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BHARAT SANCHAR NIGAM LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)
SR Cell, Corporate Office
8th Floor, Bharat Sanchar Bhawan,
Harish Chander Mathur Lane,
Janpath, New Delhi-110001

No. BSNL/20-7/SR/2024

Dated: 21.03.2025

Subject: Minutes of 40th meeting of the National Council held on 13.01.2025

The 40th meeting of the National Council was held under the Chairmanship of Director (HR) at 11.00 AM on 13.01.2025 in the conference hall, Bharat Sanchar Bhavan, New Delhi. The list of participants is available at Annexure-A.

PGM (SR) welcomed the Chairman and all the members of the Council from the Management and Staff side many of whom had travelled from all over the country to attend the meeting. She mentioned that the National Council is an august body constituted under the ambit of RNEU Rules approved by BSNL Board. It is the highest forum in which the management side and the staff side can carry out peaceful dialogue on the various issues of employees and make every possible effort to resolve them. Management side and staff side should work together in a constructive manner in the interest of company.

Director (HR), Chairman National Council, welcomed all members and noted that this is the first National Council meeting since he has joined as Director (HR). It was opportunity for the management side and staff side to work together in a very positive and constructive manner in the interest of company and employees. He stressed the importance of compassion and positive attitude in HR. A number of quick wins had been achieved by the HR team which included:

- 1) Decision taken to implement reservation for PwBD as per latest DoPT instructions.
- 2) Online portal for transfer under rule 9 in ERP system.
- 3) Promotion exam (LICE) held.
- 4) Training and re-skilling of non-executive employees.

Many quick wins will be further achieved when the financial situation improves. He assured that many more wins were in the pipeline and could be resolved soon with a positive mind-set.

Leader, Staff Side welcomed the Chairman and all participants of the meeting. Besides agenda points, he expressed concern on following points in his opening remarks:

1. Notice served to Union for accommodation.
2. Non-functioning/meetings of councils at Circle/BA level.
3. Second VRS not consulted with stakeholders.
4. Meetings given to Limited Trade Facility Union
5. Outsourcing of CSC staff.
6. Benefit of 7th CPC to Casual Mazdoors/TSM
7. Mobile reimbursement to Non-Executive
8. Uniform issuance of liveries in field units.
9. Shortage of JE in MH circle.
10. Maintenance of CVC guidelines for rotational transfer.
11. Case of Shri Dinesh Prasad, TT, Lakhisarai regarding recovery.

Secretary, Staff Side welcomed Chairman and all participants. He conveyed greetings for the New Year and expressed his gratitude for holding this meeting as per schedule despite time constraint of management. He expressed his satisfaction for the positive, compassionate and humanitarian approach of the Management to resolve some long pending issues under the leadership of new CMD and Director (HR). However, resolution of the issues was also important and the status had not changed much. He further submitted his concern about periodicity of the National Council meetings and requested to form standing committee to review the implementation of decisions taken in National Council Meeting. Before the discussion on agenda points, he spoke at length on following issues:

1. National Council meeting should be held once in three months.
2. Strong opposition of 2nd VRS.
3. Heavy workload of officers.
4. Non-settlement of Wage Revision for Non-Executives in BSNL.
5. Non-declaration of LICE JTO result of Punjab Circle.
6. Mobile reimbursement to Non-Executives.
7. Pathetic conditions of 4G services of BSNL.

At this juncture, CMD, BSNL graced the meeting for a short while and addressed the gathering. He mentioned about the government support, revival packages and recently launched service viz., BSNL National WiFi roaming, Direct to Device (D to D) services, BSNL IFTV services, first private 5G in Mines etc. He emphasised to work hard to increase revenue and decrease employees cost which is approximately 39% of total revenue at present, increase ARPU, so that Government can be approached for 3rd PRC. He further mentioned about litigation issues which are unnecessary draining manpower and money. He encouraged the association and BSNL staff with his pristine advice to prioritize and aim for the betterment of BSNL. BSNL team is trying to identify top 100 cities to ensure 100% 4G viability. CMD was concerned about decreasing trend in customers and request to work for QoS, FTTH and EB. Management has a positive attitude and HR issues can be settled through dialogues well within the rules and framework.

Thereafter, agenda items were taken up for discussion.

