(HQ) met Sr. GM(Pers.) on 16.04.2013 and discussed:-

(a) CPCs to fill up DGMs and DEs vacant posts on adhoc and regular basis: We expressed our serious concern against non-filling up of vacant DGMs and DEs posts on adhoc/regular basis. Sr. GM(Pers.) mentioned that CPCs from DE to DGM and DE regular could not take place due to non delivering of the judgment by Hon'ble High Court Kerala on 147 SDEs seniority case. However, he immediately spoke to CGMT Kerala Circle to make efforts through BSNL's advocate for early pronouncement of the judgment. CGMT Kerala Circle assured for an early action in this regard. We expressed our serious concern that VCRs validity is expiring on 18.04.2013 of the eligible DEs, since CPC was completed long before. Sr. GM(Pers.) further mentioned that since the judgment is reserved in Hon'ble High Court Kerala, no immediate action can be taken at this stage. He assured that as soon as the judgment is delivered, the promotion order from DE to DGM and DE regular will be issued.

(b) CPC from SDE to DE: We requested to call ACRs/VCRs of additional 1100 SDEs in addition to 760 DEs CPC. Sr. GM(Pers.) called AGM(CPC) and discussed the matter. AGM(CPC) explained that ACRs of about 2500 SDEs are available for consideration to CPC and the VCRs will be called just after the stay order is vacated by Hon'ble CAT Chennai . The case has been posted for hearing on 18.04.2013. We requested to conduct CPC to fill up 1860 DEs posts in one stock.

(c) CPC from JTO(T) to SDE(T): We requested to expedite CPC from JTO(T) to SDE(T) to fill up about 3000 vacant SDEs posts. Sr. GM(Pers.) mentioned that CPC is in progress and efforts are being made for early promotion orders.

(d) Posting on promotion of SDEs earlier promoted but could not join due to Court stay order: Sr. GM(Pers.) assured that within one or two days the promotion order of these SDEs who could not join on promotion earlier due to court stay order will be issued.

(d) Restructuring of AD(O/L) Cadre: We requested to complete the restructuring process of AD(O/L) cadre. Sr. GM(Pers.) discuss the matter with AGM(Pers.II), Member Committee about the status of Committee Report. AGM(Pers.II) informed that as the Member of Committee, he has drafted the report and in the next week, he will submit the same to Chairman Committee for consideration

and necessary action. However, Sr. GM(Pers.) assured that he will further discuss the matter with Addl. GM(Estt.) for an early action in this regard.

(e) PPS Posts creation in BSNL's Field units: We requested for consideration of our demand for creation of PPS posts with all CGMs in Field Units of BSNL. Sr. GM(Pers.) assured to draft a proposal and submit to the competent authority for consideration shortly.

(f) CPCs from SDE(TF) to AGM(TF) and AGM(TF) to DGM(TF): We requested to hold early CPCs to fill up vacant AGMs/DGMs(TF) posts. Sr. GM(Pers.) mentioned that the CPC to fill up 3 posts of DGM(TF) is in progress but delayed for want of VCRs. And CPC to fill up 12-AGMs(TF) posts could not be further initiated due to clearance is awaited from CLO on implementation of SC/ST roster. However, he assured an early action in this regard.

Status of Court Cases

● **ITS deployment Court Case:** The application filed by AIBSNLEA, SNEA(I) & BSNLEU against ITS deployment in BSNL came for hearing in the Hon'ble PB CAT, New Delhi on 02.05.2013. Our advocate pleaded that DoT has violated earlier 2009 Hon'ble PB CAT Order as well as Hon'ble High Court Delhi orders for repatriation of ITS officers from BSNL/MTNL and further ordered for deployment of ITS officers in BSNL/MTNL on 11.03.2013. He pleaded to stay the order of DoT. Hon'ble High Court after hearing the arguments from our advocate and the advocates of DoT and BSNL posted case for hearing on **16.07.2013**.

● **Status of Court Case of SDE(T) on LDCE quota promotion - Update on LDCE case at Hon'ble Pr. CAT, New Delhi:** On 01.05.2013, arguments of BSNL side and Associations side counter arguments were heard in details. In last, Hon'ble Pr. CAT directed BSNL to submit the complete details of objections raised by either Unions/Associations or any individual with complete case history / file of dealing with such objections by BSNL within two days time. On 03.05.2013, BSNL has submitted the same to the Hon'ble PB CAT, New Delhi.

● **SDE to DE promotion Seniority case:** The SDE to DE promotion Seniority case came up for hearing on 26.04.2013 in Hon'ble Chennai CAT, Chennai. Final argument over. Hon'ble Court gave a week time to submit written brief. Judgment reserved.

