

“Deliberation of AIGETOA on the
Charter of Demands”

submitted

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PREFACE

As the Bharat Sanchar Nigam Limited is facing stiff competition from its Competitors in Telecom Market and market share are declining day by day, there is need for the re-evaluation of the Organizational practices we have in BSNL, and analysis of the problems that exists in BSNL.

Any organization can achieve excellence by integrating the career aspiration of the employee's with the objectives of the organization and optimum utilization of its resources. The resources may be any – Man, Machine, Material, Method, and Money. But the resource of utmost importance is it's Man i.e. Employee. It is the Employees who make the organizations. "An **organization** is a social arrangement which pursues collective goals, which controls its own performance, and which has a boundary separating it from its environment." The Goals may be anything – Profits in monetary terms or Social Welfare. The Employees are the most important resource of any organization.

BSNL as a vast organization in it's Employee strength. It is having an array of Employees in the Organization w.r.t. to age, qualification and experiences. Employee Satisfaction is the most important factors among all for any organization, because "Satisfied & motivated Employees can make the organizations and dissatisfied Employees can lead it to misery". The skilled and educated professionals are the top assets of any organization.

BSNL has passed long journey of 8 years after it's formation from a Govt. Deptt. – Deptt. of Telecommunication. We felt that it has still not got transformed fully into a Business organization. It is still facing the old disputes and anomalies of DoT times. Even all the Employees have not been absorbed so far especially who are the policy makers of BSNL. The qualified executives who have been recruited from the open market with stiff competitions are facing dissatisfaction / due to many reasons which are being given ahead in the presentation.

Therefore, to contribute in the Growth of BSNL and with aspirations to take it to new heights, AIGETOA, an Employee Association of Middle Level Executives of BSNL takes it pleasure to present the grievances and aspiration of BSNL recruited Executives (GEJTOs & DRJAOs). These group forms most important chunk of young and talented Executives in the field of Operations and Finance, it feels its prime responsibility to make BSNL Top Management and Govt. of India, acquainted with

Problems, reasons of dissatisfaction, injustice being made and their probable solutions in order to help BSNL growth with smooth functioning.

I am trying my best endeavor to present the aspirations and problems of my association Members and would try to draw the Top Management attention towards the injustices made to the direct recruitee executives through this Presentation which are the basic reasons of dissatisfaction.

I thank our CMD Shri Kuldeep Goyal and other Directors to give us an opportunity to present the problems and aspirations of Executives recruited by BSNL from open market after meeting on 04.12.2008.

R P SHAHU
GS-AIGETOA

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Chapter-1

SOME FACTS AND EVENTS OF TRANSFORMATION OF DOT INTO BSNL:

1.1-Recruitments and Promotions:

- The recruitment of Graduate Engineer Junior Telecom Officers since 2001 is being made vide Recruitment Rules of Junior Telecom Officers, 2001 **(Annexure-1)**. The recruitment of GE-JTO was made vide advertisement in year 2000, 2000 & 2005.
- The recruitment rules of Junior Telecom Officers prior to BSNL Junior Telecom Officers rules 2001 were issued dated 06.09.1999 by the DoT and were called as RRs Junior Telecom Officer 1999 **(Annexure-2)**. The Post of Junior Telecom Officer was classified, as Group B- Gazette Non-ministerial vide letter no. Based on recruitment rules of JTO 1999 issued dated 06.09.1999 **(Annexure-3)**. Prior to this rule, the post of JTO was classified as Group -C Non-Gazette vides JTO recruitment rules 1996 **(Annexure-4)**.
- The most important fact is that the process of recruitment of 6000 GE-JTO was initiated with in DOT and DOT persuaded UPSC for conducting/initiated the recruitment process itself against the RR-1999. For the same some letters were communicate between UPSC and DOT also. BSNL carried over the same process and the advertisement was made in Nov. 2000 without framing the recruitment rules in BSNL. BSNL framed it own recruitment rule on 26 Sep. 2001 only. As per the rule, RR should be there within the 6 (SIX) months after declaring the vacancies' and the post. Thus the GE-JTOs recruited by BSNL in 2001 vide advertisement in year 2000 were against the prior vacancies and should be governed by JTO-RR-1999 and recruitment year should be given 1999/2000. Technically, BSNL is not giving the recruitment year 1999/2000.
- As per the rules of JTO 1999 or JTO 2001 following was the eligibility and selection criteria to become Junior Telecom Officer in Executive cadre –

Eligibility Criteria:

- **For Direct:** B.E. in Electrical, Electronics, Telecommunication, Computer and Microwave.
Selection criteria: through All India Competition from open market
- **For Promotee:** B.E/Diploma in Electrical, Electronics, Telecommunication, Computer and microwave , or BSc in Physics , Chemistry & Maths, and 10 years of experience in Group C.
Selection Criteria: Through LDCE.
- Whereas the Recruitment Rules 1996 states eligibility criterion and selection criteria as below:

Eligibility criteria:

- **For Direct recruit:** BSc in Physics, Chemistry & Maths or B.E. in Mechanical, Electrical or Electronics.
Selection Criteria: Circle Level Examination from open market.
- **For Promotee:** Metric with 6 years of experience or deploma with five years of experience (for15% quota).
Selection Criteria: Screening Papers amongst TTA,Phone Inspector, etc
- The Table of comparison is shown below: which depicts total contrast among BSNL recruited JTO and the JTOs absorbed from DoT in respect of Qualification, Experience and Level of Examination.

| | JTO Group-C (Non Executive) (Recruitment Rule 1996) | GEJTO Group-B (Executive) (Recruitment Rule 2001 of BSNL) |
|------------------------------|--|---|
| Classification | Group-C (Non Executive) | Group-B (Executive) |
| Appointing Authority | GM (Admin) | CGMT |
| Minimum qualification | For Direct Recruit – BSc in Physics, Chemistry & Maths with Zero years of experience <i>For Promotee - Matric with 6 years of experience in Technician, Phone Inspector, etc. and 5 years for 3Year Diploma</i> | For Direct Recruit - BE or equivalent with Zero years of experience For Promotee - 3 Year diploma OR BSc. in physics and maths with 10 years of experience in Group C. |
| Level of examination | Circle level | All India level with the same syllabus as that of Engineering Services |
| Recruitment Agency | Circle Office | BSNL Head Quarter |
| Division of post | 50% Direct recruitment + 15% LDCE + 35% screening | 50% direct recruitment + 50% LDCE |

- It is evident from the above table that employees recruited with above two recruitment rules can not be treated equal as there is remarkable difference in their recruitment level and eligibility criteria viz. Qualification and Experience. But in BSNL, Both the groups are not only being treated equal in the name of JTO cadre but also the DoT absorbed are being placed much above in the seniority list by awarding them retrospective seniority in the name of vacancy year prior to 1999.
- It is also evident from the above table that diploma holders have been given one year relaxation in eligibility over non diploma for promotion to JTO.
- Moreover, regarding the responsibility of GEJTOs in BSNL, As per Organizational Charts of new technology areas viz. CMTS, Broadband, etc. issued No. 11-3/2002-TE-I Dated 6.1.2003 (**Annexure-5**), the responsibility of SDE and JTOs are same and the next level of Executives in the executive Hierarchy shown is STS level officers.
- As per letter no.20-21/2004-Pers IV dtd. 05.04.2004 (**Annexure-6**), the Graduate Engineer JTOs were recruited to handle the new technology switches and have been given preference in various specialized branches like DNW, Telecom Factory (**Annexure-7, Annexure-8**). Most of the new technology switches are being maintained, operated and installed by these Graduate Engineer JTOs. It clearly denotes their excellence and importance over other Executives in handling technological fields.
- As per the responsibilities are concerned, Annexure 5 to 8 clearly show that the responsibility of BSNL recruited GEJTOs are at par with SDEs in executive Cadre, having no similarity with DoT JTO-Group C.
- As per the DoPT ruling vide **DOP&T OM No.22011/10/84-Estt.(D) Dated 4th February, 1992**, it is clearly stated that whenever the upgradation of post involves the higher qualification, higher length of service or change of responsibility or change of group, the suitability of the incumbents should be assessed in coordination with UPSC. After assessment only, the suitable incumbents can be placed on the upgraded post.
- The relevant instructions regarding the deputation/absorption issued by the DoPT reads as under :-
 Procedure to be followed for appointment by deputation/ absorption:
 Analogous posts.

