

JOINT FORUM OF BSNL & MTNL UNIONS / ASSOCIATIONS

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(Affiliates: BSNLEU, NFTE(BSNL), SNEA(I), AIBSNLEA, MTNL Staff Union, MTNLEA, TEAM, AIGETOA, BSNLMS, BTEU-BSNL, TEPU, NFTBE, SEWA BSNL, FNTOBEA, BSNLWRU, BSNL ATM, BTU-BSNL, AIBCTES and BSNL NTSU)

To

Dated: 30.10.2012

Respected Sh. Manmohan Singh ji,
Prime Minister of India,
New Delhi.

Sub: Immediately end illegitimate deputation of non-optee ITS in BSNL/MTNL to protect the viability of Government's prestigious and strategic telecom companies, BSNL & MTNL, which are fast sinking. Take immediate steps to end decade old exploitation and discrimination of absorbed/recruited employees of BSNL & MTNL either by taking them back to DOT or immediately repatriating unabsorbed ITS to DOT --- End existing dangerous duality.

Respected Sir,

BSNL was formed on 01.10.2000 after Government decided to open up Telecom sector for competition and have its own service provider in telecom operations. MTNL was formed in 1986 itself. The government along with this also decided to absorb all the employees of DOT in BSNL/MTNL to end the conflict of interest between licensor (DOT) and service providers (BSNL/MTNL), and more importantly to enable and fully equip its own Companies, BSNL & MTNL, to effectively and successfully face emerging intense competition in the telecom sector.

Considering the critical and unquestionable significance of top management being an integral part of the new born Companies, BSNL & MTNL, so as to give a new thrust, momentum and direction to the just born Companies in terms of policies, strategies, vision and leadership, Govt. should have started the absorption process from Group "A" downwards. But ITS controlled BSNL & MTNL Managements, having profound concern for their job security rather than growth of the Companies, right from the day one, in connivance with DOT, started the absorption process in a topsy-turvy manner, from Group "D"/"C"/"B" onwards. Govt's counter-productive and irrational decision, guided by extraneous considerations, to give five years to Group "A" to continue in BSNL & MTNL on deputation was the beginning of real disaster for viability and growth of BSNL & MTNL and also decade old ruthless exploitation and discrimination of 4 lakh Group "A/B/C/D" employees who faithfully reposed confidence in the decision of the Govt. to get absorbed in BSNL/MTNL.

More than 95% ITS Group "A", holding key positions of policy in BSNL/MTNL, instead of single-mindedly getting focussed in drafting comprehensive and strategic blue print for growth of BSNL & MTNL, at its very inception, to face emerging stiff competition, have been singularly engrossed in defeating the decision of Govt. to absorb in BSNL/MTNL to protect their vested interest of job security. **Union Cabinet, while out rightly rejecting the proposal of DOT thrice to allow ITS to continue in BSNL/MTNL on perpetual deputation, only extended their deemed deputation from 30.09.2005 to 31.12.2008. Thus, their continuation in BSNL/MTNL after 31.12.2008 is blatantly illegal. Since 2005, four opportunities were given to ITS, in 2005, 2008, 2011 and lastly by High**

Court of Delhi in April 2012, to get absorbed in BSNL/MTNL. They consistently disobeyed decisions of govt. as well as verdict of High Court Delhi only to safeguard their vested interest of job security.

During last seven years of their illegitimate continuance in BSNL/MTNL, ITS enjoyed all the benefits of BSNL/MTNL as well as government which are briefly enumerated as under.

- **They enjoyed uninterrupted and unmatched career progression in BSNL & MTNL against the posts of BSNL & MTNL in total defiance and contravention of orders of DOP & PW which reiterated on 19.03.2012 that unabsorbed ITS working in BSNL/MTNL are not eligible for promotions against posts of BSNL/MTNL and all the promotions they have got against posts of BSNL/MTNL need to be reviewed.**
- **Their CDA pay scales of 6th CPC are being borne by BSNL/MTNL regardless of whether BSNL/MTNL is in a position to pay or not, and their post retirement benefits, mainly pension and pension revision, are fully protected and regulated under the provisions of 1972 CCS pension rules of govt. In sharp contrast, absorbed BSNL & MTNL employees are yet to fully get IDA scales recommended by 2nd PRC and approved by the govt. since their IDA pay scales are paradoxically linked to paying capacity of BSNL/MTNL. There is a big question mark on future revision of pay scales and pension of absorbed employees whereas in case of unabsorbed ITS future revision of CDA pay scales is fully assured and is to be borne by BSNL & MTNL and there is absolutely no uncertainty on their pension and pension revision.**

The results of allowing BSNL & MTNL to be led for about a decade by a borrowed management with no affinity, stake, commitment and sense of belonging to the companies are obvious when the Companies, which had incredible reserves of thousands of crores a couple of years before, today is barren. BSNL & MTNL Managements having total and unqualified allegiance towards safeguarding vested interests of ITS **took no initiative whatsoever during the last seven years to build management structure belonging to the Company even after ITS Group "A" made their intensions very clear in 2005 itself.** Some of the initiatives that BSNL/MTNL management claims to have taken in this regard were just very superficial to simply mislead the Govt. **While growth of the Company started registering downward trend since last five years, top management of the Companies (ITS) were fully engrossed in singularly pursuing its diabolical agenda of defeating govt's decision to absorb them in BSNL/MTNL.**

DOT and BSNL/MTNL managements in their bid to purchase peace with ITS by safeguarding their jobs by approaching Union Cabinet to consider continuance of ITS on perpetual deputation in BSNL/MTNL are playing with fire since they are deliberately concealing the deadly consequences that this move will have on future viability of BSNL & MTNL. Such a situation will undoubtedly lead to severe and everlasting industrial turbulence, deficit of trust, instability and complete demoralization. Such a preposterous proposition will have colossal and inevitable implications of tearing the Companies into pieces. Both DOT and BSNL/MTNL managements are intentionally suppressing the traumatic conditions that such a proposal will create for more than 3.2 lakh BSNL & MTNL employees. There cannot be two kinds of employees one absorbed/recruited and another on deputation, which is against the principle of equality in service conditions and other matters.

Thus legitimate, just and unequivocal demand of the Joint Forum of BSNL & MTNL Unions/Associations is that unabsorbed ITS should be forthwith repatriated to DOT in accordance to the decision of Govt. or else absorbed/recruited employees of BSNL & MTNL be taken back on the rolls of the Government and permitted to work in BSNL/MTNL on perpetual deputation like unabsorbed ITS Group "A" officers who are working illegitimately in BSNL/MTNL for a decade.

Thanking You,

Yours Sincerely

Copy to:

1. Sri. Kapil Sibbal, Hon MOC&IT, New Delhi for information & n/a please.
2. Sri. Ajit Kumar Seth, Cabinet Secretary, Govt of India for information & n/a please.
3. Sri. R. Chandrasekhar, Secretary, DOT for information & n/a please.
4. Sri. R. K. Upadhyay, CMD, BSNL for information & n/a please.