**No: CHQ/AIGETOA/368 Dated: 17th July-2012**

**To**

Sh R K Upadhyay

CMD, BSNL

Corporate office, New Delhi

**Subject: Regarding extending trade union facilities to AIGETOA at par with SNEA(I) and AIBSNLEA.**

**Dear Sir,**

 At the outset, on behalf of direct recruits executives I have highly grateful to your kind for extending trade union facility vide SR Cell letter no BSNL/31-1/SR/2011(1) dated 30th Dec 2011 which has privileged us to represent the genuine issues of direct recruit executives at every level in this company. But it is learned that even special CL to the circle secretaries to attend the AGM of the association to fulfill the constitutional provision has not been given at several places.

 This association has been demanding since it’s formation to extend trade union facilities at par with SNEA (I) and AIBSNLEA. The above letter issued by SR cell of BSNL CO gives us privilege of informal meeting with the management but yet facilities given to SNEA (I) and AIBSNLEA like transfer immunity to the representatives and special CL for conducting meeting to fulfill the basic constitutional requirement of the association.

In several meeting we have been communicated that as BSNL has so far not framed the rules and guidelines for the verification of service association hence these two associations are enjoying trade union facilities recognized by DOT. But letter of SR cell of DOT attached herewith vide letter number ***F.No. 25-1/2003-SR dated 2nd June 2004*** clearly reviles that SNEA (I) was non-existing association in DOT and DOT has out rightly rejected their recognition by saying to approach PSU for recognition. In the same way AIBSNLEA was also non-existing association in DOT. It is strange that both the associations are formed in BSNL and DOT has not at all extended any recognition in BSNL in fact denied then how these two associations are enjoying the trade union facilities in BSNL while AIGETOA is being denied the same.

As BSNL has not framed any rules and guidelines so far for the service association and CCS (RSA) rules, 1993 is governing the same. It is clearly mentioned in the SR cell of DOT letter itself that **as per 5 ( C ) of CCS (RSA) rules, 1993 membership of service association is to be restricted to the distinct category of government servant having common interest which only AIGETOA fulfills.**

Broadly, BSNL has two distinct categories of employees at the executive level: -

* BSNL absorbed executives (i.e. DOT recruited), and
* BSNL recruited executives.

The grievances and issues pertaining to the direct recruit executives to whom this association represents differ in many ways including recruitment method, qualifications, job security, future security and retirement benefits, etc. with respect to absorbed executives. For example, the absorbed officers have different terms and conditions as compared to the BSNL recruited executives with regard to superannuation benefits like Pension, EPF/GPF, Gratuity Funds, etc.

Extending the limited trade union facilities to certain associations and denying for others is clearly indicative of partiality and also indirectly encourages executives to join these associations so that these associations may in turn favor the management of BSNL as and when required.

Hence, in the light of above facts it is the high need that two associations should be given recognition after membership verification - one for BSNL absorbed officers and another for BSNL recruited officers. This will enable both categories of executives to voice their opinions and grievances without any constraints and without any scope for unfairness or bias.

Till that time, this association is not at all in favor of withdrawing the facilities extended to mention two associations till membership verification is done **but strongly demands that same facilities be extended to AIGETOA to avoid any prejudice and bias.**

Yours faithfully,

 (R.P. Shahu)

Copy to:

1. Sh A.N. Rai, Director (HR) BSNL for kind information and necessary action.
2. Sh. A.K. Gupta, Sr. GM (Recruitment) for kind information and necessary action.