



राष्ट्र हित

विभाग हित

अधिकारी हित

# All India Graduate Engineers & Telecom Officers Association

## Central Headquarter, New Delhi

( The Recognised Representative Association of BSNL )

( Affiliated to BMS )



Regn. no. HR/019/2018/02138

President

**G Veerabhadra Rao**

9440648648

General Secretary<sup>[IC]</sup>

**Pavan Akhand**

9424726666

Finance Secretary

**Badri Kumar Mehta**

9868183579

All communication at E-mail - "chqaigetoa@gmail.com" only

GS / AIGETOA / 2022-23 / 61

Dated 03.05.2023

To,  
Sh Arvind Vadnerkar Ji,  
Director HR, BSNL Board,  
New Delhi.

**Subject: Resignation under "Technical Formality Clause" for the BSNL Recruited Employees- Regarding.**

- Ref: 1. No.W-02/0017/2014-DPE (WC) - GL-IV/17 dated 1<sup>st</sup> Feb 2017.  
2. DPE O.M. No. 2(34)/2012-DPE (WC)-GL-XX/12 Dated 14th December, 2012.  
3. DPE O.M. No. W-02/0017/2014-DPE-(WC)-GL-XI/14 Dated 21st May, 2014.  
4. BSNL CO LETTER NO. 250-16/2018-Estt.-III dated 04/10/2018.

Respected Sir,

1. I am writing to inform you, with regards to the captioned subject that BSNL is not implementing the DPE guidelines cited under reference with regards to the resignation falls under the **"technical formality clause"** only in case of BSNL recruited employees. If a BSNL recruited employee applies to another CPSE/Government organisation through proper channel on their selection, the BSNL recruited employees are not permitted to submit their resignation under technical formality basis. Whereas the DPE in its office memorandum dated 1<sup>st</sup> Feb 2017 clarifies that **"... Resignations under 'Technical Formality clause' includes resignations in cases where a Central Public Sector Enterprises (CPSE) employee has applied for a post in the same or other CPSE through proper channel and on selection to the said post, is required to resign the previous post for administrative reasons.."**. The Department of Public Enterprise already endorsed these orders to all CPSE chief executives for the compliance and implementation in their respective CPSEs.
2. Only BSNL recruited employees are prevented from seeking the resignation under technical formality basis on their selection through proper channel, whereas all other category of the BSNL employees enjoy these rights and also provided with complete service benefits like pension, encashment of earned leaves and gratuity. At this juncture I am constrained to bring to your kind attention to the Rule no. 17 of BSNL CDA Rules, whereas the statutory rules of BSNL do not distinguish the resignation from retirement. Curtailing the service benefits of the BSNL recruited employees is not appropriate for a model employers like BSNL which a scheduled public sector deemed as state. If any BSNL recruited employee desires to work for the endeavours of the Government of India and applies and selected through proper channel is being punished and indirectly imposing the employment restrictions on BSNL recruited employees violating their fundamental rights enshrined under constitution of India.
3. Despite clear DPE instructions on extending the complete service benefits to CPSE employees on their selection to another government organisation, BSNL is restricting leave encashment to 150 days on one hand and while when it comes to extending the service benefits; BSNL is denying DoPT rules favourable to the BSNL Recruited employees.

Regn. No. HR/019/2018/02138

Regd. Office : Flat No. 716, Studio Apartment, Omaxe Height, Sector-86, Faridabad, Haryana - 121006

4. It is case of clear discrimination despite the Government of India guidelines issued through Department of Public Enterprises (DPE)/Dept. of Personnel and Training (DoPT) and violation constitutional rights of BSNL recruited employees enshrined under article 14, 16 and 21 enshrined under constitution of India with regards to public employment and right to life.

In view of the above, it is requested to revise the BSNL guidelines and endorse the DPE/DoPT guidelines to allow the BSNL recruited employees to seek the resignations under 'Technical Formality clause' on their selection to another CPSE/Government organisation applied through proper channel.

With Regards,



[Pavan Akhand]  
General Secretary, AIGETOA

Copy to :

1. CMD BSNL, New Delhi for kind information please.
2. PGM Establishment for kind information & n/a please.
3. PGM SR BSNL New Delhi for kind information please.
4. GM Pers BSNL New Delhi for kind information please.