

SANCHAR NIGAM EXECUTIVES' ASSOCIATION MAHARASHTRA CIRCLE



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To,

Com. K. Sebastin,
General Secretary, SNEA CHQ,
W Seshagiri Rao SNEA Bhavan, B-11, 1 & 2, Double Story,
Ramesh Nagar, New Delhi, 110015.

No. SNEA/MH/Cir Corr/2017-2019/73

Dated 9th May 2019.

Sub: Uncertainty created on functioning of SNEA MH due unconstitutional recognition called by DGM Admn Mumbai and request to clear it by withdrawal of letter dated 12/04/2019 for partial and unwanted recognition of co-option reg.

Ref: Letter No. SNEA/CHQ/Circle/2018-19/08 Dated 12/04/2019.

Dear Comrade,

With reference to Letter No. SNEA/CHQ/Circle/2018-19/8 Dated 12/04/2019, you have conveyed partial recognition to the unanimous resolution passed by Emergency CEC Meeting of SNEA MH held at Pune, which is unwanted in view of said provisions of constitution of SNEA. The following facts are brought to your kind notice & review of the matter and respecting resolutions of CEC meeting of SNEA MH.

1. DGM Admn Mumbai vide letter No. CGMT/MH/Admn-I/SNEA (I) /2018-2019/Part-File/67 dated 05/03/2019 addressed to ACS SNEA MH has asked for copy of the recognition of co-option of post of CS & CP SNEA MH as under SNEA constitution clause 3 (f) (ii).
2. Further, vide letter No. CGMT/MH/Admn-I/SNEA (I) /2018-2019/Part File/67 Dated 15/03/2019, it has been conveyed by AGM Staff Mumbai that till the recognition of higher body is received, administration will not accept any correspondence from Com. M. S. Adasul as CS SNEA MH and it has badly affected the functioning of SNEA MH as matter is pending for last seven months.
3. The matter was referred to you by ACS SNEA vide email 06/03/2019 and you have asked certain additional documents which also were submitted by ACS SNEA MH vide Letter No. SNEA/MH/Emgc CEC Corr/2018-19/4 DT 25/3/19.
4. Your good self has responded it vide Letter No. SNEA/CHQ/Circle/2018-19/08 Dated 12/04/2019 and its copy is directly marked to CGMT MH Circle. In this letter, you have conveyed approval only for co-option of post of CP SNEA MH and nothing is mentioned about co-option for post of CS SNEA MH which is part of same as resolution of CEC Pune, and Com M.N. Kotambe ACS is directed to continue charge of CS SNEA MH, which is beyond scope SNEA constitution
5. You are already informed in said letter by ACS SNEA MH that as per unanimous resolution passed in CEC Meeting Pune, I am co-opted as CS SNEA MH and was admired oath of allegiance by President SNEA MH in CEC Meeting itself. Accordingly, Com. M.N. Kotambe ACS SNEA MH has handed over charge of CS SNEA MH to me vide Letter No. SNEA/MH/Emgc CEC Corr/2018-19/3 Dated 11/02/2019 and I continue to hold it.
6. It is to inform that the said letter given by DGM Admn Mumbai asking for recognition of co-option is unwanted and unconstitutional and Circle management continues to interpret the constitution of SNEA wrongly just to destabilize working of SNEA MH as being done for last seven months.

7. The SNEA constitution clause 3 (f) (ii), states that Each elected body in an Organizational level shall be recognized by the next higher body in the Organizational set up. The recognition will be ratified by the respective Working Committee /Executive Committee concerned, if appealed against.
8. In this regards it is to inform that SNEA MH Circle Body has been already recognized by Circle Management vide letter No. A/Admn-I/SNEA/2017/Fol. II/32 dated 05/12/2017 and till today, this recognition has been never withdrawn by anybody. **As such, there is no need of any fresh recognition for circle Body as asked by Circle management by quoting irrelevant clause of SNEA constitution, as clause 3 (f) (ii) not applicable for co-option.**
9. In view of above facts, it is requested to review the matter and withdraw unwanted Letter No. SNEA/CHQ/Circle/2018-19/08 dated 12/04/2019 for partial co-option issued by you as this letter is being used by the Circle Management to delay the approval of co-option of post of CS & CP SNEA MH which is pending with Circle Management for last three months.
10. It seems that you have not gone to the depth of the provisions of constitution and responded this recognition issue in hurry. It will be better, if you convey Circle Management about no need of such recognition for co-option of any post including CS & CP SNEA MH.
11. Accordingly, SNEA MH will take up matter with Circle management for approval of co-option of CS & CP SNEA MH as per the unanimous resolution passed in Emergency CEC Meeting Pune and without need of any recognition letter.
12. If you think there is some lacuna in co-option of post of CS SNEA MH as per the provisions of constitution of SNEA, you are requested to make it clear so that SNEA MH can take corrective action.
13. If till you think recognition of co-option of CS & CP is must, then as per the constitution of SNEA such recognition is required from SNEA CHQ Body and you are requested to call the Meeting of CHQ OBs and convey decision of CHQ Body, whatever it may be. To overcome doubts/issues if any about co-option, wrong interpretation of different clauses of SNEA constitution by Circle Management and stand of SNEA MH on it and to avoid any one-sided decision as seen for last 07 months, **I am ready to attend this CHQ OB Meeting to update on happenings with SNEA MH.**
14. The constitution of **SNEA does not give any right to only GS SNEA to decide on recognition at Circle body including unwanted recognition of co-option** and any such recognition is required from entire Body of SNEA CHQ.