● **Hon'ble Madras High Court Judgment dated 02.04.2013 in the Roster case in WP 26246 filed by AIGETOA (Chennai) and WP 16102:** Hon'ble HC has dismissed both WPs filed against the Hon'ble Chennai CAT judgment dated 24.06.2011 in OA 1358/2010.

Brief of the judgment:

Para 12: ————. On re-appreciation of the entire materials available on record, we also find that the rosters were prepared in accordance with the guidelines stipulated in the said office memorandum. ————. In addition to the above, it is seen from the materials available on record that the petitioners, who are not aggrieved and who do not fall within the zone of consideration for promotion to the post of Sub Divisional Engineer (T), have filed the present writ petitions without any legal right. Therefore, as rightly contended by the learned counsel appearing for the respondents, the petitioners have no locus standi to file the present writ petitions. ————.

It will pave the way to the promotions from JTO(T) to SDE(T), both seniority-cum-fitness quota as well as LDCE quota. Also BSNL recruited JTOs year-2001 onwards will be eligible for promotions immediately, since huge number of SDEs(T) posts are lying vacant. Once the promotions of OC candidates are considered than only the SC/ST candidates will get the chance of promotion. Hence, process should continue in the days to come, it will benefit all concern.

Kind Attention to all Circle Secretaries

- As per the decision of CWC Meet at Guwahati, All the Circle Secretaries are requested to collect Rs. 200/- per member towards Legal Fund and remit the same to CHQ, New Delhi before 30.06.2013.
- Please remit Diary-2013 amount immediately to CHQ, New Delhi. In case of any problem please contact Shri B. Ravindranath, FS CHQ on Mobile no. 09868101880.

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seniority quota. The DPC for the said vacancy year was done in 2011 and the promotion order was issued on 30.3.2011 i.r.o 1861 JTOs. Now the court cases have been concluded in favour of BSNL, accordingly order for joining of left out JTOs has been issued on 18.4.2013. It is further intimated that the preparatory work for the promotion for vacancy years 2009-2010 to 2011-2012 has been started by calling for assessment sheets of the eligible JTOs from respective circles but the left out activities of the previous DPC are to be completed first which includes the un assessed cases of backlog vacancy year and 2008-09 vacancy year as well, (b) Under Competitive Quota (33%): Under Competitive quota (33%) a LDCE for the vacancy years 2006-07 to 2009-2010 & for backlog vacancy upto 2005-06 was held on 4.3.2012 and the result of same was released by DE Section on 4.7.2012. In this competitive exam, 2729 candidates have been declared successful against the normal vacancies of 3024 & backlog vacancies of 271 respectively. The process to promote these 2729 successful candidates had been started. However, CAT Guwahati bench has restrained BSNL from consideration of the said promotion in a court case filed by some officers. Rectt. Section is dealing with the court cases. Regarding regularisation of officiating JTOs and Removal of FR-35 pay fixation: The management side informed that about 6000 TTAs had qualified for the JTO's examination out of which 3500 were regularized by diverting DR quota vacancies. This diversion was challenged before High Court of Punjab & Haryana and on the direction of High Court; the diverted vacancies were reverted to DR quota. These JTOs have been regularised by way of creating supernumerary posts. The matter is still pending before the High Court and a contempt case is still pending. Thus in the current scenario the services of the remaining officiating JTOs cannot be considered for regularization.

As far as the matter of fixation of pay of officiating JTOs under FR-22 (I) (a) (i) is concerned, the matter is still sub-judice by way of 14 Nos. of WPs with Hon'ble Apex Court of Kerala, Ernakulum. Since both the matters are sub-judice, no decision on the issue can be taken at present. Thereafter, the Association requested that these officiating JTOs may be exempted from ensuing LICE and their regularisation should be decided before giving posting to successful candidates of the LICE. JTO LICE planned for 2.6.2013 shall be held as per schedule and Officiating JTOs have to appear in the JTO LICE. It was mentioned by GM (Estt.) that BSNL is taking views of Sr. BSNL Counsel /Legal Cell to find if something can be done regarding officiating JTOs and the Association may give in writing anything that they want to be shown to Sr. BSNL Counsel. Association has already submitted the proposal for consideration.

