



## NATIONAL FEDERATION OF TELECOM EMPLOYEES – BSNL

Regd. No.4906

Andhra Pradesh Circle

"Telecom House" 3-4-1013/9, Barkatpura, Hyderabad-500 027.

Telephone No: 27562177, Cell No: 94414 41377 website: nfteap.org

Lr.No. NFTE /AP/Notice/2011/08/01

Dated:24-08-2011

To  
Shri Rajeev Agarwal, ITS  
Chief General Manager,  
BSNL, A.P. Circle,  
Abids, Doorsanchar Bhawan,  
Hyderabad – 500 001.

Respected Sir,

Sub: Serving of agitation notice - for settlement of demands and against discrimination role of Management towards the Non-recognised Union Members issues – Reg.

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Our Union always prefers the negotiable settlement by maintaining the cordial relationship with the management and industrial peace. But the Management in all levels taking the discriminatory role to-wards the Non-recognised Union Members issues by violating the corporate office guidelines/instructions. In the present situation, the corporate office is taking efforts by introducing the several experiments to improve the financial position of the BSNL Company. But other side the General Managers are adopting the discriminatory attitude towards settlement of the grievances of the Non-recognised Union Members, which damage the aim of the corporate office.

Under the exceptional situation, we compel to serve the agitation notice to the Management, in accordance with the provisions contained in Sub-Para (1) of section 22 of Industrial Dispute Act, 1947 for settlement of the demand mentioned in the Annexure to this notice **on or before Dt.12<sup>th</sup> Sep, 2011**, failing which our union will go on agitation Programme as indicated below. Hence you are requested to kindly bestow your personal attention for settlement of issues listed herein and give an opportunity to have a negotiated settlement.

### PROGRAMME OF TRADE UNION ACTION DECIDED BY THE UNION

- 1) Dt. 15.09.2011 : Observe: CALL ATTENTION DAY by wearing black badges and Lunch-Hour gate Demonstrations at all SSA head-quarters.
- 2) Dt. 17-09-2011 : 24Hrs Hunger strike by the Circle/Dist. Secretary, and Circle Executive members at the H.Q. of Eluru SSA.
- 3) Dt. 19-09-2011 : 24 Hrs. Hunger Strike by the Circle/Dist. Secretary and Circle Executive members at the H.Q. of SRIKAKULAM, SSA.

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- 4) Dt.21-09-2011 : 24 Hrs. Hunger Strike by the Circle/Dist. Secretary,  
Circle Executive Members at the H.Q. of Vijianagaram SSA.
- 5) Dt. 23-09-2011 : 24 Hrs. Hunger Strike by the Circle/Dist. Secretary,  
Circle Executive Members at the H.Q. of Visakhapatnam SSA
- 6) Dt. 26-09-2011 : 24 Hrs. Hunger Strike by the Circle/Dist. Secretary,  
Circle Executive Members at the H.Q. of Warangal SSA

If the issues are not settled, further programme including indifferent hunger strike will be circulated separately.

Kindly acknowledge the receipt of this Notice.

With kind regards,

Hyderabad  
Dt. 24-08-2011

Yours sincerely,

  
(K.ANJAIAH)  
Circle Secretary

Encl: Annexure.

Copy to:

1. Com. Chandeshwar Singh, General Secretary, NFTE – BSNL, New Delhi.
2. The Chairman & Managing Director, BSNL, New Delhi - Through General Secretary, NFTE- BSNL – for kind Information.
3. The Regional Labour Commissioner (Central) ATI Campus, Sivam Road, Hyderabad – for information.
4. The General Manager HR o/o CGMT BSNL, Hyderabad, for kind information.
5. All General Managers, BSNL & Pr. General Manager, Hyd in A.P. Circle.
6. All Dist. Secretaries and Circle union office bearers – in the Circle.
7. All Circle Secretaries of BSNL Workers alliance partners – for Solidarity Please.

