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भारत संचार निगम लिमिटेड
Bharat Sanchar Nigam Limited
(A Govt. of India Enterprise)

No. 10-2/ 2007-WS&I/ O&M (Vol. II)(Pt.)

Dated: 12th May,2009

To

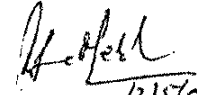
All Heads of Telecom Circles/Metro Districts(Functional Units of BSNL.

Sub:- 2nd Amendments in BSNL CDA Rules, 2006.

BSNL Board in its 119th meeting held on 16th April,2009, approved the amendments to the existing BSNL CDA Rules, 2006. The details of the amendments in BSNL CDA Rules,2006 are as per enclosed Annexure. The main rules nos., in which amendments have been approved, are as under:-

Rule No. 21(3), 21(4)(c), Explanation after Rule 21(8), Schedule at Page 63 of BSNL CDA Rules 2006, 30(5),36(2) & 36(8) (a) (b) of BSNL CDA Rule, 2006.

All above mentioned amendments approved by the BSNL Board are enclosed for wide circulation and implementation by all concerned. This will come into effect from the date of issue of this order.


(P.C. Mehta) 12/5/09
GM (WS&I)

Encl. (as above)

Copy for kind information and necessary action to:-

1. CMD BSNL.
2. Director (Plg. & NS)/(HRD)/(Finance)/(C&M)/(Operation),BSNL.
3. CVO , BSNL.
4. Executive Director (Fin.).
5. PGM/ GM (Estt.) / (Pers.)/ (FP) / (SR) / (Restg.)/(Civil) / (Elect.).
6. Sr. DDG (Vig.)/ DDG (SU), DOT.
7. GM(SR) for forwarding amongst recognized unions.
8. CS& GM (Legal), BSNL C.O.
9. Dy.Manager (OL) for arranging Hindi version.
10. Office copy/ Guard file.


(R.C.Arora) 12/5/09
AGM(WS/O&M)

Annexure-X

F. No.10-2/2007-WS&I/O&M/Vol-II(Pt.) Dated 12th May, 09

Existing Rule No. & Provisions in BSNL CDA Rules 2006	Approved Amendment in BSNL CDA Rules 2006(by BSNL Board in its 119 th meeting)
<p>Rule 21(3) – Every employee shall report within a month to the competent authority every transaction concerning movable property owned or held by him in his own name or in the name of a member of his family, if the value of such property exceeds :</p> <p>(i) Up to Rs 20000/- in case of employees in the non-executive category.* (ii) Rs. 30000/- in case of employees in the executive category.</p>	<p>Rule 21(3) – Every employee shall report within a month to the competent authority every transaction concerning movable property owned or held by him in his own name or in the name of a member of his family, if the value of such property exceeds :</p> <p>(i) Rs 100000/- in case of employees in the non-executive category. (ii) Rs. 200000/- in case of employees in the executive category.</p>
<p>Rule 21(4)(c) – -Other movable property inherited by him or similarly owned, acquired or held by him if the value of such property exceeds:</p> <p>(i) Rs 20000/- in case of non-executive employees. (ii) Rs. 30000/- in case of executive employees</p>	<p>Rule 21(4)(c) – -Other movable property inherited by him or similarly owned, acquired or held by him if the value of such property exceeds:</p> <p>(i) Rs 100000/- in case of non-executive employees. (ii) Rs. 200000/- in case of executive employees</p>
<p>At Page 21 of the BSNL CDA Rules 2006 booklet updated upto 03-09-2007- Explanation after Rule 21(8)</p> <p>Explanation:-For the purpose of Rules 5,6,9,12,15,21,21-A & 23, the competent authority is as under:- SSA Level staff : SSA Head. Circle Level Staff : Circle Head All India level staff : Circle Head where the staff is posted. For the circle Head, Competent Authority will be CMD. Corporate office: Concerned Sr. DDG/DDG/Head of Division”.</p> <p>Papers and documents relating to these transactions shall be kept on record with the Vigilance Department at respective SSA/Circle/ Corporate office. The position will be reviewed by CMD for modification as and when necessary.</p>	<p>Explanation:-For the purpose of Rules 5,6,9,12,15,21,21-A & 23, the competent authority is as under:- SSA Level staff : SSA Head. Circle Level Staff : Circle Head All India level staff : Circle Head where the staff is posted. For the circle Head, Competent Authority will be Director(HRD). Corporate office: “Concerned PGM, BSNL CO/ GM, BSNL CO / Head of Division”. For the PGM, BSNL CO/ GM, BSNL CO / Head of Division”, the competent authority will be Director(HRD).</p> <p>Papers and documents relating to these transactions shall be kept on record with the Vigilance Branch at respective SSA/Circle/ Corporate office. The position will be reviewed by CMD for modification as and when</p>

