

BHARAT SANCHAR NIGAM LTD.

BHARAT SANCHAR NIGAM LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)
SR Cell, Corporate Office
8th Floor, Bharat Sanchar Bhawan,
Harish Chander Mathur Lane,
Janpath, New Delhi-110001

No. BSNL/31-3/SR/2020

Dated, the 2nd March., 2022.

To

General Secretary,
AIGETOA,

Subject: Minutes of the Agenda Meeting of Director(HR) with AIGETOA on 09.02.2022.

I am directed to enclose the minutes of agenda meeting in the Chairmanship of Director(HR) with recognized association AIGETOA held on 09.02.2022 at BSNL Corporate office New Delhi.

Enclosed : as above.

(Krishna Murari Ruhela)
Assistant General Manager(SR)
Tel.#011-23766063

Copy to : List of Participants as per Annexure 'A'

MINUTES of the MEETING OF DIRECTOR HR with AIGETOA on 09.02.2022

A formal meeting of AIGETOA was held on 09.02.2022 at Conference Hall, BSNL Corporate Office, and New Delhi. The meeting was held under the Chairmanship of Director (HR). The list of participants is given at Annexure 'A'

Sr.GM (SR) welcomed Director (HR), BSNL Board and all the participants present in the meeting. PGM (Pers) presented a bouquet to Director HR, BSNL Board.

President and General Secretary of AIGETOA were requested to state their points in brief before the items of agenda were taken up for discussion. General Secretary of the Association thanked Director (HR) for convening the physical mode of meeting. He also urged him to resolve long pending HR issues of the executives expeditiously. President AIGETOA stated that settling HR issues was very important for the morale and motivation of the employees of BSNL and expressed confidence in the management and wished for early resolution of the HR issues.

Thereafter, discussion was carried out on the items on the Agenda.

1(a) Pending of SAB amount deposit.

The Association demanded that the pending amount of SAB fund should be deposited in phase wise manner by the end of March 2022, as during this Covid crisis many of the colleagues have faced untimely mishappenings.

It was informed that the Rs. 53.14 crore has been released in the month of Dec., 2021 and at present Rs.180.25 crore fund requests is pending as on 9th February, 2022 with CBB Branch covering period upto December, 2001. Suitable action is being taken as per availability of fund.

It was assured in Oct 2021 meeting that all efforts will be made to clear the outstanding amount of superannuation fund and make the SAB up-to-date by March, 2022. Association side emphasized that the earlier assurance by Hon'ble CMD, BSNL should be fulfilled.

It was urged that every effort should be made to increase the revenue. If revenue increases, BSNL will be in position to clear the dues in March, 2022 itself.

2(a) JTO-SDE DPC Promotion.

It was informed that promotions from JTO to SDE in Telecom stream under seniority quota for vacancies upto 31st January 2020, have already been done on 08.07.2021, 30.12.2021 and 01.02.2022.

Association side requested to cover the few left out cases of 2008 batch JTOs at the earliest. DPC may be conducted once the vacancies occur after SDE (T) to AGM (T) Promotion.

2(b) LDCE Notification for SDET

The association demanded for issuance of publication of LDCEs calendar.

It was informed that Hon'ble Supreme Court has given the judgment on general issues related to reservation in promotion on 28.01.2022. As per the court directions all the

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promotions made after 19th October 2006 need to be revisited/ reviewed as per the mandate prescribed in M Nagaraj and Jarnail Singh cases and further clarifications to be issued by DOPT. Further, the SLP No. 15148/2020 and 639/2021 of BSNL are still pending in the supreme court and coming up for hearing on 24th February 2022 along with main SLP 30621/2011. Till the final verdict is given by Hon'ble Supreme Court and follow up instructions are issued by DOPT it will not be advisable to issue any notifications.

2(c) SDE Seniority List Notification.

Association demanded the finalisation of SDE Seniority list-9 of VY 2006-07 and issuance of provisional Seniority Lists of further batches i.e. VY 2007-8, 2008-9, 2009- 10, 2010-11 in the cadre of SDE (T).

It was informed that the final seniority list number 9 has already been issued. The provisional seniority list number 10, 11, 12, & 13 have already been published for inviting errors and omissions. The work of finalization of seniority list number 10, 11, 12, & 13 is in progress and final lists shall be issued by Feb. 2022 end.

2(d) SDE to AGM Promotion.

Association demanded the promotion of SDEs to AGM grade immediately from all eligible candidates against the available vacancies as on 01.01.2021.

