

No. A-11013/64/2012-Abs. Cell (I)
Government of India
Ministry of Communications & Information Technology
Department of Telecommunications
(Absorption Cell)

520, Sanchar Bhavan,
20 Ashoka Road, New Delhi-110001

Dated: the 11th March, 2013

Subject: Absorption of Group 'A' officers of Indian Telecom Service (ITS), Telegraph Traffic Service (TTS), Telecom Factory Service (TFS), P & T Building Works Service (Civil, Electrical & Architectural), Indian P&T Accounts and Finance Service (IP&T A&FS) and General Central Service (GCS) in Bharat Sanchar Nigam Limited (BSNL) and Mahanagar Telephone Nigam Limited (MTNL)

The process of absorption of Group 'A' officers in BSNL/MTNL was initiated by the Department of Telecommunications in March, 2005 with the issue of the option letter dated 24th March, 2005. Thereafter, option letters incorporating the revised terms and conditions of absorption were issued on 4.10.2005, 26.8.2008 and 22.9.2011.

2. The officers on deemed deputation to BSNL/MTNL but not opting for absorption in these organisations till the last date prescribed in the final option letter dated 22.9.2011 were ordered to be reverted/repatriated to the Department of Telecommunications vide O.M. No. A-11013/33/2011-Abs. Cell dated 3.11.2011.

3. Hon'ble High Court of Delhi by its order dated 17.4.2012 in WP(C) No. 22515/2005 and other connected writ petitions, inter-alia, directed that the petitioners be given an option, to be exercised within 2 weeks from the date of the order, to revert to the Government or to seek absorption in BSNL/MTNL. BSNL and MTNL were also directed to relieve such of the petitioners, who opted to revert to Government service within 2 weeks of receipt of options from them. On consideration of the petitions (CM Nos. 16682/2012 and 16685/2012) filed by BSNL and MTNL, Hon'ble High Court extended the date of relieving the officers by these organisations.

4. The above CMs Nos. 16682/2012 and 16685/2012 have since been disposed of by the Hon'ble High Court of Delhi by its order dated 15.2.2013, inter-alia, with the direction that -- 'within six weeks from today the mandamus issued by this Court as per the decision dated April 17, 2012 would be positively complied with.'

5. In the meantime, the issues relating to absorption of Group 'A' officers in BSNL/MTNL and the requirement of such officers in these organisations have been considered by the Government. It has, inter-alia, been decided to complete the process of absorption of Group 'A' officers in BSNL/MTNL under Rule 37-A of CCS (Pension) Rules, 1972.

6. In pursuance of the above decision and in the context of the above-mentioned orders passed by Hon'ble High Court of Delhi, all Group 'A' officers including ITS officers presently working on deemed deputation in BSNL and MTNL who have not opted for absorption in these organisations are hereby ordered to be repatriated to the Department of Telecommunications with immediate effect.

 11/3/2013

7. With the issue of this order, the process of absorption of Group 'A' officers in BSNL/MTNL initiated by the Department of Telecommunications under Rule 37-A of CCS (Pension) Rules, 1972 stands concluded.

8. The above repatriation of officers to this Department is subject to any interim/stay orders passed by High Courts/CAT Benches in cases filed by Group 'A' officers.

[Signature]
11/3/2013

(D. C. Madan)
Deputy Secretary to the Govt. of India
Tel: 23036058

To

1. CMD, MTNL/CMD, BSNL
2. DDG(Estt)/DDG(FEB)/Sr. DDG(BW)/Sr. DDG (TEC)

Copy to:- DDG(C&A) – with the request to upload this order on DoT website.

Copy for information to:-

- (i) PS to Hon'ble MoC&IT
- (ii) PS to Hon'ble MoS(C&IT)(D)
- (iii) PS to Hon'ble MoS(C&IT)(KK)
- (iv) PPS to Secretary, DoT
- (v) PPS to Secretary, Deptt. of Posts, Dak Bhawan, New Delhi.
- (vi) PPS to Member (Services)/Member(Finance)/Member (Technology)
- (vii) PPS to Additional Secretary (T), DoT
- (viii) PPS to JS (T), DoT
- (ix) PPS to JS (A), DoT

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Copy also to all Principal Controllers/ Controllers/ Joint Controllers of Communication Accounts, Department of Telecommunications, with the request that the Government counsels who are defending cases, if any, filed in High Courts/CAT Benches in the matter of absorption of Group 'A' officers in BSNL/MTNL may be apprised of the contents of the above order.

[Signature]

(D. C. Madan)
Deputy Secretary to the Govt. of India
Tel: 23036058