Annexure-X

Existing Rule No. & Provisions in BSNL CDA Rules 2006	Approved Amendment in BSNL CDA Rules 2006(by BSNL Board in its 119 th meeting)
<p>At Page 63 of the BSNL CDA Rules 2006 booklet updated upto 03-09-2007-Schedule of Appointing, Disciplinary , Appellate and Reviewing authorities in BSNL for executives :</p> <p>(A) For minor penalty: Equivalent to cadres in CDA of JTS & STS, the disciplinary authority is CGM/ Sr.DDG/ DDG</p>	<p>necessary.</p> <p>The Disciplinary Authority to be replaced as “CGM/PGM BSNL CO/GM, BSNL CO” in place of existing “CGM/Sr.DDG/DDG” .</p>
<p>Rule 30(5)(a): An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority, which made or is deemed to have made the order or by any authority to which that authority is subordinate.</p> <p>Rule 30(5)(b): The authority which made or deemed to have made the order of suspension shall review periodically whether continuance of suspension of the employee is justified or not. The first review shall be done before expiry of 90 days on the recommendation of the Review Committee** constituted for the purpose and pass orders either extending or revoking the suspension. Then further review can be done on six monthly basis. These are only guidelines and the disciplinary authority is fully competent to review the suspension whenever it is felt that continuance of suspension is not justified having regard to the circumstances of the case.</p>	<p>Rule 30(5)(a): Subject to the provisions contained in 30(5)(e), an order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.</p> <p>Rule 30(5)(b): where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise), and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.</p> <p>Rule 30(5)(c): An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority, which made or is deemed to have made the order or by any authority to which that authority is subordinate.</p> <p>Rule 30(5)(d): An order of suspension made or deemed to have been made under this rule shall be reviewed by the authority which is competent to modify or revoke the suspension before the expiry of ninety days from the date of order of suspension on the recommendation of the Review Committee** constituted for the purpose and pass orders either extending or revoking the suspension . Subsequent reviews shall be made before the expiry of the extended period of suspension. Extension of suspension shall not be for a period exceeding one hundred and eighty days at a time</p>

2/1/2008

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Annexure-X

Existing Rule No. & Provisions in BSNL CDA Rules 2006	Approved Amendment in BSNL CDA Rules 2006(by BSNL Board in its 119 th meeting)
<p>** (Guidelines issued vide No. 257-4/05-O&M/17, dt. 17-9-2004 for composition of Review Committee, may be followed till further orders. However, in place of Sr. DDG (O&M) now CVO(Head of vigilance branch) in BSNL CO, would be the Member.)</p>	<p>Rule 30(5)(e): An order of suspension made or deemed to have been made under sub-rule 30(1) or 30(2) of this rule shall not be valid after a period of ninety days unless it is extended after reviews, for a further period before the expiry of ninety days:</p> <p>Provided that no such review of suspension shall be necessary in the case of deemed suspension under sub- rule 30(2), if the employee continues to be under detention at the time of completion of ninety days of suspension and the ninety days period in such case will count from the date the employee detained in custody is released from detention or the date on which the fact of his release from detention is intimated to his Appointing Authority, whichever is later.</p> <p>** (Guidelines at Para (4) issued by CVO vide their letter no. 212-52/2007-VM-V dated 17th Aug 2007 for composition of Review Committee may be followed till further orders)</p>
<p>Rule 36(2) " Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an employee, it may itself inquire into, or appoint any public servant(herein after called the Inquiring Authority) to inquire into the truth thereof."</p> <p>Rule 36(8) (a) An employee may take the assistance of any other public servant but may not engage a legal practitioner for the purpose, unless the presenting officer appointed by disciplinary authority is a legal practitioner or, the disciplinary authority having regard to circumstances of the case so permits.</p> <p>Rule 36(8)(b) The employee shall not take the assistance of any public servant who has two pending disciplinary cases on hand in which he has to function as Defence Assistant.</p>	<p>Rule 36(2)"Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior against an employee, it may itself inquire into, or appoint any public servant, or appoint any retired employee of DOT/BSNL (herein after called the Inquiring Authority) in consultation with the Chief Vigilance Officer* to inquire into the truth thereof."</p> <p><i>*(As per the directions issued by CVC vide letter No. 98/MS/23, dated 25-3-03 & dated 1.8.2003/ No. 004/VGL/63 dated 18-11-2004)</i></p> <p>Rule 36(8) (a) An employee may take the assistance of any other public servant/retired employee of DoT/BSNL but may not engage a legal practitioner for the purpose, unless the presenting officer appointed by disciplinary authority is a legal practitioner or, the disciplinary authority having regard to circumstances of the case so permits.</p> <p>Rule 36(8)(b) The employee shall not take the assistance of any public servant/retired employee of DoT/BSNL who has seven pending disciplinary cases on hand in which he has to function as Defence Assistant.</p>

Arjun

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