

**ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
EXECUTIVES' ASSOCIATION**



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No. AIBSNLEA/CHQ/DRHR/2018

Dated 16.02.2018

To,

Smt. Sujata T Ray,
Director (HR)
BSNL Board,
New Delhi - 110001

Subject: Discontinuance of LAA in the grade of Executive Engineer (Civil) - Regarding

Reference: OA-2905/2015/DM (BW-I) dated07/02/2018 of the O/o the PGM(BW), BSNL CO New Delhi

Respected Madam,

We would like to draw your kind attention to the unjustified, unwarranted steps taken by the BW unit of BSNL Corporate Office New Delhi vide letter under reference above. When the Look After Arrangement (LAA) policy has been promulgated by the BSNL Management since 2013 to address the temporary shortage in different cadres across all disciplines, the current order of the BW unit appears to be an attempt to isolate entire Civil wing from other streams including Electrical & Architectural Wings and thus violates the BSNL policy. We place on record our resentment and protest against such thoughtless, irrational and illegal order of the BW unit.

The brief facts of the matter are described below for your kind perusal:

1. The post of the Executive Engineer (Civil) is an important post and is delegated with several administrative & financial powers. This is in line with CPWD Works Manuals.
2. Since regular/ adhoc promotion to the grade of EE (Civil) could not be carried out by the BW unit at the appropriate time, the SDEs (Civil) with 22 years of regular service are still stagnating in the same grade. Considering the huge vacancies, senior most SDEs (Civil) were given look after promotion by the respective circles and the works were being managed somehow.
3. The current order of the BW unit is either based on the wrong interpretation of the Hon'ble CAT order or intentionally made to please the litigants of the case or to draw some pecuniary interests.
4. The OA 2905/2015 is yet to be disposed of and the BW unit has only cited some interim orders / passing remarks which were not enjoined upon the respondents clearly by the Hon'ble CAT.

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5. The spirit of the Court order is to give regular promotions to the grade of EE (Civil) within three months and thereafter withdraw the temporary arrangement of LAA.
6. In spite of obeying / carrying out the main part of the judgment, BW unit chose to carry out the secondary part of the judgment which is detrimental to all cadres.
7. It is not known how BW unit borrowed the idea of Link officer which is not spelt in the MSRR or any other promotion policy of BSNL.
8. The present arrangement of SDE (Link officer) is further degrading the function of EE (Civil) cadre. This is a colourable exercise of the powers by the BW unit. In other words what BW unit can't do directly (temporary promotions like LAA) as per the verdict of the CAT, gave another temporary promotions in shape of Link Officer much below the status of LAA.
9. When LAA is being implemented across all disciplines, Court order, if any should not be implemented in isolation in civil wing only. Rather, it should be contested in higher court of law. Further BW unit is not competent to decide on important HR issues.
10. Present arrangement of Link officer is newly invented by O/o PGM (BW). There cannot be such type of arrangement for the post of EE (Civil). Holding the post as SDE (Link Officer) and discharging duties involving sensitive work like tendering process, Arbitration/Court cases etc, may lead to legal problems & several vigilance issues.
11. Difficulties in functioning in case of LO arrangement:
 - i. In CPWD Works Manual, role / power / duties & responsibilities are specifically defined for EE (Civil) only. For existing agreements, EE (Civil) is Engineer-in-Charge for all works. In the changed scenario who will be the Engineer-In-Charge is not clear.
 - ii. No such duties for SDE (Link Officer) are defined in any manual. Either one should work as SDE (Civil) or EE(Civil)
 - iii. While working as SDE (LO) is not safe at all as there will be difficulties to interpret the power of LO. Mistakes/un rest may arise.
 - iv. One cannot work fearlessly.
 - v. SDE (LO) not being the Engineer-In-Charge, signing the tender document may not be legally authentic. Future problem may arise during arbitration/Court Cases.
 - vi. Very senior SDE (Civil) after 22 years as regular SDE (Civil) were working as EE (Civil) L/A, withdrawal of designation is like moral harassment to them.

In the light of above facts, it is requested to intervene in the matter and take necessary corrective steps in the overall interest of BSNL.

Yours Sincerely,
-sd-
(Prahlad Rai)
General Secretary

Copy to:

1. The PGM (BW), BSNL Corporate Office, New Delhi - 110001