1. Whenever the Recruitment Rules for a post prescribe "deputation/ absorption" as a method of filling up the post, they generally contain an entry in Column 12 of the standard form of schedule stating inter alia that the 'deputation/ absorption" shall be made from amongst the officers holding analogous posts on regular basis under the Central/ State Governments. This Department has been receiving references from various Ministries/ Departments asking for the definition of 'analogous posts'. It has, therefore, been considered appropriate to lay down the following criteria for determining whether a post could be treated as analogous to a post under the Central Government : -

- (i) Though the scale of pay of the two posts which are being compared may not be identical, they should be such as to be an extension or a segment of each other, e.g., for a post carrying the pay scale of Rs.3000 – 5000 (pre-revised scale), persons holding posts in the pay scale of Rs.3000 – 5000 (pre revised scale) will be eligible.
- (ii) Both the posts should be falling in the same Group of posts as defined in the Department of Personnel and Administrative Reforms Notification No. 13012/2/87-Estt.(D), dated the 30th June, 1987, viz, Group 'A', Group 'B' etc.
- (iii) *The levels of responsibility and the duties of the two posts should also be comparable.*
- (iv) *Where specific qualifications for deputation/ absorption have not been prescribed, the qualifications and experience of the officers to be selected should be comparable to those prescribed for direct recruits to the post where direct recruitment has also been prescribed as one of the methods of appointment in the Recruitment Rules.*

Where promotion is the method of filling up such posts, only those persons from other Departments may be brought on deputation whose qualifications and experience are comparable to those prescribed for direct recruitment.

- 2. As far as the posts under the Statement Government/ Public Undertakings, etc, are concerned, it is quite likely that even posts with identical designations may not have comparable scales of pay and they may also differ with reference to the extent and stage of merger of DA with pay. The levels in the hierarchy and the nature of duties

may not also be comparable. These posts may not also be classified into four groups as has been done under the Central Government. Taking these factors into consideration, the selection authorities may have to be guided more by the nature of duties performed by the candidates in their parent organization vis-à-vis those in the posts under selection and qualifications and experience required for the posts under the Central Government for making selection for appointment by absorption/ deputation (including short-term contract) from outside the Central Government service. Since details of the Recruitment Rules for the posts under the State Government / Public Undertakings, etc., may not be available, bio-data sheets, signed by the officers themselves and certified/ countersigned by their employer indicating their qualification, experience, assignments held in the past, contributions made by them in the field of research, publications to their credit and any other information which the officers might consider relevant for assessing their suitability for the post in question may be obtained in the pro forma at Annexure – A.”

- As per above rule, only those persons who were eligible by qualification and length of service as per the recruitment rules 1999 and were to be assessed for their suitability w.r.t. to the direct recruits and only suitable incumbents can become JTO Group B Gazetted or Executive by JTO 2001 rules. But in implementation of these rules during formation of BSNL from DoT, no. Of employees who were not even eligible for JTO RR'1999 or 2001 were promoted to SDE/DE without assessing them as per the DoPT guidelines, some of them are even working at officiating DET level. They were kept senior to BSNL recruited Engineers, making GEJTOs suffer for unrecoverable losses on motivational, social and financial side. And those ineligible employees are still getting promotion to SDE/ DE over the qualified direct executives in the name of retrospective seniority.
- But here in BSNL, by making mockery of rules, all the then employees working as JTO group-C in DoT have been absorbed to JTO Group-B (Gazetted) in BSNL without accessing their suitability w.r.t. job and skill required for the cadre by ignoring the instruction given by DoPT for

upgradation of Posts or absorption. Thus filling Posts of SDEs/Sr.SDE's/DET's in the name of seniority, without fulfilling the criteria of JTO (executive/Gazetted) and making life of GEJTOs recruited by BSNL, miserable and insulting w.r.t their Qualification and their hard earned degrees and competency shown by them in competing at All India Level.

- All the employees working as TTA/Sr.TOA till 1999 have been declared pass in the LDCE as per JTO RRs 1996, by relaxing the eligibility marks irrespective of the vacancies and consequently upgraded to JTO Group-B by diverting the outside quota and awarding retrospective seniority.
- LDCE was held in the year 1999 and 2000 against the 15% quota of JTO Group-C in which many candidates were not able to qualify the minimum cut off marks (40% in case of OC and 33% in case of ST/SC in each subject) and declared failed by the DOT and they were working as below cadre of JTO. In the year 2003 under pressure of Unions, BSNL board relaxed the qualifying marks to get them pass (**Annexure-9**). They have not only passed but were automatically upgraded to JTO Group-B in DOT and executive in BSNL consequently. In this way these employees who were working in non-executive cadre under BSNL recruitee executives, became not only executive without qualifying the eligibility criteria of BSNL GEJTO but also senior to them overnight.
- DOT used to recruit engineers as ITS officers through all India competition with same syllabus and other eligibility criteria as GEJTO in BSNL, only difference was the recruiting agency and interview. Because of only this difference GEJTO are posted two grade below the ITS officers but despite of having big difference in qualification, mode of recruitment, level of competition and recruitment authority between GEJTO and absorbed JTO, absorbed JTOs inspite of their lower qualification, Experience & Level of Competition, are not only posted in the same grade but also ranked enbloc senior to the GEJTOs with higher CTC in terms of pension contribution. This is nothing but the mockery by Govt. of India & BSNL management towards the rights of BSNL recruited Graduate Engineers.

1.2-Pensionary Benefits:

- Employees absorbed from DOT in the JTO cadre who do not fulfill the requisite qualification as per BSNL RRs of JTOs-2001, are getting Govt. pension under rule 37A on same IDA pay scale as being drawn by DR GEJTO/JAO. BSNL recruited Executives are deprived from the pension facility while in our advertisement, **it was nowhere mentioned that**

Govt. Pension would not be given to the BSNL recruited Graduate Engineers JTOs.

New Government pension policy came into effect after 2004 only. Absorbed employees have already been paid point-to-point fixation in BSNL for the service rendered in DOT. In this way direct recruits are getting low CTC than absorbed employees in terms of pension contribution despite of their higher qualification, which is clear violation of the article 14 & 16 of Indian constitution.

- It was clearly mentioned in the advertisement in the recruitment year 2001/2003 when scale of BSNL was not finalized that recruitment is in executive cadre like other CPSUs and pay scale is likely to be revised as per equivalent IDA pay scale but DR GEJTOs/JAOs came to know about their non-standard pay scale of 9850/- which is not at all equivalent of any IDA or at par with any CPSUs after wasting more than 4 years primmer time of their life.

Every facts and event described above are against the interest of direct recruit's executives of BSNL as well as the organization. BSNL is having anarchy in the system and the superior officers as per their whims and fancies do all the things.

Chapter-2

BRIEF OF THE PROMOTION POLICY OF SOME CPSUs:

In other CPSUs, due advantage is given to Qualification and performance—
Glimpse of other CPSUs Promotion Policy is given below:

- **NTPC**: Entry level of fresh executives (ET or MT) is single and at E-2A Level (Rs. 12000-17500 Since 1996) after one year of training.
Only those candidates who are having the professional qualification like B.E. or MBA can become Executive. And Post based time bound Promotions are made in the step of 3 years up to E-5 Level without constraint of vacancies and further promotions are made in the step of 4 years up to E-7 Level depending upon Vacancies.
- **NHPC**: Entry level of fresh executives (ET or MT) is single and at E-2A Level with pay scale Rs.10750/- and the executives bearing Professional Qualification get their time bound promotion in the step of 4 years while the Persons having Diploma Qualification get their promotion in the step of 5~6 years up to E5 but above E5 only executive bearing professional qualified and engineering graduate shall get the promotion in the step of 3 years subjected to the availability of vacancies.
- **ITI Limited**: entry level of fresh executives is single and E-2 level with pay scale of 10750/-. Career growth of the executives based on cluster system consist of:
 - **Upgradation**: not linked with vacancies in the same cluster but given due weightage to experience, performance and qualification (8 years for low qualified, 6 years for diploma, 4 years for professionally graduate and 3 years for post graduate for E2 TO E3. but from E-3 to E-4 and above low qualified can not be upgraded, 6 years for diploma and 4 years for professionally graduate and post graduate)
 - **Promotion**: linked with vacancies for inter cluster by giving due weightage to qualification 6 years for diploma and 4 years for professionally graduate and above.

- **SAIL:** entry level of fresh executives (ET or MT) is single and at E-2 Level on pay scale 13700-350-18250 after one year of training. Promotion is cluster system and based on marks indexing by giving due weightage to qualification, performance and experience.
 - From **E-2 to E-3, E-4 to E-5**, executives with three years of service in the scale will be eligible for consideration.
 - Eligibility for promotion from **E-5 to E-6**, executives with four years of service in the scale shall be eligible for consideration
 - Eligibility for Promotion from **E-6 to E-7** will be four years. The promotions will be vacancy based.
 - Eligibility for Promotion from **E-7 to E-8** would be three years.
 - Promotion from **E7 to E8** grade shall be through interview by a Selection Board.

