



All India Graduate Engineers & Telecom Officers Association

Central Headquarter, New Delhi

(The Recognised Representative Association of BSNL)

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GS/AIGETOA/2020/117

Dated 14.10.2020

To,

Shri Arvind Vadnerker Ji,
Director (HR), BSNL Board,
BSNL Corporate Office, New Delhi

Subject: Extension of Date of promotion option of NEPRC dated 07-05-2010 and consideration of the Pay fixation Issue faced by the executives recruited in TTA to DR-JTOs Grade - Our Submissions thereof as per the discussion held in the Formal Agenda Meeting with Recognized Representative Association i.e. AIGETOA on 15-09-2020.

Reference:

1. File No. 1-16/2010-PAT (BSNL) Dated 7-5-2010
2. No. 5-31/2001-Pers.IV June 23rd, 2010
3. No.20-Misc/2008/Pers-IV dated 19-7-2010
4. No. 1-37/2010-PAT (BSNL) dated 18-5-2011
5. No.: 1-07/2012-PAT (BSNL) dated 28-Mar-2012
6. No.5-21/2014/Estt-IV dated 11-11-2014
7. Principal Bench New Delhi Judgment Copy of OA No. 1760/2012 with O.A. No.1616/2012
8. No. 5-31/2001-Pers-IV dated May 20th 2016
9. Minutes of meeting issued by SR Cell, BSNL CO New Delhi for the meeting held on 15/09/2020.

Respected Sir,

This is in reference with the pay fixation issues faced by those TTA, who got appointed in JTO Grade in E1A Scale (9850-250-14600) after 01.01.2007 after successfully qualifying through Direct Recruitment and applied to the post through proper channel. This matter of pay fixation was discussed in length in the recently held Formal Agenda Meeting of the recognized representative association, AIGETOA with the management under your esteemed chairmanship on 15-09-2020 and it was agreed that the issue will be represented afresh by the association to get it examine by formation of the committee on the subject in the light of new details. In this regard we would like to submit following facts for your kind consideration to form a committee to examine the case and do the justice to TTA to DR-JTO's pay fixation issue:

CASE DETAILS:

This is the case of those TTAs who got recruited in JTO through external quota after applying through proper channel and their pay fixation issue in BSNL. A very good number of TTAs applied to direct recruitment JTO posts in 2007 and 2008 through proper channel and large number of TTAs selected as direct recruited JTOs in 2009 first batch was appointed on 30-3-2009 in TN, RJ and MH Circles.

1. Reference letter no.2 extended past service benefits like extension of leave, service book retention etc to all these TTA to DRJTOs who recruited under direct recruitment quota of 2007 and 2008.

