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# All India Graduate Engineers & Telecom Officers Association

## Central Headquarter, New Delhi

( The Recognised Representative Association of BSNL )

( Affiliated to BMS )



Regn. no. HR/019/2018/02138

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**GS / AIGETOA / 2023 - 24 / 29**

**Dated 13.07.2023**

**To**

**Shri P K Purwar Ji,**

CMD BSNL Board,  
BSNL CO, New Delhi

**Sub: Requesting for resolution of the genuine issue of JTO (Civil/Ele/Arch/TF) executives for extending Executive designation & Executive Scales to the eligible /absorbed JEs w.e.f. the deemed date of absorption in BSNL i.e. 01.10.2000 (Notionally from 01.10.2000) to implement on par with other equivalent absorbed cadres in BSNL – Regarding**

**Respected Sir,**

We Wish to seek your benign attention for positive resolution of a long pending issue pertaining to the executives (JTOs) of Civil, Electrical ,Arch.& Telecom factories streams for due consideration once again afresh on merits as detailed please.

The DOT absorbed JTOs of ACETF (Arch., Civil, Electrical & Telecom factories) stream executives have been requesting for resolving their long pending issue of extending Executive designations as JTO /SDEs in their standard Scales to the eligible w.e.f. their deemed date of absorption in BSNL (i.e. 01.10.2000) in accordance to their BSNL Board/DOT approved RRs-2001& 2002 (issue:1) of BSNL on par with other streams of Telecom & Accounts wings sympathetically to remove the grave disparity with other equivalent cadres. The issue has been one of the long pending contentious issue to be resolved by BSNL to it's logical conclusion and also taken up in various agenda meetings of our association.

The facts of the case are as following:

1. The BSNL has promulgated the Recruitment Rules RRs-2001(issue no.:1) for JTOs (C/E/A/TF) during various dates vide No. 5-8/2001-pers-IV dt. 14.08.2001 for JTO© , vide No. 5-7/2001-pers-IV 10.08.2001for JTO(E) , vide No. dated 12.11.2001 for JTO(A) &vide No. 5-12/2001-pers-IV 18.10.2001 for JTO(TF) respectively and came into force from the date of their publication and duly incorporating the DOT absorbed Junior Engineers (JEs) at initial constitution clause(10) for their deemed appointment as JTOs on the date of absorption into BSNL i.e. 01.10.2000 itself in Scale of pay as IDA pay scale of 9850-250-14600 corresponding to the CDA scale of Rs.6500-200-10500 with the due approval of BSNL Board and also with the due affirmation by the administrative

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Ministry i.e. DOT.

The common provision at clause 10. Initial Constitution of these RRs-2001 read as:

- a) All officials holding the posts of Junior Engineers(C/E/A/TF) on regular basis in the erstwhile DOT/DTS/DTO before commencement of these rules and those who have been absorbed in BSNL shall be deemed to have been appointed as Junior telecom Officer(C/E/A/TF), and
- b) The continuous regular service of officials referred to in sub rule 10(i) above before the commencement of these rules shall count for the purpose of probation, qualifying service for promotion, confirmation and pension.

According to the schedule table, The classification at Col.(3) as Executive and Scale of pay at col.(4) IDA pay scale in BSNL corresponding to CDA scale of Rs.6500-200-10500 & period of probation at col.(10) as Two years.

2. Similarly BSNL has also promulgated the RRs-2001(issue no:1) for JTO(T) vide 5-9/2001-Pers-IV dated 10.10.2001 came into force from 26.09.2001 and for JAOs vide 36-2/2001-SEA dated 31.08.2001 came into force from date of publication and duly incorporating the DOT absorbed JTO(T) and JAOs at initial constitution clause (10)&(12) for deemed appointment as JTO(T)/JAOs on the date of absorption into BSNL i.e. 01.10.2000 itself with the due approval of BSNL board and with due affirmation by the administrative Ministry i.e. DOT and implemented in letter and spirit by BSNL.
3. Though these absorbed Junior Engineers (C/E/A/TF) are eligible to be appointed as JTOs (C/E/A/TF) in executive cadre w.e.f. the date of absorption i.e. 01.10.2000 in the E1A scale of 9850-250-14600 in BSNL as per BSNL RRs-2001 (issue-1), all these cadres were kept as non-Executives till 01.12.2001 and extended only the NE-7 scale of 7100-200-10100 instead of appointing as JTOs in the initial scale of 9850-250-14600. All these JEs absorbed from DoT are only re-designated as JTOs w.e.f. 01.12.2001 as per MC of Board decision dated 27.03.2002 instead of appointment as JTOs w.e.f. 01.10.2000 in accordance to the BSNL RRs-2001(Issue:1).
4. The Junior Engineers(C/E/A/TF) of DOT who have opted for absorption from DOT into BSNL in 2002 only after issue of their JTO(C/E/A/TF) RRs-2001 (Issue:1) during Aug-Dec 2001, but their Executive re-designation as JTO & Revised Pay Scale of E-1A have been extended only from 01.12.2001 through the executive orders belatedly vide no.05-08/2001-Pers-IV Dated 27.03.2002 with MC approval only after completion of their absorption process and issue of their POs intentionally by BSNL, against the provisions of these BSNL Board/DOT approved RRs-2001 against the assurance for absorption and against natural justice. This executive orders has resulted that these JTOs were extended only Non-executive scales in (NE-7) of JE equivalent scale during the period 01.10.2000 to 01.12.2001 instead of E1A in BSNL and they have lost their DOT service and increments earned in the DOT as all of them are fixed in E-1A on 01.12.2001 irrespective of DOT service.
5. After going through the executive orders dt. 27.03.2002 by the MC of board approval, for implementing their JTO designation/scales uniformly wef 01.12.2001, it can be presumed that the reason for implementing the designation & scales for these absorbed executives that their RRs in BSNL have been promulgated for the first time on various dates during 14.08.2001 to 12.11.2001 by their respective cadre controlling authorities only and these executives has no role in it.