In view of above and to settle the unrest among SNEA Members due to uncertainty created by Circle management and certain actions on your part as GS SNEA, you are requested to clear the issue by taking any of the following action or by giving directions to SNEA MH to overcome stalemate going on for last seven months.

- A. It will be highly appreciated if you respect unanimous resolution at Sr. No. 2, of CEC Meeting of SNEA MH held at Pune to withdraw letter of forfeiting post of CS and CP SNEA MH issued by you on 23/01/2019, and allow smooth functioning of SNEA MH as this Circle Body continues with full mandate by SNEA members. **OR**
- B. If it is not possible to go for option 'A' above for any reason, by respecting the unanimous resolution vide Sr. No. 9 of SNEA MH CEC Meeting held at Pune, and **withdraw letter dated 12/04/2019 for partial co-option as it is not required as per the constitution of SNEA.** **OR**
- C. If not possible to go for option 'A' or 'B' above for any reason and you want to convey recognition for co-option beyond constitution at any cost then **please call meeting of all CHQ OBs and convey decision of CHQ Body** and in this case CS

SNEA MH may be called to put side of SNEA MH in this meeting. SNEA MH will follow whatever will be decision of CHQ Body after such discussions. **OR**

- D.** If CHQ Body also decides that recognition is required for co-option and there is need of any ratification in the resolution for co-option of post of CS or CP SNEA MH then **recognition may conveyed subject to its ratification if any in next CEC Meeting as per existing provisions of the SNEA constitution 3(g) (ii).** **OR**
- E.** In case you have any reluctance to allow CS SNEA MH to attend this meeting of CHQ OBs for any constitutional reason, then CHQ Body may discuss and decide it in absence of CS SNEA MH and you may convey its decision as Chief Executive of CHQ Body with alternative solutions well with SNEA constitution. **OR**
- F.** If in opinion of CHQ Body, if the co-option of any post or both the posts is unconstitutional and it cannot be ratified by CEC Meeting, then please convey it accordingly so that **SNEA MH will go for election of new Circle Body by holding Circle Representative council** as same has been already resolved in CEC Pune vide Sr. No.10. **OR**
- G.** SNEA MH has further resolved vide Sr. No. 11 in said Emergency CEC Meeting held at Pune that uncertainty on functioning of CS & CP SNEA MH is not resolved by GS/ CHQ Body for any reason, **then matter will be taken up in forthcoming CWC Meeting for justice** & you are requested to call for CWC Meeting at the earliest. **OR**
- H.** You or CHQ Body do not agree with any of suggestions 'A' to 'G' above for any justified reason, **then CHQ Body may suggest in writing any other suitable and constitutional option** to overcome present crises in MH Circle so that desired action can be taken by SNEA MH to clear ongoing stalemate.

In past we have seen total reluctance on your part in resolution of uncertainty created on functioning of SNEA MH as already time of seven months has been passed without any proper solution. There is feeling in comrades of SNEA MH that you are adopting time killing measures as three months have been passed even after Emergency CEC Pune held on 09/02/2019.

As such, you are requested to respect resolutions of CEC SNEA MH in true spirit and convey your decision on withdrawal of letters as per A & B above or convey decisions of CHQ Body as per C to H above before 25/05/2019. **If you do not act by any of the action to resolve the issue of SNEA MH by 25/05/2019 then SNEA MH will be free to take up matter appropriate forum for justice.**

Waiting for timely response in clearing uncertainty created for last 7-8 months on overall functioning of SNEA MH & its adverse effect on unity & strength of SNEA as whole.

Encl: AA

**M. S. Adasul,
Circle Secretary,
SNEA Maharashtra**

Copy to:

1. The President SNEA CHQ for kind intervention for stopping continuous wrong interpretation of SNEA constitution & its misuse to destabilize unity of SNEA MH.
2. All other CHQ OBs SNEA CHQ for kind information and with request to review the matter of Co-option as per the clause 3(g) (ii) of constitution of SNEA and not as per wish and will of CGMT MH who has taken series of vindication actions for destabilizing functioning of SNEA MH over period of last 7-8 months.
3. All CS SNEA throughout India for kind information please.
4. All COBs, DS and CWC/CEC Members, SNEA MH for kind information please.