

# FORUM OF MTNL UNIONS AND ASSOCIATIONS

T-28, Atul Grove Road New Delhi-110001

V.K. TOMAR  
Chairman & Genl. Secy. (MEA)  
Mob. 9868133336

DHARAM RAJ SINGH  
Convener & Genl. Secy. (MTNL-MS)  
Mob. 9868136466

MS-54/Forum/2018/27

To,

✓ The Secretary  
Department of Telecom  
Ministry of Communication  
Govt. of India, Sanchar Bhawan  
New Delhi-110001

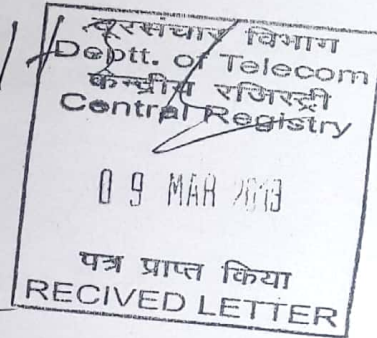
&

The Chairman & Managing Director  
MTNL, Corporate Office  
Mahanagar Doorsanchar Sadan  
CGO, New Delhi

09 MAR 2018

Dated -08.03.2018

017284



## Subject: Notice of Strike

जं. एवं प्र. नि. के निजी सचिव / PS to CMD  
म.ट.नि.लि. निगम कार्यालय / MTNL Corporate Office  
5वीं मंजिल, महानगर दूरसंचार सदन  
5th Floor, Mahanagar Doorsanchar Sadan  
& पी.जी.ओ. कॉम्प्लेक्स, लोधी रोड, नई दिल्ली-110003  
& C.G.O. Complex, Lodhi Road, New Delhi-110003

It is in continuation of various notices served by this forum, meetings and appeals by MTNL Management, and our last strike notice of dated 10.07.2017 served by the Forum of MTNL Unions and Associations vide letter no-MS-54/Forum/2017/20 Dated-10.07.2017 on the issues explained in annexure, on the request of MTNL Management Hon'ble Mumbai High Court intervened in the matter and proposed strike from 29.09.2017 once again deferred in view of the directive of Hon'ble High Court of Mumbai. On dated 08.02.2018, DOT has informed the Hon'ble High Court through affidavit that he has conveyed his recommendation to MTNL to process the benefit of merger of 50% DA to have eventual effect of 78.2% with the effect from 01.01.2007 for the employees of MTNL. But to our amazement, MTNL management did not make any effort to settle the issues, may be our cooperation and concern to run the company smoothly has been taken as our weakness. In spite of our repeated request to discuss & settle the issues, management turned deaf ears on the issues and requests made by the forum. Now, we are forced to resume our deferred protest action, followed by strike against abnormal delay in settlement of the attached issues raised by forum.

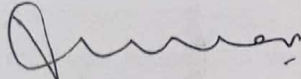
(See Rule 71 of the Industrial Disputes (Central) Rules 1957 read with section 22(1) of ID Act 1947)

In accordance with the provisions contained in sub section (1) of section 22 of the ID Act 1947, we hereby give you notice that we propose the following programmes for the reasons explained in the annexure-A. Issues are enlisted in Annexure B

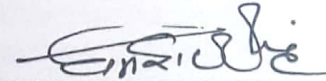
### Programme

Programme	Date
Mass rally from Khursheed Lal Bhawan to PMO to submit the memorandum to Hon'ble Prime Minister of India	28 <sup>th</sup> March 2018, at lunch hour
Mass rally from Jija Mata Udyan Byculla to Azad Maidan, Mumbai to submit the memorandum to Hon'ble Prime Minister Of India through Hon'ble Governor of Maharashtra	28 <sup>th</sup> March 2018, at lunch hour
Work According to Rule	26 <sup>th</sup> April 2018 to 28 <sup>th</sup> April 2018
Indefinite strike	3 <sup>rd</sup> May 2018 onward

Yours sincerely



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



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

o/c

Copy to:

1. Hon'ble Prime Minister of India, South block, New Delhi.
- ✓ 2. Hon'ble Minister of Communication, Govt of India, New Delhi.
- ✓ 3. Special Secretary, DOT, New Delhi.
- ✓ 4. Joint Secretary (Admin), DOT, New Delhi. MS  
9/3/18
5. Dir(HR), MTNL, CO, New Delhi.
6. Dir(Tech), MTNL, CO, New Delhi.
- ✓ 7. Executive Director, MTNL, Delhi.
- ✓ 8. Executive Director, MTNL, Mumbai.
9. All India General Secretary, BMS, New Delhi.
10. Regional Labour Commissioner, New Delhi.
11. Regional Labour Commissioner, Mumbai.

