



BHARAT SANCHAR NIGAM LIMITED
(A GOVERNMENT OF INDIA ENTERPRISE)
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No. BSNL/39-3/SR/2017-FAQ

Dated, the January 19, 2018

To

1. All CGMs, BSNL
2. GM (Admn.), BSNL C.O.

Sub: FAQs (Frequently Asked Questions) on Constitution of National/Circle/Local Councils - regarding

Sir,

Last year in January 2017, FAQs on constitution of Councils with unions in BSNL was released and uploaded on BSNL intranet (www.intranet.bsnl.co.in) at SR home under "National Council" category for information and guidance of all concerned. An updated version of the FAQ is released herewith.


2. It is observed that the instructions/reminders of Corporate Office issued from time to time regarding "time schedule" for holding of Councils meeting(FAQ-Q.No. 9) and "quarterly report" of the same to SR Cell (FAQ-Q.No. 14) are not being followed by some of the Circles/units. In this regard it is advised that in case where the council(s) could not be constituted due to non-submission of nominations by one or both of the recognised unions, efforts should be made to hold formal meetings with recognised unions jointly or separately till councils are formed and details/number of such meetings may be reported to SR Cell, BSNL by 15th day of July, October, January & April.

Yours faithfully,

Encl. As above

Copy for info to:

PS to Director (HR), BSNL


(A.K. Sinha)
DGM (SR), BSNL C.O.

FREQUENTLY ASKED QUESTIONS (FAQ)s – (Updated in Jan 2018)

Constitution of Councils in BSNL

Q1- What is Joint Consultative Machinery in Govt of India?

The scheme of Joint Consultative Machinery is a platform for constructive dialogue between the representatives of the staff side and the official side for peaceful resolution of all disputes between the Government as employer and the employees. The scheme was introduced in 1966 with the objectives of promoting harmonious relations and securing the greatest measure of cooperation between the Central Government as the employer and the employees in matters of common concern and with the object of further increasing the efficiency of the public service combined with the well being of those employed. The scheme is a non statutory one mutually agreed upon between the staff side and the official side.

Q2- What is the arrangement in BSNL for this purpose?

A Well-structured machinery is in place for joint consultation between the BSNL and its employees for promoting harmonious relations and securing the greatest measure of cooperation between the management and the unions in matters of common concern. The objective is to increase the efficiency of services along with the well-being of the employees. The Scheme has proved to be an effective forum for amicable settlement of grievances of the employees relating to their service matters etc.

In the meeting held on 26th December, 2002 under the chairmanship of CMD, BSNL with the then recognised union, the constitution of Councils at various levels in BSNL was decided and the same continues with the provisions made under the Rules - "BSNL Recognition of Non-Executives' Unions and Representation in the Councils Rules." In case any issue is not reflected in these rules, the existing instructions on the subject matter shall be referred to.

Q3. What is the structure of the Joint Councils in BSNL?

It is three-tier machinery consisting of:-

- (i) National Council- at the apex level.
- (ii) Circle Councils- functioning at Circle level.
- (iii) Local Councils- functioning at SSA level.

Q4- What is the Constitution of Councils in BSNL?

A. National Council

- a) Director (HR) will be the Chairman of the National Council.

b) The number of Staff side members from unions will be decided on the principle of proportionate representation taking into account the percentage of votes of total votes secured by them in the membership verification (as explained in next Question).

c) It will have executives from different wings from the management side and 14 members from the union(s) side.

B. Circle Council - At the Circle level

a) CGM of the circle concerned shall be the Chairman of Circle Council.

b) It will have executives from different wings from the management side and 14 members from the union(s) side.

c) In the BSNL C.O. also, a Circle Council will be formed and GM (Admn.) shall be the Chairman.

C. Local Council - At the SSA level

a) The SSA head of the concerned SSA will be the Chairman of Local Council. It will have executives from different wings from the management side and 14 members from the union(s) side.

b) In the case of metro districts of Kolkata and Chennai, Local Councils will be similarly formed at area GM level also.

c) In addition, Local Council will be formed in the Circle HQs for taking up the local issues of the staff posted in Circle HQs. GM (Admn) or an officer nominated by the CGM will be the chairman of the Local Council at Circle HQs.

D. Other important points:

a. It would be obligatory for the recognised representative union(s) to nominate its General Secretary(s) to the National Council; Circle Secretary(s) to the Circle Councils and the District Secretary(s) to the respective Local Councils as members from the Staff side.

b. The Circle Councils and Local Councils will discuss only those issues that fall under their respective jurisdiction and authority.

c. In case of merger or re-organisation of Circles/SSAs, the Circle/Local Councils shall also be re-organised accordingly.

d. Nomination to the Councils may preferably be from the serving members of the concerned unions.

Q5- Whether recognised union can nominate a member in his quota from non-recognised unions?

No, They can nominate member only from their own unions.

Q6- How is the Representation in the Councils decided?

