



P. Abhimanyu
General Secretary

BSNL EMPLOYEES UNION

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BSNLEU /418 (IDA)

09.04.2021

To,

**Shri Anshu Prakash,
Secretary, Telecom,
Department of Telecommunications,
Sanchar Bhawan,
20, Asoka Road,
New Delhi -110 001.**

Sir,

Sub: - **Implementation of the Hon'ble Kerala High Court order on payment of IDA to the Non-Executives of BSNL – req.**

Ref: - **DPE letter no.W-05/0004/2021-DPE(WC) dated 09th March, 2021.**

With reference to the above, we wish to bring the following to your kind notice for favour of necessary action.

The DPE, vide it's letter no.W-02/0039/2017-DPE(WC)-GL-XVI/20 dated 19th November, 2020, has frozen the Dearness Allowance to be paid to the employees of the CPSEs, becoming due from 01.10.2020, 01.01.2021 and 01.04.2021. However, it is also mentioned in para three of this letter that, the guidelines for freezing of the IDA "shall be applicable in case of Executives and Non-Unionised Supervisors of CPSEs....".

However, it is regretted that, the BSNL Management has indiscriminately frozen the IDA of the Non-Executives also. 5.5% of IDA has become due w.e.f. 01.10.2020. However, this instalment of the IDA has not been paid to the Non-Executives of BSNL. Under these circumstances, BSNL Employees Union filed a writ petition [WP(C) No.29212/2020(B)] in the Hon'ble Kerala High Court. After detailed hearing, the Hon'ble High Court of Kerala issued an order on 17th February, 2021, wherein it is stated that, the letter of the DPE, freezing the IDA, is applicable only to the Executives and Non-Unionised Supervisors of the CPSEs and that, the benefit of Dearness Allowance should not be denied to the members of the Petitioner Union.

After the aforementioned order is issued by the Hon'ble Kerala High Court, the DPE, vide it's letter cited under reference, wrote to the Secretary, Department of Telecommunication, stating that the DA rate for workmen/non-executives is governed by the Wage Settlement between the Trade Union/Association and the Management of the CPSE concerned. The DPE has further stated that, it has no role in Wage Negotiation and has requested the DoT, the administrative department of BSNL, to take necessary action.

It is needless to state that, more than two months have already elapsed after the delivery of the judgement by the Hon'ble Kerala High Court. However, the 2 instalments of IDA, i.e., 5.5% w.e.f. 01.10.2020 and 6.1% w.e.f. 01.01.2021, that have already become due, have not been paid to the Non-Executives working in BSNL. The Hon'ble Kerala High Court has already held that, the Non-Executives of BSNL are not covered by the 'IDA freezing order' of the DPE. Further, the DPE has already informed the DoT that, it has nothing to do with the payment of IDA of the Non-Executives of BSNL.

Under these circumstances, we are informed that, the BSNL Management has written to the DoT, seeking the approval of the latter, for the implementation of the order of the Hon'ble Kerala High Court, on payment of IDA to the Non-Executives of BSNL. In view of the foregoing, we earnestly urge upon you to give the necessary approval for the BSNL Management for the implementation of the order of the Hon'ble Kerala High Court, dated 17th February, 2021.

Thanking you,

Yours Sincerely,



[P. Abhimanyu]
General Secretary

Encl: (1) Copy of the order of the Hon'ble High Court of Kerala, in the writ petition no. [WP(C) No.29212/2020(B)] dated 17th February, 2021.
(2) DPE letter cited under reference.

Copy to: (1) Shri P.K. Sinha, Member (Finance), Digital Communications Commission, DoT, Sanchar Bhawan, 20, Ashoka Road, New Delhi – 110 001
(2) Shri Bharat Kumar Jog, Member (Services), Digital Communications Commission, DoT, Sanchar Bhawan, 20, Ashoka Road, New Delhi – 110 001
(3) Ms. Anita Praveen, Additional Secretary, Telecom, Sanchar Bhawan 20, Ashoka Road, New Delhi 110001
(4) Shri P.K. Purwar, CMD BSNL, Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi – 110 001