A-9703/18

3662

9/3/18

प्राप्त कर्ता :  
कार्यालय सचिव-मूल, भारतीय डाक (केन्द्रीय)  
विभाग, नया दिल्ली-110001  
फ़ोन : 23388000-02

# Forum of MTNL Unions and Associations

T-28 Atul Grove Road, New Delhi-110001

## Annexure-A

### Statement of the case:

The issues listed in the Annexure-B have emanated from the settlements/agreements conducted between management and unions sanctified by mutuality nearly a decade ago but have not been honoured by the MTNL management as yet. It is to be underlined that we have been perusing through various forms in a democratic manner but we received a nugatory response and approach from management of MTNL to enforce long pending settlements. Such nugatory response is nothing but an affront on the agreements sanctified by mutuality, which we cannot accept lying down.

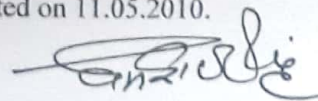
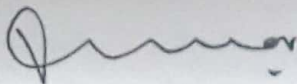
A delegation in one unity platform of forum of MTNL Unions and Associations representing majority of work force of MTNL requested MTNL management and DoT to oblige delegation for personal hearing and fix up a meeting to apprise and discuss the issues about the inordinate delay and extended time taken by the MTNL management and DoT for enforcement of settlement/agreement. It was not heeded to.

Whereas, MTNL management and DoT were defaulter of breach of trust in contravention to proviso to ID Act 1947, therefore forum of MTNL Unions and Associations resolved to follow the path of industrial action programme to seek enforcement of agreements at par excellence. Consequently a meeting was held on 24.09.2016.

In view of the discussions held on 24.09.2016 on the issues listed in our letter No. JF/MTNL/2016 Dated-25.07.2016, an appeal was made by CMD, MTNL vide his office letter No MTNL/CO/IRW/21(135)/2016 dated-24.09.2016 to withdraw the industrial action plan. Hence the industrial action plan was deferred till further intimation in anticipation that MTNL Management shall strive to reduce the field of conflict by enforcing the settlements/agreements in the larger public interest yet the DoT, Govt. of India and MTNL management have not obliged to honour the agreements.

Further on our notice of dated 10.07.2017 on the request of MTNL Management Hon'ble Mumbai High Court intervened and our proposed indefinite strike from 29.09.2017 was deferred in view of the directive of Hon'ble High Court Mumbai. On dated 12.02.2018 DOT has conveyed Honorable High Court Mumbai through Affidavit that DOT has taken decision vide letter no-11-1/2009-SU Dated 08.02.2018 to extend the benefit of Merger of 50% DA to have eventual effect of 78.2% w.e.f. 01.01.2007 for MTNL employees in context of DPE OM Dated 26/11/2008 & 02/04/2009. Forum of MTNL Unions and Association has also written a letter to CMD MTNL requesting to implement the decision of DOT immediately. But MTNL management turned deaf ears on issues and request made by the forum.

Hence, under section 22 of ID Act 1947, a notice of strike is required to be given, only in case where public utility service management is in breach of contract. In the instant case, MTNL management is defaulter of breach of contract that they have not enforced their commitment during the period of operation of the wage agreement conducted on 11.05.2010.



# Forum of MTNL Unions and Associations

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## Annexure-B

### Issues listed for discussion & settlement:

1. Merger of 50% IDA effectively amounting to 78.2% w.e.f. 01-01-2007
2. Revision of Perks and allowances freezed as on April 2008
3. counting of Casual service for pension
4. Revival / survival of MTNL
5. Implementation of 3<sup>rd</sup> PRC
6. Pension revision as per 7th CPC to MTNL combined service retirees

