

MOST IMMEDIATE
COURT CASE



No.15-70/2007-Pers.II
BHARAT SANCHAR NIGAM LIMITED
[A Government of India Enterprise]
CORPORATE OFFICE
PERSONNEL BRANCH-II
BHARAT SANCHAR BHAWAN, 4th Floor,
Janpath, New Delhi-110001.

Dated: the 21st April, 2009.

To

All Heads of Telecom Circle.
All Heads of Telecom Projects/Region.
All Heads of Telecom, Maintenance.
CGM, BRBRAITT Jabalpur/ALTTC, Ghaziabad.
CGM Chennai/Kolkata Telephones/IT Pune.

- Sub: 1. WP(C) No. 28989/07 filed by Shri K.M. Damodaran & 132 others Vs. BSNL & WPC No. 28735/07 (BSNL Personal Staff Association & 2 others Vs. BSNL) in the matter of applicability of ACP scheme in the Hon'ble High Court of Kerala.
2. Writ Petition No. 5789/08 filed by Smt. S.R. Jayanthi & 23 others Vs. CMD, BSNL & others in the Hon'ble High Court of Judicature at Madras-reg.

Sir,

I am directed to refer to judgments dated 29.05.2008 and 27.06.2008 of the Hon'ble High Court of Kerala and judgment dated 28.10.2008 of the Hon'ble High Court of Judicature at Madras on the above mentioned subject and to say that in compliance of the above mentioned judgments, the representatives of the petitioners to the W.P. No. 28989/07 and No. 28735/07 were personally heard and objections considered by the Competent Authority. The objections filed by the petitioners of W.P. No. 5789/08 were also duly considered.

2. The applicability of the ACP Scheme in respect of the restructured cadre of the Stenographers' of the Field Units in BSNL was examined in the light of the ACP Scheme of the Govt. of India and the relevant rules/clarifications issued on the subject from time to time. It has been found that the ACP Scheme of the Govt. of India is applicable on CDA scales in Govt. but, at the same time, BSNL introduced upgraded IDA pay scales in the restructured cadre of Stenographers w.e.f. 01.01.2004. As a result, a new hierarchy in the cadre of Stenographers' emerged and subsequently the ACP Scheme was granted on upgraded pay scales vide order dated 12.09.2005.

3. After due consideration and detailed examination of the case, it has been decided by the Competent Authority that the order No. 25-4/2006-Pers.II dated 20.08.2007 may be treated as withdrawn in respect of the restructured cadre of the Stenographers' of the Field Units in BSNL. Hence the withdrawal of the order dated 20.08.2007 is limited to the restructured cadre of Stenographers' of Field Units only. In view of the above, the grant of financial upgradation under the ACP Scheme as envisaged in this office letter No. 25-5/2005-Pers.II dated 12.09.2005 may be made applicable to the restructured cadre of Stenographers' of Field Units.

Yours faithfully,


(BINDU ROY)

Assistant General Manager(Pers.II)