In all the CPSUs,

The B.E./ MBA (with zero years of experience) working on same Executive Level have 2 years of service benefit from BSc or Diploma, at every level for further promotions in same Cluster. Thereby resulting for Faster Promotions at each level to the Executives having B.E./ MBA over Diploma/ BSc. making total Six years of difference due to Qualification in same cluster.

Factors for Promotions in CPSUs

Factors, which are to be taken into account for determining the suitability for the promotions of an executive and the respective weightage in most of the PSUs, are as under

For promotions up to the grade E5

| S. No. | Factor | Maximum Marks |
|--------|-----------------------------|-----------------------|
| i) | Performance Appraisal/BBS | 50 (For last 4 years) |
| ii) | Grade Service | 25 |
| iii) | Professional Qualifications | 25 |

Total 100

The marks for grade service will be as under: -

| | |
|---|--------------|
| Grade service | Marks |
| 4 Marks in each year subject to maximum | 25 marks |

Minimum Qualifying marks for promotion should be in the range 70-80

Calculation for Qualification weightage (Full Marks: 25)

| QUALIFICATION | MARKS |
|--|--------------|
| BE/B. Tech.+MBA/ME/M.TECH | 25 |
| BE/B.Tech/MBA/MCA/CA/ICWA/CS/PGDBM | 23 |
| Three-year diploma and BSc. In Science | 18 |
| ITI/BA and equivalent | 12 |
| inter or below | 8 |

Calculation of weightage for Performance appraisal/ACR ratings

| Rating | Promotion up to E5 (STS) | Promotions from E5 to E6 and E6 to E7 Plus Interview for 10 marks, not linked with vacancies. | Promotions from E7 to E8 and E8 to E9 Plus Interview for 10 marks and vacancy based only. |
|---------------|--------------------------|---|---|
| Outstanding | 15 | 10 | 10 |
| Very Good | 12 | 8 | 8 |
| Good | 10 | 6 | 6 |
| Average | 8 | 5 | 5 |
| Below Average | 3 | 3 | 3 |

Considering the above stated facts, we request your kind honor to formulate such a nice and rational promotion policy giving due weightage to qualification as per other CPSUs. We also request your goodself not to approve any incomplete promotion policy, which is not having PSU structure and motivation to qualified workforce. We assure our best possible efforts for the overall development of our organization.

Note: considering the area of service BSNL can give 10 additional marks for the posting in unpopular areas.

Chapter-3

BSNL W.R.T. OTHER PUBLIC SECTOR UNITS:

- Bharat Sanchar Nigam Ltd. was created by the Union of India on Oct 2000 as a public sector undertakings/ company to compete the private telecom company after new telecom policy 1999 and union of India is having 51% share holding in the said public sector undertaking like other public sector unit. BSNL is profit making company whose market share and revenue is declining day by day due to incompatible HR policies and non-settlement of absorption issue of group-A officers.
- BSNL has recruited the qualified graduate engineers and account officers like other public sector units after its formation keeping in views of acute shortage of technical hand, which was required to handle the various projects involving new technologies like GSM/CDMA/BROADBAND/NGN etc.
- All the public sectors recruits the fresh graduate engineers and management trainees at the same level with pay scale of minimum Rs. 10750/- (minimum 12000/- after one year training in "A" category CPSUs and preferably at E2 level even in our sister concern MTNL is recruiting GEJTO/JAO/MT at the same level i.e. E-2 (pay scale 10750-) and these executives are promoted to the top level of the management but BSNL has recruited professionally qualified graduate engineers and account officers at executive cadre without showing their position in the hierarchy and career progression with five years blind bond to serve the company. After passing more than eight years suddenly BSNL proposed to recruit fresh MT at the level much above than already recruited qualified executives, which is unique among any of the PSUs. One side matriculates have been not only equated but placed above with graduate engineers in the name of experience and another hand MBA/M.Tech is being place much above than graduate engineers having 5 to 15 years of experience. This activity itself explains the dual standard of BSNL management.
- The basic motto of time bound upgradation is to motivate the executives to achieve excellence in performance and higher productivity, resulting into improved quality of service, customer satisfaction and greater revenues for the company. All the public sector units follow the cluster system to provide time bound up gradation with change of designation up

to the certain level by giving due weightage to the qualification and performance along with the experience, just to motivate the executives to improve their qualification and performance to achieve the objectives of the company.

- BSNL gives the time bound financial up gradation only, which is totally based on time, or reaching to the next scale (as drop out is almost 0% due to performance). There is no recognition of qualification and performance even policy has been made in such a way that direct recruitee executives will achieve first up gradation only on completion of six years and all other in four years despite of having high qualification and excellent in performance. In this way motivation of executives to upgrade their qualification and performance is totally absent in BSNL which does not fulfill the basic motto of time bound upgradation.
- All the PSU refrain to promote the under qualified executives after certain level and give duly weightage to qualified executives but in BSNL, under qualified executives are not having better promotional avenue but they are leading the professionally qualified executives and also being provide higher package in terms of other government facilities like pension under rule 37 A on IDA.
- Even sixth PRC for the government organization has also recommended that post in the scale of Rs. 6500-10500 carrying minimum qualification of either engineering or degree in law should be upgraded and placed in the scale of Rs.7450-11500 by giving the privilege of engineering qualification. PSUs are already following the same. But in this case BSNL does neither follow the PSUs nor government.
- **Nothing can be so frustrating that qualified engineer having professional qualification and account officers are called by prefixing the Junior (i.e. Junior Telecom Officer/ Junior Account Officer) some times termed as JE while matriculate are called by engineer. Imagine the feeling of qualified Doctor if he would be called as compounder and compounder as Doctor. There is dire need to the change the designation according to PSUs.**
- Following can be the surprising figure for any PSUs like BSNL that qualification of executives working above the professionally qualified engineers and account officers.

Approximate Education qualification data of Executive in BSNL:

| SL No. | Qualification | GRADES | | | | | | | | Total |
|--------|--------------------|--------|-----|-----|-----|------|-----|------|------|-------|
| | | BR | HAG | SAG | JAG | STS | JTS | SE | JTO | |
| 1 | 4TH BELOW | | | | | | | | 5 | 5 |
| 2 | 4TH P | | | | | | | 1 | 1 | 2 |
| 3 | 5TH P | | | | | | | 1 | | 1 |
| 4 | 7TH F | | | | | | | 1 | | 1 |
| 5 | 7TH P | | | | | | | 3 | | 3 |
| 6 | 8TH F | | | | 1 | 2 | | 26 | 26 | 55 |
| 7 | 8TH P | | | | | | | 2 | 2 | 4 |
| 8 | 9TH P | | | | 1 | | | 1 | 7 | 9 |
| 9 | 10TH FAIL | | | | | | | 3 | 1 | 4 |
| 10 | 10TH P | | | | 2 | 27 | 2 | 269 | 477 | 777 |
| 11 | 11TH STANDARD | | | | | 1 | | 144 | 194 | 339 |
| 12 | 12TH P | | | | 3 | 46 | 5 | 682 | 844 | 1580 |
| 13 | HIGH SCHOOL | | | | | 3 | 1 | 56 | 87 | 147 |
| 14 | HSC | | | | 3 | 44 | 9 | 603 | 785 | 1444 |
| 15 | INTERMEDIATE | | | 1 | 1 | 46 | 5 | 695 | 697 | 1445 |
| 16 | SSC | | | | 1 | 17 | 1 | 361 | 477 | 857 |
| | | | | | | | | | | |
| 17 | B.A. | | | | 5 | 79 | 7 | 739 | 966 | 1796 |
| 18 | B.A.(HON) | | | | 1 | 3 | | 45 | 41 | 90 |
| 19 | B.COM | | | | 5 | 53 | 2 | 685 | 854 | 1599 |
| 20 | B.COM (HON) | | | | 1 | 5 | | 40 | 42 | 88 |
| 21 | B.ED. | | | | | 9 | | 71 | 29 | 109 |
| 22 | B.HSC | | | | | | | 4 | 1 | 5 |
| 23 | B.SC(HON) | | | 3 | 6 | 112 | 1 | 511 | 137 | 770 |
| 24 | B.SC. | | | 42 | 39 | 1105 | 4 | 9558 | 3584 | 14332 |
| | | | | | | | | | | |
| 25 | D.ARCH.ASST | | | | | 1 | | 10 | 87 | 98 |
| 26 | DARCH | | | | | | | 1 | 14 | 15 |
| 27 | DIP(CIVIL ENGG) | | | | | 46 | 1 | 769 | 512 | 1328 |
| 28 | DIP(COMP ENGG) | | | | | | | 6 | 6 | 12 |
| 29 | DIP(ELECT & COMM) | | | 1 | 2 | 6 | | 98 | 334 | 441 |
| 30 | DIP(ELECT ENGG) | | | 7 | 6 | 102 | 2 | 1087 | 2109 | 3313 |
| 31 | DIP(MECH. ENGG) | | | | 2 | 99 | | 816 | 1760 | 2677 |
| 32 | DIPCERDRFT | | | | | | | 3 | 13 | 16 |
| 33 | DIPLOMA | | | 1 | 1 | 9 | | 173 | 559 | 743 |
| 34 | DIPLOMA IN NURSING | | | | | | | 1 | 3 | 4 |
| 35 | DLIT | | | | | | | | 1 | 1 |
| 36 | G.D.ARCH(5YRS) | | | | | 1 | | | 2 | 3 |
| 37 | G.D.ARCH(II-YR) | | | | | | | | 1 | 1 |
| 38 | I.T.I. | | | | | 2 | | 101 | 727 | 830 |
| 39 | SSLC | | | 1 | 5 | 50 | 3 | 442 | 551 | 1052 |
| | | | | | | | | | | |
| 40 | AIIA | | | | | | | | 1 | 1 |
| 41 | AMIE(CIVL) | | | | 1 | 8 | | 35 | 35 | 79 |
| 42 | AMIE(ELCS) | | | 5 | 6 | | | 53 | 59 | 123 |

