

No.A/DC/121/A.Dubey/HRMS No.200306190/SDE(NWP-CM)/2018/1 Dated at Mumbai the 08/10/2018

**MEMORANDUM**

The undersigned proposes to hold an inquiry against Shri AnilKumar Dubey, SDE (NWP-CM), HRMS No.200306190 O/o CGMT, MH Circle, Mumbai 400 054 under rule 36 of the BSNL CDA (Conduct, Discipline and Appeal) Rule 2006. The substance of imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure- III and IV).

2. Shri AnilKumar Dubey is directed to submit within 10 days of the receipt of this memorandum a written statement of his defence and also to state whether he desires to be heard in person.

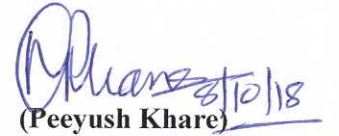
3. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore specifically admit or deny each article of charge.

4. Shri AnilKumar Dubey is further informed that if he does not submit his written statement of defence on or before the date specified in Para 2 above, or does not appear on or before the inquiry authority or otherwise fails or refuses to comply with the provisions of Rule 36 of BSNL CDA Rule 2006 or the orders/directions issued in pursuance of the said rule, the inquiry authority may hold the inquiry against him *ex-parte*.

5 Attention of Shri AnilKumar Dubey is invited to Rule 22 of BSNL CDA Rules 2006 under which no employee shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service in the company. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Shri AnilKumar Dubey is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 22 of BSNL CDA Rules 2006.

6. The receipt of the memorandum should be acknowledged.

Encl: As above

  
(Peeyush Khare)

**Chief General Manager Telecom  
Maharashtra Circle, BSNL  
Mumbai-400 054.**

To,  
Shri AnilKumar Dubey,  
SDE (NWP-CM ),  
HRMS No. 200306190  
O/o CGMT, MH Circle, Mumbai 400 054.

**Annexure I**

**Statement of Imputation of misconduct or misbehaviour in Support of Article of Charge framed against Shri AnilKumar Dubey, SDE (NWP-CM ) HRMS No. 200306190, O/o CGMT, MH Circle, Mumbai 400 054.**

**Article – I**

The said Shri AnilKumar Dubey held responsible for submitting false / incorrect information claiming that he is District Secretary, of SNEA Mumbai and there by eligible for immunity against his transfer.

**Article –II**

The said Shri AnilKumar Dubey held responsible for his unprovoked adamant, arrogant and uncalled for behaviour with Senior Management during the discussion, meeting invited on 29/09/2018 in the chamber of GM (HR/Admn)in the presences of DGM (Admn).

**Article-III**

The said Shri AnilKumare Dubey held responsible for humiliating, insulting and outraging the dignity of women by opposing in writing through a representation in respect of the distribution of certificates for TWWO members along with award distribution on BSNL foundation day function dated 1/10/2018.

By aforesaid acts, Shri AnilKumar Dubey, had committed grave misconduct, failed to maintain absolute Integrity , Discipline and Decorum of office and acted in a manner unbecoming of BSNL employee thereby contravening the provision contained in rule 4 (a), (c), (d) and ( e ) and rule 5 (10), (12), (20), (23),(25),(31) and (35) of BSNL CDA Rules 2006.

  
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## Annexure-II

### Statement of Imputation of misconduct or misbehaviour in Support of Article of Charge framed against Shri AnilKumar Dubey, SDE (NWP-CM ) HRMS No. 200306190, O/o CGMT, MH Circle, Mumbai 400 054.

#### Article-I

The said Shri AnilKumar Dubey had been transferred to Kalyan SSA on long stay basis vide order No. A/STB/AE-20/SDE/JTO/REQUEST TFR/2018/15 dated 31/03/2018. Shri AnilKumar Dubey requested for retention in Mumbai on the basis of immunity from transfer as District Secretary, SNEA Mumbai vide his letter dated 22/06/2018. Circle Secretary SNEA Maharashtra Circle vide letter No. SNEA/MH/Cir Corr/2017-2019/32 dated 22/06/2018 also requested to grant immunity as requested by individual office bearer of SNEA.