- a. With a size of 14 members in the Councils at various levels, for proportionate representation based upon all-India voting percentages, for each seat a minimum of 7% (100/14, rounded off) of votes will be needed, irrespective of the number of recognised representative unions.
- b. Any Union which secures a minimum of 7% votes in the membership verification at all-India level will be eligible for allocation of minimum one seat in the Councils at All India, Circle and SSA level.
- c. Keeping in mind the principle of proportionate representation of employees' unions, the unions will be given proportionate representation in the Councils, as illustrated below :-

Illustration – 1

Name of the Union	Union 'X'	Union 'Y'	Union 'Z'
%age of votes secured in the membership verification	46.57%	34.96%	7.38%
Inter-se ratio of votes	52.37%	39.32%	8.30%
No. of dear seats	7	5	1
Balance '%age of votes	3.37%	4.32%	1.30%
Total Seats in the Councils	7	6	1

Illustration – 2

Name of the Union	Union 'X'	Union 'Y'	Union 'Z'
%age of votes secured in the membership verification	43.3%	40.9%	13.1%
Inter-se ratio of votes	44.50%	42.03%	13.46

No. of dear seats	6	6	1
Balance %age of votes	2.50%	0.03%	6.46%
Total Seats in the Councils	6	6	2

Illustration – 3

As per the results of 7th membership verification only two unions viz. BSNLEU & NFTE-BSNL had secured more than 7 % votes and the seat allotted to them as

Name of the Union	BSNLEU	NFTE-BSNL
%age of votes secured in the membership verification	49.56%	31.97%
Inter-se ratio of votes	60.79%	39.21%
No. of dear seats	8	5
Balance %age of votes	4.79%	4.21%
Total Seats in the Councils	9	5

Q7 – Whether any non-recognised union can nominate a member in the council?

Any Union which secures a minimum of 7% votes in the membership verification at all-India level will be eligible for allocation of minimum one seat in the Councils at All India, Circle and SSA level.

Q8 - How are staff side members selected for various Joint Councils?

The GS of the recognised union(s) will submit to the management, a list of nominees to the National Council of their respective unions.

Similarly, the Circle Secretary and District Secretary of their union(s) will submit the list of their members to the respective authorities or as decided by the General Secretary(s) of the concerned union(s).

Q9- What is the time schedule for holding meetings of the National/Circle/Local Councils?

- a) National Council - Three months
- b) Circle Council - Three months
- c) Local Council - Two months

The Secretary, Staff Side shall submit agenda items, at least one month before the proposed date of the meeting.

Note: In accordance with the spirit of the J.C.M. Scheme every effort should be made to adhere to the provisions in the rules for the conduct of councils by holding meetings of these Councils regularly at the prescribed frequency and quarterly report indicating the number of meeting during the quarter or the reasons for shortfall may be brought to the notice of SR Cell Corporate Office. For quarterly statement Format for reporting the no. of meetings refer Q. 14)

Q10 - What will happen, if there is no agreement between the staff and the official side?

In case of any disagreement in the meeting of

- a) National Council - the issues will be referred to the Management Committee of the BSNL Board which will have discussions with the concerned officers and union representatives for a decision.
- b) Circle Council - the issues will be referred to the National Council.
- c) Local Council - issues will be referred to concerned Circle Council.

Q11-Who are the Secretary and Leader of Staff Side the staff side?

Secretary, Staff Side shall be from the union getting highest number of votes.

Leader, Staff Side from the second largest union. However, the agenda for the respective Council meetings shall be submitted only by the Secretary, Staff Side.

Q12- How recognition is granted to the staff unions?

After every three years recognition is granted to the staff unions based on the membership verification (held by way of 'secret ballot') of these unions which is conducted as per the BSNL rules known as the BSNL Recognition of

Non-Executives' Unions and Representation in the Councils Rules, 2012. Last membership verification was held in May 2016.

Q13 – What is Standing Committee of National Council and its Constitution?

In order to effectively utilize the time of National Council under the new agenda items, a Standing Committee of National Council under the chairmanship of GM(SR), consisting of 2-3 members each from Management and Staff side shall be constituted, which will be responsible for reviewing the decisions taken in the National Council meetings. Normally issues on which the National Council has already taken a decision will not be again taken up in the National Council unless and until recommended by the Standing Committee.

Q14 – Whether any Report/statement on the subject is to be submitted?

Yes, as mentioned in question 9 above, a quarterly statement in following format is to be submitted by 15th day of July, October, January & April.

Council	No. of meetings held during the quarter
Circle Council	
Local Council	

Q15. Whether nominations in the Circle & Local councils are to be made from the employees of concerned circle/SSA?

Yes, the nominations to the Councils at Circle/SSA levels are to be restricted to employees of concerned Circle Office /SSA in which they are presently working or from where they have retired on Superannuation.

Note:/ Disclaimer: FAQ is for the understanding of the subject and cannot be quoted in support of and to justify any action. Relevant Rules & Govt. of India Instructions as mentioned in FAQ shall be referred.