| | | | | | | | | | | |
|----|----------------------|---|---|----|-----|-----|---|------|------|------|
| 43 | AMIE(ELEC) | | | 4 | 4 | 1 | | 45 | 9 | 63 |
| 44 | AMIE(MECH) | | | | | | | 21 | 5 | 26 |
| 45 | AMIETE | | | 15 | 1 | 6 | | 18 | 61 | 101 |
| 46 | B.COMP SCIENCE | | | | | 1 | | 2 | 5 | 8 |
| 47 | B.E | | 7 | 50 | 78 | 55 | 2 | 373 | 838 | 1403 |
| 48 | B.E.(CHEM) | | | | | 1 | | 8 | | 9 |
| 49 | B.E.(COMM) | | | 2 | | | | 9 | 27 | 38 |
| 50 | B.E.(COMP SCIENCE) | | | | 2 | 2 | | 22 | 96 | 122 |
| 51 | B.E.(ELECTRICAL) | 1 | 6 | 16 | 27 | 61 | 1 | 465 | 871 | 1448 |
| 52 | B.E.(ELECTRO & COMN) | 1 | 4 | 72 | 109 | 31 | 2 | 209 | 1028 | 1456 |
| 53 | B.E.(ELECTRONICS) | | 1 | 81 | 233 | 45 | 3 | 374 | 1141 | 1878 |
| 54 | B.E.(IND) | | 1 | | 3 | 3 | | 9 | 28 | 44 |
| 55 | B.E.(MECH) | | 1 | 2 | 3 | 39 | | 426 | 90 | 561 |
| 56 | B.E.(TELECOM) | | | 3 | 4 | 1 | | 17 | 43 | 68 |
| 57 | B.ARCH. | | | 1 | | 8 | 1 | 10 | 14 | 34 |
| 58 | B.SC(CIVIL) | | | 1 | 1 | 2 | 1 | 4 | 3 | 12 |
| 59 | B.TECH | 1 | | 41 | 63 | 24 | 1 | 181 | 811 | 1122 |
| 60 | B.TECH(CIVIL) | | | 9 | 13 | 14 | 3 | 28 | 40 | 107 |
| 61 | B.TECH(COMM) | | | 2 | 3 | | | 2 | 24 | 31 |
| 62 | B.TECH(COMP SC) | | | | 1 | | | 13 | 31 | 45 |
| 63 | B.TECH(ECE) | | 1 | 13 | 17 | 2 | | 22 | 280 | 335 |
| 64 | B.TECH(ELECTRICAL) | | 1 | 5 | 17 | 8 | 1 | 66 | 208 | 306 |
| 65 | B.TECH(ELECTRONICS) | | 3 | 35 | 60 | 16 | | 94 | 545 | 753 |
| 66 | B.TECH(IND) | | | | | | | | 1 | 1 |
| 67 | B.TECH(MECH) | | | 1 | 1 | | | 37 | 16 | 55 |
| 68 | B.TECH(TELECOM) | | | | 4 | | | 1 | 12 | 17 |
| 69 | BE(CIVIL) | | | 13 | 27 | 28 | 1 | 77 | 202 | 348 |
| 70 | BSC(ENGG.) | 2 | 1 | 50 | 46 | 33 | 4 | 108 | 121 | 365 |
| | | | | | | | | | | |
| 71 | LEE | | | 1 | | 7 | | 60 | 196 | 264 |
| 72 | LLB | | | | | 1 | | 25 | 32 | 58 |
| 73 | LLM | | | | 1 | 1 | | 1 | 15 | 18 |
| 74 | M.A | | 2 | 14 | 8 | 24 | | 196 | 254 | 498 |
| 75 | M.SC(CHEM) | | | 1 | | 10 | | 91 | 10 | 112 |
| 76 | M.SC. | 1 | 2 | 12 | 9 | 224 | 3 | 2115 | 448 | 2814 |
| 77 | MCA | | | | | | | 7 | 2 | 9 |
| 78 | MCOM | | | 2 | | 3 | | 149 | 320 | 474 |
| 79 | MCP | | | 1 | | | | | | 1 |
| 80 | MED | | | | | | | | 2 | 2 |
| 81 | PUC | | | | 8 | 77 | 1 | 701 | 682 | 1469 |
| 82 | SSLC FAIL | | | | | | | | 1 | 1 |
| 83 | CA | | | 1 | | | | 1 | 105 | 107 |
| 84 | COMPANY SECRETARY | | | | | | | 1 | 29 | 30 |
| 85 | GR.IETE | | | 9 | 3 | 2 | 1 | 1 | 1 | 17 |
| 86 | ICWA | | | | | | | 8 | 85 | 93 |
| 87 | BBA | | | | | 1 | | 7 | 6 | 14 |
| 88 | BCA | | | | | | | 1 | 1 | 2 |
| | | | | | | | | | | |
| 89 | M.TECH | | 5 | 77 | 96 | 24 | 2 | 33 | 198 | 435 |
| 90 | MARCH | | | | 1 | | | | | 1 |
| 91 | MBA | | | 3 | 3 | 3 | | 19 | 30 | 58 |

| | | | | | | | | | | |
|--------------|----------------------|----------|-----------|------------|-------------|-------------|-----------|--------------|--------------|--------------|
| 92 | MBBS | | | | 5 | | | | | 5 |
| 93 | ME | | | 18 | 34 | 15 | 2 | 19 | 93 | 181 |
| 94 | ME/MTECH(CIVIL) | | | | 5 | 20 | 4 | 7 | 5 | 41 |
| 95 | ME/MTECH(COMP SC) | | | 2 | 5 | 3 | | 1 | 14 | 25 |
| 96 | ME/MTECH(ECE) | | | 10 | 11 | 2 | 1 | 4 | 39 | 67 |
| 97 | ME/MTECH(ELECTRICAL) | | | 5 | 7 | 6 | 1 | 10 | 37 | 66 |
| 98 | ME/MTECH(MECH) | | | 1 | | | | | 3 | 4 |
| 99 | MPHIL | | | 2 | 1 | | | 31 | 12 | 46 |
| 100 | MSC(ELECTRONICS) | 1 | | 3 | | 6 | | 80 | 20 | 110 |
| 101 | MSC(IT) | | | | | | | 5 | 1 | 6 |
| 102 | MSC(PHY) | | | 4 | 1 | 31 | 1 | 422 | 133 | 592 |
| 103 | NCTVT | | | | | | | 2 | 18 | 20 |
| 104 | PGDCA | | | | | | | 5 | 2 | 7 |
| 105 | PGDIPLOMA | | | | 2 | 1 | | 2 | 7 | 12 |
| 106 | PHD | | | | | | | 4 | 5 | 9 |
| TOTAL | | 6 | 36 | 643 | 1009 | 2718 | 79 | 24745 | 25387 | 54623 |

If we put total Strength of Executive (54000) in segment:

| | |
|--------------------------------|----------------|
| Engineering & above | : 12500 |
| B.com/Bsc/BA | : 19000 |
| Diploma & ITI | : 11000 |
| 12th pass | : 4500 |
| Below 12th | : 3500 |
| Miscellaneous | : 3000 |