Yours sincerely,

  
(K.ANJAIAH)  
Circle Secretary

## ANNEXURE

### DEMANDS FOR SETTLEMENTS:

**1. Irregular consideration of request transfers without TA/TP – allowing corruption – Violating the BSNL Transfer Policy – Regarding.**

After persistent efforts by NFTE, transfer policy was notified for non-executives on dt.07.05.08 and amended on dt.13-08-2008. If there are any omissions / commissions or deficiencies in the Transfer policy the Management at lower level or the recognised union or any other Union Should have got issued to the main policy. But the local officers are deviating the said policy and issuing the clarifications / guidelines, Violating the said policy.

“According Para 6© of transfer policy “Request Transfer within Rectt. Unit shall normally be considered after completion of 2 years at a particular station. Transfer after two years on request shall be at company’s cost. If the transfer is due to personal reasons with in two years, this will be at the cost of the employees”

Due to the pressure of the recognised Union, the CGMT, Hyderabad has issued an order vide Lr.No.TA/STB/40/BSNL transfer policy/core/09/77. Dt.25-06-2011, denying the TA/TG, while considering the request transfers.

(b) So, the request for transfers are increasing day by day because of threat of transfer to far off stations, violating the policy and **if this fear is eliminated** by following the transfer policy in its true spirit, there may not be any necessity to consider the requests which were applied recently.

(c) The orders dt.25-06-2011 are being misused and exploited by certain officers and particularly by the recognized union. This order encourages corruption in transfer either for consideration of request transfers or for posting of substitutes in their places. The agents / brokers are demanding more money to search for a substitute to consider such requests denying TA/TG.

Therefore, we request that the orders dt.25-06-2011 issued violating the transfer policy be cancelled.

**2. Demand for cancellation of forcible transfers of the 16 TM's in Srikakulam, SSA:-**

In Srikakulam SSA transfer orders were issued for 36 TMs considering their requests. But the GM Srikakulam has proposed to post 16 TM's in their places in the interest of service ignoring their requests pending to their choice of places. Had these TM's satisfied the agents, they would have got their choice of places.

By transferring 16 TM's the action of GM Srikakulam violates the transfer policy 6 (b) which States:-

**“Transfers involving change in the post/station/SSA/Circle shall be affected in such a way that orders are issued preferably during the month of March / April”**

We, therefore, request that the proposed action of GM Srikakulam to transfer 16 TM's to places other than their choice of places after March/April may be cancelled.

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In this connection, we would like to bring to the notice of the Management that, if these 16 TM's are transferred forcibly, their earlier requests applied even during 2003 onwards would be treated as cancelled since they have to apply afresh after joining at the new station and they will be in the wait list afresh as per transfer policy.

(b) There is no provision in transfer policy regarding registration of requests for transfer in respect of officials completed two years of stay. Therefore the existing orders have to be followed.

**Existing orders:**

After detailed discussions in four monthly meetings and R-JCM meeting held between management and the unions of NFTE, CGMT Hyderabad has issued instructions regarding procedure for Registration of requests for a transfer from one station to another within recruiting unit vide Letter No. TA/WLF/15-37/85 dt.14.09.1987 and TA/STB/35-2/11 dt.25.09.1989.

But these orders are not being followed. As a result, the request registered during 2000 year is not being considered whereas the requests made during 2011 due to fear of transfer to far off places deviating the transfer, are being considered. This is a heart burn to the officials who are waiting for a number of years.

Therefore, we request that if at all request transfers are to be considered, the above instructions have to be followed since the corporate office on seeking clarification has reiterated the transfer policy only which is silent on registration of requests.

**3. Bringing back of the officials to their choice of places who were transferred forcibly during 2009 to their choice of place at Eluru SSA:-**

10 Sr TOA's & 33TMS were transferred during 2009 in West Godavari SSA to bring back deployment officials. One Sr TOA and 18TMS were transferred as substitutes to consider the requests. The district union has organized agitation against transfer of substitutes to consider requests. After detailed discussion, the GM, West Godavari has assured that these substitutes also will be repatriated back during 2011 and therefore the agitation was called off. Since the G.M. has not taken any initiative to bring back the officials, the District Union has again served a notice. In the discussions, the GM has agreed to seek a clarification from circle office for further guidelines vide his letter No.E.903A/DT/Trfs/TOA(G)d (P)/07-09/II/51 dt.06-04-2011 in which the GM has categorically agreed that the officials were transferred as substitutes to bring back deployment officials and to consider the request transfers.