Regarding implementation of assured Executive Promotion Policy in BSNL - On the Executive Promotion Policy, the Association raised the following issues and the management response is indicated against each –

Issue	Management's response
(a) Implementation of CPSU cadre hierarchy-change of designations on each Time Bound upgradation and functional basis.	Detailed discussions have already taken place in this regard in the two meetings of the Committee. The management side propose to hold an internal meeting and thereafter shall have another meeting with the Associations within a month's time.
(b) Settlement of Pay anomaly cases wherein senior executives are drawing less pay than their juniors.	The issue with regard to the settlement of pay Anomaly has already been settled through the EPP and as also through the deliberations of the High Level Committee which established the finality of the issue [Through order no. 400-11/2011-Pers.(pt.) dated 23.04.2012]. The purported pay anomaly cases being attributed to the implementation of Executive Promotion Policy after the order of Hon'ble Kerala High Court have been moved by BSNL to the Apex Court.
(c) Amendment in BSNL MSRRs allowing Diploma holders to the promotion of EE.	A proposal is being submitted to the Management Committee on the lines of proposal for Engineering side.
(d) Date of effect of implementation of revised IDA pay scales for the Executives w.e.f. 1.10.2000	The management side agreed to have the issue examined.
(e) One time placement of SDE to Sr. SDE.	

Regarding Amendment in Management Trainees Recruitment Rules 2009 and DGM Recruitment - The management side informed that this matter is under consideration. Modified MT RRs have been submitted to BSNL Board for consideration.

Regarding Implementation of E-2, E-3 standard IDA pay scales to JTO and SDE equivalent executives in BSNL - The management side mentioned that in the absence of revised E1A pay scale, the JTOs have been granted five advance increments on minimum of E1 pay scale to bring their initial Basic Pay at Rs.19,020/-, which is about Rs.170/- more than the minimum of the revised E1A pay scale. Further, it was informed that the issue relating to revised E1A, E2A and E9A pay scales has again been taken up with DOT for reconsideration vide CMD BSNL DO letter dated 9.11.2012 to Secretary (T) and a reminder is being sent shortly.

Regarding Arbitrary reduction of JAG and STS posts by 30% under the garb of Remuneration Committee even without conducting elementary work study – unwarranted and motivated attack on bare minimum promotional avenues available to 35,000 Executives –The management side informed that the Remuneration Committee directed the BSNL Board to reduce 30% posts at senior level which does not include STS level posts. Further, extensive discussions have taken place with the members of the Remuneration Committee and explained to them about the non-feasibility of reduction of posts. At present, the proposal is with the BSNL Board and the Board has not taken any view on this issue.

Regarding Serious anomalies in the TES Gr. B officers seniority lists - Considering a number of litigations on TES Group B seniority lists, the management side informed that the issue has been placed before the Hon'ble Supreme Court to decide the issue once for all. In response, the Association requested to have the issue expedited.

Regarding Restructuring of AD(O/L) cadre - On the issue of restructuring of AD OL cadre, the management side informed that the issue has been referred to a Committee, whose report is expected in a month's time.

Regarding Regularisation of Postal JAOs - The Association pointed out that DOT has already issued the orders in 2009 for regularisation of Postal JAOs, but no action has been taken so far and DOPT orders also exist which envisage deemed confirmation after a period of six years. In response, it was informed that pendency of two court cases, BSNL is not able to confirm external candidates. However, BSNL is pursuing for early disposal of the cases.

Regarding Withdrawal of 19.02.2010 order treating the promotion of AAO/Sr.AO/Sr.SDE as time bound promotion instead of post based promotion - In response to this demand, the management side informed that the issue has already been settled through the EPP and its clarifications as also through the deliberations of the High Level Committee which established the finality of the issue through order dated 23.04.2012.

Regarding allowing to exercise option to Deptt. JAOs on their promotion who got promoted on or after 7.5.2010 - The management side informed that the option was made available to Non- executives at the time of 2nd pay scale revision to get fitment benefit from the date of promotion falling upto the date of notification of wage revision order dated 7.5.2010. There is no previous precedent in BSNL as well as in Govt. to exercise such option beyond the date of notification of pay revision order as it will render it open ended for ever.

Regarding Antedating of pay – anomaly due to accrual of increment of junior earlier than the senior after fixation of pay in revised pay scale implementation of 2nd PRC - In response, the management side informed that a committee was constituted to examine the issue and the Committee has opined that the order issued under letter no. 2-8/2009-PAT(BSNL) dated 23.9.2009 is in order and clarifications issued under letter No. 2-8/2009-PAT(BSNL) dated 14.6.2010 are based on existing guidelines available on this subject. The report of the committee has been duly seen by Dir (HR)/ Dir(F) and has been submitted to CMD, BSNL for approval and accordingly the final decision will be conveyed to the Association.