District Secretary, SNEA (I), Mumbai CO vide letter No. SNEA/Mumbai/2015-2016/15 dated 28/09/2015 intimated the details of elected office bearers of SNEA(I) Circle Office, Mumbai subsequent to election held on 15/9/2015, wherein Shri AnilKumar Dubey was elected as District Secretary. However no intimation has been received by the Administration about the election of District Body, SNEA(I), Mumbai after expiry of tenure of the said elected body.

As per SNEA Constitution clause No. 3 (g) (ii), which states that , 'The election at District / Division / Branch organisational level shall be held within the scheduled time period and in no case it shall be delayed from scheduled date. In case of Circle Organisations, for genuine difficulties permission may be sought for from the CHQ to have further extension for a limited period not exceeding nine months.'

As per the provision of SNEA Constitution, no intimation has been received to the administration about the election of office bearers of District Body of SNEA(I), Mumbai within the scheduled time period. In the absence of any intimation about the election of District Body of SNEA(I), Mumbai to the administration , the claim made by Shri AnilKumar Dubey as a District Secretary is false and cannot be accepted.

The said Shri AnilKumar Dubey has suppressed the fact and provided the false information to the administration. The said Shri AnilKumar Dubey continued to fraudulently act as DS of SNEA(I), Mumbai and availed the immunity from his transfer to Kalyan SSA. The retention order was issued by HR Section vide order No. A/STB/AE-20/IMMUNITY/2018-18/LOOSE/34 dated 25/06/2018.

#### Article-II

All Union And Associations of BSNL (BSNLEU, NFTE, SNEA, AIBSNLEA, ), Maharashtra Circle Mumbai has given representation to GM (HR/Admn) O/o CGMT, MH Circle vide letter No. AUAB/MH CIRCLE/03 dated 28/09/2018 in reference to DGM(Admin) order dated 22/09/2018 in respect of BSNL Formation day and Vishitha Sanchar Sewa Padak Award distribution function on 1/10/2018 at Circle Office Mumbai . In the said letter signatories stated that the function is to be organised in inexpensive manner and mixing of TWWO program with Sanchar Award distribution is not correct and not ethical and should be stopped. In the said letter it is also mentioned that mixing of TWWO certificate distribution or any other program with prestigious Sanchar Award there by degrades the importance of the Sanchar Awards. The last paragraph of the said letter implies the threat of boycotting this prestigious function of BSNL.

  
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To discuss the matter , and to clarify the modalities of the function , all four signatories including said Shri AnilKumar Dubey were invited in the chamber of GM (HR/Admn) in the presence of Shri R.C.Chavan, DGM (Admn) . During the meeting , when GM(HR/Admn) started to explain the facts related to the representation dated 28/09/2018 , the said Shri AnilKumar Dubey raised the objection regarding the arrangement and modality of the proposed BSNL Day and Vishist Sanchar Sewa Padak award distribution function on the issue of expenditure of lakhs of rupees . Shri AnilKumar Dubey also raised the objection for involving TWWO in the said function. GM (HR/Admn) tried to explain that the anticipated expenditure for the proposed function was not exorbitant and within the rules of BSNL .However said Shri AnilKumar Dubey adamantly stated that, "Management can go ahead the way it wants but his stand remains the same . When GM(HR/Admn) tried to explain and convince Shri AnilKumar Dubey, he raised his voice and deed not agree to listen to GM(HR/Admn) and behaved adamantly and arrogantly . Even on the request of the other unions and associations signatories, Shri AnilKumar Dubey did not listen to request of GM(HR/Admn) and went on raising his voice in presence of Shri R.C.Chavan, DGM(Admn). This adamant , arrogant and uncalled for behaviour of Shri AnilKumar Dubey with Senior Management is subversive of discipline and unbecoming of an officer.

