



**ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
OFFICERS' ASSOCIATION**

**CENTRAL HEAD QUARTERS
AD-87B, Pitampura, Delhi-110088**

**President
K. BALASUBRAMANIAN**
Mobile : 094440000562

**Finance Secretary
V. GURUMOORTHY**
Mobile : 09444979555

**General Secretary
RAKESH SETHI**
Mobile : 9868210449

No.AIBSNLOA/CHQ/2012/62

Dated: 10th September 2012

To

Shri R.K.Upadhyay,
Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
New Delhi

Subject: Relieving of ITS officers who stand repatriated to DoT before 30th September 2012 as directed by Hon'ble High Court, Delhi - Notice for observing Protest Day

Sir,

We are constrained to express our disappointment over the casual manner in which the issue is being handled by the Management although the deadline given by the Court is fast approaching. To our astonishment BSNL has issued very large number of transfer orders in SAG grade in the past few months, without considering the fact that they are finally to be relieved for DoT in the very near future, also resulting in huge expenditure to BSNL. In a few cases, the transfer orders of some SAG officers have been modified allowing them to be retained at their present postings till 31st March 2013, which is likely to be perceived as contempt of court orders since the Hon'ble Court has set 30th September 2012 as the deadline to relieve the unabsorbed ITS Officers.

2. In its order dated 18.05.2012 allowing time upto 30th September 2012 to relieve the unabsorbed Officers on repatriation, the Hon'ble High Court, Delhi has observed that, *"It is absolutely clear that any financial loss that may be suffered by such employees on account of the fact that they have been retained in BSNL and MTNL till 30.09.2012 shall be borne by BSNL/MTNL. The learned counsel for union of India has no objection to this modality as long as the financial loss that may be caused to the employees on account of the retention of employees shall be borne entirely by BSNL and MTNL, as the case may be"*, thus putting the entire financial burden on BSNL. In this situation BSNL should have relieved the officers at the earliest, but oblivious of this fact BSNL appears to be contemplating to continue to retain these officers beyond 30th September 2012.

3. The Hon'ble High Court of Delhi had granted extension upto 30th September 2012 based on the submission by BSNL 'to ensure that working of BSNL does not come to a standstill.' But it is an undeniable fact that work has come to a standstill only because of not relieving these officers even after DoT's orders dated 3rd November 2011 declaring that those who had not opted for BSNL stand repatriated back to Government. Except for a very few, all the other officers who stand repatriated but not yet relieved, have stopped taking decisions, resulting in delay in development activities of this organization.

4. It is really disheartening to see that BSNL, instead of relying on more than 2.5 lakhs absorbed Executives and Non-Executives who really see BSNL's survival as their own existence and their own future, wants to bend rules to keep those unwilling officers happy, who have already written off BSNL and prefer to remain safely outside, on continued deputation in one or other name viz. permanent deputation/foreign service/encadrement etc. Instead of burning midnight oil to find ways and means to retain those unwilling officers, let BSNL concentrate its efforts in shaping and utilizing the services of young officers who have atleast 30 more years for BSNL and have their entire future at stake.

5. On behalf of the entire strength of BSNL Executives, we assure you that, any vacuum projected to be created by relieving of the repatriated officers will be aptly filled by the absorbed officers who have an experience of more than 25/30 years. This can be an interim measure till alternate arrangement is put in place with real seriousness.

6. Therefore, we request you to drop your efforts to keep the unwilling officers who stand repatriated to Government and to relieve them immediately, ending the uncertainty once for all. Any effort to keep them in BSNL in any form will be resisted by the entire BSNL absorbed employees' fraternity.

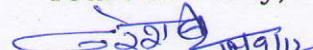
7. To register our protest against BSNL's efforts to retain the repatriated officers by hook or by crook and to demand their relieving immediately, AIBSNLOA will organize the following program:

Observing of Protest Day on 17th September 2012

By wearing Badges

By displaying graffitis

Yours sincerely,


(Rakesh Sethi)

General Secretary

Copy to: 1. Shri Milind Deora,
Minister of State for Communications & IT,
Govt. of India,
New Delhi

2. Shri R.Chandrasekhar,
Secretary, DoT,
New Delhi

3. Shri O.P.Rawat,
Secretary, DPE,
New Delhi