2. Some of the field units issued new HRMS numbers to these TTA to DRJTOs in spite of ref letter No.2 which extends past service benefits, later BSNL issued Ref. letter no.3 which extended retention of old HRMS number to them.
3. By the time of these TTA to DR JTOs appointed executive PRC was issued but Non executive PRC was not issued by BSNL. Non executive PRC was issued on 7-5-2010 referenced as letter no.1, whereas all these TTAs were appointed as DR JTOs in 2009 before NEPRC issued date. As per Non executive PRC all these TTAs are **working Non executives as on 31-12-2006**, hence these TTAs are eligible to choose NEPRC's 3.6 Para options for revised pay. As per 3.6 Para of NEPRC all these JTOs had chosen their revised pay option **from date of promotion**. Some field units accepted date of promotion option to some and denied the same option to others.
4. But reference letter no. 5 denied them **date of promotion option** to these JTOs. The case of 2002,2003 batch TTAs who appointed as DRJTOs in the year 2009 by giving resignation to TTA cadre for administrative reasons, by considering resignation as technical formality for pay fixation in JTO cadre as Departmental Outsider. They faced the wrath of pay revision just because they cleared an All India outside exam. It is observed that, they are being given fitment benefit on TTA pre revised basic as on 1-1-2007 instead of **date of promotion option** extended by NE pay revision which was issued on 07-05-2010 and they did not get fitment on JTO pre revised basic of 9850/- because ref letter no.4 unilaterally forced the DRJTO 2007 and 2008 batch to choose NEPRC option from 01.01.2007 instead of date of promotion, **where as their counterparts who got promoted as JTOs though internal quota (LICE) they got benefit of fitment in TTA carder as on date of its implementation along with NEPP(NON executive promotion policy) benefits Due to these benefits LICE JTOs are drawing more pay than TTA to DRJTOs who joined as JTO in 2007 and 2008 i.e. much earlier than LICE JTOs.**
5. Some of these TTA to DRJTOs appealed injustice in Hon. Principal Bench of Central Administrative Tribunal, New Delhi in 2012, Principal Bench quashed Ref. letter no 5 order along with E1 and E1+5 increments order issued by BSNL to these JTOs in the year 2015,whose judgment copy is referenced as letter no. 7. After quashing Ref. letter no.5 and E1+5 orders Hon. Principal Bench given liberty to BSNL to re-fix the applicants pay. **After quashing E1+5 increment order as per judgment only pre revised JTO basic (9850) is left to fix their pay on their appointment day and also allowed date of promotion option under NEPRC by quashing Ref. letter No.5 which denies the date of promotion option to them.**
6. Instead of issuing **extension of date of promotion option** to TTA to DRJTOs of 2007 and 2008 batch, in 2016 BSNL issued reference letter No. 8 which extended pay protection to these JTOs. But this pay protection letter lacks clarity on applicability of pay protection i.e." **which pay to be protected" (whether pre revised TTA pay or revised TTA pay to be protected.)** By the time of these TTA to DRJTO appointment **NEPRC was not issued all were drawing pre revised TTA pay even during their JTO phase-I and in field training period also.** In case if their revised TTA pay to be protected at the time of their appointment date then their revised TTA pay was available, **to know their revised TTA pay they should be allowed to draw pre revised pay like other non executives who were not selected as DR JTOs till issuance of NEPRC date i.e. 7-5-2010. To allow in pre revised pay their pay has to be fixed in pre revised JTO scale of 9850-250-14600 because of their appointment as JTO, to extend past service benefit of NEPRC as per Ref. letter No.2. If continuation pre revised pay is not allowed till NEPRC issuance date then extension of past service benefit is denied and abrupt cessation of pre revised TTA pay will happen which cause access to NEPRC is denied (Extension of NEPRC's is one of the past service benefit) which is against the letter ref.no.2 which extended past service benefit to internal officials selected against DR-JTO quota issued by BSNL.**

7. But this pay protection letter lacks clarity on whether these JTOs are allowed to choose **date of promotion option** or not. **All these JTOs before promotion as JTO, worked in lower responsible posts (TTA) and thereafter appointed to higher responsible posts (JTO), hence BSNL should recognize their appointment as promotion for pay fixation purpose. Central PSUs like BHEL and Sulej Jal Vidyut Nigam LTD, BDL (HR manual of Page No.36's 8.114), CRWC (HR manual of Page No.21, 34.1), NSCL (HR manual of Page no. 5.2) recognised these kinds of cases like internal officials selected in direct recruitment quota as promotion for pay fixation purpose. All the HR manuals of PSUs are given under Annexure-I.**
8. Hence in the light of above facts, the TTA to DR JTO appointment is clearly a case of promotion for all purpose including Pay Fixation.

Therefore in the lights of above facts, figures and attachments, we would like to request once again that a Pay Committee may kindly be formed to examine the pay fixation case of these TTA, who got recruited in DR JTO through external quota after applying through proper channel. So that we can submit our detail inputs and current status of facts to examine these details afresh on merit and render justice to these deprived executives.

Encl. As above

With warm regards,

--Sd/--
[MD.WASI AHMAD]
General Secretary

Copy to:

1. The CMD BSNL for kind information please.
2. The Sr. GM (Establishment), BSNL CO, New Delhi for kind information and N/A Please.
3. The Sr. General Manager (SR), BSNL CO, New Delhi for kind information and N/A Please.