

Government of India
Ministry of Communications & I.T.
Department of Telecommunications,
20, Ashoka Road, Sanchar Bhawan,
New Delhi-110001

dated the 4th November, 2010

To

- (i) All Principal CCAs/CCAs/Joint CCAs
(ii) CMD, BSNL

Subject: Pay Fixation in case of Group "B" Officers absorbed in BSNL who have opted for IDA pay scale from the date of promotion after 1.10.2010 -regarding


I am directed to say that BSNL CO issued Office Order No.1-5/2004 dated 30.6.2004 indicating availability of option under para 4 of DOP&PW's OM No.4/18/87-P&PW(D) dated 5.7.1989 to Government employees seeking permanent absorption in BSNL to retain Government pay scales till their promotion or retirement (whichever is earlier). Further, BSNL CO issued letter no. 1-37/2004-PAT(B) dated 24.9.2004 clarifying that the pay of such officers on promotion is to be fixed in CDA pay scales under FR and thereafter the enhanced pay is to be converted into pay scales on point to point basis. In this regard, DOT vide letter No.1-1(04)/2005-PAT (Pt) dated 24.9.2008 had conveyed to CCA Kerala to decide the case provisionally based on the existing instructions of BSNL till any further clarification is issued by this office. However, in many other Circles also, O/o CCAs have nullified this option of the BSNL employees, which has resulted in reduction of their pay and consequently the pensionary benefits. This has resulted in filing several court cases on the issue in various High Courts/ CAT throughout the country.

2. It has now been decided to extend the pensionary benefits to all retiring/retired BSNL Employees, who had opted for their pay fixation in IDA pay scale from the date of their promotion after 1.10.2010, provisionally as per BSNL letter no. 1-37/2004-PAT(B) dated 24.9.2004, on execution of bonds by them to the effect that subject to the final decision of the Government on the issue and they will abide by that decision and they are liable to refund the excess amount paid, if any, on account of provisional pay fixation in IDA pay scales from the date of their promotion after 1.10.2000. This is also in accordance with the order dated 29.3.2010 of Hon'ble C.A.T., Ernakulam Bench in RA No.11/2010 of TA 115/2008 in the matter of Shri K Balakrishnan and Ors and UOI and Ors, which has been implemented by this Department.

3. All Principal CCAs/CCAs/Joint CCAs are requested to take action accordingly. In all pending/future court cases in which no replies have been filed so far, replies on the above line may be filed promptly.

This issues with the approval of the competent authority.

Yours faithfully,


(S. P. Singh)
Director (Estt.)

Copy for information to:- Shri DP De. DDG(Estt), BSNL CO, - w.r.t. BSNL letter No.1-5/04-PAT(BSNL) dt.9.9.10