1. Forcible recovery of the arrears of the employee contribution of EPF, from the salary of employees.

The Staff side stated that BSNL recruited employees are eligible for EPF. They are not entitled for GPF. However, in the case of certain BSNL recruits, the Management has wrongly implemented GPF. After many years, the BSNL Management shifted those employees from GPF to EPF. At that time, the Management is making forcible recovery of the arrears of the employee contribution of the EPF. For example, Shri Manoj Sharma, Sr.TOA(G), Ujjain, MP circle, was shifted from GPF to EPF. The CGM MP circle, has ordered recovery of Rs. 4,26,620/- from the salary of Shri Manoj Sharma, "being recovery of GPF and interest portion".

Similarly, in the case of around 80 employees of Odisha and CNTX Circles, initially Presidential Orders were issued. At that time, GPF was implemented for them. However, after 20 years the DoT cancelled the Presidential Orders issued to them. After cancellation of the Presidential Orders, these employees are shifted from GPF to EPF. These employees are being compelled to pay the arrears of the employee contribution of the EPF. The CGMs of these Circles are compulsorily getting option forms filled up from the employees, based on which arrears of the employee contribution of the EPF will be recovered from their salary.

The Staff Side demanded that as per the order of the EPF commissioner, arrears of the employee contribution of the EPF can be recovered only in cases where "clerical errors" have taken place. In other cases, the arrears of the employee contribution of EPF should not be recovered from the employees. In

both the above instances, no clerical error has taken place. It is change of policy of the Management. Initially Management implemented GPF and subsequently they decided to implement EPF. Hence, in both the above cases the arrears of the employee contribution of the EPF should not be forcibly recovered from the salary of the employees.

Management side stated that the wrongly issued presidential order in respect of eleven (11) employees of Odisha Circle absorbing them in BSNL was cancelled as per the instruction of Corporate office vide letter no 7-16/2020-LE dated 13.08.2020. At present only 6 employees out of the 11 are working. In view of the cancellation of presidential order CCA, Odisha closed the GPF Accounts. Many of the employees have filed Original Applications in Central Administrative Tribunal, Cuttack. In two cases Hon'ble CAT, Cuttack granted stay, out of which one person has expired. CCA, Odisha closed the GPF Account in all the cases except the above two. As per the clarification received from Corporate office vide letter No. BSNLCO-A/13(16)/1/2024-ESTAB dated 21.08.2024 action to open EPF Account is in progress in Odisha Circle. The concerned employees have been requested again and again to submit the duly completed form for opening of the EPF Account. Some of them have represented that the employee contribution for the previous period may be paid by BSNL and recovered from their salary in installment. Approval of Corporate office has been sought for the same vide this office letter No. ODCO-26/15 (13)/14/2022-CA (F and A)-OD CO dated 04.12.2024.

Some employees in BSNL MP Circle have status of DR Recuritee but due to appointment under compassionate ground they are covered under GPF initially. Further as per instruction of BSNL Corporate office vide letter number BP 35/CA II/BSNL/EPF VOL II dated 21.06.2007 that the person who are appointed under compassionate ground by BSNL/DOT on or after 01.10.2000 as nominees of the employee of DOT/DTS/DTO died in harness up to 30.09.2000 will come under Employee Provident Fund Scheme and technically treated Direct Recruited employee.

Shri Manoj Sharma SOA (G) has joined BSNL on 27.11.2000 as TOA on compassionate ground. The GPF contribution had been made from Nov-2000 to Jan-2016 treating the employee as a DOT. Further as per instruction of Jt. DDG (CA) C.O. New Delhi vide order dated 21.06.2007 Shri Manoj Sharma was considered as BSNL DR recruited employee. Hence MP Telecom circle had deposited EPF contribution Rs 9,41,791/- (EPF contribution Rs 4,10,696/- and EPF penalty Rs 5,31,095/-) in June-2017 for period Aug-2000 to Jan-2016. As employee already withdrawal the GPF fund, an unconditional consent letter was sought from the employee as per instruction of Competent Authority, but the official has denied to written consent of his share of deduction for Rs 4,26,620/- to be done from his salary / not given till date.

Shri Manoj Sharma denied for deduction of Rs. 4,26,620/- from his salary with supporting letter of EPFO क्रमांक/भनि/क्षेक/Circle -III/भोपाल/प्रवर्तन/मप्र/13490/ दिनांक13/01/2021, as per EPFO letter that deduction of any arrear of EPF amount (employee share) is not valid.

