



All India Graduate Engineer Telecom Officers Association

(An Association of DR Graduate Engineers / Account Officers of BSNL)

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GS/AIGETOA/2019/32

Dated 30.05.2019

To,

The CMD,
Bharat Sanchar Nigam Limited
BSNL Corporate Office, Janpath,
New Delhi-110001

Subject: Denial of long awaited genuine promotions in the cadre of JTO to SDE (T) on the pretext of legal hurdle while at the same time extending promotions in the cadre of SDE to AGM beyond the sanctioned strength to settle the court cases by upgrading the posts on matching saving basis-Regarding

Reference:

1. No. 400-106/2007-Pers I dated 14.07.2009 of GM (Pers.), BSNL CO, New Delhi
2. Promotion order No. 412-03/2017-Pers-I Dated 29-6-2018 of BSNL CO, New Delhi.
3. RTI Reply vide No-7-1/Pers.BW/2018/E-1 Dated 24-07-2018
4. RTI Reply vide No- 410-25//2019-Pers.I Dated 21-02-2019
5. BSNL affidavit on CPSU policy in OA 890/2017 on 12-3-2019.

Respected Sir,

Your kind attention is requested towards the issuance of promotion orders in the cadre of SDE to AGM vide letter under reference # 2 and subsequent orders. As per RTI reply referred at # 3, it has come to our notice that around 3105 AGM posts were created after surrendering the equivalent number of SDE posts. It is learnt that thereafter some more posts were created by surrendering more SDE posts as per RTI reply referred at # 4. **The complete exercise of 3105 AGM post creation though up-gradation of post by surrendering SDE level posts was done in a single day and that too without following the due norms & regulations for post creation.** *It is further submitted that as per provisions of BSNL MSRR 2009 issued by BSNL CO, New Delhi vide letter no 400-106/2007-Pers.I dated 14th July 2009 and approved by BSNL Board of Directors, total sanctioned post in the cadre of AGM is 5461 only.* Whereas BSNL has promoted excess AGM vide aforesaid promotion orders and now the total strength of regular AGM/DE (T) through SCF quota has become 6317 (*as per RTI reply referred at #4*), which is even higher than total sanctioned strength of AGM in Telecom i.e. 5461 and much higher than the sanctioned strength of AGMs available under SCF quota in telecom i.e. 2731 in BSNL MSRR 2009 (referred at #1). Further, BSNL MS RR 2009 Para 1.3 states that "any relaxation/modification/amendment to these rules will vest with the BSNL Board". **So, changes in sanctioned strength of the AGM cadre defined by RRs should have been done only after the approval of BSNL Board but the same was not followed by the concerned authority as per the information received through RTI reply as referred above.**

The said promotion by up-gradation will also result in upside revision of pension to many executives due to re-fixation by virtue of their existing pay scale in E4 scale at the time of promotion. *It is pertinent to mention here that as per prevailing orders, any decision which results in pension implication should be sent to DoT for concurrence.* **However, no such action was taken by BSNL while upgrading the posts on matching saving basis as per the information available through RTI documents.**

The aforesaid note sheet clearly mentions that the post up-gradation was done under "Matching Saving" basis which is normally done under extreme contingencies in government department as per DoPT/ Gol guidelines **but the same is completely missing in this case as far as abstract of the note sheet is concerned.** The reasons

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for the following this methodology as stated in the note sheet is not any extreme exigency but the long running of court cases and to settle the seniority dispute. **It is clearly evident that the said promotions were executed to promote specific group and not to settle any extreme contingency as most of the promoted officers have not been displaced from their places of posting as SDE.**

Further, in the approval note sheet, to justify process for such up gradation, one of the reasons mentioned is that **there is an expected implementation of a CPSU policy. But in fact, it is learnt that the said CPSU policy which was mentioned in the note sheet has not even been finalized till date.** BSNL themselves have made an affidavit before Hon Court of law that till date the proposed CPSU policy is not finalized. It also mentions that it requires further deliberations before approval / implementation of the CPSU policy. The affidavit submitted by BSNL on 12/3/2019 (Par-4) in OA 890/2017 before Hon'ble CAT, Ernakulum can be referred in this regard at # 5. **This becomes further unjust considering the fact that reason for surrendering the post is mentioned as "JTO to SDE Promotion is not being considered beyond VY 2010-11 while at the same time other wing of Personnel Section had already initiated the process of promotion from JTO to SDE beyond vacancy year 2010-11.**

So from above, it is quite clear that officers who were processing the case have suppressed the facts while proposing such benevolent schemes of promotions from SDE to DE/AGM. Further, there is no mention of rules and guidelines of DoP&T for creation of posts on matching saving basis which is nothing but concealing of facts by those processing the case for reasons best known to them. Herein, it will be pertinent to mention that the officers processing the case and many other officers of the section were direct beneficiaries of these upgradations. Therefore, it requires a thorough enquiry that why the relevant facts and rules have been suppressed, while doing such a mammoth exercise of up-gradation.

We have to further submit here that the benevolence shown by management while executing promotions from SDE to AGM is missing when it comes to the promotions of JTO to SDE, where the affected group happens to be mostly BSNL Recruits. On one side, BSNL management is so generous that ready to execute SDE to AGM Promotion beyond the sanctioned strength by way of up-gradation of post but the same office is denying the legitimate due to the JTOs for promotion to the post of SDE(T) citing legal entangle even when about 8000 vacancies are available in the cadre. It is important to note here that there is no stay on JTO to SDE(T) promotion from any Hon'ble Court to the best of our information.

Due to this partisan approach and indefinite delay in promotion, a huge unrest is creeping up in the minds of young executives across the BSNL which may result into a situation where growing turmoil and distress may compel this association and its members to come on streets to protest against gross injustice meted out to BSNL recruits by denial of promotion from JTO to SDE (T) even after serving more than 18 years in JTO grade.

Therefore, it is high time that the department should execute the long pending promotion orders of JTO to SDE (T) cadre instead of delaying the matter on pretext of court cases to address the issue and to avoid industrial unrest. We further request to initiate corrective measures with respect to the upgradation of the posts and restore the rights of BSNL recruits.

With warm regards,

--Sd/--

[MD. WASI AHMAD]
General Secretary (I/C)
AIGETOA, CHQ

Copy to:

1. All Board of Directors, BSNL Board for kind information and needful please.
2. The PGM (Pers) for kind information and necessary action please.
3. The GM(SR) BSNL CO, New Delhi for kind information pl.