



भारत संचार निगम लिमिटेड

(भारत सरकार का उपक्रम)

BHARAT SANCHAR NIGAM LIMITED

(A Govt. of India Enterprise)

No. BSNL/SECTT/13-1/2018

Dated: 3.9.2021

To

**All Chief General Managers
Territorial /Project/Mtce
CGMs/PGMs/Sr.GMs/GMs, BSNL Corporate Office
CS & GM (Legal)**

Dear All,

As all concerned are aware that time and again various communications from Director (HR), CMD, BSNL have been issued in the past emphasizing the need for effective litigation, administration and management in line with the Company's Risk Management Policy, Government Guidelines as well as the National Litigation Policy, 2010. Needless to say that the Company incurs huge sum of money on litigation across the Organisation, it has been observed that because of inadequate attention paid by concerned Nodal Officer and Litigation In-Charge in providing proper and timely material to defend/contest, the Company loses these litigations.

The prime reason for such poor handling of litigation matters was non-availability of data base of the litigation with the concerned Units. Even after repeated instructions from Legal and Establishment Branches of Corporate Office for use of Legal Module in the ERP for all cases and use of LIMBs for the cases where the Union of India (UOI) is one of the party, majority of the Units have failed to implement the instructions. Such non-implementation of the instructions for use of ERP and LIMBS has been viewed seriously by the CMD, BSNL.

The other significant reason with respect to the arbitration/commercial dispute(s) which has been observed is non-submission of timely and effective counters/claims by concerned Unit(s) in most of the arbitration matters.

It has therefore been decided that hereafter;

(i) It shall be one of the significant KPI of the Nodal Officer concerned and the Officer In-Charge Litigation of the respective Unit. Therefore, the exercise of inputting the entire existing litigation data in the ERP (Legal Module) and LIMBS be completed expeditiously on 'or' before 30th September, 2021. With respect to any fresh cases, henceforth detail(s) be inputted in the ERP module and LIMBS. Failure 'or' non-compliance shall be viewed seriously.

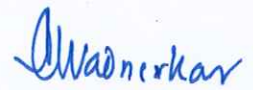
(iii) Hereafter in all Contracts/Agreements/Purchase Orders/Work Orders, etc the officer responsible to monitor and oversee the implementation shall be named as 'CONTRACT MANAGER' in the Contract/Agreement itself. As and when such officer gets transferred, retires 'or' leaves the Company, his/her relieving will be subject to his/her handing over the list of contracts/agreements dealt with by him/her along with the details of the implementation and dispute(s), if any.

(iii) To ensure timely, proper and adequate rebuttal to each of the claim/counter-claim as the case be, the concerned 'Contract Manager' shall be responsible for submission of timely and adequate defense/contest before the Tribunal/Court.

(iv) At Corporate Office, all arbitration matters/commercial disputes be dealt with by respective Nodal Officers with active assistance from the Legal department.

(v) All Field Units wherever the arbitration disputes are of high value, say above Rs. 50 Cr., the concerned Field Unit shall invariably prepare the replies in defense 'or' counter claims in consultation with Nodal Branch at Corporate Office and Legal Division.

The aforesaid instructions will apply henceforth.



3.9.2021
(Arvind Vadnerkar)
Director (HR)

Copy for kind information to:

1. CMD, BSNL, New Delhi
2. All Functional Directors, BSNL, New Delhi