

No. BSNL/31-2/SR/2009

Dated: 16.04.2018

To

All CGMs, BSNL.

Sub: Grant of immunity to the office bearers of Associations – Clarification regarding.

This office is in receipt of several references from different field units seeking clarification on the issue of immunity from transfer to the office bearers to be extended to recognized/ support Association under para 10 (5) of BSNL (REA) Rules, 2014. The same has been examined and following clarifications are issued :

Query 1 : As per para 5 of Rule 10, the facility enjoyed at any level i.e. CHQ, Circle & SSA will not be available for the second time at the same level. The recognition period of the majority/ support Association is three years. Clarify that if an office bearer availed transfer in immunity during first year 2016-17, whether the same office bearer on the same post will be eligible for immunity from transfer for next year 2017-18 or not ?

Clarification : An executive holding the office bearer posts in recognized/ support Association, as specified under BSNL (REA) Rules, 2014 is eligible for immunity from transfer for the entire period his/her Association has the status of recognized /support Association subject to the condition that the executive continues to hold any of the three posts.

Query 2 : Clarify that the second time means the second recognition of Association after three years on next election or formation of next body by the concerned Union/ Association as per their bylaws.


Clarification : Second time means " The Second recognition of Association after three years on next election after next member verification and not related to the formation of next body of the Association after their internal elections". Once an executive has availed the immunity facility, he will not be eligible, at the same level in recognized/ support Association. Here the level means CHQ Level, Circle Level and SSA Level.

Query 3 : The recognition period of the majority /support Association is three years. However, election for formation of body at Circle/ SSA level is being conducted every two years by the Union/ Association as per their bylaws. Therefore, there is chance that office bearers of a particular Association/ Union may not remain the office bearer in next body formation. Clarify that immunity from transfer to the office bearer should be for full three years i.e. recognition period of Association/ Union or period for which concerned executive/ employee is office bearer whichever is less.

Clarification : Immunity from transfer to the office bearer should be for the entire period his/her Association has the status of recognized /support Association subject to the condition that the executive continues to hold any of the three posts. If there are several office bearers with the same designation, the concession will be granted to only one of each category as may be nominated by the Association.

This clarification is applicable to Executives' Associations only.

This issue with approval of the competent authority.


(A K Sinha)
DGM (SR)

Copy to : CGM MP Telecom Circle, Bhopal w.r.t letter No. SR-54/Union/ Genl/2012-13/107 dated 27.03.2018, for kind information please.