### **Article-III**

All Union And Associations of BSNL (BSNLEU, NFTE, SNEA, AIBSNLEA), Maharashtra Circle Mumbai has given representation to GM (HR/Admn) O/o CGMT, MH Circle vide letter No. AUAB/MH CIRCLE/03 dated 28/09/2018 in reference to DGM(Admin) order dated 22/09/2018 in respect of BSNL Formation day and Vishitha Sanchar Sewa Padak Award distribution function on 1/10/2018 at Circle Office Mumbai . In the said letter signatories stated that the function is to be organised in inexpensive manner and mixing of TWWO program with Sanchar Award distribution is not correct and ethical and should be stopped. The signatories further stated that, ' not to mix TWWO Certificate distribution or any other program with prestigious Sanchar Award distribution function and maintain prestige of this awards and BSNL day celebration . '

Telecom Women's Welfare Organisation (TWWO Mumbai MH under the aegis of – TWCO, New Delhi ) is a permanent organised welfare organisation of Department of Telecom, Ministry of Information Technology and Communication , Government of India. The main objective of the organisation is promotion of the welfare of the families of the employees. All Telecom Circles of BSNL have similar women's organisation known as Telecom Women's Welfare Organisation (TWWOs).

The letter dated 28/09/2018 has been signed by said Shri AnilKumar Dubey and not only signed but also argued indecently justifying his act in spite of efforts by GM(HR/Admn) & DGM (Admn) to explain the facts. Shri AnilKumar Dubey behaved irresponsibly which is bad in law against the established principles of social norms. His utterances amounts to inflicting repeated insults & humiliation on women of our company. The Government of India has a major thrust in improving the living standards , social status of women and upholding their right to dignity . TWWO have chosen to stay away from BSNL Day Program forever and maintain a dignified silence from the cherished function of celebrations held on the occasion of Foundation Day of BSNL.

Instead of promoting women's , generating sense of self worth among our women, deed of said Shri AnilKumar Dubey is enormously unbecoming of responsible office of the company.

By aforesaid acts, Shri AnilKumar Dubey, had committed grave misconduct, failed to maintain absolute integrity , discipline and decorum of office and acted in a manner unbecoming of BSNL employee thereby contravening the provision contained in rule 4 (a), (c), (d) and ( e ) and rule 5 (10), (12), (20), (23),(25),(31) and (35) of BSNL CDA Rules 2006.



**Annexure III**

**List of documents by which the articles of charge framed against Shri AnilKumar Dubey, SDE (NWP-CM ) HRMS No. 200306190, O/o CGMT, MH Circle, Mumbai 400 054.**

1. Letter No. CGMT-MH/A-II/WLF/VSSP/2017/33 dated 22/09/2018 issued by DGM(Admn), O/o CGMT, MH Circle, Mumbai.
2. Letter No. AUAB/MH CIRCLE/03 dated 28/09/2018 received from All Unions And Association of BSNL, Maharashtra Circle, Mumbai & with its enclose letter No. 32-1/2011-BSNL-WL dated 20/09/2011.
3. Letter No. A/STB/AE-20/SDE/JTO/REQUEST TFR/2018/15 dated 31/03/2018.
4. Representation dated 22/6/2018 of Shri AnilKumar Dubey for immunity & retention at Mumbai.
5. Letter No. SNEA/MH/Cir Corr/2017-2019/32 dated 22/6/2018.
6. Letter No. A/STB/AE-20/IMMUNITY/2018-18/LOOSE/34 dated 25/06/2018.
7. Copy of the page No. 8 & 9 of SNEA Constitution.
8. Letter No. SNEA/Mumbai/2015-2016/15 dated 28/09/2015.
9. Letter No. CGMT/MH/Admn-I/SNEA(I)/2018-2019/Part-File/29 dated 29/09/2018.
10. Letter No. A/CGMT/MH/Admn-I/Conduct rules/2018/6 dated 01/10/2018.
11. Letter No. CGMT/MH/Admn-I/Conduct Rules/2018/7 dated 03/10/2018.



Annexure-IV

List of witnesses by whom the articles of charge framed against Shri AnilKumar Dubey, SDE (NWP-CM ) HRMS No. 200306190, O/o CGMT, MH Circle, Mumbai 400 054 are proposed to be sustained.