6. According to the provisions of these BSNL Board/DOT approved RRs-2001 issued before their absorption process, the regular (completed probation in JE cadre) and opted / absorbed Junior Engineers (ACETF) from DOT (for whom POs issued w.e.f.01.10.2000) have to be appointed as JTO (ACETF) in respective executive scale on the date of Absorption in BSNL itself i.e. w.e.f. 01.10.2000. But the MC of the Board has ordered erroneously vide orders dt. 27.03.2002 after issue of their absorption POs to implement these RRS w.e.f. 01.12.2001. Instead of appointing the eligible absorbed JEs (ACETF) as JTO (ACETF) w.e.f. 01.10.2000 in E1A scale as per the RRs, BSNL had re-designated them as JTO(ACETF) w.e.f 01.12.2001 only, thereby the service rendered by them in DOT has been put to loss. This has created lot of resentment among these cadres and hence they are continuously representing the issue individually and through associations.
7. The equivalent cadres of absorbed JTO/SDE(T) and JAO/AO cadres in BSNL have been extended the Executive designation & scale of E1A & E2A w.e.f. their deemed date of absorption i.e. 01.10.2000 only.
8. The similar demand of the equivalent cadres of absorbed JAOS Scale in BSNL was also settled by the BSNL only vide no. 5-10/2013-SEA-BSNL dated 11.07.2013 by implementing their RRS-2001 (Issue:1) dated 31.08.2001 in letter & spirit for extending E-1A scale w.e.f. 01.10.2000 notionally and actually from date of RRs dt. 31.08.2001.
9. With the consistent perusal of our association through Joint Forum and on the Record of Discussions held by BSNL with Associations vide BSNL/31-1/SR/2004 dated 24.03.2005, the BSNL management had constituted the internal committee under the chairmanship of Dr. Vinay Shahi, DDG (F) and they have recommended vide 5-7/2001-Pers-IV(Pt.II) dated 16.01.2006 to implement the Executive designation & scales on notional basis up to 1<sup>st</sup> TBP w.e.f 01.10.2000 to eligible ACETF executives w.e.f. date of absorption in BSNL. But it's implemented in partial for the considering residency period for 1<sup>st</sup> TBP only due on 01.10.2006 to all.
10. These DOT recruited Junior Engineer(C/E/A/TF) were also eligible for In-Situ promotion in the DOT, GOI to the next higher grades after completion of Five (05) years as per then existing policy and many of these JEs have been placed in the 5500/- scale from 5000/- scale up to 09.08.1999. Subsequently, due to introduction of 12/24 years ACP scheme by the GOI and it's adoption by the DOT w.e.f 09.08.1999 (no option by employees), the In-situ promotion scales extended to them by DOT have been withdrawn to all of them by the BSNL vide no.2-1/99-CSE dated 03.03.2000 of Dir(BW),DOT. But the ACP in BSNL scales was extended to them up to 01.10.2004 only as per BSNL TBP policy of 2007 , thereby many of these executives could not get erstwhile In-situ promotion scale in DOT as well as ACP scale in BSNL due to them as promised after 01.10.2004. All these executives have got 1st TBP in SDE scale on 01.10.2006 only along with their juniors recruited by BSNL irrespective of service in DOT. These affected executives, who were denied ACP scales during 01.10.2004 to 01.10.2006 are representing for re-fixation of In-situ scales withdrawn by DOT.
11. A committee headed by Dr. Pradeep Nagpal ji had recommended on 08/2010 to implement erstwhile ACP scheme in BSNL scales to these executive as committed by

DOT up to TBP cut off/review date i.e.01.10.2004 only, for foregoing In-situ scales in DOT. With these initiatives of our association, The residency has been extended w.e.f. 01.10.2000 for 1<sup>st</sup> TBU as on 01.10.2006 and 1<sup>st</sup> ACP in Executive scales up to 01.10.2004 only have benefitted some of these executives to some extent.

