

Sub: Violation and deviations from DoPT Guidelines in framing MSRR 2023.

MSRR-2023 is inconsistent with the well-established guidelines and principles issued by the Department of Personnel & Training (DoPT) on framing and amendment of Recruitment Rules (RRs), which are required to be followed by Central Public Sector Enterprises, particularly those fully owned by the Government of India.

1. **DoPT Guidelines as the Governing Framework:** DoPT has, through multiple Office Memoranda, laid down binding principles that recruitment rules must:
 - a. Ensure fair and reasonable career progression,
 - b. Maintain a judicious balance between promotion and direct recruitment,
 - c. Protect the legitimate expectations of existing employees,
 - d. Avoid structural changes that cause stagnation or demoralisation.

These principles, though formally issued for Government services, have consistently been treated as guiding and enforceable benchmarks for CPSEs like BSNL, whose service structures and cadre hierarchies are modeled on Government norms.

2. **Violation of the Principle of Reasonable Career Progression:** DoPT OM No. AB-14017/48/2010-Estt. (RR) dated 31.12.2010 clearly stipulates that recruitment rules must provide adequate promotional avenues and that excessive direct recruitment should not block the career progression of existing employees. However, MSRR-2023 introduces Disproportionate direct recruitment at senior and middle management levels and evere dilution of promotion ratios for serving executives.

This effectively results in career stagnation, contrary to DoPT's explicit policy direction that internal promotional channels must remain meaningful and motivating.

3. **Defeat of Legitimate Expectation and Principles of Natural Justice:** Serving executives joined BSNL under earlier MSRR frameworks with a legitimate expectation of progression based on existing promotion ratios, Structured cadre hierarchy and Assured time-bound advancement.

DoPT OM No. AB-14017/64/2008-Estt. (RR) dated 21.07.2011 cautions against abrupt changes in RRs that adversely affect incumbents and mandates transitional safeguards.

MSRR-2023, however, alters the service architecture without adequate protection for existing officers, thereby violating the principles of natural justice and fairness.

4. **Absence / Dilution of Initial Constitution Safeguards:** DoPT OM No. AB-14017/13/2013-Estt. (RR) dated 25.03.2014 mandates inclusion of an Initial Constitution clause whenever new recruitment rules replace earlier ones, to protect seniority, eligibility, and promotional rights of incumbents.

The manner in which MSRR-2023 has been framed fails to adequately safeguard:

- a. Accrued service,
- b. Seniority-based progression, and
- c. Eligibility timelines of existing executives.

This omission renders the rules procedurally and substantively flawed.

5. **Excessive Direct / Lateral Induction at Higher Levels:** DoPT OM No. AB-14017/32/2011-Estt. (RR) dated 06.06.2013 clearly discourages large-scale direct or lateral induction at senior levels when an experienced internal cadre exists.

BSNL already possesses a technically trained, institutionally experienced executive workforce. MSRR-2023's emphasis on external induction at higher levels:

- a. Undermines internal talent,
- b. Creates dual hierarchies, and
- c. Severely impacts morale and organisational cohesion.

6. **Prospective Application of Recruitment Rules:** DoPT OM No. AB-14017/61/2008 -Estt. (RR) dated 24.03.2009 provides that amended recruitment rules should be applied prospectively, and vacancies arising prior to notification must be governed by earlier rules.

Any application of MSRR-2023 that adversely affects promotional opportunities linked to earlier vacancies would be contrary to DoPT policy and legally untenable.

7. **Impact on Organisational Stability and Revival of BSNL:** DoPT OM No. AB-14017/6/2016-Estt.(RR) dated 02.02.2017 emphasizes that recruitment policies must promote:

- a. Morale,
- b. Stability, and
- c. Long-term administrative efficiency.

At a time when BSNL is striving for revival, weakening the motivation and career prospects of its core executive cadre is counter-productive and against public interest.

8. **Approval of DoT:** As per directions of DoT, all RRs are to be published after approval of DoT and these MSRR 2023 are issued without any approval of DOT, the administrative Ministry. Also these MSRRs are approved and published on holiday where about 15 RRs have been changed in single night. We find some malafide intention of certain officers in the Management in it, as on the next day i.e. 01/01/2023, about 1500 AGMs eligible for DGM Promotions and with instruction f LICE, the SCF quota posts are diverted and no promotions could happen till today even after 1000 posts are vacant.

9. **Prayer / Request:** In view of the above, SNEA most respectfully requests that the Department of Telecommunications may kindly:

- a. Review MSRR-2023 for conformity with DoPT guidelines.
- b. Direct BSNL to restore reasonable promotion ratios and internal career pathways.
- c. Ensure adequate transitional and initial constitution protections for existing executives.
- d. Restrict senior-level direct recruitment to exceptional cases, only after exhausting promotional avenues.

Sir, BSNL's revival and effectiveness depend as much on fair personnel policies as on technology and investment. Alignment of MSRR-2023 with DoPT guidelines is therefore not merely a service matter, but an issue of institutional justice, morale, and governance.
