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Reply of  
Replies of BSNL management on  
some items:-

## Annexure A

Item No.	Item	Comments
7	Implementation of revised DCRG ceiling limit for BSNL absorbed DoT employees w.e.f. 01.01.2016	Order for enhancement of maximum limit of Death/Retirement gratuity has been issued and forwarded to field units on 21.03.2017 (copy enclosed)
8	Open ended pay scales in the pay revision with effect from 1.1.2017 for avoiding the stagnation problem.  BSNL management is requested to take necessary action immediately to make DoT agree for collecting pension contribution on actual basic pay, so that open ended pay scales can be implemented in the wage revision from 1.1.2017 and the serious problem of stagnation is solved once for all.	A letter from Director(HR), BSNL Board stating/giving detailed justification of payment of pension contribution on actual basic pay has been sent on 22.03.2017 to Member(Services). Necessary action as suggested by the staff side has already been taken.
Addl. Item No.	Item	Comments
3	Acceptance of membership in the councils	<p>1. There is one court case pending before the Hon'ble High court of Kerala in which the Hon'ble Court had passed an order dated 30.05.2013 directing that :-</p> <p>" There will be an interim direction to the second respondent [ CMD, BSNL] not to induct or grant membership to anyone of the unions which has not secured the prescribed 7%, votes in the referendum".</p> <p>2. Subsequently the Hon'ble Court clarified vide its order dated 04.09.2013 that :-</p> <p>"----- the direction to the second respondent is not to accept nomination of any one of the unions which has not secured the prescribed 7 % votes in the referendum. If the qualified unions give any such nomination, it shall be open to BSNL to take appropriate decision in the matter."</p> <p>3. The legal cell of BSNL, CO was requested to give its opinion on the clarificatory order dated 04.09.2013 and they had advised/opined that the clarificatory order cannot be interpreted to mean that BSNL can take a decision to</p>

		<p>accept nomination of members belonging to non-eligible unions as such an interpretation will render the interim order in-fructuous.</p> <p>4. It is also pertinent to mention here that in 2015, NFTE- BSNL had nominated two members in Local Council in the Jharkhand Circle, who were members of other non-recognised unions,</p> <p>5. NUBSNLW(FNTO) petitioner in the above Court challenged their nominations and filed a Contempt Petition against CMD, BSNL for non-compliance of order dated 30.05.2013. The contempt was dropped only after the two members of non-recognised unions were removed from Local Council of Jharkhand Circle.</p> <p>6. The Court case is still pending, therefore, in view of the factual position stated above it is not feasible to consider the demand for acceptance of staff side members from non-recognised union securing less than 7% votes in the last membership verification.</p>
4	Expeditious steps for wage revision	<p>The matter has already been taken up with DoT and the matter is also under conciliation before RLC(C), New Delhi. Further RLC(C) New Delhi has also requested Secretary, DoT to issue guidelines to BSNL. It is assured that prompt action will be taken on receipt of instructions from DoT.</p>