



BHARAT SANCHAR NIGAM LTD.

BHARAT SANCHAR NIGAM LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)
SR Cell, Corporate Office
8th Floor, Bharat Sanchar Bhawan,
Harish Chander Mathur Lane,

No. BSNL/7-1/SR/2019

Dated, the 24rd July, 2019

To

1. All CGMs, BSNL
2. PGM (Pers)/PGM (Admn) BSNLC.O.

Sub: Compliance of instructions during 8th Membership Verification (MV)

Sir,

I am directed to refer to the subject mentioned above and to say that the process of 8th MV for electing majority representative Union(s) of non-executive employees is underway. To maintain healthy industrial relations during this period, it is imperative to be more active and extend proper consideration to the grievances of individual employees proactively leaving no room for industrial unrest. It is worthwhile to mention here that the revival of BSNL is in active consideration of the Government.

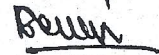
2. At the same time employees also should restrain themselves from any kind of protest and they should utilize various mechanisms available for redressal of their grievances. In this regard an appeal was issued by this office on 12.07.2019 requesting all BSNL employees for not participating in the Dharna or any other agitation activity. It is regretted to note that in spite of the aforesaid appeal, the Dharna was organized on 16.07.2019 at BSNL Corporate Office and Circle Head quarters. This Dharna was "illegal" because it did not meet the various mandatory statutory requirements prescribed under ID Act and detailed below:

- i. minimum 14 days notice as per section 22(1) (b) of ID Act. which states that no person employed in a public utility service shall go on strike in breach of contract within fourteen days of giving such notice,
- ii. strike notice was not in form L as per Rule 71 of ID Central Rules 1957
- iii. The section 22 (1) (d) of ID Act states that no person employed in a public utility service shall go on strike in breach of contract during the pendency of any conciliation proceedings before a conciliation officer and seven days after the conclusion of such proceedings.
- iv. Moreover, BSNL provides the Telecom Services and as per provisions under section 2(n)(iii) of ID ACT, 1947 "Telecommunication is a public utility service". Thus, during pendency of the conciliation proceedings before the RLC no person employed in Public Utility Service { Telecommunication is a Public Utility Service as per para 2(n)(iii)} shall go on strike and any strike in contravention of section 22 of the ID Act and may be treated as "illegal" under section 24 of the Act . Thus the call of strike on 16.07.2019 was "illegal".

3. It is informed that demands raised by the Union with reference to strike on 16.07.2019 are under conciliation at RLC (Central), Delhi.

4. As all are aware, BSNL is facing acute cash flow constraints and needless to emphasize that agitation activities at this stage will hamper its growth and revenue; and affect adversely the goodwill of the esteemed customers. In view of the strike on 16.07.2019, it is requested to follow the instructions contained in this office letter no BSNL/7-1/SR/2019 (pt)-I dated 12.07.2019 including "no work no pay" and other disciplinary actions.

Yours faithfully,



(B.L.Kirar)

Assistant General Manager (SR)

Copy for information to:

1. PPS to Director (HR) BSNL CO
2. Sr. GM (Estt), BSNL CO.
3. RLC (Central), New Delhi