Association demanded the promotion of SDE(T) to AGM grade for filling up all available vacancies as on 01.01.2022 and covering the remaining ones through stagnation criteria to be introduced in MS RRs.

It was informed that Hon'ble Supreme Court has given the judgement on general issues related to reservation in promotion on 28.01. 2022. As per the court directions all the promotions made after 19th October 2006 need to be revisited/ reviewed as per the mandate prescribed in M Nagaraj and Jarnail Singh cases and further clarifications to be issued by DOPT. Further, the SLP No. 15148/2020 and 639/2021 of BSNL are still pending in the supreme court and coming up for hearing on 24th February 2022 along with main SLP 30621/2011. Till the final verdict is given by Hon'ble Supreme Court and follow up instructions are issued by DOPT it will not be advisable to go ahead with the promotions, in order to avoid any future legal complications. However, as a preparatory measure, Instructions have already been issued for updating the APAR grading of all SDEs from 2010 onwards in the ERP system vide this office order dated 15.12.2021.

It was assured that all efforts will be made to issue the AGM(T) Promotion after issuance of clarifications on reservation issue by DOP&T. Modifications in MSRR are under consideration by a committee constituted for the purpose.

2(e) AO to CAO Promotion.

Association demanded the issuance of promotion from AO to CAO and if required with necessary relaxation against available vacancies.

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It was informed that

(i) OA no. 1435/2018 is still pending in Hon'ble CAT Chandigarh in connection with the reservation issues in promotion orders from AO to CAO issued on 20.11.18.

(ii) Hon'ble Supreme Court has given the judgement on general issues related to reservation in promotion on 28.01. 2022. As per the court directions all the promotions made after 19th October 2006 need to be revisited/ reviewed as per the mandate prescribed in M Nagaraj and Jarnail Singh cases and further clarifications to be issued by DOPT. Further, the SLP No. 15148/2020 and 639/2021 of BSNL are still pending in the supreme court and coming up for hearing on 24th February 2022 along with main SLP 30621/2011. Till the final verdict is given by Hon'ble Supreme Court and follow up instructions are issued by DOPT it will not be advisable to go ahead with the promotions, in order to avoid any future legal complications.

As far as seniority list of JAOs is concerned, the final all India seniority list for JAOs(2015 batch) has already been issued on 05.11.2021. The provisional seniority list for 2016 batch is under preparation and shall be issued by Feb. 2022 end. Letter for starting preparatory work for (AO to CAO Promotion) like entry of APAR in the ERP may be issued to all Circles.

2(f) JAO to AO Promotion.

Association demanded the preparation of JAO gradation list and Issuance of promotion in JAO to AO grade against available vacancies.

It was informed that no vacancy is available in the grade of Accounts Officer. Hence, promotions in the grade of AO are not feasible due to non-availability of vacancies.

As far as seniority list of JAOs is concerned, the final all India seniority list for JAOs (2015 batch) has already been issued on 05.11.2021. The provisional seniority list for 2016 batch is under preparation and shall be issued by Feb., 2022 end.

2(g) SDE Reversal Issue.

Association demanded the final settlement of SDE (T), LDCE (2007), Reversal matter as one time measure.

It was informed that reversion cases related to LDCE -2007 in the SDE(T) grade are pending due to filing of multiple OAs/WPs in different CAT Benches and High Courts. The cases are under reexamination for exploring possibilities for out of court settlement after discussion with all stakeholders and associations and likely to be completed by April, 2022 end.

2(h) Promotion in Civil, Elect, Arch, CSS Streams

Association demanded the issuance of promotion in other wings e.g. Civil, Elect, Arch, CSS etc.

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It was informed that Orders of Promotions from JTO to SDE (Civil, Electrical, Arch, CSS, & TF streams) under Seniority Quota for the vacancies upto 31st January 2020 have already been issued.

2(i) LICE Notification for JE to JTO and other grades.

Association demanded the publication of calendar for holding of LICEs for JE to JTO and requested to pre VRS and post VRS vacancies may be separated for the examination purpose.

It was informed that LICE requisition for promotions to JTO for the 913 vacancies up to 31.12.2021 has already been received and accordingly, exam date was planned for May, 2022. However, the reservation issue is being contemplated and things will be more clear once judgment come on Feb.24, 2022. It was also assured that the Management will explore the possibilities to provide relief for promotion of JE to JTO.

3(a) Restructuring Discussion.

Association stated that they had already given presentation to the Restructuring Team and it was agreed to call them after going through the presentation and other details with tentative finalisation of post counts.

