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BHARAT SANCHAR NIGAM LIMITED
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No. AIBSNLOA/CHQ/2012/81

Dated: 11th December 2012

To

Shri Ajit Kumar Seth,
Cabinet Secretary,
Government of India,
Rashtrapati Bhawan,
New Delhi-110004

Sub: DoT's proposal to retain the ITS Group A officers on deputation in BSNL who have time and again refused to get absorbed in BSNL – Request to consider a few legal and ethical issues before deliberating on DoT proposal by the Committee of Secretaries – reg

Ref: Our email dated 26.9.2012

Respected Sir,

This is in continuation of our email dated 26.9.2012 attaching our letter dated 20.9.2012 to our beloved Prime Minister of India, copy of which had been marked to you, on the above subject.

2. The Additional Solicitor General, in a related case regarding absorption of ITS Group A Officers, has informed the Hon'ble Delhi High Court on 7.11.2012 that the CoS is still deliberating on this issue. We are thankful that no decision has been taken in a hurry to unduly favour the ITS Group A officers.

3. The whole issue has boiled down to this stage only because of the DoT which allowed the issue to drift for twelve years without putting the lid on the absorption issue. When the absorption process in respect of Group B, Group C and Group D employees was completed smoothly before the year 2004, the Group A officers have managed to continue on deemed deputation for 12 years in violation of DoP&T guidelines and refused to take absorption in BSNL on all the three earlier occasions when options were called for. In a peculiar situation where the ITS Group A officers are allowed to sit in judgment in their own cause, the ITS dominated BSNL Management has been putting up one or other proposal to retain them on

deputation, circumventing all rules and guidelines on deputation. They have successfully pressurized DoT to put up the proposal for their continued deputation before the CoS, on the plea that their exit from BSNL at this juncture will bring things to a standstill, which is contrary to the plain truth. **In fact things have come to a standstill only because the ITS officers, who stand repatriated to DoT but still to be relieved from BSNL, have stopped taking decisions to sustain BSNL's growth.** Practically, during the past twelve years, they have been just overseeing BSNL coming down from strength to strength. **The reason for their refusing to get absorbed in BSNL is not the terms and conditions offered to them but their strong disbelief over BSNL surviving the ordeal.** Even the Parliamentary Committee On Public Undertaking (COPU), in the course of its comprehensive examination of BSNL has raised a question that, **"Can it not be said that the poor performance of the company since 2005-06, is atleast, partly attributable to managerial deficiencies?"**

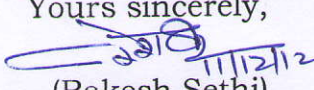
4. Our humble submission is that **any proposal for special consideration** to the ITS Group A officers on the plea of resolving the managerial crisis in BSNL, which is nothing but the making of the ITS Group A officers themselves, **has to be rejected forthwith.** Such a proposal will not satisfy the test on reasonableness and the law on the said subject laid down by the Hon'ble Supreme Court.

5. We, therefore, plead that a similar and uniform treatment is to be given to all employees irrespective of their grade or status whether they belong to Group A or Group B/C/D without there being any discrimination or creation of a class or sub-group within the organization. This alone will meet the test of Article 14 of the Constitution, which deals with the equality to all citizens.

6. Let a wrong precedent may not be set, by allowing the entire managerial cadre of the second largest organization of the Nation to remain outside without a sense of belongingness and to enjoy only the fruits of the huge assets built by lakhs of unsung heroes of erstwhile P&T Department, then the Telecom Department and now the BSNL, through the past 100 years.

7. We therefore request your good self and the Committee of Secretaries to take a judicious decision in the interests of the BSNL and inherently the interests of the Nation rather than in the interests of a group of unrelenting officers who unlike their subordinate officers and employees, have been all along holding their own interests above that of BSNL.

With kind regards,

Yours sincerely,

(Rakesh Sethi)
General Secretary

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