- **KMPG assessment of BSNL:** KPMG had been hired by BSNL to study the different policy and assessment. After detailed study KPMG assessment is as under which shows truth of different policies of BSNL:

| | |
|---|----------------|
| Promotion policy- | : 09/50 |
| Performance Management- | : 10/45 |
| Transfer policy- | : 08/30 |
| Probation policy- | : 14/30 |
| Manpower planning and recruitment policy- | : 16/60 |
| Training and Development policy- | : 22/85 |
| Leave Policy- | : 07/15 |
| Pay administration- | : 04/10 |

Chapter-4

GRIEVANCES OF GRADUATE ENGINEERS JTOs / JAOs RECRUITED BY BSNL W.R.T CAREER PROGRESSION:

- Non profit making CPSUs bearing Status of Schedule A company is also giving it's Directly recruited Engineering Executives and Accounts & Finance Professionals, the minimum scale of Rs.12000- after one year of training. The scale of Rs. 12000 given in other Schedule A companies is since year 2000.
- In BSNL itself, the employees who are not even fulfilling the eligibility criteria of Group B Gazetted Officers are being entitled for the Pay scale of Rs. 9850 along with Govt. Pension which accounts more than 12000 p.m.
- The Employees recruited through All India Competition and bearing the qualification of Degree in Engineering and Post Graduate/Professional Qualification in Accounts & Finance at Gazetted / Executive Posts should get higher pay scales to compensate for their Qualification and endeavors to handle in New Technology Exchanges and also to compensate the pension contribution.
- The salaries given to BSNL recruited Executives are not at par to their counterparts in other CPSUs.
- The promotion avenues of BSNL recruited Graduate Engineer JTOs are not appreciable.
- When compare to Private Operators companies in Telecom field, the executives entered in year 2001 with zero years of experience and Degree in Engineering has reached to the position of Manager/ Senior Manager with a pay-package of 10~12 lakhs per annum after attaining 3 promotions up to year 2008.
- When compared to other schedule A CPSUs, the executives entering at the E-2 level in year 2001 have reached to the at least E-4 level in these years.
- Even in BSNL, the employees entered in Non-executive cadres have got 4 post based promotions in merely 16 years of services in time bound manner. Whereas the BSNL recruited qualified executives even after serving 6 years of service and having better qualifications and recruited through All India competitions has not got even single post based promotion in 7 years of service.

Chapter-5

POINT WISE DELEBRATION OF AIGETOA ON CHARTER OF DEMANDS

5.1-Regarding the MT issue:

- a. **Induction of all direct executives to be recruited at one level in accordance to existing CPSE standards:** basic definition of HR system is to integrate the career aspiration of existing executives with the objective of the organization. Before making any recruitment at any level objective of the organization and requirement to fulfill the objectives must be very much clear along with the career aspiration of existing executives. Firstly Organization must try it's best to explore the existing executives for any requirement and if not found suitable then only go for the out side. BSNL has already recruited thousands of qualified young engineers and account professionals and also having the thousands of existing qualified executives having more than 10-15 years of experience. Many of them are already having the requisite qualification for the MT along with the experience. In this situation ignoring the career aspiration of these executives and undermining their skill and talent will definitely create high level of frustration. Professional qualification in engineering and accounts are itself sufficient to handle the any level of responsibility in the organization like BSNL only need is to explore them. Any extra skill required can be developed by giving suitable training and exposure to existing professionally qualified executives considering the fact of heavy expenditure in recruitment and training and no people will join from the top B school. All the profit making and similarly located CPSUs even our sister concern MTNL are following the single entry level standard of fresh candidates in the executive's cadre. More ever BSNL has already equated the under qualified employees with the qualified engineers and account professionals in the name of experience. If one matriculate having some years of experience can be equated with the qualified engineers then why a professionally qualified engineers and account professionals cannot be equated with the management trainees.
- BSNL has its own office architecture and practices, mainly derived from

DOT. The earlier decade demanded two tier direct entry structure (namely JTO and ADET) since there were lot of activities on the part of planning. Now the gestation period of the telecom projects are only in terms of number of days. For example the launch of GSM services on Oct 2002 had taken just 180 days for a pan India network.(Ref: The speech of Director(finance) on 14th HOCC Meeting).It clearly indicates that there is no gap between planning and execution. The planning and execution is no longer a difficult task. It is evident from the fact that so many companies are starting their services in a short span of time .The importance shifts to customer care and delight. Moreover customers keep themselves updating. Hence the customer delight is the difficult task placed before the telecom companies. Now, we can go into the aspect of value creation. The technology transformed every aspect of business, every aspect of life and every aspect of society. Earlier the leaders were in the era of command and control and hence led to the vertical chain of command for value creation has happened. The present day requirement is collaborating horizontally and manages horizontally. This is due to effect of flattening of the world. It requires a totally different set of skills from traditional top down approaches. It might be soft skills apart from hard skills. The soft skills are as important as that of hard skills. The days were gone from vertical chain of value creation to a much more horizontal chain of value creation. i.e. Each executive/team is creating value in their own area by enriching their knowledge. It needed a collaborate and coordinate approach rather than command and control from top leaders. This horizontal collaboration will alone create openness, democracy, decentralization, transparency and innovative mindset.

Hence we urge the management not to introduce MT above the level of GEJTO. We have explained the reason of nil gestation periods and the aspect of horizontal collaboration. There is no doubt about the necessity of MBA graduates. "At what level?" "Is the question to be answered? Fresh Degree does not fetch the performance. The performance has to be evaluated before pushing them up in the ladder for any executive. The success of BSNL will depend on its open and honest attitude especially towards its HR policies. We once again plead the management to honor the horizontal chain of value creation and not backtrack towards the old structure of command and control.

- b. **Four assured Time bound functional promotions for direct recruited executives within 15 years of service span.** Definition of time bound promotion given by BSNL *"to motivate executives in BSNL to achieve excellence in performance and higher productivity, resulting into improved quality of service, customer satisfaction and greater revenues for the company"*. In BSNL all the executives will get first time bound upgradation in equal span of time of 4 years even qualified direct recruits will achieve this in six years. There are no any criteria for the evaluation of executive's qualification, performance and experience. By upgrading the executives without evaluation of their qualification, experience, performance and relating it with only time or reaching to next scale will definitely not satisfy the basic definition of time bound upgradation. Motivation of executives towards the objective of the company is nothing but to motivate the executives to upgrade their qualification and performance. BSNL is upgrading the executives financially without change in designation and responsibility means giving the money without justified work. Qualified executives selected among lakhs of competitors through all India competition with wide syllabus mostly of IES examination have to either wait for 10-15 years or have to qualify the very disputed and unfair theoretical LDCE which syllabus is not at all at par with the entry level or training level examination to get the very first functional promotion in BSNL which is not being adopted in any of over 200 PSUs. the said LDCE will only motivate the executives to preparation for the examination by sitting in the comfortable zone and the executives who are working hard for the objectives of the organization will be always deprived of qualifying the examination. There is absolute need to change this government pattern and adopt PSU culture for the long attachment and motivation of executives towards the objectives of organization. At least first four promotions should not be based on the vacancies and should be strictly on time bound with flexibility of one year for experienced, professionally qualified and out performing executives to keep their motivation high and there after on the basis of selection cum merit having certain minimum qualification depending on the job and skill required for the post. Almost all the PSUs are following the similar criteria to integrate the career aspiration of the executives with the objectives of the company.

- c. **Executive standard pay scales as per other CPSE for direct recruited executives:** **firstly** it is the matter of fact that thousands of private sectors and public sectors company recruits qualified engineers and account professionals every years. All the private companies offer high initial package and all the CPSEs bearing the category A are providing standard pay scale to direct recruit engineers and account professionals of minimum Rs. 12000/- after one year of training even in our sister concern MTNL is providing minimum 10750/- which does not belong to A category of CPSUs. In this situation acquiring of talents from the open market with non-standard and minimal pay than any CPSE can only result in a nightmare. Compromising with talents to save small amount is nothing but unprofessional approach to achieve the objective of the organization and cannot be treated the part of revenue and profit oriented business. **Secondly** all the executives absorbed from DOT are already getting extra benefit in terms of government pension under rule 37A despite of their low qualification and point to point fixation have already been given for their past service in DoT. Contribution towards pension on IDA is definitely higher than the EPF contribution of direct recruited executives which make their CTC higher despite having low qualification than direct executives which is nothing but clear violation of article 14 & 16 of Indian constitution.
- d. **Channels to rise to the highest post/cadre for eligible and qualified direct recruits.** DR. GEJTO and DR. JAO had appeared in the examination held by BSNL with great aspiration on the pretext of full page and lucrative advertisement that they are joining Asia's No. 1 Telecom Company, which is going to acquire navratana status in PSUs very soon. Their level and career progression was not shown but syllabus and other eligibility criteria was not inferior to any of the PSUs and was exactly as per ITS examination. Many of them have come from the top PSUs and private companies only because of keeping in dark about career progression but exaggeration of the things in the advertisement. They have been compelled to execute 5 years of service bond, in this way they have exhausted the golden time of their life for the BSNL only. Any strange intermediate obstacle in the name of MT on the way of their career progression that was not known for more than five years and illogical and unique decision of BSNL among the PSUs will not be acceptable for any one of them. All the channels to rise in especially in their field should be kept reserved for them only.

