



**BHARAT SANCHAR NIGAM LIMITED**  
(A GOVERNMENT OF INDIA ENTERPRISE)  
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Harish Chander Mathur Lane,  
Janpath, New Delhi-110 001

No. BSNL/5-1/SR/2010

Dated, the 20<sup>th</sup> September, 2010

Record of discussions of the meeting held with the applicant unions on 16<sup>th</sup> September, 2010 under the chairmanship of Sr. GM (SR) to consider the issues related to change in Code of discipline and conduct of 5th membership verification of non-executive employees in BSNL.

The list of participants is available at Annexure-I. BSNL Employees Congress expressed its inability to attend the meeting due to heavy flood and continuous rains.

2. At the outset, the Chairman welcomed the representatives of all the unions present in the meeting and mentioned that at the time of 4<sup>th</sup> membership verification, in the minutes of the meeting held on 12<sup>th</sup> November, 2010 under the chairmanship of Deputy Chief Labour Commissioner (C), it has been mentioned that "the management is open to consider any change in the Code of discipline in future. The new set of rules can be drafted with the consent of all the unions at the time of next membership verification for which action can be initiated approx. six months in advance, to which all the unions agreed unanimously." Accordingly, after having the views and suggestions of all the unions, the present meeting is convened.

3. During the course of discussions, all the unions except BSNL Employees Union and TEPU, argued in favour of change in Code of discipline so that recognition is granted to more than one union. BSNL Employees Union submitted that at this juncture they oppose any change in Code of Discipline on the premise that the issue is so important that it would be discussed in their Central Executive Committee meeting scheduled to be held from 27<sup>th</sup> to 29<sup>th</sup> September, 2010. On the other hand, TEPU raised a fundamental question that this forum is not competent to make any changes in the Code of discipline since the Code is approved by the Indian Labour Conference after an evolved consensus in the tripartite meeting of National Trade Union Centers, Employers organizations and the Government. Any change is possible through tripartite meeting and subsequent approval by the Indian Labour Conference, as the Code is common to all PSUs. In the absence of power and authority, any attempt for reconsideration in exclusion may be dropped.

4. Subsequently, the unions proposed for evolving a fresh Code of discipline for BSNL under which the membership verification is conducted on which again consensus could not emerge. Both the unions, viz. BSNL Employees Union and TEPU opposed framing a fresh Code of discipline for BSNL.

5. In the absence of consensus on both the issues, i.e. change in the Code of discipline and evolving a fresh Code of discipline for BSNL, the Chairman ruled that the membership verification will be conducted under the provisions of existing Code of discipline, which is a sacrosanct document. Some of the unions strongly opposed this decision and argued that the present Code of discipline resulting in recognition of only one union has failed to bring industrial peace and leaves scope for exploitation of worker by recognized union. It also fails to consider views of a major section of workers. They demanded that they may be given a chance to submit their views directly to top management. The Chairman explained that in

absence of consensus to change code of discipline, only the existing code of discipline can save us from litigations. He however offered to put forth the views and sentiments of these unions before top management and bring it to the knowledge of Chief Labour Commissioner for seeking guidance.

6. On the issue of facilities to the unions, the unions unanimously demanded that at least limited trade union facilities be provided to all the applicant unions for their growth and sustainability since the facilities provided during the election period are not sufficient. The facility of formal meeting is of utmost important so that they are able to take up the issues of their members with the local management. The Chairman explained that recognition of union and extension of facilities to recognized union is a bilateral arrangement between the management and the union, and it is not obligatory on part of the management to extend facilities to all the unions. Further, extension of facilities to all the unions puts strain on the management in terms of resources, availability for meetings etc. However, he agreed to submit the case of the unions for grant of limited trade union facilities for consideration of the management.

7. Thereafter, the Chairman apprised the participants that the recognition period of the representative union is coming to an end on 26<sup>th</sup> January, 2011 and invited their views as to whether notification for the next membership verification can be issued concurrently with the recognition period so that election takes place immediately after 26<sup>th</sup> January, 2011 or notification is issued only after completion of recognition period. He also mentioned that notification for conduct of elections during the last two membership verifications was concurrent with the recognition period. Protesting against the proposal of the management for holding of next membership verification under the provisions of existing Code of discipline, some of the unions mentioned that they will not participate in the election under the present Code of discipline and staged walk-out. These unions are NFTE BSNL, NUBSNLW (FNTO), BTEU (BSNL), BSNLWRU, BSNLES, BSNL ATM, BSNL NTSU and BSNL PEWA.

8. The remaining unions agreed for holding of the election under the provisions of existing Code of discipline and advocated in favour of issue of notification concurrently with the recognition period so as to avoid vacuum when the recognition period comes to an end. Accordingly, the Chairman informed the participants about the tentative programme for holding elections, viz. –

• Issue of Letter for inviting applications	-	01.10.2010
• Last date for submission of applications	-	31.10.2010
• Issue of notification for holding elections	-	01.12.2010
• Withdrawal of applications	-	10.12.2010
• Date of Election	-	01.02.2011
• Counting of votes by SROs in SSAs	-	03.02.2011
• Declaration of results	-	04.02.2011.

9. Thereafter, the meeting came to an end with a vote of thanks to the Chair.

  
(L.M.Kandpal) 20/9  
AGM (SR-III), BSNL C.O.

To

1. All participant unions
2. Guard file.

**List of participants who attended the meeting held on 16<sup>th</sup> September, 2010 under the chairmanship of Sr. GM (SR) to discuss preliminary issues relating to to consider the issues related to change in Code of discipline and conduct of 5<sup>th</sup> membership verification of non-executive employees in BSNL**

**Management side**

1. Shri Shakeel Ahmad, Sr. GM (SR) - Chairman
2. Shri Satish Wadhwa, AGM (SR-II).

**Unions' side**

1. Shri A.D. Patil, GS, AIBCTES
  2. Shri J. Prasad, Dy. GS, AIBCTES
  3. Shri Hari Singh, Addl. SG, BTU BSNL
  4. Shri Ram Kishan Ram, GS, BTU BSNL
  5. Shri S.V.S. Subrahmanyam, GS, BTEU (BSNL)
  6. Shri Gajendra Kumar, Asstt. GS, BTEU (BSNL)
  7. Shri Kolluri Anil Kumar, GS, BSNL ATM
  8. Shri R.S. Yadav, Jt. Secretary, BSNL ATM
  9. Shri k. Narayan Reddy, BSNL ES
  10. Shri P. Abhimanyu, GS, BSNLEU
  11. Shri V.A.N. Namboodiri, President, BSNL EU
  12. Shri Mallikarjun, BSNLMS
  13. Shri Suresh Kumar, GS, BSNL MS
  14. Shri Jagdamba Prasad, BSNL NTSU
  15. Shri Zile Singh, BSNL NTSU
  16. Shri G. Madhaiyan, President, BSNL PEWA
  17. Shri K. Arumugam, GS, BSNL PEWA
  18. Shri S.P. Sharma, President, BSNL WRU
  19. Shri N.K. Srivastava, Acting GS, BSNL WRU
  20. Shri Chandeshwar Singh, GS, NFTE BSNL
  21. Shri C.K. Mathivanan, Dy. GS, NFTE BSNL
  22. Shri K. Vallinayagam, GS, NUBSNLW (FNTO)
  23. Shri Thomas John K., President, NUBSNLW (FNTO)
  24. Shri V. Subburaman, GS, TEPU
  25. Shri R. Venkataraman, Wkg. President, TEPU.
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