It was informed that based on the suggestions of Association, additional manpower in the executive cadre was considered & suitably incorporated in the final restructuring orders.

Association demanded to incorporate the suggestions given by the Circles like CTD, Chennai TD, Inspection Circle and other to review the strength in view of the submission. The association also demanded to make necessary change in the circulated structure vis-a-vis the sanctioned strength, which is not matching in the field units.

4(a) Standard Pay Scale E2-E3 Issue.

Association stated that the DO reminder letter was to be issued to the DoT and it was agreed to pursue for the approval of BSNL Proposal for E2 scale to JTO-JAO and E3 scale to SDE-AO equivalent.

It was informed that a reminder has already been sent to DOT on 29.11.2021 for the approval of BSNL's proposal for grant of E2 and E3 scales for JTO/JAO and SDE/AO of BSNL. It was assured that the matter will be pursued with DOT.

It was apprised that a meeting between BSNL and DoT is scheduled in the next week, which will be attended by the Director(HR) to persuade the matter of E2 and E3 Scale for JTO/JAO and SDE/AO equivalent grades. The Association side requested for the matter to be raised at the level of Secretary DoT for firm progress in the direction.

4(b) Pay loss Issue of Executives recruited in E1A (Issue of 22820)

Association stated that the management was agreed, to form the committee to examine the submission of the representation on the Pay Loss Issue of JTO 2007, 2008 and JAO 2010 Batches, who were recruited under notification of E1A.

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It was informed that the issue of pay loss of JTO 2007, 2008 and JAO 2010 Batches, who were recruited under notification of E1A has been reconsidered and a committee has been constituted to re-examine the issue. Inclusion of a representative in the committee from association side also, assured. Recommendation of the committee is awaited.

4(c) E1+5 Increment to all JTO/JAO recruited in E1 Scale.

Association stated that it was agreed to form the committee to examine the submission of the AIGETOA for extension of E1+5 advance increments to all JTO/JAO Recruited or promoted in E1 Scale to compensate their loss vis-à-vis others JTO/JAO.

It was informed that the issue related to grant of E1 + 5 increments to all JTO/JAO recruited in E1 scale was discussed by Nomination & Remuneration Committee. In its 7th meeting held on 04.03.2016 had recommended that the principle of replacement of E1A pay scale by granting 05 advance increments (on minimum of E1 scale) shall apply up to 08.07.2014 i.e. date on which DoT after consulting with DPE finally turned down BSNL's proposal for revised E1A scale.

Further, BSNL Board in its 169th meeting held on 29.08.2016 discussed the issue and it was mentioned that a Committee comprising of one Govt. Director and one Jt. Secretary from DOT and DIR(HR) and one other functional Director from BSNL which will examine the issue and give recommendation for consideration of the Board. Recommendation from Committee is still awaited.

It was told that the Management has already sent the reminder letter to DoT for E2 scales to JTOs/JAOs, which shall solve the problem. However, the demand of the association to form a committee for examining the extension of E1+5 to all JTOs and JAOs will be looked into in due course of time.

4(d) Pay loss Issue of DR TTA selected under DR JTO

Association stated that it was agreed in the 15-09-2020 meeting to form the committee to examine the submission of the AIGETOA on Pay loss Issue of DR TTA selected under DR JTO via external JTO Exam by applying through proper channel and promoted as JTO.

It was informed that the said issue was examined and a clarification was issued on 28.03.2012 that the appointment given under the direct recruitment quota after tendering technical resignation by the employee cannot be treated as promotion. Therefore, such employees are not entitled for exercising option for fixation of pay under para 3.6 of the Office Order dated 07.05.2010. Such employees are entitled for benefit of past service in terms of Estt. IV letter dated 23.06.2010. The issue was again clarified vide Estt. IV letter dated 11.11.2014.

4(e) First Time Bound Financial up-gradation in 4 Years

Association demanded the addition of new clause to provide 1st Time Bound Pay Up gradation in 4 Yrs uniformly in place of 4-6 years clause of EPP.

It was informed that the EPP is very clear in this regard that first time bound up gradation becomes due to the executive when the pay touches the minimum of the next higher pay scale in 4 to 6 years. After four years the executive becomes due for 2 time bound up

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gradation. Six year is the maximum period for 1st time bound pay up gradation, if the pay does not touch the minimum of next higher pay scale. This scheme is nondiscriminatory to any set of employees in a batch.