1. Shri Aman Jaiswal, GM(HR/Admn).
2. Shri R.C.Chavan, DGM (Admn)
3. Shri U.K.Paigude, AGM(Admn)

 STD

महाराष्ट्र दूरसंचार परिमंडल, भा.सं.नि.लि. प्रशासनिक भवन,  
4<sup>th</sup> मंजिल, "A" विंग, जुहू तारा रोड,  
सांताक्रुज (पश्चिम), मुंबई-400054  
दूरध्वनि - 022 26467565 फ़ैक्स 022 26619902  
Maharashtra Telecom Circle,  
BSNL Administrative Building, 4<sup>th</sup> Flr, 'A' Wing,  
Juhu Tara Road, Santacruz (W), Mumbai- 54.  
Tel. 022 26467565 Fax: 26619902  
email:assttadmn2mail.com



भारत संचार निगम लि.

(भारत सरकार का उपक्रम)

BHARAT SANCHAR NIGAM LTD  
(A Govt. Of India Enterprise)

NO.CGTM-MH/A-II/WLF/VSSP/2017/33

DATE

22.09.2018

## OFFICE ORDE

The 19<sup>th</sup> BSNL Formation Day & Vishishst Sanchar Seva Padak, 2017 award distribution function shall be celebrated at Circle Office, Mumbai on 1<sup>st</sup> October 2018.

Accordingly all the employees of Circle Office, Mumbai are hereby cordially invited to attend the celebration.

### The Date Time and Venue of the said function shall be as below

Date: 01.10.2018 Time 10.00 AM.

Venue: Sangam Community Centre, BSNL Staff Quarters Complex, Juhu Road, Santacruz (West), Mumbai - 400 054.

CGM(WTR). CGM(WTP, CGM (BBSL), DDG(TEC), Pr.CCA, Mumbai and Dy. Director, P& T Audit, Mumbai are cordially invited to attend the celebration.

Circle Secretaries of recognized Unions & Associations are also cordially invited to attend the same.

Lunch arrangement has been made for all participants/employees from 13.00 hours onwards.

(R.C.Chavan)

Dy.General Manager (Admn)

O/o CGMT, MH circle, Mumbai - 54.

Tel.022-26467619

Copy to:

1. CGMs- WTP/WTR Mumbai
2. All PGMs/SR.GM/GMs of Circle Office, Mumbai.
3. Pr.CE(Civil/CE (Elec)/GM (Cordn. & Arch) Circle office Mumbai
4. Circle Secretaries/Presidents of SNEA/AIBSNLEA/BSNLEU/NFTE(BSNL)/SCSTEWA
5. District Secretaries/Presidents of SNEA/AIBSNLEA/BSNLEU/NFTE(BSNL)/SCSTEWA Circle Office Mumbai

पंजीकृत एवं निगमित कार्यालय: भारत संचार भवन, हरीश चन्द्र माथुर लेन, जनपथ, नई दिल्ली-110001

Regd. & Corporate Office : Bharat Sanchar Bhavan, Harish Chandra Mathur Lane, Janpath, New Delhi-110 001

CIN : U74699DL2000GO1107739

Website: <http://intranet.bsnl.co.in>

Backup (sanchar awards\vssp 2017\vssp qutn17)

सही प्रतिलिपि  
Attested True Copy

सहायक महाप्रबंधक (प्रशा.)

Asst. general Manager (Admn.)

मुख्य महाप्रबंधक महा. दूरसंचार परि. का कार्यालय

O/o. CGMT MHT Circle

सांताक्रुज (प.), मुंबई - ५४

Santacruz (W), Mumbai - 54.

ALL UNIONS AND ASSOCIATIONS OF BSNL *slc*

Maharashtra Circle Mumbai.

( BSNLEU, NFTE, SNEA , AIBSNLEA, SEVA)

No. AUAB/MH CIRCLE/03

Dated 28/09/2018

To,  
General Manager ( HR& Admin)  
Maharashtra Circle,  
Mumbai -54.

Sub: BSNL Formation Day and Vishist Sanchar Sewa Padak Award  
Distribution function on 01/10/2018 at Circle Office Mumbai -reg.  
Ref: 1)DGM Admin Order dated 22.09.2018.  
2) BSNL CO Order dated 20.09.2011.

Respected Sir,

It is good that Maharashtra Circle is going to celebrate the 19<sup>th</sup> BSNL day in Circle office Mumbai on 1<sup>st</sup> October. As per the DGM Admin order there will also be distribution of Vishist Sanchar Sewa Padak Award.