12. But the major demand of majority absorbed executives from these streams for extending parity as on date of absorption into BSNL by virtue of losing of their Govt. servant's status has not been fulfilled. During absorption process to MTNL in 2000 also, these equivalent absorbed cadres were extended Executive designation and scales w.e.f. 01.10.2000 date of absorption itself but the issue is unresolved in BSNL only, which may create further anomaly among these cadres due to forthcoming merger/transfer of MTNL staff to BSNL.
13. Considering our repeated representations, The MC of the BSNL board has finally approved in May, 2018 for extending the Executive designation & scales to eligible ACETF executives w.e.f. the date of absorption in BSNL i.e. 01.10.2000 on par with other streams of Telecom & Accounts wings.
14. But as per BSNL Establishment cell communication vide 2-1/2016-PAT(BSNL) dtd 09.10.2018, BSNL has conveyed that the agenda item no.177.04 put up in the BSNL Board meeting of 177<sup>th</sup> BSNL Board meeting agenda dtd 09.10.2018 the proposal has to be deferred for time being due to non-acceptance by the DOT member and due to financial status of the company.
15. Further DOT had reiterated vide no.20-14/2007-STG.II dated 05.09.2008 with approval of Hon'ble Sec. (T), that all establishment matters related to absorbed employees be dealt by BSNL/MTNL only.
16. Further O/o CGM(BW), BSNLCO vide no. Trans Pro/SDE©/DM(BW-I) dt. 25.03.2022 had reiterated that there was no change in the roles/duties/responsibilities of JE© and JTO© were equivalent posts as their combiner service has been taken into consideration while granting TBP under BSNL EPP-2007 which was effective from 01.10.2000 and also the service rendered in JE© grade was also counted for the purpose of eligibility for promotion to the SDE(C) grade. Hence combined service rendered in JE (C) and JTO(C) has been considered for all purposes. Thus BW had clarified that JE(C) in DOT is equivalent to JTO (C) in BSNL w,e.f. 01.10.2000.
17. i) As per DoPT OM vide AB 14017/71/89-Estt.(RR) dated 03.10.1989 for consolidated guidelines for appointment to be made by transfer basis, the crucial date of transfer on absorption from GoI shall be date of appointment in an analogous posts in BSNL, as all the posts of JEs(ACETF) in DoT have been surrendered/scrapped.
  - ii) All the executives of these wings got absorbed in BSNL with a hope to get equal treatment in respect of service terms, scales, promotions etc. on par with other equivalent cadres.
  - iii) The scales of promote cadres SDE(ACETF) and lower cadre JTO(ACETF) were same during the period 01.12.2001 to 01.03.2002, which is a serious disparity/ anomaly.

- iv) The scales of promote cadres SDE(ACETF) and lower cadre JAOs were same during the period 01.12.2001 to 01.03.2002, which is a serious anomaly.
- v) By the decision of the MC of board in 2002, all the service rendered by these absorbees in DoT has been lost on absorption in to BSNL on 01.10.2000 viz-a-viz their juniors recruited by BSNL, which is a serious anomaly.
- vi) By virtue of absorption into BSNL w.e.f. 01.10.2000, these officials have lost the status of GoI servants.
18. Many of these executives have already placed in the In-Situ promotion scale of 5500-9000 on completion of 5 years DoT service before being absorbed in BSNL. Many of these executives have also already represented the BSNL management to get justice and even requested to extend their absorption into BSNL w.e.f. 01.12.2001 only as per MC orders of implementation. One such representation was submitted from Telangana circle through proper channel is also enclosed herewith for kind information.
19. The present total working strength of these cadres is very meager (about 1100) and lot of shortage (about 50% in Civil) in Post-VRS was notified by BSNLCO in all circles. Further due to implementation of VRS-2019, many of these A/C/E/TF executives have opted for VRS and hence the financial implication for the remaining executives (about 50% of post-VRS restructuring strength) would be very much less as these VRS optees need not be re-fixed as per VRS-2019 conditions.
20. These executives are entrusted with the time bound GoI projects of 4G saturation projects, Bharatnet etc. under Digital India mission for the last one year and needs motivation to complete these time bound and prestigious projects in remotest areas.
21. It is pertinent to note that the RRs of other equivalent cadres like PA/PS, CSS cadres etc. in BSNL have been approved belatedly during 2004 only after absorption process & issue of their POs and after cadre amalgamation/restructuring in BSNL. Therefore their case can be separated & dealt separately within the guidelines.
22. The issue may kindly be revisited by the competent authority, based on the natural justice to these absorbed executives for foregoing the Govt. servants status w.e.f. 01.10.2000 for all service purposes by virtue of absorption into BSNL and as per One Company/One hierarchy/One grade/One scale /one rank/One pension of GOI policy existing in all other services.
23. In view of the reasons stated above, it is requested the BSNL Management to kindly resolve this genuine and justified long pending issue of absorbed A/C/E/TF executives sympathetically to settle the issue on similar lines of other equivalent cadres in BSNL/MTNL for appointing in JTO cadre (instead of re-designation) by strictly implementing the provisions of the BSNL RRs -2001 (issue:1) of JTO (A/C/E/TF) in accordance to the provisions of initial constitution clauses in the aforesaid BSNL RRs-2001 and recommendations of various Internal committees & MC of the board decision in 2018 and as per the BSNL assurances before their absorption into BSNL to those JEs who fulfilling the prescribed eligibility & attendant conditions of said RRs as on 01.10.2000.