As regards the scope for reconsideration of any of change in its ground rules of EPP in the name of uniformity at this later stage, it is to be kept in mind that thousands and thousands of executives have already availed benefit of 1st and subsequent TBU under the EPP over the years & many of them have already retired and their pension settled by DoT. Any reconsideration now after almost two decades of the policy in practice will have wider ramifications. Further, any change in the ground rule of EPP will invariably require the approval of BSNL Board as well as concurrence of Administrative Ministry (DOT). In the present scenario, it is not feasible to consider any changes at this stage.

4(f) One increment of all functional promotion

Association stated that as the promotions are not carried out in time even with availability of vacancies and candidates and this forfeit the benefits of one increment in most of the cases due to EPP. So, standard rule should be framed to give one Increment on functional promotion uniformly.

It was informed that the Executive Promotion Policy and MSRRs framed with the approval of BSNL Board clearly laid that:

"Consequent to grant of any post based promotion, the officer's pay will be fixed under FR 22(1)(a)(1) only in cases where such post carries higher scale from the current scale of the executive being promoted. Further, where executive's pay scale is the same as that of the promoted post, benefit of one increment in the current scale of the executive shall be granted on promotion. However, in cases where the executive's pay is higher than that of promoted post, such post based promotions will be treated as placement with grant of substantive status of the post."

Thus, it is amply clear from the above that with a view to supplement the delay in promotion, EPP/MSRRS already have adequate provisions in the form of time bound pay scale upgradation/NF grades (leading to grant of increment) and all the executives of Gr. B equivalent and some STS equivalent are already availing the benefits under the provisions of promotion policy/BSNL MSRRS without any discrimination. There is no further scope for consideration of extra increment over and above the benefits already covered under the existing policies on the ground of delay in promotions.

5(a) 30% Superannuation Benefit & PRMB Fund

The Association demanded the recouping of leftover quantum of 30% SAB, which is presently 21.8% defined contribution. Formation & start of contribution in PRMBF for BR Executives.

It was informed that as per DPE guidelines, the payment of contributions towards Superannuation benefits is subject to conditions like affordability and capacity to pay by the CPSE. Therefore, increase of monthly rate of contribution towards Superannuation benefit (which is presently around 25.1% of Basic pay + DA per month) cannot be considered at this stage, due to present financial conditions.

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In case of PRMB Fund, at present, medical expenditure incurred by the employees is being reimbursed as per BSNLMRS. At present, no Post-Retirement Medical Benefits (PRMB) fund is created.

It was informed that as per DPE guidelines, the payment of contribution towards superannuation benefits is subject to conditions like affordability and capacity to pay by the CPSE. Therefore, increase of monthly rate of contribution towards superannuation benefits (which is presently around 21.8% of basic pay + D.A. permonth) will be considered with improvement in the financial condition of BSNL. Similarly, the formation of PRMB Trust and accumulation of the fund in PRMB will also be examined with improvement in the financial condition of BSNL. Further, BSNL is fulfilling its obligation by extending the facility BSNL MRS to the BSNL recruited employees, who have taken VRS or retired.

5(b) Family Group Health Insurance Scheme For Medical Treatment

Association demanded the implementation of a Group Health Insurance Scheme for all Executives especially for indoor treatment and continuing of outdoor treatment through BSNL MRS Scheme. Extension of Medical Health Check Up Facility to all executives in line with facility to SAG & above officers.

It was informed that BSNL is in process of implementation of Health Insurance Policy for all executives and non-executives purely on option and payment basis from the employees the process of which has already been initiated and quotation being invited. Negotiations is going on with lowest quotation. Due to Corona Crisis and related issues it will take time for its materialization.

As regards, extension of medical health check-up facility to all executives in line with facility to SAG and above officers, it is submitted that vide order dated 03.01.2017, annual health check-up has been permitted to all the employees below the rank of GM as per requirement and not exceeding Rs.3500/- pre individual annual ceiling of the employee.

Association side proposed to submit their proposal with regard to implementation of the GHIS by BSNL which was agreed to be examined by Admin. Section.

6(a) Bond Period Reduction to 2 Yrs as per notification of GATE JTOs/JAOs.

Association demanded that the Bond period should be reduced to 2 years from existing 5 years as their notification clearly specified bond period as two years. Bond Amount & Penal Interest calculation needs revisit as it increases with reducing period.

It was informed that in the recruitment notification of JTO 2017 in Para 8 the following has been provided:

‘8. Bond and Training (i) The candidates selected shall execute a Bond in the format as specified by the Company to serve in BSNL for a period of two years from the date of their appointment as JTO(T)(JUNIOR TELECOM OFFICER TELECOM) or a period as specified by BSNL for the post from time to time.’

