



BSNL EMPLOYEES UNION

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BSNLEU /418 (IDA)

12.04.2022

To,

Shri P.K. Purwar
CMD BSNL,
Bharat Sanchar Bhawan,
H.C. Mathur Lane, Janpath,
New Delhi – 110 001

Sir,

Sub: - **Non-implementation of the order of the Hon'ble Kerala High Court on the issue of payment of IDA increase to the Non-Executives of BSNL – initiating contempt of Court proceeding against the CMD BSNL – req.**

- Ref: - (1) The Hon'ble Kerala High Court order in the WP(C) No.29212/2020(B), dated 17th February, 2021.
(2) BSNLEU letter no.BSNLEU/418(IDA) dated 23.03.2021.
(3) DPE letter no.F.No.W-02/0002/2014-DPE(WC)-GL-III/2021 dated 02nd August, 2021
(4) BSNLEU letter no.BSNLEU/418(IDA) dated 03.08.2021.
(5) BSNLEU letter no.BSNLEU/418(IDA) dated 24.08.2021.
(6) BSNLEU letter no.BSNLEU/418(IDA) dated 28.09.2021.
(7) BSNLEU letter no.BSNLEU/418(IDA) dated 08.10.2021.
(8) BSNLEU letter no.BSNLEU/418(IDA) dated 15.11.2021.
(9) BSNLEU letter no.BSNLEU/418(IDA) dated 18.02.2022.
(10) BSNLEU letter no.BSNLEU/418(IDA) dated 17.03.2022.

We wish to bring the following to your kind notice for favour of information and necessary action.

We are pained to note that, the CMD BSNL is continuously refusing to implement the order of the Hon'ble Kerala High Court, in the matter of payment of IDA arrears to the Non-Executives of BSNL. The Hon'ble Kerala High Court directed the CMD BSNL on 17th February, 2021, vide it's order cited under reference (1), to pay the IDA increase to the Non-Executives of BSNL.

Immediately, BSNLEU, vide it's letter cited under reference (2), wrote to the CMD BSNL and demanded that the increase in the IDA should be paid to the Non-Executives of BSNL. However, the CMD BSNL informed that, the quantum of the IDA increase has to be announced by the DPE first.

The DPE, vide it's letter no. F.No.W-02/0002/2014-DPE(WC)-GL-III/2021 dated 02nd August, 2021, announced that, the IDA of the employees of the PSUs has increased at the following rates, w.e.f. 01.10.2020, 01.01.2021 and 01.04.2021.

| DUE DATE | Average of the Quarter | Link Point (Avg. AICPI of last available three months AICPI as on 01.01.2007) | Increase over Link Point | DA Rates | Remarks |
|------------|------------------------|---|--------------------------|----------|--|
| 01.10.2020 | 335.33 | 126.33 | 209 | 165.4 | Actual DA rates during the freezing of DA period (01.10.2020 to 30.06.2021) is 159.9%. No Arrears would be allowed |
| 01.01.2021 | 343.20 | 126.33 | 216.87 | 171.7 | |
| 01.04.2021 | 341.76 | 126.33 | 215.43 | 170.5 | |

Immediately, BSNL Employees Union, vide it's letter number BSNLEU/418(IDA) dated 03.08.2021 wrote to the CMD BSNL and demanded payment of IDA increase, at the rates announced by the DPE, in it's letter dated 02.08.2021. Thereafter, BSNLEU has written to the CMD BSNL vide it's letter number BSNLEU/418(IDA) dated 24.08.2021, BSNLEU/418(IDA) dated 28.09.2021, BSNLEU/418(IDA) dated 08.10.2021, BSNLEU/418(IDA) dated 15.11.2021, BSNLEU/418(IDA) dated 18.02.2022 and BSNLEU/418(IDA) dated 17.03.2022 and has demanded payment of the arrears of the IDA increase.

However, it is extremely unfortunate that, the CMD BSNL has refused to make payment of the IDA arrears, to the Non-Executives of BSNL even after one year and two months of the delivery of judgment, by the Hon'ble Kerala High Court and even after 8 months of the announcement of the rates of IDA increase, by the Department of Public Enterprises.

In the meanwhile, the BSNL Management, vide it's letter no.BSNL CO-A/11(18)/1/2020-ESTAB dated 27th October, 2021, stated that the payment of the arrears of the IDA increase to the BSNL employees would be made only when the fund is available. This is nothing but a clever and surreptitious way, in which the CMD BSNL circumvented the order of the Hon'ble Kerala High Court. It is already 5 months since this aforementioned letter was issued by the BSNL Management. But, still the arrears of the IDA increase has not been paid to the Non-Executives.

Absolutely, there is no justification on the part of the CMD BSNL, for the non-implementation of the order of the Hon'ble Kerala High Court, regarding the payment of IDA increase to the Non-Executives of BSNL. It has now become very clear that the CMD BSNL does not want to implement the order of the Hon'ble Kerala High Court dated 17th February, 2021.

BSNL Employees Union, the Main Recognised trade union of the Non-Executives of BSNL, has been patiently pursuing the matter with the CMD BSNL for the past one year and two months, pleading to implement the order of the Hon'ble Kerala High Court, and to release the payment of IDA arrears to the Non-Executives of BSNL. However, the CMD BSNL has failed to implement the order of the Hon'ble Kerala High Court.

Hence, it has become very clear now that, the CMD BSNL does not want to implement the order of the Hon'ble Kerala High Court, in the matter of payment of IDA arrears to the Non-Executives of BSNL. Refusal to implement the order of the Hon'ble Kerala High Court for the past one year and two months is tantamount to contempt of the Hon'ble Court.

Hence, it is hereby informed that, BSNLEU will be constrained to file a contempt of Court petition against the CMD BSNL, if the IDA arrears is not paid to the Non-Executives of BSNL within two weeks.

Thanking you,

Yours sincerely,



[P. Abhimanyu]
General Secretary

Copy to: (1) Shri Arvind Vadnerkar, Director (HR), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001
(2) Ms. Yojana Das, Director (Finance), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001