

Trade union rights curbed in BSNL - BSNLEU fights legal battle.

BSNL Management has declared a war on trade union rights. In the name of conducting the 8th Membership Verification peacefully, the Management has issued a directive, vide it's letter dated 2nd July, 2019. It is directed in that letter that, even peaceful trade union activities like demonstration, dharna, etc., should not be conducted till the completion of the 8th Membership Verification. It is also warned in that letter that, any union, organising demonstration, dharna, etc., would be debarred from participating in the 8th Membership Verification. This threatening has been issued by the BSNL Management, in the backdrop of a country wide dharna programme on 16th July, 2019, called on by BSNLEU and the BSNL Casual Contract Workers Federation (BSNLCCWF), protesting the non-payment of wages to contract workers for 6 months.

So far 7 Membership Verifications have been held in BSNL. Never such a ban has been imposed, even for organising demonstration, dharna, etc., in the name of conducting Membership Verification peacefully. In it's letter dated 02nd July, 2019, the BSNL Management argues that, if any union organises agitational programme to settle the grievances of employees, that union would attract the votes of employees, which would deny level playing field to the other unions participating in the Membership Verification.

Even a blind person will say that, the above argument of the Management is nothing but a lame excuse. The real intention of the Management is to curb even peaceful trade union activities in BSNL. Holding the 8th Membership Verification peacefully is only an 'alibi' being used by the Management. It's real intention is to ensure that no agitation takes place in BSNL, especially at a time when the BSNL Management and the government are planning to implement retrograde measures like VRS, reduction of retirement age from 60 to 58, etc.

It is also very important to mention that, during the past several months, the BSNL Corporate Office has been trying to crush even peaceful trade union activities. For example, when the AUAB organised March to Sanchar Bhawan on 05th April, 2019, the BSNL Management issued letter to all the CGMs, directing them not to sanction leave to the employees and also not to grant them permission to leave the Head Quarters.

Immediately, after the letter dated 02nd July, 2019 was issued, BSNLEU protested it's. BSNLEU wrote to the CMD BSNL, demanding to immediately withdraw that letter. A complaint was also sent to the Chief Labour Commissioner. However, neither the CMD BSNL nor the Chief Labour Commissioner made any intervention. Under these circumstances, BSNLEU, Tamil Nadu circle union, filed a writ petition in the Hon'ble Madras High Court.

The writ petition was heard on 22nd July, 2019, and the Hon'ble Madras High Court granted interim stay to the letter issued by BSNL Corporate Office on 02nd July, 2019. On 24th July, 2019, BSNLEU once again wrote to the CMD BSNL, demanding withdrawal of the ban order imposed on demonstration, dharna, etc. Com.P.Abhimanyu,GS, together with Com.Swapan Chakraborty, Dy.GS and Com.Gakul Borah, Treasurer, met the CMD BSNL and requested for his intervention.

However, to our surprise, on the same day, i.e., on 24th July, 2019, the BSNL Corporate Office issued one more letter to all the CGMs, directing them to take disciplinary action and also to impose wage cut, on all those who participated in the dharna held on 16th July, 2019. This action of the BSNL Corporate Office is nothing but contempt of court. In view of this, notice to take 'contempt of court action' has been issued to the Management. BSNLEU will continue this legal battle.

Experience has now proved that, curbing of even peaceful trade union activities, in the name of holding 8th Membership Verification peacefully, is ridiculous. Experience has also proved, how hollow is the argument of the BSNL Management that, conducting of dharna, demonstration, etc., will hamper the peaceful conducting of the Membership Verification. It is because, after the issuing of the ban order by BSNL Management on 02nd July, 2019, all the major trade unions and associations of BSNL have organised two peaceful agitational programmes.

On 07th August, 2019, demonstrations were organised throughout the country, demanding financial support to BSNL, opposing retrenchment, demanding removal of ban on capital expenditures and demanding withdrawal of the ban order imposed by the BSNL Management, even for peaceful agitational programme. Again lunch hour demonstrations and gate meetings were organised on 21st August, 2019, opposing the proposed move of the government to reduce the retirement age from 60 to 58.

Thus, two peaceful agitational programmes have taken place in BSNL. All the major trade unions and associations of BSNL have participated in these two programmes. But, the heaven has not fallen down. The preparations for the 8th Membership Verification are going on well and they are least hampered by the peaceful agitational programme conducted on 07th August, 2019 and 21st August, 2019. Meanwhile, the interim stay granted to the BSNL Corporate Office letter dated 02.07.2019, has been extended upto 12.09.2019, by the Hon'ble Madras High Court. The BSNL Management should learn lesson from this. It should not try to curb trade union activities under one pretext or the other.