The circle office vide letter No. TA/STB/BSNL trf. Policy/Core/09/74 dt.25-4-2011 has clarified that for bringing back the officials, the guide lines issued vide their letters of even Nos. dt.19-04-2010 and BSNL No. 250-7/2007/Pens.III(Part) dt.07.03.2011 may be followed. It clearly clarified that the said officials should be transferred back and no TA/TG should be granted to them and to the substitutes also. Though, denying of TA/TG is against the provisions of transfer policy, the District Union and the concerned officials have agreed to the above conditions. The substitutes also agreed to go on transfer in their places without TA/TP provided the guide lines issued by CGMT vide Letter No.TA/STB/40/BSNL/Trfs policies/Conn/07/77 dt.25-6-2011 are implemented after completion of two years.

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(b) At this stage, the recognised union came into the field and demanded that these cases should not be considered and other officials whose requests are pending should also be considered and started collecting the names for posting as substitutes in place of other requests. The GM and Additional GM have yielded to their pressures for the reasons best known to them and invited volunteers for posting substitutes without TA/TP to consider 111 requests of TMS. Two representatives/agents are vigorously making efforts to find out substitutes to consider these 111 requests by offering sufficient money. If they are succeeded, more than 220 TMS and 20 Sr TOAS are to be transferred and thus creating dislocation of work.

(c) Further, the GM has agreed to post the recently trained 16TMS, to relieve the officials transferred during 2009. But, they were posted to different places. The request of lady TM for posting in major exchange was not considered and posted at a remote place as second TM. As a result, she has to decline the promotion and training charges also are being recovered from her. This clearly shows how the management is vindictive.

(d) As the SSA Management has refused to bring back all the officials transferred during 2009 as promised, the District union has restarted the agitation programme from 16-08-2011.

(e) It is pertinent to note that Sr GM who is incharge of W.G. SSA, for the last nine years has gone back of his assurance but also requesting the other Union leaders to give a letter that the GM has not given any such assurance to NFTE leaders and in fact he has taken a letter from one of other union. Further if the GM has not given any assurance, why should he write a letter on 6-4-2011 to CGMT intimating the facts, for guidance. The action of GM W.G. SSA for not implementing his own assurance but also in not implementing the advice given by CGMT vide letter dt.25-4-2011 IS NOT EXPECTED FROM A SENIOR GM.

**We, therefore request that the officials transferred forcibly during 2009 should be transferred back in first instance and the other requests may be considered subsequently to avoid un-rest prevailing in W.G. SSA.**

**4. Irregular transfer of Section Supervisor from Vizianagaram to Garvidi:-**

Sri K. Rama Rao, Senior Section Supervisor working as Section Supervisor, O/o GM Vizianagaram was transferred to Garividi under SDE (Groups) to relieve an official on transfer to cheeparapalli which is hardly 4 Kms from the present working station.

As stated supra, this is a clear violation of transfer policy in as much as there is no provision to post substitutes to consider requests that too by incurring TA unnecessarily.

Further, most of the SDE (Groups) were created by upgrading JTO posts after surrendering JTO Posts and the officers so promoted against these upgraded posts are not entitled to any clerical assistance and hence Sr. TOA (G) Posts are not being sanctioned. Therefore, posting of SSS who is looking after supervisory duties in GM office, Vizianagaram under SDE (Group) for clerical assistance is irregular and misuse of services of a Senior Official. Hence, this transfer should be cancelled.

(b) As the GM has recently joined, he could not examine the irregularities committed at the behest of recognised union and therefore, all such irregularities were brought to his notice vide District Secretary letter dt. 2-8-2011. We request that the GM VZM may be advised to examine all the cases and undo the injustices done to the workers.

**5. Irregular Transfer of SLM who passed TTA exam and waiting for training in Visakhapatnam – Reg.**

The post of store LM is a tenure post. The tenure is four years. The TMs are selected by a selection committee for four years tenure. If their services are not upto the mark, the tenure of the SCM may be terminated.