However, immediately thereafter, a corrigendum in this regard was issued to all Heads of Circles vide letter No. 12-2/2-16-Rectt dt. 22.05.2017 which provides that stipulated bond period for DR JTO(T) should be read as 5 years instead of 2 years.

Bond amount had been fixed keeping in view the cost incurred in training of the selected candidates and stipend paid.

6(b) Implementation of Online Portal for Rule-8

Association demanded the capturing of all India data of through online portal for all Rule-8 transfer cases of JTO and JAO for their settlement to the best possible extent. Abolishing the condition which stops clearance of Rule-8 cases of GATE JTOs in line with previous policy existing to other JTOs previously

It was informed that the provision in ESS portal of ERP is already there for Rule 8 application. SAP-ERP, BSNL facilitates online application of Rule 8 & Rule 9 transfer request for eligible employees.

6(c) Abolishing discriminatory clause of Rule-8 of GATE JTOs

Association demanded for abolishing the condition, which stops clearance of Rule-8 cases of GATE JTOs in line with previous policy existing to other JTOs previously.

It was informed that in the recruitment notification of JTO 2017 at point no 2, it is stated that:

"2.Selection for a Particular Circle & Service liability:-

The BSNL comprises a number of territorial Circles and functional Circles. A list of the existing Territorial Circles along with their respective headquarters etc. appears in Annexure-B. The JTO (T) (Junior Telecom Officer Telecom) is a Circle-based Cadre and the candidates would be selected against the vacancies of a particular Circle. (The candidates are required to serve in that particular Circle until they are promoted to All India Cadre). However, BSNL has the right to post any selected JTO(T)(Junior Telecom Officer Telecom) to any of the Circles either temporarily or on permanent basis. The decision of BSNL in this regard will be final and binding. The service conditions, seniority etc. of selected candidates will be determined as per prevailing rules of the Company from time to time."

The para that 'The candidates are required to serve in that particular Circle until they are promoted to All India Cadre' are included this time, however next para BSNL has thefinal and binding - nullifies this para and making it same with other recruitments made in the JTO cadre.

6(d) Clearance of Rule-9 Cases of JTO/JAO

The Rule 9 transfer cases in respect of JTO(T) are being issued in accordance with the provisions of amended Rule 9 BSNL BSNL Policy issued vide this office letter dated 27-08-2021 on regular basis. Now, transfer cases are issued regularly, the item may be closed.

6(e) Opening of Deputation channel for BSNL Executives

Association demanded to open the deputation channel for BSNL Executives.

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It was informed that after VRS-2019, the priority of the Management remains to manage effectively and ensure continuity of operations with the remaining staff strength which has reduced to almost half of its pre-VRS strength. Therefore, it was decided to ban forwarding of applications temporarily for a period of two years till 31-12-2022 in respect of BSNL permanent employees in the interest of the company.

Additional Agenda Items

1. Introduction of Pre Paid Medical Payments (without voucher)

Association demanded for introduction of Pre paid medical payments (Without Voucher).

It was informed that the said proposal cannot be considered at this stage, due to present financial conditions.

Revision of decade old TA/DA Rule applicable as on date

Association demanded that the revision of decade old TA/DA Rule applicable as on date.

It was informed that the TA-DA rules vide BSNL CO letter no.7-6/2006/EF/Vol-II (pt). Dated 08-09-2010 and amendment to TA_DA rules vide BSNL CO letter No.1-15/2016 PAT (BSNL) dated 15.02.2017 are applicable as per 6th Pay commission to all BSNL Employees including absorbed BSNL employees and for the DOT Employees deputed in BSNL (ITS) the TA-DA as per 7th CPC guidelines of DOE & DOT vide letter: 7-26(3)/2017 DOT dated 24-07-2017 applicable. However, revision of old TA/DA cannot be considered due to present financial condition of the company. Further, it was assured that conditions of IQs will be tried to be improved and feasibility of activating IQ Booking Portal at All India Level will be explored.

Restoration of LTC Facilities to the BSNL Employees


Association demanded that the revision of LTC facilities to BSNL Employees.

It was informed that due to present financial conditions, restoration of All India LTC facility for employees below the age of 59 years cannot be considered at this stage. The facility of Home Town LTC is already available to all employees.