But we are surprised that, CGM is very well aware of the financial condition of BSNL and CGMT repeatedly pronouncing at each and every occasion even by warning every now and then that there is no money to pay even salary of coming month and CGMT is making certain efforts to arrange salary every month after this how DGM Admin Mumbai is issuing orders for celebration of BSNL day in lavish manner by arranging food for all participants with expenditure of lakhs of rupees. One Side Circle office is straightway deducting 12% from medical bill to reduce the expenditure and other side order is being issued for such lavish celebration.

BSNL Co has already issued clear guidelines for arranging such functions in **inexpensive manner**, copy of the letter attached for ready reference and here Maharashtra Circle is expending lakh of Rupees on this award function is not correct.

सही प्रतिलिपि  
Attested True Copy

GM (HR/IA)

1

सहायक महाप्रबंधक (अध्या.)

Asst. general Manager (Admn.)

मुख्य महाप्रबंधक महा. दूरसंचार परि. का कार्यालय

O/o. CGMT MHT Circle

संतानुक्र (प.), मुंबई - ५४

Santacruz (W), Mumbai - 54.

*28/9*

*Denies*

*DGM (Admin)*



# ALL UNIONS AND ASSOCIATIONS OF BSNL

Maharashtra Circle Mumbai.

( BSNLEU, NFTE, SNEA , AIBSNLEA, SEVA)

We are protesting such lavish expenditure and celebration as when BSNL is not in position to meet day-to-day expenses MH circle is expending lakh of Rupees on such function.

It is also learnt that in such prestigious function of Vishisth Sanchar Award Distribution, the function of TWWO is mixed and some certificates for TWWO members for their contribution within TWWO itself are being issued on this occasion thereby degrading the importance of the "**Sanchar Awards**" which is not correct and ethical and should be stopped.

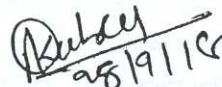
In view of the above fact, it is request to take necessary action for curtailment of expenditure in the name of BSNL day celebration and also not to mix TWWO certificate distribution or any other program with Prestigious Sanchar wards Distribution function and maintain prestige of this awards and BSNL day celebrations.


It is quite possible to arrange such programs in our lavish air-conditioned Conference hall without any additional expenses on chairs , carpet, PA system etc. as is being done at present venue.

**Hope the views of the all Unions and Associations of Mumbai circle office which are as per the BSNL CO guidelines will be given consideration and will not compel us to boycott this prestigious function of BSNL.**

  
(Yeswant Kekare)  
Dist Secretary  
BSNLEU

  
(Milind Ingale)  
Dist Secretary  
NFTE

  
(Anil Dubey)  
Dist Secretary  
SNEA

  
(Hrishikesh Walawalkar)  
Dist Secretary  
AIBSNLEA

सही प्रतिलिपि  
Attested True Copy

Copy To :

1) CGM Maharashtra Circle for information please.

महासचिव महाप्रबंधक (प्रशा.)  
Asst. general Manager (Admn.)  
मुख्य महाप्रबंधक प्रशा. दुरसंचार परि. व्हा कार्यालय  
O/o. CGMT MHT Circle  
सांतक्रुझ (प.), मुंबई - ५४  
Santacruz (W), Mumbai - 54.

IndiaBroadband  
Looking India



भारत संचार निगम लिमिटेड  
(भारत सरकार का उपक्रम)  
BHARAT SANCHAR NIGAM LIMIT  
(A Govt. of India Enterprise)

11/c

15

No.32-1/2011-BSNL-WL

Dated: 20-9-2011.

To

All Chief General Managers,  
Bharat Sanchar Nigam Ltd.  
Telecom. Circles / Districts

Sub: Bharat Sanchar Seva Padak Award – 2011

In view of the present financial crunch vis a vis the expenditure involved in organizing the award functions at corporate and circle levels, the competent authority has decided to discontinue these awards functions till further orders. However, the awards to be given at corporate level, Circle level and at the SSA level will be given by the respective SSAs in an inexpensive manner.

The details of award winners at corporate level and at circle level may be posted at intranet in order to have adequate publicity of these awards to propagate the exemplary performance of the award winners and as inspiration to other BSNL officials.

