

ALL INDIA BHARAT SANCHAR NIGAM LTD. EXECUTIVES' ASSOCIATION

All communications to:
Circle Secretary
46, Jamuna Puri,
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RAJASTHAN CIRCLE, JAIPUR

(Registration No. S - 44528 of 2002)
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No.:AIBSNLEA/RAJ./2009-10/16

Dated 8th Feburary' 2010

To,

Shri G.K.Agarwal
Chief General Manager
Rajasthan Telecom Circle
BSNL, Jaipur.

Sub:-Illegal local officiating to unabsorbed STS of ITS Group "A" against the post of DGM in Rajasthan Telecom Circle.

Respected Sir,

It is to intimate that the post of DGM of BSNL are being manned by giving local officiating promotion to unabsorbed ITS officers in Rajasthan Telecom Circle for last more than one year which is absolutely illegal. In this regard, we understand that following facts/ rules are being ignored by the management in the circle.

1. All the STS Officers of ITS Group "A" cadre, recruitment year 1999 and 2000 were not on the roll of the then DOT/DTS/DTO. All these officers joined DOT after 30-9-2000, ITS 1999 batch joined in April 2001 and ITS 2000 batch joined in April 2002. Hence the date of joining is after formation of BSNL. They cannot be considered as ITS officers. Their fate in BSNL has to be decided separately. They have not been recruited for BSNL and hence they have no lien to any post in BSNL. Their presence in BSNL as executive is not supported by any rule of BSNL.
2. As per orders issued by the Govt. of India at the time of formation of BSNL, only those employees were placed on deemed deputation for a period of 5 years w.e.f.1-10-2000 who were on roles of the then DOT/DTS/DTO. The deemed deputation was first extended up to 15-10-2005 and later up to 22-12-2008 vide DOT letter no. A-11013/1/2005-Admn.II/absorption cell dated 12-09-2008. **The deemed deputation has not been extended so far. There is no order from DOT/Government of India about the deputation or deemed deputation after 22-12-2008. The status of the officers of ITS 1999 and 2000 batch can not be taken as on deemed deputation because they were not on role of BSNL on 30.09.2000.**
3. As per rule, an employee on deputation to any other department or organization does not have right as well as claim for promotion against the

posts of that department where he is working on deputation. He can only get promotion against the post and rules of his parent department.

4. As per guidelines issued by DOT with the circulars for calling the options for absorption in BSNL/MTNL from Group 'A' officers in 2005 and Aug.08, only those officers were allowed to opt for absorption in BSNL/MTNL or otherwise who were on roll of DOT/DTS/DTO as on 30-9-2000. **The officers of ITS batch 1999 and 2000 year are not even entitled for absorption in BSNL.**
5. As per DOT letter no.317-5/2006/STG.III (Pt.absorbee) dated 05.11.2008 promotion and pay fixation of absorbed officers has been delinked from the unabsorbed Group "A" officers with effect from the date of issue of that letter. **Thus unabsorbed Group "A" officers are not entitled for promotion in BSNL against the post of BSNL.**
6. As per ITS recruitment rule 1991 a officer of STS of ITS Group "A" can get promotion to JAG only after regular service of five years in STS grade until unless it is relaxed by the competent authority. The officers of ITS Group 'A' 1999 and 2000 year were promoted as regular STS in April 2006. **Thus all these officers have not completed qualifying five regular service as STS for promotion to a JAG post. Head of Circle is not the competent authority for relaxing the condition of qualifying service.**
7. BSNL so far has not delegated powers to Heads of circles for making local officiating promotions from unabsorbed STS to JAG or to give relaxation in qualifying service.

In view of above facts I request you **to stop local officiating promotions to unabsorbed STS of ITS Group "A" as JAG in BSNL against the posts of BSNL immediately and to revert back to original post to those officers who have been illegally promoted.**

The members of AIBSNLEA Rajasthan Circle are very much frustrated and agitated with the present scenario that an unabsorbed, un entitled, un qualified STS officer being promoted to JAG post whereas regular absorbed STS who have already been given E5 scale (JAG scale) are not being considered for DGMs post in the organization for they have worked for whole life and are BSNL executives.

With Regards



(O.P. JAT)

Circle Secretary

Copy to:-

1. Shri Prahalad Rai, General Secretary, AIBSNLEA, CHQ, New Delhi for information.
2. Shri S.L. Singh, GM (HR & Admn) % CGMT, Rajasthan Circle, Jaipur for information & further necessary action please.