- e. Weightage of qualification in terms of pay scale and in career progression of all executives:** All the absorbed executives of BSNL even who do not fulfill the requisite qualification have already been given point to point fixation to compensate their service rendered in DOT. In DOT also JTOs having the engineering qualification were compensated by giving them extra increment or other financial benefit just to attract their loyalty for the department. All the PSUs give due weightage to the qualification for career progression. BSNL has advertised for more than 11000 executives up to 2007 As GEJTO/JAO but due to poor HR policy and ignorance of qualified executives at present only 7000 executives are working in BSNL rest have either preferred not to join the BSNL or left BSNL after joining. In this way attrition rate is about more than 35%, which is highest, and an eye opener for any responsible management. Considering the above facts and to motivate the executives to acquire higher qualification so that quality image of BSNL can be reflected towards the technically aware customer's eye and to attract more loyalty from existing qualified executives for the BSNL, due weightage of qualification should be given in terms of pay scale and career progression.
- f. Qualification bar for the higher posts:** Every level in the hierarchy of the department requires some specific job and skill to execute the responsibility and it require some minimum qualification to execute efficiently. BSNL has already implemented the qualification bar (minimum diploma) in the GEJTO cadre. Other post above than GEJTO/DRJAO must also have some qualification bar with reference to GEJTO/DRJAO. BSNL should follow the cluster hierarchy like other PSUs and qualification may be relaxed within the cluster to accommodate the already existing under qualified executives but jumping to the next cluster, minimum qualification must be the part of eligibility. Even in DOT without having engineering degree no one should be allowed to go for above STS as no one can go for the EE in the Electrical wing of BSNL itself without having degree in engineering.

5.1.1-PRAYER W.R.T. MT ISSUE AND CAREER PROGRESSION OF QUALIFIED EXECUTIVES

Based on aforementioned facts, we are hereby submitting our updated proposal for the promotion policy. We hope your goodself will definitely look after the interests of qualified young engineers of BSNL, who are waiting for justice from last eight years. BSNL has recruited these qualified engineers in the name of Graduate Engineer Junior telecom Officers /DRJAO as per CPSU structure i.e. in terms of qualification (Minimum B.E./B.Tech/MBA), recruitment process (All India Competitive Test), recruitment agency (By IITs/IIM) at executive level among Lakhs of qualified candidates. Many engineers and other professionals left their previous jobs of executive capacity of other major PSUs/MNCs and many declined the job offer of other reputed companies to join BSNL. They preferred to join BSNL with high aspiration, as BSNL was the leading telecom company of Asia. BSNL has recruited these engineers giving assurance that their HR policy is being under process, but more than eight years have been passed but no promotion policy came on paper. Whatever we learnt from our discussion with the various levels of management over the issue of promotion policy, we find that the promotion policy has no weightage for qualification and competence. BSNL management has no respect for qualification and considering all equal whether 10th pass or qualified graduate engineer. All these qualified graduate engineers and other professionals are totally frustrated and de-motivated with the existing promotion pattern of BSNL. They have great hope from your goodself. Kindly consider the following before approving the promotion policy of BSNL.

1. Total no. Executives in BSNL and their qualification level- obviously more qualified person should have more promotion avenues.
2. Their entry level in the organization- Person directly entering in to the executive level should have more promotion avenues as compared to those entered as group-C/ Non- Executive cadre.
3. Considering the Role of graduate engineers for the future of BSNL their career aspiration should be integrated with the objectives of the company in this competitive era.
4. Many qualified, highly trained, dedicated and hard working graduate engineers are leaving BSNL due to lack of rational promotion policy.
5. Considering the fact that BSNL is now a PSU and graduate engineers have been recruited by BSNL as per PSU norms and are the only direct recruit executives of BSNL. These qualified engineers joined BSNL knowing the

fact that recruitment of ITS was inhibited due to transformation of DoT in to BSNL and they will have the bright future in the organization. Though BSNL has recruited these qualified engineers at executive level but offering them working culture, promotional avenues, perks etc. below the junior engineers who are not compatible with their counter parts in other PSUs or private telecom company. These engineers are very frustrated and feel cheated by BSNL management.

Based on our qualification and recruitment process, conclusively we want the following promotion avenues for the directly recruited graduate engineers.

1. There should not be any other direct entry level except GEJTO/JAO as they are well capable to handle any level of responsibilities. The initial basic pay to these direct recruits should be granted at par with other PSUs i.e. Rs. 10750/- and Rs. 13000/- after completion of probation period to attract the talents and their loyalty.
2. The first four time bound up-gradations with change of designation should be after every 3-4 years giving due weightage to qualification and performance and subsequent higher Time scale should be after every 4 years and promotions to functional posts based on availability of posts.(DGM and above)
3. The minimum qualification level should be declared as Bachelor in Engineering Degree for STS posts and above. However time scale may be given to those who are non-engineering graduates as recognition and appreciation of their experience.
4. Higher pay scales should be admissible to those who are not getting pensions otherwise pension benefit should be extended to all direct recruits to maintain the parity in CTC between absorbed and direct recruitee executives.
5. There is no performance-based incentive schemes in BSNL hence quantitative Performance based System should be incorporated so that the person who performs better can be motivated.

Considering the above stated facts, we request your kind honour to formulate such a nice and rational promotion policy giving due weightage to qualification as per other CPSUs. We also request your goodself not to approve any incomplete promotion policy, which is not having PSU structure and motivation to qualified workforce. We assure our best possible efforts for the overall development of our beloved organization.

5.2-Regarding EPF issue:

All demand mentioned in this section will be deliberated cumulatively in the following sections:

5.2.1-Some key point of EPF rules in respect of CPSUs

- As per the EPF Act All the government sectors, public sectors and private sectors whose employees have not been covered under pensionary benefit and employee strength is more than 20, it is mandatory for them to extend the EPF benefit to their employees working as temporary, regular of contractual basis for their future and social security as per the government provision, subjected to they are not being paid under apprentice.
- As per the EPF act Principal employer has the responsibility to ensure the EPF of the employees working under the contractors or venders.
- As per the first pay revision committee recommendation 1997 and central govt. provision, It is mandatory for all the central public sectors units (CPSU) that statutory rate of contribution is 12% of total emoluments (basic wages, dearness allowance, cash value of food concession and retaining allowances if any,) from employer side and same contribution from the employee's salary in every month irrespective of their emoluments. Employer would pay administrative charges and others if any.
- Out of 12% of the employer contribution 8.33% would be deposited towards the EPS (employee's pension scheme) scheme and rest in the employee provident fund account and all the 12% of employee's contribution will be deposited in EPF account only. Central govt. shall also pay 1.16% of the pay towards the EPS
- Employee must be given option to limit his contribution i.e. 8.33% of 6500/- towards EPS or 8.33% of full amount.
- As per the EPF rule employer in the first instance, has to deposit both the contribution i.e. employer's and employee's before 15th of every month to the EPFO in the prescribed format and returns. Part of the employee's contribution must be recovered from the wage of the month for which contribution is made and not otherwise. Failing of the recovery in the wage of particular month, employer has no right to recover the same from

any other wage but the employer would pay it along with the imposed penalties. This is the mandatory act of EPF and any contract to the contrary of the law does not allow the retrospective recovery.

- EPFO has to issue the account number as early as possible after receiving first contribution in respect of every individual subjected to the submission of mandatory form and returns by the employer.
- EPFO has to issue the annual statement in respect of every individual showing contribution of employees and employer, interest and other details subjected to submission of mandatory returns and form by the employer.
- Employer has the responsibility to submit all the forms and returns in prescribed format by EPFO well in time.
- Employer has to maintain the necessary record in respect of every individual in such format so that record can be produced in stipulated time for the verification on the member's request or for the investigation of authorized inspector of EPFO.
- In case of transfer of employees from one EPFO region to another EPFO region, Employer has the responsibility to collect the prescribed duly signed form, from the employees and submit the same to the EPFO to get enable their EPF account transferred to the new EPFO along with the LPC and before the deposit of first contribution at new place so that their EPF account number must remain same and full security of their future and family can be ensured in case of any causality.

