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No. GS/AIGETOA/135

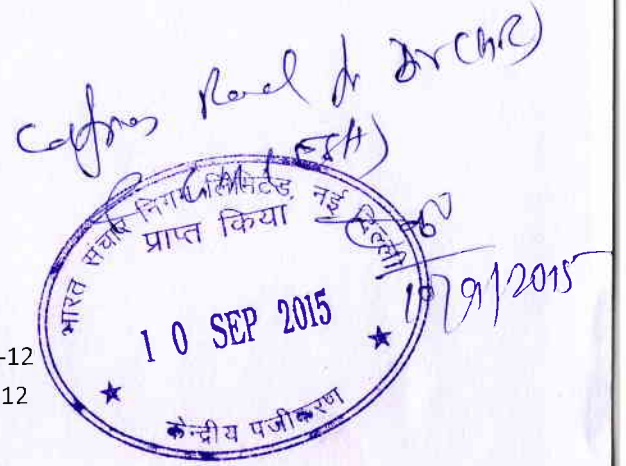
Dated 10.09.2015

To
The DIR (HR)
BSNL CO, NEW DELHI

SUB:-Pay fixation of Departmental outsider DR JTO- Reg.

REF:-

1. File No. 1-16/2010-PAT (BSNL) dated 7-5-2010
2. No.5-31/2001-Pers.IV dated June23rd, 2010
3. No.1-29/2010-PAT (BSNL)order(No 01 of 2012) dated 03-01-12
4. No.1-29/2010-PAT(BSNL)order(No 02 of 2012) dated 03-01-12
5. No: 1-07/2012-PAT (BSNL) Dated 28-Mar-2012
6. P-CAT Delhi Judgment copy.
7. HR manuals of BHEL, SJVNL



Respected madam,

I would like to draw your kind attention towards pay fixation issue of departmental outsider DR JTO. In the years 2009 and 2010 The Departmental TTAs have appointed as JTOs through direct recruitment quota. They all had applied against direct recruitment of JTO-2007 and JTO-2008 notification through proper channel as per the provision of FR 22 GIO (4) rulings. After appointment as JTOs past service benefits were extended to them vide order mentioned under reference letter 2 which was in line with FR 22 GIO (4) rulings and this rule further says that pay fixation should be done under FR-27 rulings.

Non executive PRC under Ref 1 was issued on 7-5-2010. All the departmental outsider JTOs were appointed in 2009.They had exercised the Non executive PRC pay fixation option of Para 3.6 i.e., from **Date of promotion**. But reference letter no 5 issued from BSNL CO deprived 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 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 among the Departmental outsider JTOs pay fixation. Due to this various anomalies are observed in departmental outsider's pay fixation.

The Departmental outsiders JTOs were 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 9850-250-14600 on their JTO appointment date, and should be allow to continue in pre revised JTO scale till the issue date of Non Executive PRC. This will give them access to Non-Executive PRC, since they rendered their service in Non Executive cadre, hence their pay should be fixed in accordance with the NEPRC's 2.3 and 3.6 clauses. P-CAT Delhi under Ref-6 also suggests the same by quashing the Ref Ltr No 3, 4, 5.

For the 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)i ruling. By invoking this rule of pay fixation, they have to forgo their PRC benefit from 1-1-2007 to date of their appointment as JTO and pay revision will be applied after fixing their pay in pre-revised scale of JTO.

This case will not attract any pay anomaly with other DR JTOs of 2007 and 2008 year recruitment because Departmental outsider JTO's pay is fixed under FR-27 rulings where as others pay is fixed under FR-22 I rulings.

In some PSUs like BHEL and SJVNL have recognized Departmental outsiders as promotion for the purpose of pay fixation whose HR manuals are referenced under letter No.7.

Therefore, in the light of the above facts I request you to kindly allow "Date of promotion" option of non executive PRC to Departmental outsider JTOs, since they all have been serving BSNL for the last 12 to 13 years. On allowing this option to them is not only as per the provision of the rules/guidelines but also boost their morale and they strive hard to serve our customers in the field with full of motivation.

Sincerely Yours



(R.P. Shahu)

General Secretary

Enclosure:

1. P-CAT Delhi Judgment copy
2. HR manuals of BHEL and SJVNL

Copy to:

GM (Establishment), BSNL CO, New Delhi