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GS/AIGETOA/2020/70

Dated 24.07.2020

To,

The Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
BSNL Bhawan, New Delhi.

Sub: Pay fixation of Departmental outsider DR JTO-2007 appointed in year 2009 from TTA grade.

Reference: 1. BSNL HQ letter No. 1-16/2010-PAT (BSNL) dated 7-5-2010
2. BSNL HQ letter No. 5-31/2001-Pers.IV dated 23-06-2010
3. BSNL HQ letter No. 1-29/2010-PAT(BSNL) dated 03-01-2012 (No 01 of 2012)
4. BSNL HQ letter No. 1-29/2010-PAT(BSNL) dated 19-03-2012 (No 02 of 2012)
5. BSNL HQ letter No. 1-07/2012-PAT (BSNL) dated 28-Mar-2012

Respected Sir,

We would like to draw your kind attention towards the suffering of our departmental TTA recruited as direct JTO batch 2007 under outside quota. It is to apprise that these executives are suffering with pay loss due to pay fixation issue. This issue is being continuously represented by these officers but still waiting to be resolved on merit. The issue has been briefed as below:

- In the year 2009, Departmental TTAs appointed as JTOs through direct recruitment quota. They all applied to the JTO-2007 notification posts through proper channel as per FR 22 GIO (4) rulings. As per the above reference letter#2, after appointment as JTOs past service benefits were extended to them which are in line with FR 22 GIO (4) rulings and this rule further says pay fixation should be done under FR-27 rulings, but past service benefits not fully extended for pay fixation purpose.
- The PRC for non-executives employees was issued on 7-5-2010 as referred at #1. All departmental outsider JTOs were appointed in 2009. They exercised the non executive PRC pay fixation option of Para 3.6, i.e. from date of promotion. But reference letter No#5 deprives the date of promotion option to these JTOs by citing the resignation tendered by these officers before they left for JTO Phase-I training. But it has come to know that Hon'ble Principal bench of Delhi Tribunal has quashed the reference letter No# 5.
- As per FR 22 GIO (4) the resignation tendered by these officials can be utilized for administrative purpose only, where as this resignation is a technical formality for pay fixation purpose. But the spirit of this ruling was misinterpreted and more confusion was created for the departmental outsider JTOs pay fixation with the issuance of new direction, which states that TTA grade pay will be protected.

- This letter lacks clarity on revised TTA pay to be protected or pre revised TTA pay to be protected. In case if revised TTA pay is protected, in which scale (pre revised JTO scale or revised JTO scale) their pay has to be fixed at the time of their JTO appointment since revised TTA pay was not available at the time of their appointment as JTO in 2009. Because of these anomalies TTA recruited under outside quota as JTOs are drawing less basic pay than their juniors in JTO grade.
- The following table depicts the pay anomalies of JTOs of same 2002 batch TTAs.

Sl. NO	HRMS Nos	Name	Appointment as TTA on	Appointment as JTO on	Mode of appointment	Basic pay on 01.12.2019
1	XXXXX	AAAAAAA	15.04.2002	08.06.2009	Direct Rect-2007	28590/-
2	YYYYY	BBBBBBBB	15.04.2002	21.07.2014	LICE Promotion 2013	29450/-

In the above depicted table Serial number-1 is a departmental outside JTO selected from TTA cadre and Serial number-2 is LICE promoted JTO from TTA cadre. Both are appointed on same day as TTA but in JTO cadre serial number-1 departmental outside JTO is 5 years senior to serial number-2 LICE promoted JTO. But serial number-2 JTO is drawing more pay in E2 scale than serial number-1, JTO who is drawing his pay in E3 scale. This kind of anomalies raised due to non extension of past service benefits as per ref letter no 2.

- Therefore, departmental outsiders pay should be fixed as per FR-22 I(a)i ruling by invoking powers under FR-27, since they fulfilled all the eligible conditions prescribed in FR-22 I(a) ruling. In this pay fixation they are forgoing their pay fixation arrears from 1-1-2007 to date of their appointment, hence they should be given pay fixation arrears from date of appointment.
- It is further to apprise that other PSUs like BHEL and SJVNL have recognized departmental outsiders as promotes for pay fixation and carried it accordingly.

Hence in the light of above facts, it is requested to consider the case on merit once again and their recruitment under outside quota may be treated as departmental promotion for all pay fixation purpose as they have applied through proper channel.

With warm regards,

Encl. As above

Dated: 24.07.2020

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

Copy to:

1. The Director (HR), BSNL Board, New Delhi for kind information.
2. The Director (Finance), BSNL Board, New Delhi for kind information.
3. The Sr. GM (Estab) BSNL CO New Delhi for kind information and necessary action please.
4. The Sr.GM (SR) BSNL Corporate Office, New Delhi for kind information please.