2. Inclusion of Recognized Association AIGETOA in all committees formed for the purpose of RR Framing/Modification.

Association demanded for inclusion of Recognized Association AIGETOA in all committees formed for the purpose of RR Framing/Modification

It was informed that the BSNL has been formed on 15.09.2000 and several RRs have been framed over the last 21 years. In the past comments have been invited from the recognised Associations/ Unions, as the case may be during the framing of RRs and no one from the recognised Associations/unions has ever been included in the committees consisting of the senior officers of the BSNL. This time also the comments have been invited from the recognised Associations.


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3. Allotment of Residential Quarter/Bungalow on the name of AIGETOA CHQ at Delhi

Association demanded for allotment of Residential Quarter/Bungalow in the name of AIGETOA CHQ at Delhi

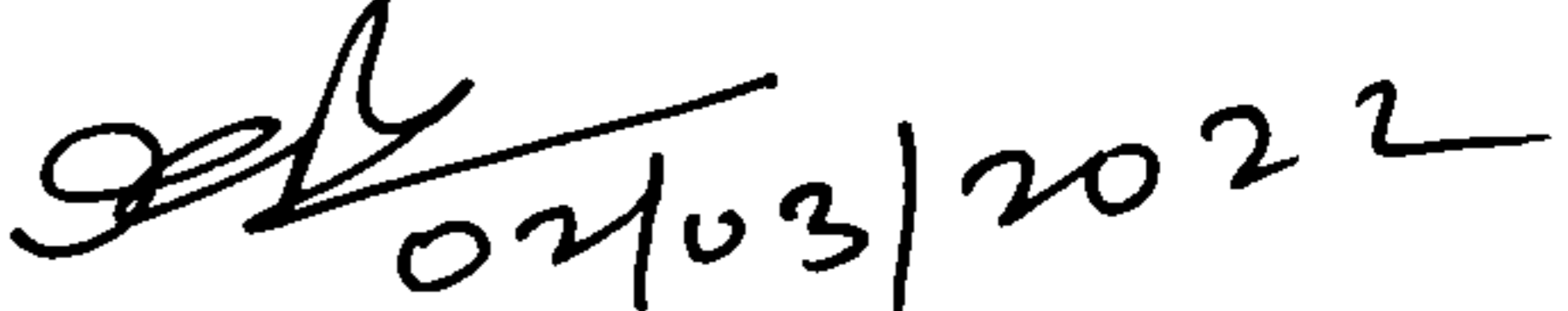
It was informed that in this regard a Committee has been constituted to form/review Policy/Guidelines for allotment of office accommodation to Unions / Associations post VRS 2019 and CROP 2020 implementation. It has been assured that action in the matter will be taken soon.

Worthy Director (HR) concluded the meeting by thanking all the members of the association for long and peaceful discussion and their positive attitudes. He stated that BSNL is going towards healthy direction and thereafter enlighten to all audience on various issues i.e merger of BSNL & BBNL, Clarification, on Govt. budget that it is for old pensioners & old VRS opted, not for New VRS, BSNL land monetization, spectrum issues etc. He expressed his confidence that with continued support of government, BSNL will soon be a reckoning force again in Telecom Sector. He apprised that the development of domestic 4G core is in advance stage and the same is expected to be completed successfully. He also assured that BSNL will not lag in implementation of 5G either.

At the same time, Director(HR) asserted to prioritize issues and take expeditious and suitable measures to settle the issues.

The Director HR appealed to the association to assure their members and executive fraternity to remain rest assured about the survival & revival of BSNL. Finally, concluded that raising of BSNL revenues is only way to sort out all the issues and requested to achieve at least increase of 1% market share in mobile market. After that meeting ended with positive note.

This issues with the approval of Competent Authority.


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(Krishna Murari Ruhela)
Asstt. General Manager (SR)
Tel # 011-23766063

List of participants

Members from Management

Sh. R.K. Goyal	PGM(Pers.)
Sh. Saurabh Tyagi	Sr. GM(Estt.)
Sh. S.P.Singh	Sr. GM(Admn.)
Ms. Anita Johri	Sr. GM(SR)
Sh. Surajit Mandol	Sr. GM(CA)
Sh. S.N.Gupta	GM(Restg.)
Ms. Samita Luthra	GM(Rectt.)

Members from Association (AIGETOA)

Shri Ravi Shil Verma	President
Shri Wasi Ahmad	General Secretary
Shri Badri Mehta	Vice President
Shri Yogendra Kumar	Asstt. General Secretary
Shri Sunil Gautam	Asstt. General Secretary
Shri Rajendra Singh	Executive Member

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