



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 (pt)

Dated: 12.09.2018.

To

1. The Member in charge looking after day to day affairs of SNEA in the absence of the elected office bearers.
2. Shri K. Sebastin, Sanchar Nigam Executives' Association.

Sub: Strike Notice of SNEA dated 07.09.2018

Ref: SNEA/CHQ/CMD/2015-18/107 dated 07.09.2018

I am directed to refer to SNEA letter under reference intimating thereby following agitation programmes:

- i. 24th to 28th September 2018: Relay hunger fast at BSNL,CO by CHQ office bearers,CSs,CPs etc.
- ii. 01st October, 2018 onwards: Indefinite hunger fast at BSNL,CO by CHQ office bearers, CSs, CPs etc.
- iii. Lunch hour demonstration at Circle and SSA HQs on 24th & 27th September, 01st & 04th October etc.
- iv. If the issues are not resolved , indefinite hunger fast will be spread to Circle HQs and SSA HQs later on.

2. In this regard, I am directed to invite your kind attention to this office letter No. BSNL/31-2/SR/2018 dated 30.08.2018 addressed to the then General Secretary, SNEA, Sh K Sebastin apprising the cessation of CHQ office bearers in accordance with the constitution /bye-laws of SNEA. Relevant provisions of the SNEA bye-laws/Constitution for ready reference are reproduced as follows:

- a. Para 3 (g) (iii) on page 8-9 of Constitution of SNEA "the election of new set of office bearers at the central organizational level shall be held within the scheduled period of two years and in no case it shall be delayed by more than three months from the scheduled date. In case of genuine and unavoidable difficulties, the CWC may decide further extension for a limited period of not exceeding nine months".
- b. Para 4 (a) (ii) on page 10 of Constitution of SNEA Central Organization "it shall meet once in two years at the place and time as shall be

decided by the CWC. However the term can be extended by a period not exceeding 12 months”.

Further, SNEA was informed of following provisions of BSNL(REA) Rules, 2014:

- a. Para 14 (2) of BSNL(REA) Rules, 2014 states that “the Association shall abide by and comply with all provisions of its constitution/ bye-laws”.

At the time of verification of membership, SNEA has given an undertaking that the “provisions of BSNL (REA) Rules 2014 are acceptable to SNEA” . The bye-laws of the SNEA are binding on all members and the office bearers in all internal management of the Association including the manner of election of office bearers at mandated interval.

In view of the above provisions of your constitution and BSNL(REA) Rules, 2014 it was clearly intimated that the extended validity of present set of office bearers of SNEA is up to 8th September 2018 and the action of holding election beyond the said date is ultra vires.

3. With reference to your Letter No. SNEA/CHQ/GMSR/2015-18/25 dated 06.09.2018, it was again clarified that the extended validity period of present set of office bearers of SNEA is up to 8th September 2018 only. Hence, the present set of office bearers of SNEA at central organization level (CHQ level) shall not make any correspondence and shall not have meetings with Management on behalf of the Association after 8th September 2018. Knowing well the cessation of CHQ office bearers, as informed to him on 30.08.2018, issue of strike notice on 07.09.2018 for strike from 24.09.2018 is unauthorized and unjustified.

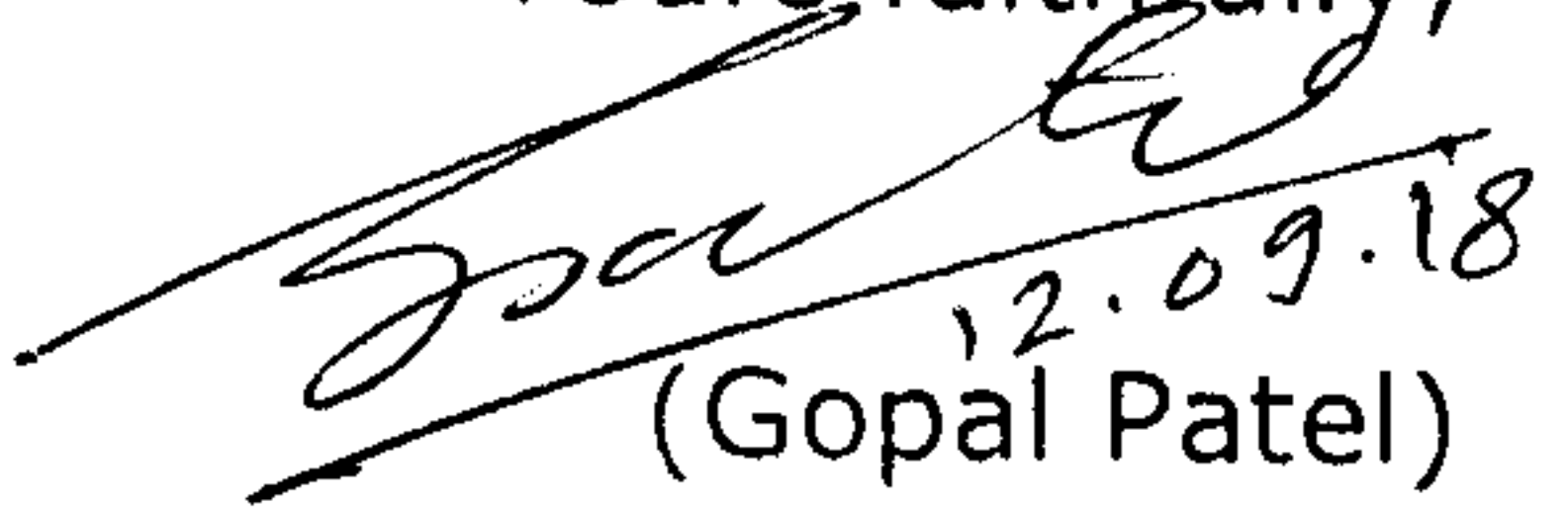
4. In this regard it is pertinent to mention that the office bearers are responsible for all acts done by them in the name of Association. As all are aware that Management has time and again been issuing appeals/ advisories to the Associations pointing out various provisions of BSNL Conduct Discipline & Appeal (CDA) Rules, REA Rules and ID Act providing for penal consequences arising due to any action violating Management orders or Conduct Rules by the signatory(s) of the aforesaid strike notice.

Since the signatory of the strike notice referred above ceases to be the office bearer of the SNEA, therefore the member in-charge of SNEA responsible to look after its day to day affairs may please note and apprise its all member that in the absence of duly elected office bearers, Management has not taken cognizance of any strike notice issued by the erstwhile General Secretary and any notice issued by Shri K.Sebastin in the capacity of GS shall be non-est.

5. SNEA is the recognized Association and it has always been the effort of the management to have dialogue on various issues raised by it.

Therefore, the names of the members looking after the day to day affairs of the Association may please be intimated for further communication and discussion as and when necessary.

Yours faithfully,


12.09.18
(Gopal Patel)

Astt. General Manager (SR)

Copy for information to :

1. PPS to CMD, BSNL CO.
2. PPS to Director (HR) BSNL CO.
3. All CGMs. BSNL Circles.
4. PGM (Admn)/ Sr.GM (Estt)/ GM (Pers) BSNL CO
5. RLC(Central), New Delhi (along with copy of letter of SNEA) for kind information pl.