

CDA Rules and facts

Some baseless comments are in the social media about the role of NFTE in the introduction of CDA Rules 2006 for BSNL employees. The NFTE was not a recognized union at the time and it was arbitrarily introduced by the management. There was a provision under rule 55 (II)(b) to the effect that the management, appointing authority, has **absolute power** to retire an employee after attaining the age of 55 years by giving 3 months notice or equivalent pay in lieu of the notice. There was no the provision of appeal. The union ceaselessly raised the voice against draconian rule. The BSNL management ultimately issued clarification vide letter No.-250-13/2011-Pers.III, dt-19-12-2011 stating that it is not applicable in respect of absorbees.

The NDA -2 Govt in year 2014-15 issued orders for periodical review of the employees including of PSUs and retire those whose usefulness is over. The BSNL as per directive from DOT replaced 55 (II)(b) and inserted clause 55 (A) in CDA incorporating in it FR56(j) and pension Rule 48(I)(b) for compulsory retirement of employees akin to central Govt. In this also there was no provision for appeal.

The union took up the matter in the National Council and now provisions of formation of committee for review of performance and appeal thereon have been made. The appointing authority cannot retire employee without review of the performance by the committee and aggrieved official can appeal against the decision.

The NFTE HQR was always alive and retirement orders served on the employees of Haryana, MP etc got rescinded.

Now NDA -3 Govt has ordered for monthly review. The intention is very clear to downsize the strength of staff. Therefore, we have to be careful from the baseless itself.