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No. AIBSNLOA/CHQ/2012/88

Dated: 31<sup>st</sup>December 2012

To

Shri R.K.Upadhyay,  
Chairman & Managing Director,  
Bharat Sanchar Nigam Limited,  
New Delhi.

**Subject: Recruitment of DR-DGMs in BSNL in the background of interim relief granted to the applicants by Hon'ble CAT Chandigarh and subsequently by Hon'ble Principal CAT New Delhi –provisional inclusion of BSNL executives in the recruitment thereof – reg**

Ref: Our letter No. AIBSNLOA/CHQ/2012/67 dated 04<sup>th</sup> October 2012

Sir,

This is in continuation of our letter cited under reference wherein we had requested that if at all there is a need for lateral induction, it must be at the level of GMs grade and above and had also requested to withdraw the notification for direct recruitment of DGMs.

2. But we find that instead of withdrawing the above mentioned notification, BSNL management has decided to provisionally include BSNL executives who fulfill certain criteria consequent on interim order of Hon'ble Principal Bench of Delhi CAT. This action of management will not only made the things more complicated but also lead to further litigations on the matter. The criteria notified twice within two days don't shed any clarity on the eligibility either. In this regard I want to draw your kind attention towards the following few points which needs to be addressed before conducting the said examination:

(i) **Qualification:** As per the notification, the candidates must have the B.Tech/B.E. or equivalent degree. It is not clear whether master/ bachelor degree in science will be treated as equivalent degree or not. Since, earlier it was limited only for the outsiders, we did not consider the necessity to take clarification on this issue. But when it has been allowed for the executives



working in BSNL, so all the executives recruited as Engineer/ JAO in BSNL and having requisite years of experience should be allowed to appear in above said examination.

(ii) **Age:** As per the notification, upper age limit for the applicants should not be more than 45 years. I think that in respect of the departmental candidates, the age limit should be relaxed. Because, whenever departmental candidates are allowed to appear as outsider departmental candidates, the department relaxed the age limit for such candidates. In this regard, BSNL may take advise from DOP&T or UPSC if need be.

(iii) **Annual Gross Salary:** As per the notification approximate annual gross salary of the applicant should be Rs.7 lakhs for last three years. This Para should be examined by the concerned section because in BSNL, the executives are working in different cities and getting different gross salary because of differences in HRA rate etc. As HRA is different for different cities and it is ranging between 30% to 7.5%, hence gross pay may differ according to the place of the working of executives even of the same batch. Therefore, some of the executives who are working in category 'A' cities may be eligible for appearing in the examination since their gross salary is more in comparison to the executives who are working in small town/cities. Hence some of the executives who are working in small cities and getting less pay due to difference in HRA may not be eligible to appear in the examination. Therefore, this aspect must be examined and accordingly the criteria of annual gross salary should be clarified before conducting the examination.

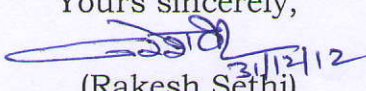
(iv) **Pay and allowances:** As per the notification, selected candidates will be placed in the E5 scale and no pay protection will be given to the passed candidates. Recently, the same has also been clarified by BSNL. I think this should also be re-examined in view of the relief granted by the BSNL management to the executives of BSNL since many executives are drawing more pay.

Thus, it appears that the process of direct recruitment of DGMs which took nearly three years at the first instance may now prolong further for some more years due to litigations after the final outcome of the Principal Bench of Delhi CAT decision is known. If BSNL's aim is to recruit DGMs urgently, the wiser option would be to fill the vacancies through promotion from DE/AGM grade or ***all the executives working in BSNL and having 12 years of experience irrespective of age and qualification are allowed to appear in the above said examination.***

In view of the above, we again request you to kindly reconsider your decision of direct recruitment of DGMs and fill up vacancies in DGM grade through promotion from the STS grade officers.

With kind regards,

Yours sincerely,

  
(Rakesh Sethi)

o/c General Secretary