



All India Graduate Engineers & Telecom Officers Association

Central Headquarter, New Delhi

(The Recognised Representative Association of BSNL)

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GS/AIGETOA/2022/84

dated 05.08.2022

To,

**The Director (HR),
BSNL Board, BSNL CO
H. C. Mathur Lane, New Delhi**

Subject: AIGETOA views on the management proposal for modification in the immunity available to OBs of the Recognised Association and Support Association -Reg.

Reference: 1. BSNL Letter No BSNL/20-22/SR/2022 dated 18.07.2022 and 04.08.2022
2. BSNL REA Rule notified vide BSNL/31-2/SR/2009 dated 06.01.2014
3. DoT letter No . 10-7/72-SR dated 06/06/1978

Respected Sir,

Kindly refer to the letter cited under reference where suggestions were sought on the proposal of the management for changes in the clause of "immunity from transfer" bearing number 10(5) and 10A (4) of BSNL REA Rule-2014 from the association.

At the very first outset we hereby object and register our strong protest on the modifications or changes proposed during ongoing recognition period, which directly encroaches the rights envisaged in BSNL REA Rules-2014 & guidelines thereof. Here, we emphasis that the guidelines shouldn't be altered in the middle of the recognition period and any changes can be implemented only from next term of recognition. It is worth to note Rule clause 10(1), 10(2), 10(9), 11(4) & clause 16, which states that "***BSNL management may dispense with or relax the requirements of any of these rules only in consultation with the recognised representative association, to such extent and subject to such conditions as it may deem fit in regard to any Service Association***". In view of the above, we hereby register our protest for consulting other association on the subject matter, which is a gross violation of above provisions of BSNL REA Rule-2014. We do hope that management will take cognizance of it and take corrective measures in this regard.

Here, we would like to remind that extending immunity to OBs of associations is not out of generosity but as per the right of association to facilitate fearlessly working and raising issue of executives and employees without any victimization from the authorities. Hence any down gradation will be seen as an attempt to weaken and suppress the legitimate voice of Employees. Our observations and suggestion are as below:

1. It is noted that a deliberate attempt is being made by the management vide point (b) of referred proposal to link the immunity of OBs with membership count at BA Level, which is highly arbitrary and cannot be accepted. This is to apprise that already count of earlier SSAs have considerably reduced from 330 SSA to 158 BA after restructuring. So, the facility should be continued irrespective of strength of members of association or executives in BA (ENTIRE). It is further to state that many erstwhile big SSAs have converted into OA on account of certain parameters and hence immunity to OBs from transfer should be continued at OA also. In view of above, the given Table under point (b) is not unacceptable as it weaken the voice of employees.

Regn. No. : HR/019/2018/02138

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2. It may be noted that facilities extended to executive associations and unions in BSNL were derived from various rulings as available in Ministry of Communications/ DoT with regard to facilities admissible to unions/associations and a compilation of such rulings is given through letter dated 6-6-1978 (Ref#3). **This in turn point to the fact that immunity from transfer for Secretary, Assistant Secretary & Treasurer was extended to unions/ associations not only in BSNL period , but was available in earlier periods and most importantly, the same cannot be connected with the membership count at any particular level.**
3. Point (d) mentioned in the letter under reference-1, directly contradict the rights of association as envisaged in the respective constitution and bylaws by which its registered , where any paid can occupy its office bearer post as decided and eligible in association bylaws. **The intrusion into the rights of member's right as envisaged in bylaws is totally unwarranted. Hence point (d) is not accepted.**

This association observes that such proposals should be first discussed elaborately with facts and figures instead of direct proposal for modification from management without any discussion/suggestion, which is totally against the merit of the recognition rules for executive association in BSNL. Here, we want to stress that the association is not averse to the constructive discussion and welcome any such move of the management but we can't compromise on the democratic rights available to the recognised association.

So, based upon above apprehensions and concerns, we feel that the proposed modification is unilateral and arbitrary against the existing facilities extended to recognize and support association during the recognition period. Hence any downgrading of the facilities is not acceptable to the association. At the same time we are open to the suggestion of entry of Office bearer's details in ERP portal with due approval of BA head for better transparency in the matter and check any misuse of the privilege. We further request that the President of the association at respective levels should also be included in immunity of transfers during the recognition period of the recognised association.

Thanks and Regards

Yours Sincerely

Sd/--

[MD. WASI AHMAD]

General Secretary

Copy to:

1. The PGM SR, BSNL Corporate Office, New Delhi for kind information and NA please.