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106, VC AMB

Presented on: 05/1/2021

IN THE HON'BLE HIGH COURT OF KERALA

LA NO OF 2021

in

WP [C] No. 29212 OF 2020

BSNL Employees Union : Petitioner  
V.  
Union of India and Ors : Respondents

STATEMENT FILED BY CENTRAL GOVERNMENT  
COUNSEL ON BEHALF OF THE RESPONDENTS 1 AND 2

VIJAYAKUMAR. P (K-91/1982)(V-125)  
Assistant Solicitor General of India  
Counsel for the Respondent

IN THE HON'BLE HIGH COURT OF KERALA

WP [C]No: 29212 OF 2020

BSNL Employees Union : Petitioner

V.

Union of India and Ors : Respondents

**STATEMENT FILED BY CENTRAL GOVERNMENT**

**COUNSEL ON BEHALF OF THE RESPONDENTS 1 AND 2**

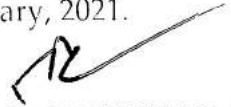
1. It is humbly submitted that this Statement is being filed without prejudice to the right of the answering respondents to file a detailed counter affidavit in the matter.
2. It is humbly submitted that vide Exhibit P4 has issued guidelines on freezing of IDA rate with effect from 01-10-2020 till 30-06-2021, in respect of Executives and Non-Unionized Supervisors of CPSEs following 2017,2007,1997,1992 and 1987 IDA pay scales. Para 3 of said OM, inter alia, states that " *The above guidelines shall be applicable in case of Executives and Non authorized Supervisors of CPSEs drawing 2017,2007,1997,1992 and 1987 IDA pay scales.*"
3. The above IDA freezing guidelines, are categorically applicable for those employees of CPSE, who are drawing pay as per Pay Revision guidelines issued from time to time. For example, the 2017 pay revision guidelines issued vide OM dated 03-08-2017 are applicable to Board level and below Board Executives and Non Unionized Supervisors of

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SPSEs with effect from 01-01-2017 issued with the approval of the Cabinet. These pay revision guidelines authorize DPE to review IDA rates from time to time every quarter for these categories of employees of CPSE. **The other employees including workmen of CPSEs are not covered under these guidelines.**

4. The other employees including workmen of CPSEs are not covered under these guidelines. It is humbly prayed that for the reasons stated above this Hon'ble Court may be pleased to pass appropriate orders in the matters.

Dated this the 15<sup>th</sup> day of January, 2021.

  
**VIJAYAKUMAR. P**  
Assistant Solicitor General of India  
Counsel for the Respondents-1 and 2

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IN THE HON'BLE HIGH COURT OF KERALA

I.A NO            OF 2021

in

WP [C]No: 29212 OF 2020

Petitioner/Respondent-1 and 2  
Union of India and another

Vs.

Respondents/ Petitioner and other Respondents

BSNL Employees Union and others


VERIFIED PETITION FILED UNDER RULE 84 OF THE RULES OF  
THE HIGH COURT OF KERALA

1. I am the Counsel appearing for the Respondents in the above case. This Statement is being filed without prejudice to the right of the respondents to file a detailed counter affidavit in the matter. This statement is filed based on preliminary facts of the case only.
2. It is submitted that before submitting of a detailed Counter Affidavit, the same has to be vetted by the different administrative and legal sections of the answering Respondent. A considerable time is needed for completion of the same. This statement is filed to avoid such delay and to submit the preliminary facts before this Hon'ble Court.

PRAYER

It is therefore most respectfully prayed that this Hon'ble Court may be pleased to accept the accompanying Statement as forming part of the records in the above Writ Petition, in the interest of justice.

Dated this the 15<sup>th</sup> day January, 2021 .

  
VIJAYAKUMAR. P

Assistant Solicitor General of India

All the facts stated above are true and correct.

  
VIJAYAKUMAR. P

Counsel for the Respondent 1&2