

BSNL EMPLOYEES UNION

Recognised Union in BSNL

(Registered Under Indian Trade Union Act 1926. Regn.No.4896)

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BSNLEU/531 (TAC)

24.01.2019

To,

Ms. Sujata T. Ray,
Director (HR) BSNL,
Bharat Sanchar Bhawan,
Janpath, New Delhi – 110 001

Madam,

Sub: - **Implementation of the judgement of the Hon'ble CAT, Lucknow Bench, in granting pay scale and Group B status to Senior Accountants in BSNL - req.**

We would like to draw your kind attention to the above cited subject for favour of necessary action.

As an integral part of the Organised Accounts Cadre of the other Accounts Departments, the scale of pay of the Senior Accountants was upgraded to Rs.5500-9000, vide DoT letter No.37-13/2002-SEA-I dated 14th July, 2003, with reference to the Department of Expenditure O.M. No.6/822-E-II(B)/91 dated 28th February, 2003. BSNL vide O.M. No.4-20/2003-SEA dated 01.04.2003, notified the upgraded pay scales of the Junior Accountant and Senior Accountant in CDA pay scales w.e.f. 01.01.1996 and in IDA pay scales, w.e.f. 01.10.2000, on notional basis and actual benefit from 19.02.2003.

DoT replaced the CDA pay scale of Rs.5500-9000 to Rs.7830-12430 in IDA scale, vide letter No.61-6/2002-SU dated 05.07.2004, which was endorsed by the BSNL, vide letter no.1-5-2004-PAT(BSNL) Pt.II dated 06.08.2004. But the Senior Accountants of BSNL were not given the IDA pay scale of Rs.7830-12430. The aforesaid IDA scale was given by BSNL only to Assistants / Personal Assistants of CSS/CSSS in BSNL. They were given Executive status with IDA scale of Rs.9850-14600, which is denied to the Senior Accountants.

The Union and the affected Senior Accountants have continuously taken up this issue, demanding to grant the upgraded pay scale, and also to accord the status of Executive to the Senior Accountants. Since all the representations made in this regard went in vain, the affected Senior Accountants from UP(East) circle approached the Hon'ble CAT, Lucknow Bench. The CAT, Lucknow Bench, vide it's order dated 05.05.2016 in TA No.14 of 2012 in W.P.No.3579/2005, has directed the respondents as follows.

“the OA is remanded to the respondents to grant the IDA pay scale notionally w.e.f. 01.01.2000 and actually from 19.02.2003 treating them to have been on the CDA pay scale of Rs.5500-9000 notionally from 01.01.1996 and actually from 19.02.2003 and having been eligible to be treated as Group-B non-gazetted notionally on 01.01.2000.”

In view of the Hon'ble CAT judgement, the matter was taken up by the Staff Side of the National Council in the 35th meeting of the National Council, held on 11th May, 2017, vide item No.3. The Staff Side stated that Senior Accountants in BSNL cannot be downgraded from Group B to Group C and hence should be accorded with the status of Executives on their absorption in BSNL w.e.f. 1.10.2000 and granted E-1A pay scale as in the case of Assistants.

Management side informed the Council that the Sr. Accountants were absorbed in BSNL as Gr. C /Non-Executives vide orders issued by DoT. Since they were made Gr.B during the DoT period i.e. before their absorption in BSNL, their POs were to be revised only by the DoT. It was, thereafter, agreed that DoT would be requested to revise the POs of Sr. Accountants absorbed in BSNL.

However, we have come to know that the Corporate Office has written to the Advisor (Finance), DoT vide No.9-12/2016-SEA-BSNL dated 18.04.2018, wherein it is mentioned that the revised corresponding BSNL scale of pay on IDA pattern w.e.f. 01.01.2007 against IDA scale of pay Rs.7830-12430 was not available. It is also mentioned that in the absence of replacement scale against IDA pay scale of Rs.7830-12430 w.e.f. 01.01.2007, IDA pay scale Rs.9850-16400 could not be given to Senior Accountants as it is the scale of JAO.

In this regard, we wish to submit that the aforesaid argument of the BSNL Corporate Office is not reflecting the true spirit of the decision given by the Chairman of the National Council.

Further, we would like to mention that, if the Senior Accountants are given the status of Executive, based on the judgement of the Hon'ble CAT, Lucknow, no other cadre can demand for the similar benefit. We also wish to mention that, the statement of the BSNL Corporate Office to the DoT that, the implementation of the above mentioned orders involved heavy financial implication for BSNL, is totally untrue. Considering the fact that the total number of Senior Accountants presently serving in BSNL is only 32, the financial implication will not be heavy at all, as was mentioned in the letter of the Corporate Office, written to the DoT.

In this connection, we would also request you to kindly cause to withdraw the appeal filed by the CGM, UP(East) circle, in the High Court of Allahabad, against the judgement given by the Hon'ble CAT, Lucknow Bench, on this issue. We also request you to kindly take necessary steps for the implementation of the direction of the Hon'ble CAT, Lucknow Bench, without further delay.

Thanking you,

Yours sincerely,



[P. Abhimanyu]
General Secretary