



ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
OFFICERS' ASSOCIATION

CENTRAL HEAD QUARTERS

AD-87B, Pitampura, Delhi-110088

President

K. BALASUBRAMANIAN

Mobile : 094440000562

Finance Secretary

V. GURUMOORTHY

Mobile : 09444979555

General Secretary

RAKESH SETHI

Mobile : 9868210449

No. AIBSNLOA/CHQ/2012/ 60

Dated: 30th August 2012

To

Shri A.K.Jain,
Sr. General Manager (Pers),
Bharat Sanchar Nigam Limited,
New Delhi 110 001.

Subject: Cases wherein senior Executives are getting less pay than their juniors due to getting of adhoc functional promotions before the date of their IDA pay up-gradation under Executive Promotion Policy - regarding

Ref: 1. BSNL OM No.400-48/2010-Pers-I dated 16.06.2011

2. Our letter No.AIBSNLOA/CHQ/2011/26 dated 29th June 2011

3. Our letter No.AIBSNLOA/CHQ/2011/41 dated 12th December 2011

Sir,

In response to your letter cited under reference (1), we had submitted our views on the above subject as: **"We believe that the only solution to this case, which will not lead to further anomalies, is stepping up the pay of the senior to an amount equal to the pay of his junior from the date the junior was given the adhoc promotion, based on claim by the senior comparing to his junior."**

2. Later, expressing the same view, the Hon'ble CAT, Ernakulam Bench, in OAs 109/2011, 110/2011 & 236/2011 had ordered that, **"The respondents are directed to step up the pay of the applicants to the level of pay of their juniors with effect from the date of arising of the anomaly of seniors drawing less pay than their juniors** in respect of each of the applicants within a period of 3 months from the date of receipt of copy of this order. However, this order will not stand in the way of the Committee set up by BSNL to deal with the issue under consideration in these O.As, giving a more beneficial recommendation for the applicants."


3. Vide our letter cited under reference (3), we had requested that, without restricting the benefit of such stepping up of pay to the applicants only, the Committee set up for the purpose may decide to step up the pay of all the seniors and consequently a common order to benefit all such seniors may be issued.

4. Contrary to our expectations, the Committee decided against providing any relief to the seniors who are getting less pay than their juniors. Also, BSNL filed a petition in Hon'ble High Court of Kerala, challenging the orders of the Hon'ble CAT, Ernakulam Bench.

5. Now that Hon'ble High Court of Kerala has confirmed the orders of Hon'ble CAT, Ernakulam Bench, we request that a general order may be issued allowing stepping up the pay of all the senior to an amount equal to the pay of his junior in all such anomaly cases arising out of the provisions of BSNL Executive Promotion Policy.

With kind regards,

Yours sincerely,


20/8/12
(Rakesh Sethi)
General Secretary

Copy to:

Shri A.N.Rai,
Director (HR), BSNL,
New Delhi