Regarding Special drive for recruitment of JTOs/JAOs as Circle cadre to meet the requirement of Tenure Circles - It was informed that BSNL is planning to recruit JTOs and the requirement of Tenure Circles will be duly addressed.

Regarding Implementation of DoT Order No. 17-38/2009-VM.1 dated 21.2.2013 for inter circle transfer of BSNL Executives based on ODI/Agreed Lists- The management side informed that the same has already

been issued and uploaded on BSNL intranet. Thereafter, the Association pointed out that the case of those officers who were transferred and intend to come back to their original Circle within a period of three years in the interest of service and secondly those within a period of two years at own cost are to be considered. The management side agreed to examine such cases separately.

Regarding Two weeks of training to executives whose pay is upgraded and on every promotion under EPP on the basis of offline examination process in Training Centres - The Association mentioned that the management has already relaxed the provisions of mandatory training under EPP for those officers who are 55 years of age. It was further mentioned that officers over 55 years of age, who are not computer-savy, may be given option to write their exam off-line. At the repeated insistence of the Association, the management agreed to have the issue examined.

Regarding Grievances of PA/Stenographers' cadre - (a) Post based promotions for PA/PS to PPS/Sr PSS; (b) Common Recruitment Rules & Nomenclature in BSNL; and (c) Introduction of promotion policy for Stenos (Dying cadre) - (a) In response to the demand of the Association, it was informed that action has already been started for creation of PPS posts, to which the Association further mentioned for complete implementation of H.K. Gupta Committee. After elaborate discussion, it was decided that the Association will make available a copy of the H.K. Gupta Committee report for further examination. (b) The Association agreed to submit a proposal in detail and the management side agreed to examine the same.

Regarding Stream lining of EPF Statement of BSNL recruited employees - It was informed that (i) centralization of EPF accounts will be worked out in consultation with EPFO to avoid any problem in EPF account transfer when employees get transferred, (ii) EPF contribution for training period will be considered and examined in terms of decision of Hon'ble Chennai High Court; and (iii) EPF contribution on the pay exceeding Rs.6500/- will be extended as per the option of employees subject to applicable provisions of EPF Rules.

Regarding Superannuation benefits to directly recruited employees as per DPE guidelines - The management side informed that as per the agreement dated 12.6.2012, the matter has again been referred to a committee to re-examine the issue. Presently, the issue is being deliberated by the committee. Further, the Committee will be requested to submit its report within a month's time.

Regarding Implementation of DPE order for payment of 78.2% IDA fitment benefit w.e.f. 1.1.2007 in BSNL - The management side informed that with the approval of BSNL Board, a proposal for implementation of benefit of merger of 50% IDA as on 1.1.2007 effectively amounting to 78.2% for the purpose of fitment and pay fixation in the revised pay scales, has been sent to DOT for approval of the Govt. on 10.9.2012. Subsequently, DOT raised certain queries on the issue which have been duly replied vide this office letters dated 15.11.2012 & 22.2.2013. So far, the approval of the Govt. on the BSNL's proposal for implementation of the above mentioned pay revision for BSNL employees has not been received from DOT. Reminder to DOT is being sent for expediting the case.

Regarding Extension of LTC facility to retiring officer after August 2013 - The management side informed that extension of All-India LTC facility to the retiring officers is under active consideration of the management. Now the order in this regard has been issued that LTC facility to retiring officer / employees who cross the age of 59 years shall be allowed to avail one All India LTC.

Regarding Executives are being harassed and terrorized by contract labour in KTD and WB Circles – protest regarding - The Association pointed out that for the last one month contractual labour is protesting in Kolkata Telephone District for non-receipt of salary in time and they are also harassing and terrorizing the Executives posted in WB Circle, especially KTD. The contractual labour is also demanding the benefit of Gratuity. The management side responded to get the information from the KTD and bring the same to the notice of higher management for resolution of the problem.

**The Central Working Committee meeting of the AIBSNLEA
held on 5th and 6th April 2013 at Prag Hotel, Pan Bazar, Guwahati (Assam)**



**Oath-taking ceremony of the newly elected members
in the presence of Com. GS Shri Prahlad Rai**



Audience View



Audience View



Audience View

Glimpses of Circle Office Bearers meet of Maharashtra Circle at Nashik on 27.04.2013. Com. Prahlad Rai, G.S., Com. P Venugopal, CHQ President, Com. K.P. Nair, AGS (PS/CSS/OTHERS), Com. C.M. Sasthe, OS (WEST) and Com. A.G. Joshi, CHQ Advisor attended & addressed the meeting.



Dias View



**Com. GS Shri Prahlad Rai addressing the Circle
Office Bearers of Maharashtra Circle at Nasik**