

**No: SNEA/CHQ/CMD/2015-18/108**

**Dated 13<sup>th</sup> September, 2018.**

**To**

**Shri Anupam Shrivastava,  
Chairman and Managing Director,  
BSNL, New Delhi.**

**Sub: XXX All India Conference of Sanchar Nigam Executive Association reg:**

**Ref: 1. No. BSNL/31-7/SR/2018 Dated 07.09.2018 (issued on 10.09.2018).**

**2. No. SNEA/CHQ/AIC Notice/2015-18/01 Dated 23<sup>rd</sup> August, 2018.**

**3. No. BSNL/31-2/SR/2018 (pt) Dated 30.08.2018.**

**4. No. SNEA/CHQ/GMSR/2015-18/25 Dated 06<sup>th</sup> September, 2018.**

**Respected Sir,**

Kindly refer the letter under reference:1 above dated 07.09.2018, **issued on 10.09.2018**, communicating that the present office bearers of SNEA at CHQ level shall not make any correspondence and shall not have meetings with the Management on behalf of the Association after 8<sup>th</sup> September, 2018.

1. As a matter of fact, as per the decision of the Central Working Committee of SNEA and in accordance to the various provisions of the constitution of SNEA, the XXX All India Conference of SNEA was duly notified on 23.08.2018 vide letter under ref 2 above. The AIC is notified to be held at Ludhiana, Punjab Circle from 28<sup>th</sup> to 30<sup>th</sup> November, 2018. Copy of the AIC notice was also given to the BSNL management on 23.08.2018 itself. Having notified holding of AIC from 28<sup>th</sup> to 30<sup>th</sup> November, 2018 and already intimated on 23.08.2018, we really fail to understand the rationale behind the letter issued by SR section on 07.09.2018.

2. While we agree with the general perception of the SR cell that Conferences need to be held within timelines stipulated by the constitution, what is intriguing is that only SNEA is being exclusively singled out to comply with the provisions whereas identical violations by others are being blatantly overlooked, thus clearly implying that management is targeting this powerful Association only to destabilize the strong unity among the Executives under the banner of SNEA. Besides this action of SR cell, to say the least, cannot but be called as discriminatory and biased.

3. You are aware, sir, that All India Conference is a big event and we have to make elaborate arrangements for about 1200 delegates expected to attend the Conference and as such, to finalize the arrangements for the conference, reasonable time is needed. Moreover the very fact that AIC is being held from 28<sup>th</sup> to 30<sup>th</sup> November, 2018 and this has been duly communicated to the management well in time on 23.08.2018 establishes the fact that the Association have had at no point of time any intention, even remotely, to delay inordinately or circumvent holding of conference.

It is not possible under such short period as expected by SR Cell and this has been conveyed to GM(SR) well in advance.

4. Scrutiny of facts chronologically establishes the bonafide intentions of the Association to hold the conference within permissible timelines. As per the provisions of constitution of SNEA itself, minimum 45 days notice is to be issued for conducting the AIC. Sufficient notice is not given to the Association to conduct the All India Conference, ie. minimum 45 days. In this regard the first letter was issued on 30.08.2018 and the second letter disallowing the CHQ office bearers from having meetings and correspondence with management was issued on 07.09.2018, just within 7 days, even one day prior to the completion of the tenure of the CHQ office bearers.

5. SNEA is the only Recognised Association in BSNL representing all the 47000 Executives. As per the REA Rules 2014, only SNEA is eligible to represent the Executives on any policy matter. The very decision of the Management disallowing present office bearers of SNEA at CHQ level shall not make any correspondence and shall not have meetings with Management on behalf of the Association after 8<sup>th</sup> September, 2018 **clearly implies that BSNL management has decided to decide unilaterally on policy matters relating to Executives, without having any consultation with the representatives of Executives, and this clearly defeats the spirit and objective of REA rules and undoubtedly is an infringement on and violation of the inherent rights of the Unions and Associations.**

Sir, you are aware that, as on today, discussions for resolution of many pending HR issues are in advanced stage and debarring us from taking forward these issues to their logical conclusion is nothing but deliberate attack on the fundamental right of Recognised Executive Association and on more than 47,000 BSNL Executives. Further, holding of AIC is a matter of just 78 days away, and we categorically assure you that AIC will be held on the notified dates. Delay in holding the AIC by about two to three months because of genuine constraints has to be acknowledged and appreciated.

**6. It appears that BSNL management acted in the prejudiced manner to suppress the voice of the only Recognised Executives Association in BSNL. The following facts establishes the malafide intentions of the concerned officers.**

a) The AIC Notice was already issued on 23.08.2018 itself. Further, the actual reason for **about 78 days delay** was given in the letter dated 06.09.2018. However, BSNL issued the letter on 07.09.2018, even one day prior to the completion of the tenure of the present CHQ office bearers. In fact the letter date was 07.09.2018 but issued 2 days later, ie. on 10.09.2018 and a copy given to the General Secretary of SNEA on 10.08.2018. This shows that management was pre-determined on the matter.

b) As mentioned in para 2 above, sufficient notice was not given to the Association. On the very day first of completion of three years tenure of SNEA CHQ Body, management is issuing such letter, and such action is not seen with respect to any other Association/Union. Before the letter is issued to us, same has been leaked and circulated on many WhatsApp groups and wrong message have been spread that SNEA is not Recognised Association. We demand for an in depth inquiry on such culprits working against unity of the Executives in BSNL.

c) In the case of some other Associations, management not even acted for 6 months when the office bearers retired from service and become ineligible to become a member or office bearer of any Association, evenafter the same was brought to the notice of SR Cell.

d) Still management is allowing such ineligible Association representatives and granting meetings to them and entertaining correspondence from them evenafter letter has been issued by SR Cell.

e) Management entertaining so many Associations, even those who did not participate in the membership verification and entertaining them and even have a membership less than 100.

f) Management entertaining so many Associations and their representatives, even it is doubtful whether they are having any constitution or bylaws or conducted any conferences to elect their office bearers. Management is entertaining the correspondence and meetings with Associations which were barred from participating in the membership verification as their constitution itself is ultra-vires to REA rules. It is our request to confirm whether management is acting according to the bylaws of each and every Association or it is being applied only for SNEA as we are taking up the legitimate demands of the Executives and raising our voice against the wrong policies?

g) With this letter Management is giving an impression to the Executives that Management is deliberately closing the only channel of communication available for the BSNL Executives and their representatives as mentioned in the para 5 above which is against the fundamental rights.

**h) BSNL Management has overstepped in its jurisdiction by the above actions.**

**In view of the above facts, it is requested to withdraw the letter under reference 1 above and allow proper functioning of SNEA, the only representative Executives Association in BSNL and communication with the management with immediate effect.**

**We will also request your goodself to control some of the biased officers who are deliberately acting against SNEA and ensure legitimate functioning of SNEA as the Recognised Representative Association under REA Rules.**

**With kind regards,**

**(Sebastin. K)**

**Copy to:**

1. Smt Sujata T Ray, DIR(HR), BSNL Board for information and n/a please.
2. Shri A. M. Gupta, GM(SR) for information and n/a please.