But, in Visakhapatnam SSA, STORE LM was transferred irregularly without completion of tenure. If he is to be transferred in the capacity of TM, he should be transferred/relieved only after completion of his tenure as Store LM. Moreover the said official was selected for TTA Post and waiting for training shortly.

Therefore, we request that the GM Visakhapatnam may be advised to cancel the transfer order of SLM or keep the orders under abeyance till his completion his tenure or upto the deputation of TTA training.

**6. Irregular Transfers in Warangal SSA:-**

From the last 6 to 7 years, the General Managers at the behest of the recognised union have issued a number of irregular transfers and our District/Circle Union has to make severe complaints against the GMs. The present GM, has gone further and he is neither giving any interview to the District Union nor responding to District Union letters. A Number of agitations were conducted.

After observing his vindictiveness and no response to the letters and his pre-determined mind to destabilize NFTE the issues have been brought by the Circle Union to the notice of CGMT vide our Letter No.NFTE/AP/Complaint/2011/06/14 dt.17-6-2011 (copy enclosed here with) But, there is no response from any quarter and the officials have reported at the transferred places obeying the irregular orders.

We, therefore request that all such irregular transfers be annulled and the officials be transferred back to original head quarters.

**7. Denial of consideration of request transfers of officials who left with less than two years of service to their choice of stations – Reg.**

As per para 6 (e) of transfer policy "as far as possible transfer requests to choice of station from the employees left with less than two years of service for superannuation, shall be considered." This is not followed in Adilabad and Mahaboobnagar SSA's.

In Adilabad SSA, the GM has assured that the official, who is having about one year of service, will be given transfer at the appropriate time. But while posting the recently trained TM, this case has not been considered. Moreover, the GM came with a plea that the station requested by the officials is only 10 km far away and thus did not kept up his promise.

Similarly the GMTD, Mahaboobnagar also denying to issue the such transfer even though provisions are there.

We, therefore request that the GM Adilabad, Mahaboobnagar may be advised to consider such cases early.

**8. Continuing of the officers of doubtful integrity in sensitive posts and at the same station.**

As per the central vigilance commission guidelines, agreed list and list of officers of doubtful integrity are to be prepared by Heads of circles every year and the same should be submitted to central vigilance officer during January of every year. Further, such officers having All India Transfer liability may be shifted to adjacent circle and other officers within circle/SSA.

This is not being followed in A.P. Circle respect of officers. The officers, who are facing disciplinary action under CDA Rules 2006, are still working as Heads of SSAs at the same stations.

Further, no action has been taken on General Manager, Vizianagaram though the corporate office it is under stood, has directed to initiate action against him and he was allowed to retire on 30-06-2011 without any action.

**9. Denial of promotion in the cadre of Sr. TOA (G) in Ongole SSA:-**

Basing on the report of the GMTD Ongole vide Lr.No. Q-1291/MNR/2000-01/36 dt.27.03.2010, the Circle Office conducted the screening test for promotion from TOA (G) to Sr. TOA (G) Cadre on dt.4-9-2010, and Sr. TOA (G) Training also given. In all SSA's, the promotion orders were issued as Sr. TOA (G). But in Ongole, the promotion orders to the eligible trained officials (2) are denied. So, the future of the said officials is under the doubt.

We request the GM – Ongole may be advised properly.

**10. Posting of Sr. TOA's as substitutes computing the four streams against to corporate, and guidelines.**

There are no station tenure transfers to non executives except seat/section transfers for which tenure is four years as per Transfer policy. The clarification issued by corporate office vide letter No. 250-7/2007 per III dt. 20-10-2009 relates to seat/section, and un-popular station transfers only. But while endorsing the said letter to all SSAs, the circle office vide letter No.TA/STB/Trfs Policy/Cor/08/30 dt.31-10-09 has mentioned may be erroneously or under the pressure of the recognised union as "Transfers among the stations" instead of mentioning "request transfers from un popular stations to popular stations". This has created many problems and the General Managers are misusing the wrong clarification.

Therefore, we request that necessary "**CORRIGENDUM**" may be issued to the letter dt.31-10-2009 immediately. In this connection, a kind reference is invited to our Letter No.NFTE/AP/Transfer Policy/2011/07/26 dt.29-7-2011.

