



**ALL INDIA BSNL EXECUTIVES' ASSOCIATION.
ODISHA CIRCLE BRANCH, BHUBANESWAR.**

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To

**THE CMD BSNL
Camp at Bhubaneswar.**

Respected Sir,

On behalf of AIBSNLEA- Odisha, we extend a warm welcome to this Temple City of Bhubaneswar and land of Lord Jaganath. We assure you the fullest co-operation in your endeavor to keep ODISHA always a positively growing circle and turn around BSNL.

Sir, we like to bring some of the HR and shortage of store issues in our circle for your kind attention and early settlement.

(A) Cancellation of huge inter Circle and Tenure Transfers of DGM/DE/CAO from Odisha Circle

Odisha is a small state and is categorized as C-category circle. In spite of being a C-category circle, it has been doing well for last so many years. For last two consecutive years, it has been awarded as the "best performing circle" in the C-category circles and is one of the profits making circle in the loss making BSNL. In FY 2010-11, this circle has shown highest +ve growth of revenue in absolute terms in entire BSNL. CM revenue of ODISHA is the 7th position in BSNL and highest in East Zone. We have also registered +ve revenue growth in Basic Services and in MNP also. Needless to say that it was possible only because of high motivation and complete dedication of the officers working on the circle.

The cadre wise sanction strength and officers presently available are given below.

Sl No	Grade	Sanction strength	Working Strength	Vacancies	No of Officers under Transfer to Hard Tenure Circle	No of Officers presently working in Hard Tenure Circle
1	DGM	30	15	15	01	
2	AGM	116	65	51	6	10
3	CAO	29	16	13	2	

There is 50% vacancy in DGM post and one more will retire in next month. In this situation another DGM Mr. PP Tripathy, is ordered for transfer to other circle. We request to cancel the order sir.

The present sanctioned strength of AGM/ DE is 116. Against this figure, only 65 officers in the STS cadre are available in regular/ adhoc basis. Again, another 10 officers are working in tenure circles. It may be noted that fifteen (15) revenue districts, which are

part of eight (8) SSAs are tenure stations. So it was becoming difficult to find willing officers to work in those areas as the work in these areas are fully challenging one for both geographically and LWE activities. (**vide corporate office order no.400-23/1997-Pers.1(Pt.1) dated 23.06.2010, 4(four) SSAs of this circle namely Koraput, Bhawanipatna, Bolangir & Phulbani comprising of 10 revenue districts declared All India Tenure**)

But, surprisingly in recent years, a lot of officers from Odisha in the cadre of SDE, DE and CAO are being transferred to other circles and NE region. When compared to size and staff strength of other circles, it appears that Odisha has become a de-facto feeder circle to NE region. In this regard, due attention may be given to the following facts:

1. Ten(10) STS officers have been posted in Assam, NE-I, NE-II & NETF
2. Six (6) more AGM/ DEs and two (2) CAOs have been transferred to NE-I, NE-II & NETF.
3. Based on the 1:1 transfer, additional transfer is bound to take place in future when the above officers complete their tenure. So, Odisha is likely to continue as feeder circle to NE region perpetually.
4. **Contrary to this the NE circles appear to have equal or more officers than the sanctioned strength. Assam, NE-I, NE-II & NETF have 53,33,36,19 STS officers against sanctioned strength of 53,30,38,12 respectively.**
5. This status of NE region may be compared to that of Odisha as mentioned in the table.

As mentioned above Odisha circle is doing exceedingly well in both development and revenue growth for last four years. This trend is likely to hamper, if the officers get de-motivated due to their transfer to NE regions. Most importantly, hardly any officer will be willing to get posted to Naxal affected districts of Odisha. This will definitely affect the development and operation of Telecom Network in the region. **Due to the shortage of STS Officers and the acuteness of the problem transfer order of 15 officers from Chennai Telecom District in the year 2010 & 26 officers from other circles in the year 2013 were issued by the Corporate Office. Out of 41 STS Officer only one officer joined in Odisha circle.**

It is therefore requested to consider the matter favourably and cancel the pending transfer orders of six(6) DEs and two(2) CAOs . No further transfer order in the grade of AGM/DE and CAO to hard tenure circle may be issued in future in wake of large number of vacancies in this circle and to encourage officers to opt for very difficult locations in this circle itself.

(B) Modifications in Executives Transfer Policy for soft tenure stations within a circle:

We requested for an early action on amendment in transfer policy clause wherein the condition of serving 3 years in soft tenure station for one executive and further he has to serve some other SSA for next 3 years, thereafter, only his request may be considered for posting to his choice of station. It is not justified and that is why these soft tenure stations vacancies in Telecom. Circles are not being filled up. Hence, immediate modification in Executive Transfer Policy for soft tenure stations is needed.

(C) Long pending seniority court cases of executives of the then DOT and now BSNL may kindly be settled as per National Litigation Policy of Govt. of India.

Request letter comprising the details is attached as **annexure**.

(D) Issues Relating to Civil/Electrical wing

- 1) Filling up of vacant posts in the cadre of SDE(C/E), EE(C/E), SE (C/E) without further delay. **It is worthwhile to mention that there are no regular EE (E) in Odisha Circle causing a lot of inconveniences in execution of works.**
- 2) **Filling up of the vacant post of CE (E), Odisha Circle which is being managed by looking after arrangement since one year.**
- 3) Posting in the grade of JTO(C/E) as the working strength is below 50% of the sanctioned strength in Odisha.
- 4) Allotment of Odisha Circle to all SDE(C/E) on promotion through LDCE-2013 as vacancies are there. In case of electrical wing, longest out station executives may be transferred to their parent circle who are also waiting for their transfers. One SDE 'E) has also represented for transfer to WB on own cost.

