



ALL INDIA BHARAT SANCHAR NIGAM LIMITED EXECUTIVES' ASSOCIATION

Central Headquarters
New Delhi-110001

President
P. Venugopal

Mob:9443200177

E-mail:presidentaibsnlea@gmail.com

General Secretary
Prahlad Rai

Mob:9868278222

E-mail:gsaibsnlea@gmail.com

Financial Secretary
T.C. Jain

Mob:9868188748

E-mail:fsaibsnlea@gmail.com

No. AIBSNLEA/CHQ/Dir (HR)/2016-17

Dated 24.05.2016

To

Smt. Sujata Ray
Director (HR)
BSNL Board,
New Delhi -110001

Subject: Departmental outsider TTA to DRJTO Pay fixation in the light of NEPRC under para 3.6 regd.

Reference: 1) No. 1-16/2010-PAT (BSNL) dated 7-5-2010
2) No.5-31/2001-Pers.IV dated 23-06-2010
3) No.1-29/2010-PAT (BSNL) (No 01 of 2012) dated 03-01-12
4) No.1-29/2010-PAT (BSNL) order (No 02 of 2012) dtd 019-03-12
5) No: 1-07/2012-PAT (BSNL) dated 28-03-2012
6) No.5-31/2001-Pers-IV Dated May 20th 2016

Respected Madam,

We would like to draw your kind attention towards TTA to DR JTO pay fixation issue. In 2009 the Departmental TTAs appointed as JTOs through direct recruitment quota (2007 batch). They applied to the JTO-2007 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. Non-executive PRC Ref 1 was issued on 7-5-2010. All the 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. As per FR 22 GIO (4) the resignation tendered by these officials can be used for administrative purpose only, whereas this resignation is a **technical formality** for pay fixation purpose. But the spirit of this ruling was misunderstood and one more confusing letter was released vide **BSNL Co. 5-31/2001-Pers-IV dated 20th May 2016**. Whereas, we request that a departmental candidate (TTA) under direct recruitment (through proper channel) should be eligible for pay fixation in accordance with rules laid down for fixation of pay on promotion

In 2007 JTO pay was 9850-250-14600. The Departmental outsiders drawing their pay in the pre revised non-executive scales (7100-200-10100) before their appointment as JTO, hence their pay should be fixed in pre revised JTO scale of 9850/- on their JTO appointment date and allow them in JTO pre revised scale up to NEPRC issue date 10-5-2010, which gives date of promotion option to us as per FR-27 and FR-22 I(a)i. **Departmental outsiders appointment in JTO is under direct recruitment and their pay can be fixed in 9850-250-14600 in accordance with FR-22 GIO(4), FR-27 GIO(4)iii, C&AG's decision(1), FR-27 GIO(5)iii and FR-22 I (a) i from TTA cadre**. This case will not attract any pay anomaly with other DR JTOs of 2007 year recruitment because Departmental outsider JTO's pay is fixed under FR-27 rulings where as others pay was fixed under FR-22. AS ON 31-12-2006 departmental outsiders are on the company's rolls and working employees hence on natural justice point of view these Departmental outsider JTOs are also eligible to get pay fixation as Date of promotion option of non-executive PRC.

:: Page – 2::

I would like to bring further to your notice that some of our officers approached P-CAT, New Delhi in 2012 against the impugned orders which are under Ref Lr No 3, 4, 5 issued by BSNL in our pay fixation case. Hon. P-Cat delivered its verdict on 8-5-2015 in our favor by quashing the above said orders and P-CAT had given liberty to BSNL to re fix the pay in absence of quashed impugned orders issued by BSNL, means BSNL has to fix the applicants pay in 9850-250-14600 scale on their appointment day.

It is requested to kindly consider the above case sympathetically at the earliest.

Thanking you madam

Yours Sincerely
-sd-
(PRAHLAD RAI)
General Secretary

Encl:

1. **Seven CPSU ruling**
2. **Pay anomaly of departmental outsider with other (junior qualified LICE)**
3. **CAT Oder quashed BSNL orders**
4. **Hon'ble Supreme Court Oder (Promotion has been understood in wider sense)**
5. **DOPT order FR 22C applicable on promotion/direct recruitment (Departmental candidate because of training period)**
6. **Different order (Govt. Department for example CBI)**
7. **Latest order of DOPT on technical Resignation & lien-consolidated guideline with supporting documents**

Copy to:

1. The GM (Estt), BSNL Corporate Office, New Delhi – 110001
2. The GM (SR), BSNL Corporate Office, New Delhi – 110001