5.2.2-EPF anomalies in BSNL

- BSNL has recruited first batch of executives in year 2001 after formation of BSNL in Oct 2000 and so on. These executives must have been covered under government pension like other absorbed executives but decided to cover under EPF facilities for their future and social security.
- BSNL has issued first order to the field units regarding the EPF contribution **vide letter no 500-85/TA-I/BSNL/ dated 22.03.2002 followed by letter no 500-85/TA-I/BSNL/ dated 14.05.2002 and 500-85/TA/IV/KW dated 20.06.2003 (Annexure-10)** in which it was clearly mentioned that contribution would be 12% irrespective of the emoluments.
- Despite of the mandatory provision and clear circular from the corporate office and our continuous persuasion, some field units have made no

contribution till the Feb 2003 and there after contributed arbitrarily till the Aug 2005 as per their own wish and convenience without supplying their account number and annual statement.

- Field units also not submitted the mandatory forms and returns weekly monthly or annually to the EPFO, failing of which no individual account could be opened hence any statement could not been provided for long time thereby forced to live the individuals and their family unsecured.
- Many had to take personal loan at high interest from the market for their emergency cause while it could have taken the same from EPF but, not, due to non availability of account number and statement.
- Thousands of executives have quitted the BSNL during this period but could not get transfer or withdrawal of their amount. What about the said amount is still unknown. There might be great possibility of high level of corruption with their amount.
- Some of the executives died unfortunately during this period but their family could not get any family pension or withdrawal of the final amount due to unavailability of account number, statement and poor accountability.
- After strong persuasion on the platform of our association BSNL board has issued reminder to the field units vide **letter no 500-85/2004-CAII/BSNL/KW dated 12.08.05 (Annexure-11)** clarifying the contribution of the EPF. All the earlier orders issued in respect of EPF have also been mentioned in the said reminder as reference.
- When we perused for the past anomalies corporate finance has issued order to the field units stating to deposit all the past arrear to the EPFO in single installment by BSNL and to recover the employee's portion in the six equal installments by taking the suitable undertaking from individuals **500-85/CAII/BSNL/EPF/Vol II dated 18.07.06 (Annexure-12)**, which was contradictory and gross violation of para-32 of the mandatory provision of EPF Act as past amount could not be recovered from the current salary of the employee's but employer has to pay the same.
- After receiving the order, field units started lump sump recovery about 8000-10000 per month at some places without any intimation and undertaking to the individuals. Association again approached to the corporate office and conveyed the hardship of the members due to atrocity of the field units and requested to restrict the recovery to the affordable limit in the lack of knowledge of the EPF act that employer can not recover the past amount. It does not mean that we have signed the

agreement for recovery of past amount. No association is empowered to sign the general agreement.

- Corporate office issued another circular vide letter **500-85/CA II /BSNL/EPF/Vol II dated 11.10.06 (Annexure-13)** to the field units stating to limit the recovery @18% or Rs 3000/- per month which ever is less to avoid the hardship of employees while it should have been stopped the recovery by honoring the law. Employer is supposed to know the law not the members or associations.
- Many of our members approached to the EPFO against the past recovery where they have been told that any past arrear cannot be recovered from current salary but employer itself must deposit it. Recovery of past amount from the current salary is offence and gross violation of mandatory act of EPF. Same has been communicated many times to the top management oral as well as in written to stop the past recovery but all in vain. Even we have staged demonstration on 15th April 2008 opposite corporate office on the same matter. At that time management had agreed to see the legalities of the facts and to act accordingly.
- Shri Surinder Kumar DR JAO STR Chennai had filed the complaint under section 7A in Chennai EPFO against the illegal past recovery by BSNL. After long pleading from both sides, he has got the favorable order **(Annexure-14)** and his recovered amount has also been refunded on 31 July 2008.
- Shri R P Shahu GS AIGETOA filed same case in Indore EPFO and he has also got the favorable order after long pleading from both sides **(Annexure-15, Annexure-16)**.
- Corporate finance wing is supplying wrong information to the EPFO and applying diplomatic pressure saying there was no provision of EPF in BSNL till the Aug 2005 and the EPF benefit has been extended on the request of executive association only after Aug 2005 in the 61st board meeting so there was no need to contribute past amount before Aug 2005. They are also saying that BSNL management has considered the request of executive association and decided to extend the EPF benefit from the retrospective date and the past amount has been recovered on the agreement of the executives associations and individual undertaking.
- Aforementioned statement of corporate finance wing is totally false and self generated thought of some one with ill intention as it is mandatory for every CPSUs to contribute 12% of the of emoluments (basic wages, dearness allowance, cash value of food concession and retaining

allowances if any,) without any restriction to 6500/- right from their joining. Order from the BSNL corporate was already circulated vide **letter no 500-85/TA-I/BSNL/ dated 22.03.2002** followed by **letter no 500-85/TA-I/BSNL/ dated 14.05.2002 and 500-85/TA/IV/KW dated 20.06.2003 (Annexure-10)** in which it was clearly mentioned that contribution would be 12% irrespective of the emoluments.

- No any agreement has been made with the association and even no undertaking has been taken from individuals regarding the retrospective recovery. Even in the EPF act (Para-32) itself it is mentioned that any contract to the contrary of the law does not allow the employer to recover the past contribution from the wage other than for which the contribution was paid. Management has no power to recover the money from individuals against the act merely on the ground of association request to limit the recovery to the affordable amount to avoid the hardship of the employees.
- Moreover no executive association are recognized in BSNL so far, so management can attempt the collective bargaining with representatives of the associations but has no power to sign the general agreement with the executive associations on the behalf of thousands of employees specially against the act. Management has no power to recover the money from individuals against the act merely on the ground of association request to resolve the past anomalies otherwise it was no need to collect the absorption form from individuals and no need to give the option form to the every ITS officers, only general secretary of the association is sufficient.
- BSNL has not contributed for the training period stating our pre appointment training with apprentice. It is very much clear that training of BSNL executives was not under the apprentice act but was the pre appointment training after selection, which is the part of duty. As per the apprentice act employees and employer both has no any obligation to serve for each other while training to the executives in BSNL has been provided only after execution of five years of bond to serve the department. So BSNL must immediately deposit the arrears of the training period also.
- BSNL has not contributed EPF on the food allowance, which is the mandatory part of the wage as for as EPF is concerned. Corporate finance wing is giving the logic that it was the perquisite to the employees on the request of the associations. As per the EPF act any type of cash value in

the name of food allowance is the necessary part of the wage for EPF contribution. So BSNL must pay the arrear of the same along with the immediate inclusion of food allowance into the wage for EPF calculation.

- Many Direct recruitee of BSNL has undergone 2-3 transfer during short span of their service but it is most unfortunate that their EPF account could not been transferred and there is no any system in BSNL to transfer the EPF account along with the LPC and service book. Due to this every transferred employee has 2-3 EPF accounts now days or only last account. In cash of any causality dependent would have to suffer as family pension (EPS) is also the part of EPF which require length of contribution in single account.
- Many employees have still not got their EPF account number and statement and many are having too short amount in their EPF account but no one is taking care.
- BSNL deals with thousands of vendors and contractors and hence thousands of their employees for day to day operation and maintenance work related to various wing. Being principal employer BSNL has the full responsibility to ensure proper EPF of the employees working under vendors and contractors and it is also the part of every tender. As per the information received through various RTI from the field units there are no records related to EPF account of employees working under vendors or contractors.

In this regard, I request to the committee to recommend for immediate refund of the retrospective recovery and resolve all the anomalies mentioned above in timely manner. I also request to recommend for strong action against responsible authority for the above anomalies due to which BSNL has to pay big amount as penalties and employees and their families have to live with insecure future.

5.3-Regarding the Inter-circle Transfers of LDCE qualified TES Group-B:

5.3.1-Some valid input

- Transfer policy of any organization is the major factor as for as productivity and revenue is concerned and it is the big part of human resource management. Wrong and arbitrary transfer of employees in such big organization like BSNL can affect the productivity and revenue up to the great extent.
- Transfer policy must not be based on emotion rather it should be linked with the motivation of the employees towards the objective of the organization and it should be equally applicable for every group of employees.
- Transfer policy must be such transparent that every employee can know his status of transfer much before so that he can make up his mind for the new location like in banking sectors who are also having the country wide branch offices.
- Transfer should be always based on the request or longest stay to avoid the hardship of the employees especially for the hard stations.
- Transfer policy should not be frequently changed just to oblige some particular group of employees according to whims and fancies of the authorities like in BSNL which have been modified 4-5 times in single years just to target and harass the particular group here i.e. the direct recruitee.