**11. Misappropriation of Funds at Palasa CSC-Srikakulam SSA:-**

One Sr. TOA While working in CSC Palasa has misappropriated/misused funds to the extent of Rs. 50,000/- and this was proved by the investigated officers. But, no action has been taken so far and the official is allowed to continue in the same seat and station. He is being retained at Palasa with the full support of AGM(A) O/o. GM Office Srikakulam and it is understood that he is making all efforts to close the issue. The AGM (A), who is working most of his service in Srikakulam is behind all such activities and working on behalf of recognised union. He is misguiding the officers and therefore he should be transferred as per CVC guidelines.

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**12. Works Committee Meetings:-**

**The Director (HR) has exhorted all Heads of circles to continue the initiative with renewed zeal by providing necessary inspiration to all members of staff by introducing some new and creative measures to win over customers. The financial year 2011-12 is declared as "year of customer delight in BSNL".**

Though orders were issued on 20-07-2011 there is no improvement in this regard. The management at various levels is satisfied with the issue of orders to the lower levels and the workers and their representatives are not taken into confidence and that they are not willing to discuss with the workers. For example, the orders were issued to form works committee and NFTE also was allotted two seats vide BSNL NO.BSNL/39-11/SR/2007 dt.24.7.2008. But, the committee's are not formed in most of the SSAs and even if formed, are not functioning. The main hurdle is created by the Recognised union since they are not willing to sit along with NFTE representatives and the General Managers are succumbed to their pressure. If such is the position how the General Managers as the leader can take initiative by providing necessary inspiration to all members of staff to come out with flying colours in improving the brand image of the organization during this "CUSTOMER DELIGHT YEAR".

It is therefore imperative not only to form "WORKS COMMITTEE" but also to hold the meetings periodically besides conducting the staff meetings on Second Saturday as decided earlier so that the goal can be achieved.

**13. Non Executive Promotion Policy – Implementation:**

(a) The promotion Policy to Non executives was introduced vide BSNL No.27-7/2008 TE.II dt.23-03-2010 with first promotion retrospectively from 1-10-2004. But the pay up gradation will be notional if the date of up gradation is before 1-4-2008.

Further, the ACRs/APARs of the previous five years shall be taken into consideration for assessing fitness of eligible non executives of various grades. Average is taken as an adverse entry for assessing the fitness for promotion.

In this connection, we would like to inform that "average was not treated as an adverse entry upto 23-3-2010. Moreover, it was not communicated to the concerned official. Therefore, it should not be treated as adverse entry till the second up gradation as adverse entry.

We, therefore, request that all the cases including denied cases also may be got reviewed and early action be taken to settle the pending cases which are more than 1500 in the entire circle (in Hyderabad and Eluru SSAs, there are about 800 cases pending).

(b) As per para 2.3 of promotion policy, pay scale up gradation is defined as follows:

**"2.3 PAY SCALE UPGRADATION:** In the context of this policy, Pay scale up gradation will mean, placement of the non executive employees from his present IDA Non executive pay scale to the Next higher non executive IDA pay scale".

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Most of the SSAs on upgradation are placing the officials at lower scales/grades. For instance, senior TOAs in the scale of 5700 are placed in 6500 scale though the next restructured scale is 7100. The scale 6500 is only for pre - restructured cadre.

Further, the Group-D are being placed at less than two grades on upgradation placing at lower grades can not be done except on account of disciplinary action. Therefore, we request that suitable instructions may be issued to all, to place the officials on upgradation at the scale which they were holding after 1-10-2004 on promotion under the old promotion scheme.

14. Denial of HRA to the staff working in rural stations by the GMTD - Nellore - case of TTA's - Reg.

Discriminately & vindictively GMTD - Nellore stopped the HRA & TTA's which against to the rules. It may be advised properly.

15. Discrimination in consideration of Medical transfers in Sangareddy SSA - Reg.

16. Pick and choose transfer in the cadre of TTA by the GMTD, Khammam may be cancelled. Case of Sri P. Koteswar Rao, TTA, Khammam.

  
(K.ANJIAH)  
Circle Secretary