(E) Issues Relating to PA/ PS Cadre

Creation of PPS Posts in field units of BSNL which is already implemented in CO, ND.

After restructuring & declaration of dying Stenographer, there is one promotional tenure for PA which is basic grade to PS in Executive Cadre. As like JTO/ JAO & recommendation of H.K. Gupta Committee, PA grade should be promoted up to Selection Grade (E-6). Hence by pooling all sanction posts of stenographer, PA/ PS together and make it in ratio 40%, 40% & 20% as PA, PS & PPS for lifting stagnation in PS grade. It is reminded that PPS & Sr. PPS posts have already created in corporate office.

(F) BSNL Corporate office not implementing the CAT,Cuttack judgment – Case of Sri Kashinath Sahoo,AO,Bhubaneswar,Odisha

One of our dedicated member Sri K. N. Sahoo will retire on 28.2.2015. It is requested to implement the CAT judgment without any more delay.

(G) Shortage of Stores

The shortage of UG cable, jointing materials(TSF, connectors etc.), PLB pipes & OF Cables, OFC Equipment(CPE AC & DC, MADM,DWDM etc.), FE enabled CPE and Broad Band & WIMAX CPE are hampering the developmental and maintenance work of Odisha circle which needs your special attention for maximizing the revenue of this circle.

**R K Panda.
Circle Secretary
AIBSNLEA, Odisha**

Annexure

Respected Chairman –cum- Managing Director, 31st March, 2014
Bharat Sanchar Nigam Limited, New Delhi

Sub: Long pending Seniority court cases of the then DOT and now BSNL and the National Litigation Policy of Government of India.

Hon'ble Sir,

We would like to draw your kind attention to the following seniority cases pending in several courts including the Apex Court. Some of the cases are pending in the Apex Court since 28 years in spite of clear cut direction for the same, but deliberately not implemented by the Department citing one or the other plea and compelling the parties to go for more cases. Now, 5 to 10 cases are there in each anomaly in same and different courts.

Promulgation of the National Litigation Policy of Government of India which was endorsed by BSNL as guidelines seems have very little or no effect on BSNL. Strictly following the same will reduce the number of court cases and BSNL will be the most gainer as the executives will find more time to plan for the development of BSNL rather than discussing the long pending court cases. A content executive will deliver his full to the company it belongs.

Cases pending:

a. Case of 270 LDCE candidates who have additionally declared pass after 13 years and retrospectively promoted with benefit of 13 years.

The case is lost by the Department in CAT, Madras Bench and also in High Court of Madras.

1. CAT Madras Bench O.A. NO. 305 of 2001 dated 28.9.2001
2. The High Court of Madras W.P.NOs.21961 & 22087 OF 2001 dated 02-04-2008

Now the case CA 3149 / 2009 is pending in the Supreme Court as K Vishwanathan vs. Union of India. In spite of Status Quo order by the Apex Court Mr K Vishwanathan the applicant got all his promotions so, he is not at all worried. The other side, Union of India through Department of Telecom is least bothered as the suffering staff are now under BSNL or MTNL. The case is not progressing as both the applicant and the respondent are no more interested in the case. Interference of BSNL will provide justice to all.

b. Case of 147 LDCE candidates – qualified for 1994-97 vacancies, but adjusted in 1989-97 vacancies for which they have never appeared.

1. CAT Ernakulum Bench O.A. NO. 86 of 2009 dated 05.02.2010
2. CAT Ernakulum Bench R.A. NO. 29 & 41 of 2010 in O.A. NO. 86 of 2009 dated 12.8.2011
3. The High Court of Kerala WP(C) 5406 of 2010, WP(C) 26226 of 2010, OP(CAT) 2941

of 2011, OP(CAT) 3019 of 2011 dated

01.07.2013

Both CAT and the High Court in all the above cases have opined against the seniority assigned to the 147 LDCE candidates and order for immediate revision of the seniority list but, BSNL is preferring wait and see. BSNL did not spare time to modify the actual seniority list retrospectively though, not at all directed by any court. But, now hesitating to implement the direction of Kerala High Court.

c. Seniors are getting less pay than their juniors.

BSNL should implement the same for all instead of implementing only for the applicants alone, as a natural justice.

d. Discrepancy in 2nd PRC for Executives on Pay fixation on promotion.

- i. **Executives** - BSNL Letter No. 1-50/2008-PAT (BSNL) dated 05.09.2009-5.
Pay fixation on promotion: One notional increment equal to **the increment being drawn by the executive in the pay scale, before such promotion** would be granted and pay fixed in the promoted pay scale and rounded off to the next multiple of Rs.10.
- ii. **Non-Executives** - BSNL Letter No. 1-16/2010-PAT (BSNL) dated 07.05.2010 -
3. Pay fixation on promotion: 3.3 – One notional increment equal to **3% of the existing basic pay** rounded off to the next multiple of Rs.10 would be granted and pay fixed in the promoted pay scale.

The increment being drawn by the executive in the pay scale, before such promotion - this particular sentence is creating problem in respect of Pay fixation on promotion for Executives in some Circles and Pension fixation by CCAs. Executives are getting less pay than the Non-Executives having same basic pay. All words in Executives **Pay fixation on promotion** may be replaced by the words used in Non-Executives **Pay fixation on promotion** to end ambiguity.

Hon'ble Sir, your kind personal attention and necessary direction may break the stalemate and render justice to all. Hoping a positive result, we remain.

Thanks and regards.

(R K Panda)
Circle Secretary
A I B S N L E A
Odisha Circle
Bhubaneswar