

FORUM OF MTNL UNIONS AND ASSOCIATIONS

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MS-54/Forum/2020/15

To,

The Chairman & Managing Director
Mahanagar Telephone Nigam Limited
Corporate Office, CGO Complex
Lodhi Road New Delhi-110003

The Executive Director
Mahanagar Telephone Nigam Limited
Delhi / Mumbai

Dated: 15.06.2020

15 JUN 2020

Sub.: Human Resource outsourcing services in MTNL -reg.

Ref.: MTNL CO Letter No. MTNL/Admin/CO/GeM/19-20/1 Dated 04/02/2020

Respected Sir,

We would like to draw your kind attention towards above subject with following details for kind consideration, needful investigation and necessary action please.

MTNL Corporate Office vide above referred letter has conveyed that a tender was floated through GeM Portal to outsource the manpower as a stop gap arrangement for 6 months for smooth operation and maintenance of telecom services in Delhi and Mumbai in post VRS scenario as per following manpower details:

Category	Delhi	Mumbai	Total
Driver LMV	35	75	110
Lineman	420	1000	1420
Assistant Lineman	240	500	740
Security Guards male	96	0	96

It was decided that, the M/s ACME Excellent Management Private Limited contractor recommended for providing above outsourced manpower for the period which start from 07/02/2020 to 06/08/2020.

In this connection, we received complaints on following points which need to investigate and resolve immediately before expiry of above tender period and final settlement of the pay bills of above contractor.

- Appointment Letter with Terms and Conditions:** Proper Appointment Letter with detail terms and conditions are not given by the Contractor to the deployed labours as well as MTNL Units.
- Payment of Per Day Wages:** It is understood that as per terms and conditions of approved tender, Rate of Per Day Wages for Lineman Category is Rs.1100/- and Rs.1017/- for Assistant Lineman, Driver and Rs.1000/- for Security Guards.

But as per received complaints, deployed labours received their salary/wages @ Rs. 733/- per day and Rs.666/- per day instead of above approved rate for Lineman and Asstt. Lineman, Driver category respectively for the Months of February 2020 and March 2020.

3. Provision of Salary/wages Slip: Proper salary/wages slips with details of pay and deduction, numbers of days present are not providing by the Contractor to the deployed labours.

4. Weekly Off: As per labour law, an employee will be entitled for rest day/weekly off, if he/she has worked for continuous period of six days, and the said off should be treated as paid weekly off.

But it is noticed that the Contractor not paying payment for weekly off to the deployed labours.

5. Deduction of EPF: Whether names of deployed labours are registered to EPFO or not? It is not known to the deployed labour.

Because detail of UAN Number, detail of deducted amount toward Employee Share and Employer Share is not provided to the deployed labour by the Contractor.

6. Deduction of ESIC: Whether names of deployed labours are registered to ESIC or not? It is not known to the deployed labour.

Because detail of ESIC Number, detail of deducted amount toward ESIC, proper ESIC card to avail benefit of ESIC from ESIC Dispensary or Hospital, is not provided to the deployed labour by the Contractor.

7. Over Time Allowances: Deployed labours who are attached to external field are most of the performing extra duties after their normal 8 Hours duty, but payment extra towards duty hours is not paying to these labours, and rate of Over Time Allowances not declared by the Contractor.

8. System of recommendation of Pay Bills of ACME labours: It is observed that there is no proper system adopting at the time of recommendation of pay bills, without obtaining proper details regarding performance of work, copy of attendance sheet, proof of attendance register, proof of payment of EPF/ESIC, our General Managers are recommending Pay Bills of ACME labours.

9. Collective fraud by misutilization of funds: As per approved rate in tender and as per received information as above, we calculated and noticed following differences for the Pay Bill Period for **07/02/2020 to 06/03/2020**.

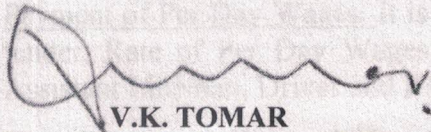
Category	Wages for one month as approved Per Day Rate (Period 07/02/2020 to 06/03/2020)	Wages actual paid by the Contractor for (Period 07/02/2020 to 06/03/2020)	Difference in Payment per employee
Lineman	29 Days x Rs. 1100 = Rs.31900 for 1 month Rs.1100/- (Per Day approved rate) 29 Days (inclusive 4 days paid weekly off) Total 1420 Lineman approved for Delhi & Mumbai	25 Days x Rs. 733 = Rs.18325 for 1 month Rs.733/- Per Day rate paid by Contractor 25 Days Present (not included 4 days weekly off)	Rs.13575/- less salary paid to employee. Rs.13575 x 1420 = Rs.19276500
Assistant Lineman	29 Days x Rs. 1017 = Rs.29493 for 1 month	25 Days x Rs. 666 = Rs.16650 for 1 month	Rs.12843/- less salary paid to

& Driver	Rs.1017/- (Per Day approved rate) 29 Days (inclusive 4 days paid weekly off) Total 850 Labours in these category approved for Delhi & Mumbai	Rs.666/- Per Day rate paid by Contractor 25 Days Present (not included 4 days weekly off)	employee. Rs.12843 x 850 = Rs.10916550
Security Guards	29 Days x Rs. 1000 = Rs.29000 for 1 month Rs.1017/- (Per Day approved rate) 29 Days (inclusive 4 days paid weekly off) Total 96 Labours in this category approved for Delhi only.	25 Days x Rs. 666 = Rs.16650 for 1 month Rs.666/- Per Day rate paid by Contractor 25 Days Present (not included 4 days weekly off)	Rs.12350/- less salary paid to employee. Rs.12350 x 96 = Rs.1185600
Total salary sanctioned but not paid to deployed labours.		Lineman category Assistant LM & Driver category Security Guard Category Total	Rs. 19276500/- Rs. 10916550/- Rs. 1185600/- Rs.31378650/-

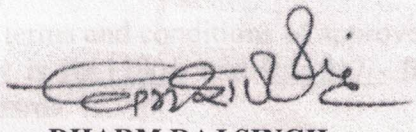
As per above calculation it is noticed that for 1 month "Rs. Three Crores Thirteen Lakh Seventy Eight Thousand Six Hundred Fifty" – which sanctioned for contract labour wages but not paid to the deployed contract labours; then under which head this huge amount utilized or adjusted. It is clearly prove that there is collective fraud by misutilization of fund sanctioned for contract labour wages.

Therefore, you are requested to look into this matter personally and appoint **"Joint Committee which includes MTNL Management Representatives and Representatives of Majority Unions"** for investigation this matter properly and ensure to pay wages to the deployed labours as per approved rate with benefit of paid weekly off and extra duty hours performed by them.

Thanking you.


V.K. TOMAR
(Chairman & Genl. Secy. (MEA))

Yours sincerely,


DHARM RAJ SINGH
(Convener & Genl. Secy. (MTNL-MS))

Copy to:

1. Director (HR), MTNL CO, New Delhi. — 18/6/2020
2. Director (Finance), MTNL CO, New Delhi. — 18/6/20
3. General Secretary (BMS) DDU Marg, New Delhi.