5.3.2-Arbitrariness in LDCE transfer:

It is really unfortunate to see the arbitrary action of BSNL management in transfer and posting of the LDCE TES Group-B qualified executives. After going through the action taken by the BSNL management in transfer of group B executives qualified in LDCE held on 15 July 2007 it seems that management is favoring some particular group of executives instead fair management. Only direct recruits have been transferred to hard tenure stations in the name of junior most (strange policy of BSNL) violating the transfer policy of BSNL issued vide No. 6-1/2007-Restg. Dated 7th May 2008 and objective of the organization. I would like to draw attention on some points of the said transfer policy issued by BSNL corporate office, which are as under:

- BSNL has issued complete transfer policy of executive and non-executive vide Order No. 6-1/2007-Restg. Dated 7th May 2008 after several modifications in accordance with existing associations in which there is no any guideline to transfer junior most on promotion.
- Please refer Para 6 (a) of the said transfer policy, which says: "**Transfer on the basis of completion of post/station/SSA tenure shall normally be done each year. The request of employees coming from hard tenure/tenure stations shall be accommodated, if necessary by displacing other employee, depending on the longest stay basis**". But management has not executed any longest stay to fill up the vacancy created in hard tenure stations since long time. One longest stay transfer was issued vide **Order No. 1-12/2008-Pers II dated 28.03.2008** but it has not been operational with strange reason.
- Please refer Para 11 (f) of the said transfer policy which says "**For considering executives for tenure posting on transfer, the executives with longest stay in a particular circle would be considered first**". But management has ignored this sentence and least stayed employees in the name of junior most have been transferred to hard tenure.
- Please refer Para 11 (e) of the said transfer policy which says "**In the career span of all executives, normally one hard tenure such as North East, Assam, J&K, A&N Islands and one term in other tenure circles/SSAs if any, would be required**" but management has transferred direct recruits to such hard tenure station within six years of service over many executive who have passed more then 20-25 years and even at the end of their career have not gone to any such stations and have been working for hole life in single station/circle.
- Please refer Para 6 (g) of the said transfer policy which says "**As far as possible and within the constraints of administrative feasibility, request for posting of husband and wife at the same station shall be considered if the employee's spouse is serving in Central/State Government or a Public Sector Undertaking (PSU)**". But there are number of direct recruit couples who have forced to live alone at the early stage of their marriage and management never listen such request especially from direct recruits.
- Please refer Para 6 (h) of the said transfer policy, which says, "**In respect of matters which are not specifically covered in these rules, the Central Govt. rules, in so far they are not inconsistent**

with these rules, shall be followed". There is no any guideline regarding the transfer of junior most on promotion in BSNL transfer policy and even no any government rule says like that. There is only one valid basis to transfer the employees (in BSNL or in GOVT) especially in the hard tenure stations i.e. longest stay.

- Various circles are following the similar pattern for the posting in their circles and in such away most of the direct recruit who have qualified the LDCE have been posted in rural areas.
- one side BSNL management has issued several orders regarding posting of direct recruitee in the new technology area and other side transferring them to hard station or rural (non revenue generating stations) where only manning is required and over the non qualified executives having more than 10-20 years stay at the same station is nothing more than the wastage of talents. authority can give the unprofessional logic that rural are also having the new technology but it is dam fact that utilization of talents in the rural for new technology is only 5% and rest in the non technical areas. Professional management always tries to utilize the optimum efficiency of every employee according to the talent and capacity
- Many LDCE qualified direct recruitee were already working in inter circle in the JTO and applied for request transfer to their home circle under rule-8 they have been punished for qualifying LDCE and retained in the same circle to those who score good marks and sent to hard station to those who score less marks among direct recruitee.

Transfer and posting of LDCE issued recently is not only the violation of the transfer policy of BSNL itself but it is highly suspicious and demoralizing for qualified and hard working direct recruits. Many direct recruit who have been transferred to hard tenure in LDCE were already posted to out of their choice of place and circle and many have managed to reach their place of choice just before 6 months to one year by loosing many things but they have been again punished for qualifying the LDCE. It is common practice of all the organization to motivate the hard working and qualified employees by posting them to their comfortable stations so that their optimum performance can be utilized in the interest of the organization by balancing their work and life but BSNL management has adapted arbitrary practice to punish qualified employees.

Because of such arbitrarily transfer not only the employee but organization also has to suffer as many of them are just running pole to pillar and have

been on leave in the hope of modification instead of working with full dedication as there are several hole which have been intentionally created or manipulated by the concern authority. There should be transparent and fair transfer policy without having any hole or scope of modification and every transfer should be strictly as per the transfer policy so that every employee can make up there mind for new location much before.

Transfer and posting is highly sensitive area as far as vigilance is concerned. Withholding the transfer of 119 SDEs which was issued on the basis of longest stay vide **Order No. 1-12/2008-Pers II dated 28.03.2008** with strange reason and transferring the junior most and least stayed employees with distributing year wise vacancies instead common merit list is just to safeguard some group of employees (as all the transferee belong to direct recruit executives) is highly suspicious and seems that big scandal is being played on behind the curtain.

In this regard I request to the committee to recommend for immediate cancellation of all the transfer of direct recruitee to the hard tenure stations and to consider the request transfer cases who have already worked inter circle as JTO or who's spouse are working in state govt., central govt. or PSUs.

We also request to the committee to recommend for vigilance inquiry for withholding transfer cases of 119 SDEs and arbitrary transfer to the direct recruitee executives for hard stations considering the sensitivity of the case.

5.4-Consideration of Inter-circle Transfer Requests of GE-

JTOs:

- Earlier JTOs were recruited through circle level examination and hence their posting is always within the circle where they appeared.
- After formation of BSNL GE JTOs are being recruited through all India competition and hence their posting can be anywhere in India. Many have got their initial posting out of their native circle.
- In every cadre there is always a chance to come back to their home place in just after 3 years so that they can handle the social responsibility along with the office work but for direct recruitee GEJTO have no any scope to come back to even their home circle. As per the transfer policy they can come back only after 5 years and losing various things which is totally dependent on the mercy of management.
- 2001 and 2002 batch have already passed more than 5 years but their request transfer for change of circle have not been considered so far despite new recruitment in almost every alternate year.
- Spouse of many GEJTOs and DRJAOs are working in central govt., state govt. and CPSUs but their request transfer are not being considered despite crystal clear guideline of government and part of the BSNL transfer policy. This is only with the direct recruits of BSNL.

In this regard we would request to the committee to recommend for immediate execution of request transfer at least for those who have served more than five years of service in inter circle and for those whose spouse is the employees of central govt. or state govt. or PSUs before the joining of new recruits.

Chapter-4

CONCLUSION:

“So the conclusion may be drawn that after new telecom policy 1999 wherein various private player have been allowed in the telecom field, old HR and other policies are not competent for the long survival of BSNL. After all only Human resource in any organization is there which operate and make functional the whole system. After looking the whole HR polices it shows that either there is big/vast ‘mistake’ or gap/lapse in the supply of proper HR to meet the existing demand of the organization OR there is a deliberated and biased/ corrupt ‘HRS’ which generated an HRP ‘SCAM’ in the BSNL. The existing reports given by ‘CAG’ surely support this statement. the overall HR policies of the BSNL required a quick but detailed review and it is the responsibility of BSNL management to take some major step with strong will power to overcome these flaws as soon as possible as these are directly depriving the growth of BSNL.

There is no need of fresh MT at the level above than already recruited qualified GE-JTOs/DRJAOs as it will cost heavy expenditure for nothing. These qualified executives are well capable to handle any level of responsibility only need is to integrate their career aspiration with the objective of the organization and explore their talent by providing suitable training. More over strong dissatisfaction among the qualified front level executives will be spread by this unique decision of BSNL.

It can be easily seen from the fields that productivity of many executives are not even equals to their pay and facilities they are enjoying thus BSNL should develop transparent but strong mechanism to evolutes the performance of every executives so that their package can be related with the performance and productivity.

This is the time for not only customer care but employee care too. Well satisfied employee can perform many times for the organization with full of concentration and dedication. Middle and Top level management should try their best to resolve the various issues like career progression, provident fund, transfer issues etc. related to front line executives at the earliest so that they can pay full concentration towards the objectives of the organization and for the customers satisfaction.

Thanks