**In view of the foregoing, we fervently appeal your good self once again to kindly intervene in the matter and cause to issue necessary instructions to the Officers**

**concerned to review the issue and resolve to it's logical conclusion considering financial /Administrative justification on implications as explained in the interest of justice/ equality to all absorbed ACETF employees on par with other cadres , equal treatment on HR integration in BSNL and in view of upcoming transfer of MTNL staff and to avoid further disparity/anomalies as mentioned above as per BSNL MC recommendations/ commitments in true letter & spirit , as the financial condition of BSNL has also improved after the MC decision of 2018 please.**

**Encl:**

1. BSNL RRs-2001 of JTO (Civil/Electrical/Arch/Telecom factories) (Issue no:1) dt. 14.08.2001, 10.08.2001, 12.11.2001 & 18.10.2001 respectively.
2. BSNL RRs-2001 of JAO (Issue:1) dt. 31.08.2001.
3. Report of Dr. Vinay Shahi, DDG(F)committee report vide 5-7/2001-Pers-IV(Pt.II) dated 16.01.2006.
4. BSNL Communication on MC approval vide 2-1/2016-PAT (BSNL) dtd 09.10.2018 Agenda item no.177.04 of 177<sup>th</sup>BSNL Board meeting agenda dtd 09.10.2018.
5. BSNLCO (Pers) orders on re-designation/scales of JTO© vide no.05-08/2001-Pers-IV Dated 27.03.2002.
6. BSNL CO no. 4-1/2001-CSE dated 19.02.2004.
7. Orders of 1<sup>st</sup> ACP in executive scales in 28.05.2010.
8. Orders of Residency for 1<sup>st</sup> TBP vide no. 400-61/2004-Pers I dated 24.08.2007.
9. Orders of Executive scales in JAOs case no. 5-10/2013-SEA-BSNLdt 11.07.2013.
- 10.Withdrawal orders of In-situ scale by DOT vide vide no.2-1/99-CSE dated 03.03.2000 of Dir (BW),DOT.
- 11.DOT memorandum vide no.20-14/2007-STG.II dated 05.09.2008.
- 12.Speaking orders of CGM(BW), BSNLCO vide no. Trans Pro/SDE©/DM(BW-I) dt. 25.03.2022.
- 13.Record of Discussions-BSNL & Unions dt.02.01.2001
- 14.Record of Discussions-BSNL & Executive associations vide BSNL/31-1/SR/2004 dated 24.03.2005.
- 15.DOT orders of In-situ promotions of GOI 1992.
- 16.DoPT OM vide AB 14017/71/89-Estt.(RR) dated 03.10.1989.
- 17.A representation of executive SDE© from Telangana Circle, Hyderabad dated06.20 and duly forwarded from Telangana Circle office vide 5(6)/CECTSCZ/ADMN/2022/ dated 09.07.2022.

**With Regards**

**Sd/-**

**Ravi Shil Verma  
GS, AIGETOA**

Copy to:

- 1) Shri Arvind Vadnerkar Ji, the Director (HR), BSNL Board, BSNLCO, New Delhi.
- 2) CGM (BW)/CGM(EW)/CGM(A)/CGM(TF), BSNLCO, New Delhi.
- 3) PGM Pers, BSNLCO, New Delhi.
- 4) PGM-SR, BSNLCO, New Delhi.