

Items for National Council

1) Implementation of Promotion Policy for Non-Executives

Agreement on promotion policy for non-executive employees have been made between BSNL management and representative union on 30.10.2008, after prolonged discussion for about four years. However, the same is yet to be implemented. Immediate action is to be taken for implementation of the same.

2) Relaxation in service condition as also qualification for appearing in 35% and 15% JTO LICE

There are a good number of vacancies existing for promotion by LICE in 35% and 15% quota. But the number of eligible officials are less than the vacancies. While according to promotional policy, an official will get upgradation after 8 years. Promotion by examination should have much less eligibility condition. Further, the eligibility condition in government earlier was only three years. In view of the above, we request that relaxation be given in the following issues.

- a) 7 years period for eligibility be reduced to 5 years.
- b) The eligibility qualification be reduced from Graduation with Science subjects to Graduation (BSc / BA etc.)

An early decision be taken in the matter.

3) Child care leave to women employees

Govt. of India in implementation of recommendations of VI Central Pay Commission has issued orders for child care leave to the women employees. This has not been implemented by BSNL management so far. This be implemented in BSNL.

4) Rest room for women in Corporate Office

Eventhough a good number of women employees are working in Corporate Office, no restroom / dormitory for them has been provided in Corporate Office. This be provided early.

5) Problems of pre – 01.01.2006 retired BSNL absorbed DoT employees

- (a) 50% IDA Merger
- (b) Pension revision w.e.f. 01.01.2007
- (c) Anomaly in pension for those retired between 01.10.2000 and 30.07.2001
- (d) Medical benefits

These issues have been brought to the notice of the management several times but the issues still remain not settled. Early necessary action is required, so that the retirees get the benefit of the same.

6) Shifting of BSNL CO sections in Statesman Building and Chandralok Building to Bharat Sanchar Bhawan & Eastern Court

Although most of the sections in rented Statesman House have been shifted to BSNL's own office Bharat Sanchar Bhawan or Eastern Court, same sections are still functioning in Statesman House paying high rent. Some sections are working in Chandralok Buildings which is also taken on rent. In order to reduce the cost on rent,

these offices may be shifted to Bharat Sanchar Bhawan or Eastern Court by making suitable arrangements, alternations etc.

7) Issue of purchase order for 93 million GSM lines

With much fanfare, the tender for 93 million GSM lines was floated more than one year back. The market share and revenue has gone down due to crunch of mobile lines during the last one and half years. The purchase order for the new tender is also not issued.

Immediate action is required on the part of management to issue purchase order and to ensure availability of GSM lines to be provided to the applicants.

8) Austerity measures to reduce unnecessary expenditure in BSNL

The representative union has brought to the notice of the management several areas where expenditure can be reduced, specially in view of the downfall in revenue and profit of the company. Some of them are given below:

- (a) Shifting of offices from rented buildings.
- (b) Vehicle policy to be revamped for maximum utilization
- (c) Reduce foreign & domestic tours
- (d) Reducing building maintenance expenditures
- (e) Reduce electricity and water charges
- (f) Stop holding of meetings in costly five star and three star hotels
- (g) Stop huge maintenance charges, temporary advances etc.
- (h) Delay in claiming of USO fund in time from CCAs
- (i) Abolish Telephone Advisory Committees

There are so many other areas where the expenditure can be curtailed or completely stopped. Urgent action is necessary so that the wasteful expenditure can be reduced.

9) Regularisation of left out casual labour

On the eve of formation of BSNL, as per assurance given by cabinet and as per strike agreement, orders were issued by DoT vide No. 269-94/1998-STN II dated 29.09.2000 for regularization of left out casual labour.

Accordingly management sanctioned posts for regularization of eligible casual labour and many were regularized w.e.f. 1.10.2000. But at the same time many left out casual labour were again left out due to administrative lapse.

In view of the judgement of the Constitution Bench of Hon'ble Supreme Court dated 10.04.2006 in Umadevi case CA No.3595-3612 of 1999, BSNL management took the stand that the scheme of regularization of casual labour announced vide DoT order mentioned above was untenable and it is not possible to regularize the left out casual labour as per this scheme.

In this connection the following instruction issued by the DoP&T vide its No. 49019/I/2006-Estt (C) dated 11-12-2006 is significant.

“A Constitution bench of the Supreme Court in civil appeal No.3595-3612/1999 etc. in the case of Secretary State of Karnataka and Ors. Vs. Uma Devi and others has

reiterated that any public appointment has to be in terms of the Constitutional Scheme. *However, the Supreme Court in para 44 of the aforesaid judgement dated 10-4-2006 has directed that the Union of India, the State Governments and their instrumentalities should take steps to regularize as a one time measure the services of such irregularly appointed, who are duly qualified persons in terms of the statutory recruitment rules for the post and who have worked for ten years or more in duly sanctioned posts but not under the cover of orders of courts or tribunals.* The Apex Court has clarified that if such appointment itself is in infraction of the rules or if it is in violation of the provisions of the Constitution, illegality cannot be regularized.”

Based on the above circular of DoP&T, a large number of casual labourer were regularized in the Central Government Departments like Customs, Central Excise, Income Tax, Ministry of water resources, and in PSUs like NTPC, Indian Mineral Corporation etc. Unfortunately, this was not done in BSNL despite the assurance of the management to take necessary action for restarting this process of regularization.

Further, among these leftout casual labour, a good number are eligible for TSM status as on 1-8-1998. It was denied by the management initially in the name of the ASG's opinion on the above said Supreme Court judgment. But the same Supreme Court refused to grant stay on the Orissa High court's judgment for *granting TSM status to some such casual labor and directed to implement the Orissa High Court Judgment.* BSNL Corporate Office issued orders for *granting TSM status to the petitioners.* It is requested that instead of confining this to the petitioners alone, the TSM status be extended to all eligible casual labor, in order to avert further court cases.

In view of the above immediate action be taken to sort out and solve the issue so that casual labours engaged for many years be regularized with out further delay.

(10) Personal upgradation of qualified and officiating JTOs

The officials qualified in the 1999 & 2000 examinations, trained and officiating as JTOs for the last few years are yet to be given regular posts as JTOs. The representative union has requested that they may be promoted by personally upgrading their posts. Though they are discharging their duties as JTO, they are deprived of all benefits as JTOs. An early decision in the matter is required to post them so JTO at least by upgradation of posts.

(11) Relaxation of educational qualifications for RM for appearing in TM examination

As per Recruitment Rules for TM, Group 'D' officials are eligible to appear for examination for promotion to Telecom Mechanic with out any condition of educational qualification. But in the case of RM / TSM, there is the condition of Xth standard pass. The group 'D' and RM are both group 'D', they are interchangeable and many Group 'D' were redesignated as RM. In such a situation, discrimination between these cadres have no justification.

It is, therefore requested that RM be allowed to appear in the examination for promotion to TM without any condition of educational qualification as in the case of Group 'D'.