The award winner have been decided by the respective committees. On approval of the same it will be intimated immediately.

*mm 20/9/20*  
Addl.GM (Admn.II)

**ENDORSEMENT**

भारत संचार निगम लिमिटेड

भारत सरकार का उपक्रम

मुख्य महाप्रबंधक दूरसंचार, महादेश परिमंडल का कार्यालय,

४/ए, पशासन भवन, जूहू हांडा रोड, जूहू हांडा रोड, सांताक्रुझ पश्चिम, मुंबई-४०००५४.

फा. क्र. प्र./प्रशासन - II /कल्याण / विशिष्ट संचार सेवा पदक पत्राचार / 2011/15

दिनांक : 26.09.2011

To.  
CGM (ITPC) Pune.  
All SSA Heads in MH. Circle.  
Sr. CE (Civil)/Civil Ext. Proj./Elect.  
Sr. C.E. (Civil) .Kalyan/Nagpur/ C.E. (Elect) Nagpur.  
Chief Architect.  
SSTT CTO Mumbai.

सही प्रतिलिपि  
Attested True Copy

*Ujjwal*

सहायक महाप्रबंधक (प्रशा.)  
Asst. general Manager (Admn.)  
मुख्य महाप्रबंधक दूर. संचार परि. का कार्यालय  
O/o CGM (ITPC) Doha  
सांताक्रुझ (प.), मुंबई - ५४  
Santacruz (W), Mumbai - 54

Forwarded for for information and necessary action. The names of award winners will be intimated shortly.

(D A DAIL) 26/9/11

भारत संचार निगम लिमिटेड

मुख्य महाप्रबंधक कार्यालय महाराष्ट्र परिमंडल

चौथी मंजिल ए-विंग स्टाफ अनुभाग प्रशासनिक भवन

जुहू रोड सांताक्रुज मुंबई-54

टेलीफोन नं.- 022 26467569



Bharat Sanchar Nigam Ltd.

O/o CGMT, MH-Circle,

4<sup>th</sup> Floor, A-Wing, Staff Section,

Administrative Complex, Juhu Road,

Santacruz (W), Mumbai - 400 054.

Tel :- 022-26467569.

No.A/STB/AE-20/SDE/JTO/REQUEST TFR/2018/15

DATED AT MUMBAI, THE 03/03/2018.

**ORDER**

Sub:-Transfer and Posting in the grade of JTOs & SDEs-regarding.

As per the approval of competent authority transfers and postings in the grade of JTOs & SDEs are issued as per the enclosed Annexures from "A" to "G". All executives in the list from A to G shall be relieved and joined from/to their respective SSA/Units latest by 7<sup>th</sup> April, 2018 .

Details of transfer at own cost/in the interest of service is furnished as below.

Grade Name	Annexure	SRL NO	Remarks
JTO/SDE	A	1 TO 55	Own Cost request
JTO/SDE	B	1 TO 24	Own Cost request
SDE	C-1	1 TO 8	Own Cost request
	C-1	9 TO 16	In the interest of service
JTO	C-2	1 TO 6	Own cost request
	C-2	7 TO 12	In the interest of service
JTO/SDE	D	1 TO 3	In the interest of service
JTO/SDE	E	1 TO 4	Own Cost request
JTO	F-1	1 TO 7	Own Cost request
	F-1	8 TO 14	In the interest of service
SDE	F-2	1 TO 15	Own Cost request
	F-2	16 TO 30	In the interest of service
JTO/SDE	G	1 TO 15	Own Cost request

सही प्रतिलिपि

Attested True Copy

1. The concerned officers are required to clear the ERP PRD inbox and universal list in ESS if any as applicable for the items prior to relieving.

2. The leave if any requested by the officer should not sanctioned by the

SSA where the officer presently posted.

महायक महाप्रबंधक (स्टाफ)

Asstt. General Manager (Staff)

मुख्य महाप्रबंधक दूरसंचार का कार्यालय, महाराष्ट्र परिमंडल,

O/o. C.G.M.T., MH, Circle,

सांताक्रुज (प), मुंबई-400 054.

Santacruz (W), Mumbai-400 054.