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No. AIBSNLOA/CHQ/2012/1

Dated: 13th January 2012

To

Shri R.Chandrasekhar,
Secretary,
Department of Telecommunications,
New Delhi

**Subject: Special Lateral Direct Recruitment Rules 2011 of BSNL
for recruitment of Sr.DGMs and GM/PGM/CGM – reg
Ref: BSNL Lr.No.437-101/2011-Pers.I dated 26.12.2011**

Sir,

We would like to seek your kind attention to the Special Lateral Direct Recruitment Rules 2011 for recruitment of Sr.DGMs and GM/PGM/CGM notified by BSNL, cited under reference above.

2. At the very first sight, it appears to be a rehabilitation package proposed by BSNL for those who only a few weeks ago refused to opt for absorption in BSNL and are under repatriation to DoT, rather than a contingency plan in the interests of BSNL. The provisions of the RR are tailor-made to suit the ITS officers alone and have been so hurriedly drawn up that some crucial stipulations on framing of RRs have been violated, leaving the RR deserving to fail legal scrutiny.

1. The Special Lateral Direct Recruitment Rules 2011 of BSNL was notified on 26.12.2011 proposing to fill up 450 posts (including 38 posts of CGM/PGM) of GM & above in E 9 scale and 600 posts at Sr.DGM level in E6 scale. **But the 600 posts in E6 scale were not existing on the date of notification.** These 600 posts in E6 scale were created only through BSNL order dated 3.1.2012, by upgrading 600 posts in E5 scale. Thus the notification of the RR has legally fallen through.

2. This RR is said to have been notified **‘to meet a sudden shortage of technically trained and experienced man power...’ ‘... on immediate absorption basis, as a special measure.’** Nowhere in the history have ever been such a huge number of posts proposed to be filled up as a ‘special measure.’ **It is an irony that the same BSNL Board which has proposed to shed One lakh employees and Executives in the name of VRS, comparing low staff to telephone ratio in Private Telecom companies, has very generously proposed to take back all the repatriated officers unmindful of its own policy of down-sizing.**
3. The posts being occupied by the ITS officers in BSNL were created indiscriminately diluting the norms. Treating all these posts as vacant on repatriation of these officers to DoT is not conducive to the present financial health of BSNL. **A proper and scientific work study should be done based on the present parameters like DELs, revenue earned etc. for suggesting the measures required to be taken in the immediate, medium as well as long terms.**
4. As per Para 2.2 of Department of Personnel & Training's O.M. No. 2/8/2000-Pt dated the 16th May, 2001, endorsed by DPE O.M. No. 24(1)/2002(GL-037)/GM dated 21st March, 2002, (copy enclosed) **‘direct recruitment would be limited to 1/3rd of the direct recruitment vacancies arising in the year subject to a further ceiling that this does not exceed 1% of the total sanctioned strength of the Department.’** Therefore the Special Lateral DR Rules 2011 is decisively contradicting this provision.
5. Para 1.1 of the RR reads that, *“These rules shall be valid through one round of recruitment from I.T.S.Group A officers and one more round from others, if required.”* **Giving preference to one group of candidates from amongst those having the prescribed eligibility conditions is highly discriminatory and is gross violation of guidelines for any Recruitment Rule.**
6. E6 scale is available only for time bound upgradation in BSNL. Therefore direct recruitment in E6 scale for functional posts is unjustified. Recruitment can be made in E5 scale of DGM only to the extent of 50% of vacancies justified in the grade as per revised work study, less the number of Direct Recruit DGMs already working in BSNL.

3. In view of the above, we request that, DoT may critically review the matter and constitute a committee as envisaged in the DoP&T letter cited in a previous para, with members from the administrative Ministry and DPE to ensure that **'efficiency and cost effectiveness are far more important for any public enterprises'** as envisaged in the DPE letter dated 21.3.2002 referred to above. It may also be ensured that all promotional vacancies existing as on date in all grades are filled up before deciding the number of vacancies to be filled up through a special recruitment.

With kind regards,

Yours sincerely,



(V.P.Arya)
General Secretary

Encl: As stated

Copy to:

1. Shri Kapil Sibal,
Minister of Communications & IT, New Delhi
2. Shri D.R.S.Chaudhary,
Secretary, DPE. New Delhi
3. Shri S.R.Rao,
Addl. Secretary (T), DoT, New Delhi
4. Shri R.K.Upadhyay,
CMD, BSNL, New Delhi