



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-110 001

No. BSNL/7-1/SR/2018

Dated, the 20th February, 2018.

To

Shri P Abhimanyu
GS BSNLEU

Shri Chandeshwar Singh,
General Secretary
NFTE

Shri V Subburaman,
General Secretary,
TEPU

Shri K. Sebastin,
General Secretary
SNEA

Shri Prahlad Rai
General Secretary
AIBSNLEA

Shri N Kabeer Das,
General Secretary
BSNLOA

Shri Suresh Kumar,
General Secretary
BSNLMS

Shri K Jayaprakash,
General Secretary
NUBSNLW (FNTO)

Shri S D Sharma,
General Secretary,
BSNLATM

Shri N D Ram
General Secretary,
SEWA BSNL

Shri Ravi Sheel Verma,
General Secretary,
AIGETOA

Shri R C Pandey
General Secretary
BTEU (BSNL) BMS

Sub: Notice for Agitational Programme by All Unions & Associations of BSNL.

Ref.: 1. Notice No. UA/2017/5 dated 12.01.2018.
2. This office letter of even number dated 24.01.2018.

Sir,

I am directed to refer to your aforesaid Notice dated 12.01.2018 addressed to Secretary, DOT & CMD, BSNL wherein a agitational programme of '**March to Sanchar Bhawan**' has been proposed on 23.02.18. In this regard, it is intimated that the details of the 'March' has not been mentioned in the notice.

2. Your attention is brought to various advisories /appeals issued by this office from time to time informing you and all concerned the provisions under BSNL CDA Rules, BSNL (REA) Rules, 2014 & Industrial Dispute Act, 1947, prohibiting any joint programme by the Unions & Associations.

3. Further, your attention is also invited to the interim injunction order dated 06.05.2017 in Civil Suit No. 538/2017 passed by Hon'ble Patiala Court at New Delhi " restraining them from further intensifying the ongoing strike so as to impede the functioning of the BSNL...." (conveyed vide this office letter dated 08.05.2017). It is surprising to see that inspite of above mentioned Hon'ble Court interim injunction and numerous advisories issued frequently on the matter, All Unions & Associations of BSNL have served a fresh notice calling for various agitational programme from 30.01.2018 onwards.

4. As all concerned are aware that Management has time and again been issuing appeals/ advisories to the Associations/ Unions not to resort to any agitational programme in view of pending conciliatory

proceedings before the Ld RLC. It may also be noted that during pendency of the conciliatory proceeding no person employed in a Public Utility Service {Telecommunication is a Public Utility Service as per para 2(n) (iii) } shall go on strike and any strike in contravention of section 22 of ID Act may be treated illegal under section 24 of the Act. Thus, present call of agitational programme is illegal. Further, the matter of such willful contravention of the provision of ID Act shall be reported to RLC (Central) New Delhi.

5. Also participation in any kind of strike or inciting others for any kind of agitation by them and is prohibited under BSNL Conduct Discipline & Appeal (CDA) Rules 2006, would be treated as misconduct in accordance with Rule 5(23) and Rule-8 of and on account of such activities such employees are liable to disciplinary action.

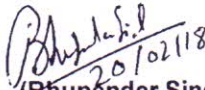
Further, BSNL vide letter dated 04.01.2017 (Based on instructions circulated by DOT vide letter dated 07.10.1987) reiterated the provisions relating to strike. In the said letter it is clarified that 'strike' means refusal of work or stoppage or slowing down of work by a group of employees acting in combination, and that 'Dharna', 'Work According to rule', 'No- Cooperation' etc amount to strike.

It is submitted that Management has never disallowed any peaceful demonstration beyond office hours (including Lunch Hour demonstration) and outside BSNL premises/compound. Needless to say that any demonstration/dharna or strike in any form within the office compound/BSNL premises during the working hour of the company causes disruption in normal functioning, retardation of work which amount to Strike.

6. Further, Rule 5 (22) & 8 of BSNL CDA Rules also prohibit strike. In terms of the above provisions any employee, participating in strike will be liable to disciplinary action apart from deduction of wages under "No work, No pay" principle. Therefore, if any employee resorts to strike, his/ her pay shall not be paid for the day/ days in question. This will be without prejudice to any disciplinary action that may be initiated against such employee(s) for participating or inciting other to participate in strike.

In view of the facts stated above an appeal is again made that agitational programme of "March to Sanchar Bhawan on 23.02.2018" is not appropriate and may be withdrawn.

Yours faithfully,

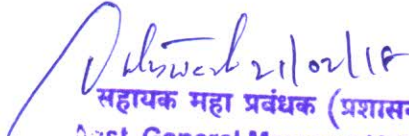

(Bhupender Singh)
AGM (SR), BSNL C.O.

Copy for kind information to :

1. PS to Director (HR) BSNL CO.
2. PGM (Pers), BSNL C.O. for kind information and necessary action please.
3. All CGMs, Telecom Circle, BSNL for kind information and necessary action please.
4. GM (Admn) BSNL CO. for kind information and necessary action please.
5. CLO (SCT) BSNL CO, New Delhi with the request to issue necessary instructions with respect to participation of SEWA BSNL in the proposed agitational programme.
6. CLC, New Delhi, for kind information please.
7. RLC (Central), New Delhi for kind information please.
8. Under Secretary, SR Wing, Deptt of Telecom, Sanchar Bhawan, New Delhi for kind information in continuation of this office letters of even number dated 24.01.18, 01.02.2018 & 16.02.2018.

Encl. NO:TA/co-VJ/Admn/1071/corr.on strike/2017-18/Vol.II/86 Dated @ VJ, the 4-2-2018.

To
All SSA Heads/units
for information & impl.


सहायक महा प्रबंधक (प्रशासन)
Asst. General Manager (Admn)
वि.स.प्र. दूरसंचार, आ.प्र. परिमंडल
O/o. CGM, Telecom, AP Circle
बीएसएनएल BSNL
विजयवाड़ा VIJAYAWADA-520 004