

# BSNL EMPLOYEES UNION

Recognised Union in BSNL

(Registered Under Indian Trade Union Act 1926. Regn.No.4896)

CHQ:Dada Ghosh Bhawan, Opp. Shadipur Bus Depot., New Delhi – 110008

Email: bsnleuchq@gmail.com, website: bsnleuchq.com

P. Abhimanyu  
General Secretary

Phone: (O) 011-25705385  
Fax : 011- 25894862

BSNLEU/501 (DISC)

31.07.2017

To,

Ms. Sujata T. Ray,  
Director (HR) BSNL,  
Bharat Sanchar Bhawan,  
Janpath, New Delhi – 110 001

Madam,

Sub: - Inserting of the new provision in the CDA Rule – req.

Ref: - **BSNL letter no.10-1/2016 WS&I dated 27.07.2017.**

With reference to the letter cited under reference, we wish to bring the following to your kind notice.

The Corporate Office has notified certain amendments to the CDA Rules, vide letter cited under reference. Through these amendments, the Corporate Office has deleted the existing Rule 55(ii)(b) and has inserted a new Rule titled as Rule 55(A).

The new Rule 55(A)(1) says that the Company has the absolute right to retire an Executive who had entered service before attaining the age of 35 years, and who has attained the age of 50 years. It is also stated that in other cases an official can be retired on attaining the age of 55 years.

Para (2) of the newly inserted provision says that the Company has the absolute right to retire any employee after he has completed 30 years of service, by giving him a notice of not less than 3 months in writing, or by paying 3 months pay and allowances, in lieu of such notice.

Our Union welcomes the decision of the BSNL Board to delete Rule 55(ii)(b). At the same time, our Union vehemently opposes the insertion of Rule 55(A)(1) and (2). It is stated that the insertion of these rules have been done in line with FR56(j) & 56(1) and Rule 48(1)(b) of CCS Pension Rules. We wish to say that these rules are totally undemocratic and arbitrary.

We wish to make it very clear that BSNL Employees Union does not protect those who shirk their official duties. In fact, BSNL Employees Union has taken it as a mission to inculcate a new work culture among the employees. The Union has been instrumental in launching movements like "Customer Delight Year", "Service With A Smile", etc., the motto of which is to improve the work culture of the employees. Thus, BSNL Employees Union is in the forefront to improve the work culture of the employees and thereby to improve the services of the Company, so that the public can get services of good quality from the Company. Hence, BSNL Employees Union is not against discipline and improving productivity.

At the same time, in the name of ensuring discipline and improving productivity, the newly inserted rules give the authorities arbitrary and dictatorial powers to remove any employee who has attained 50 / 55 years or who has completed 30 years of service. If action is to be taken against any official, they have to be given an opportunity to defend themselves. Denial of this opportunity is denial of natural justice. The newly inserted Rule empowers the Management to summarily remove an employee from service.

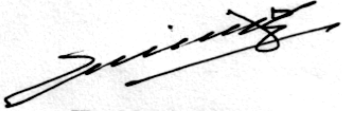
Further, the basis of the newly inserted provision is perceived on the premise that the productivity of an employee declines after 50 years of age. This is a concept of the by gone days. The advancements made in the field of medical science and health awareness have made people healthy and fit even after crossing the age of 50 / 55. For instance the age of the newly appointed Solicitor General, shri K.K. Venugopal, is 86 years. This only shows that, this is an era wherein even a person who has crossed his 80s can undertake tasks warranting immense mental sharpness.

It is also very relevant to mention here that the newly inserted rule can be misused by unscrupulous officers, especially against trade union leaders and activists. A case in point is the recent compulsory dismissal of shri Ram Naresh Prasad, District Secretary, BSNLEU, Jamshedpur.

In view of the foregoing, we once again strongly demand that the newly inserted Rule 55(A)(1) and (2) should be withdrawn.

Thanking you,

Yours sincerely



**(P. Abhimanyu)**  
**General Secretary**

Copy to: (1) Shri Ashutosh Gupta, GM (Restg.) BSNL CO, New Delhi.  
(2) Shri A.M. Gupta, GM (SR), BSNL CO, New Delhi.