

**BSNL Corporate Office  
(PAT) Section, 5<sup>th</sup> floor,  
Bharat Sanchar Bhawan,  
H.C. Mathur Lane,  
New Delhi-110001**



**भारत संचार निगम लिमिटेड**  
(भारत सरकार का उपक्रम)  
**BHARAT SANCHAR NIGAM LIMITED**  
(A Govt. of India Enterprise)

No.1-06/2016-PAT(BSNL)

Dated : 23 -03-2017

To

**All Heads of Telecom. Circles/Telecom. Districts/Regions/  
Projects/Telecom. Stores/Telecom. Factories & other Administrative Offices  
Bharat Sanchar Nigam Limited.**

Sub: Guidelines regarding recovery of excess / wrongful payments made to employees of BSNL.

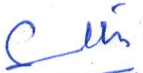
Sir,

In continuation of this office letter of even number dated 09.09.2016 on the subject cited above, it is intimated that it has been further clarified by DOT that in cases where there is no liability of Government of India insofar as payment of pay and allowances are concerned, no approval of Department of Telecommunications / Department of Expenditure for waiver of recovery of overpayment on account of pay and allowances earlier paid to BSNL employees is required. A copy of DOT letter No.2-49(04)/2016-PAT dated 07.11.2016 is enclosed in this regard. In view of this, this office letter dated 09.09.2016 stands modified accordingly.

2. Wherever waiver of recovery is considered necessary in the light of the decision of Hon'ble Supreme Court, the proposal giving full justification and expenditure involved alongwith recommendation of HOC and Circle IFA may be sent to the concerned cadre controlling branch in BSNL Corporate Office who would process the case in consultation with the Establishment Branch and convey the approval of the competent authority.

Yours faithfully,

Encls: A.A.

  
23/3/17  
[S.P. Bhatta]

Assistant General Manager (Estt. I)  
Tel. No. 23037477

Copy to:

1. PS to CMD, BSNL.
2. PS to Dir(HR)/Dir(Enterprise)/Dir(CFA)/Dir(CM)/Dir(F), BSNL Board.
3. PS to EDs/CS & CGM(Legal)/CVO, BSNL.
4. All PGMs/Sr. GMs/GMs in BSNL C.O.
5. Addl.GMs/DGMs(Admn)/(Pers)/(BW)/(Elect)/(Arch)/(SEA)/(EF)/(CA), BSNL CO.
6. BSNL Intranet/Guard file.

Regd. & Corporate Office: Bharat Sanchar Bhawan, H.C. Mathur Lane, Janpath, New Delhi - 110001  
Website: [www.bsnl.co.in](http://www.bsnl.co.in), Corporate Identity Number (CIN): U74899DL2000GOI107739



File No: 2-49(04)/2016-PAT  
Government of India  
Ministry of Communications & I.T.  
Department of Telecommunications  
20-Ashoka Road Sanchar Bhavan,  
New Delhi – 110001

Dated : 07/11/2016

To,

The Chairman and Managing Director  
Bharat Sanchar Nigam Limited  
Bharat Sanchar Bhawan,  
Harishchand Mathur Lane, Janpath  
New Delhi-110001

Subject: O.A. No. 1728/2015 filed by Sh. Ramamoorthy and OA No. 347/2016 filed Sh. P. Kurlandaivel before Hon'ble CAT, Madras Bench.

Sir,

Please refer to BSNL (HQ)'s Note on file No. 4-3/2016-PAT (B) on the subject noted above.

2. The issue involved in the aforesaid two cases is regarding method of pay fixation in IDA Pay Scale of absorbed employees of BSNL, who were promoted prior to 01.10.2000 but opted under FR-22 (1) (a) (i) for fixation of their pay in promoted scale on the date of their next increment in the lower grade that fell after 01.10.2000. This method of pay fixation of BSNL absorbees was first permitted, vide DoT's OM No.1-1(1)/06-PAT dated 12.09.2006, which was subsequently disallowed, vide OM dated 17.12.2008, on DPE's instructions. Thus, the resultant over payment to the BSNL employees on this account pertained to the pay and allowances, which were recovered from their Death-cum-Retirement Gratuity at the time of their retirement and no amount of retirement benefits is involved in these recoveries.

3. It has been pointed out by the BSNL (HQ) in their note under reference that there is no liability of Government of India insofar as payment of pay and allowances are concerned. Since over payment in these cases has arisen on account of pay and allowances earlier paid to BSNL employees, no approval of Department of Telecom/Department of Expenditure for their waiver is required and the BSNL (HQ) may take a decision thereon on its own about challenging the orders of Hon'ble CAT or otherwise.

4. This issues with the approval of Member (S), DoT.

members doT

Yours faithfully,

  
(Vandana Sethi)  
Director(Estt.)  
Tele:23036500

Copy for information to Pr. Controller of Communication Accounts, Tamil Nadu Telecom Circle, R.K. Nagar, Telephone Exchange Building No. 238, 7<sup>th</sup> Floor, R.K. Mutt Raod, Mandaveli, Chennai-600028 with reference to their letter No. Pr. CCA/TN/legal/OA No. 1728/2015/15 dated 05.04.2016.

8/c  
Issued  
7/11/2016