Number of letters/instructions were received from Corporate Office, New Delhi for immediate deduction of employee share. In this regard request / instructions were given to PGM BA Ujjain several times but still recovery has not initiated. A clarification is received from EPFO Bhopal vide Letter no. Circle - 3/MP/13490/319 dated 03.07.2023 that if employee is not eligible for GPF so recovery can be made from employee salary.

The advocate of Shri Manoj Kumar Sharma has given legal notice dated 14.12.2023 regarding non deduction of recovery amount Rs. 426620 in 36 installments. Legal notice replied on 17.09.2024.

Staff side has given a copy of order of EPF Commissioner. Management side agreed to abide by the instruction of EPF authority.

-Action by Estt. Cell

2) Redeployment of TTs and ATTs in the FTTH segment.

The Staff Side demanded that the BSNL Management has taken a policy decision to close down the copper cable based landline and broadband connections. Consequent to this, the Telecom Technicians and Assistant Telecom Technicians will become redundant. These officials can be gainfully redeployed and engaged in the activities of provisioning and maintenance of the FTTH connections. The Union is raising this demand in view of the fact that, presently, lakhs of BSNL's FTTH connections are getting disconnected every month. Poor maintenance is the primary reason behind the massive surrendering of BSNL's FTTH connections. It must also be noted that, the TIPs engaged by BSNL are getting 50% of the revenue of the FTTH connections. This money can be utilized for the procurement of equipments and engaging manpower, with which BSNL can provide excellent FTTH service to the customers.

The Management agreed to record the views of staff side and send it to CFA Branch for necessary action.

- Action by Estt. Cell

3) Imparting training to the Non-Executives in computer operations.

The Staff Side submitted that the BSNL Corporate Office vide its letter dated 24.09.2024 has communicated its intention of imparting training to the Non-Executives, for gainfully utilizing them in the areas of OFC maintenance, sales, etc. The Union has already demanded that, the TTs and ATTs should be redeployed in the FTTH segment. Hence, the requisite training may be imparted to the TTs and ATTs to enable them for carrying out their duties in the segment. Further, all the Non-executives may be imparted training in computer operations, so that they can be better utilized to carry out skillful jobs.

It was informed that CMD BSNL has desired that a strategy for re-skilling and productive employment of all non-executives employees may be put into place in consultation with the recognized unions. Accordingly, Training Section, BSNLCO has carried out a comprehensive study and has proposed a multi-pronged strategy. The proposal of training Section BSNLCO, regarding training to the Non – Executives has already been shared with GS BSNLEU and GS NFTE. Views of both the GSs were sought. The updated reply has been received from both the recognized unions. Their suggestions have been incorporated in the earlier proposed strategy. Revised strategy has been put up for approval.

-Action by Rectt. &Trg. Cell

4) Non-Implementation of the DoT order on payment of retirement benefits, pending verification of caste certificate.

The Staff Side stated that the DOT, vide its letter No.40-09/2022-Pen(T) addressed to the CMD BSNL, has stated that the pensionary/ retirement benefits of the retiring employees should not be withheld or delayed, on the ground of pendency of verification of caste certificate. The DOT has also stated that the only reason for withholding of pensionary / retirement benefits can be pending departmental or judicial proceedings at the time of retirement. Despite this clear cut instruction, the pensionary / retirement benefits of the ST employees of Maharashtra circle has been withheld on the ground of pendency of verification of caste certificate. Staff side demanded that the Corporate Office may issue necessary Instruction to the CGM, Maharashtra, for the implementation of the aforementioned DoT letter.

Management side stated that the DoP&PW OM dated 30.11.2021 regarding non-payment/delay in payment of retirement benefits on account of delay in verification of caste certificate was circulated by DOT vide OM dated 30.12.2021 and the same was endorsed by SCT Cell BSNL vide letter dated 25.04.2022 for implementation in all circles. Subsequently, Estt. Branch vide letter dated 25.07.2022 has intimated Maharashtra Circle that the retirement benefits in cases where verification of caste certificate is pending, are required to be settled in terms of DoP&PW OM dated 30.11.2021. Maharashtra Circle has been requested again vide Estt. Branch letter dated 18.11.2024 to take up the matter with CCA for settlement of pension and pensionary benefits in accordance with DoP&PW OM dated 30.11.2021.