



All India Graduate Engineer Telecom Officers Association

(An Association of DR Graduate Engineers / Account Officers of BSNL)

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GS/AIGETOA/2018/35

Dated 07.09.2018

To,
Smt Sujata Ray
Director (HR)
BSNL Board, New Delhi

SUB:-Extension of Date of promotion option to TTA to DR-JTOs regd.

- REF:-
- | | |
|---|---------------------------------|
| 1) File No. 1-16/2010-PAT (BSNL) | dated 7-5-2010 |
| 2) No.5-31/2001-Pers.IV | June23rd, 2010 |
| 3) No.1-29/2010-PAT (BSNL) order (No 01 of 2012) | dated03-01-12 |
| 4) No.1-29/2010-PAT (BSNL) order (No 02 of 2012) | dated19-MAR-2012 |
| 5) No: 1-07/2012-PAT (BSNL) | dated 28-Mar-2012 |
| 6) P-CAT Delhi O.A.No. 1760/2012 with OA.No. 1616/2012 judgment copy dated 8 th May 2015 | |
| 7) No. 5-31/2001-PersIV | dated May 20 th 2016 |
| 8) HR Manuals of SJVNL | |

R/Madam

I would like to draw your kind attention towards departmental outsider DR JTO pay fixation issue. In the years 2009 and 2010 The Departmental TTAs appointed as JTOs through direct recruitment quota. They all applied to the JTO-2007 and JTO-2008 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 (**viz. Carry forward of ELs from TTA to JTO cadre, retention of old service book and HRMS number etc.**) 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 under Ref 1 was issued on 7-5-2010. The entire departmental outsider JTOs were appointed in 2009.They exercised their lien on 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 utilized for administrative purpose only, where as this resignation is a technical formality for pay fixation purpose (FR-22 GIO (4)). But the spirit of this ruling was misunderstood and more confusion was created among the Departmental outsider JTOs pay fixation by denying date of promotion option.

The Departmental outsiders were drawing their pay in the pre revised non executive scales (7100-200-10100) before their appointment as JTO, hence their pay should fixed in pre revised JTO scale of 9850-250-14600 on their JTO appointment date, and allow them to continue in pre revised

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JTO scale till the issue date of Non Executive PRC i.e. up to 7-5-2010. 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 3.6 options.

P-CAT Delhi under ref 6 also has given its direction to BSNL by quashing the Ref Lr No 3, 4, 5. This judgment suggesting BSNL that these TTAs who are appointed under DR-quota of 2007 and 2008 batches from TTA can be considered as promotion for pay fixation purpose. These outsider JTOs from TTA are fulfilling promotion eligibility criteria defined in FR-22 I (a) i. **This rule cannot discriminate between appointment (outside) and promotion (departmental) from lower importance responsibility post to greater importance responsibility post.** These were all fulfilled relevant recruitment (JTO RRs of DR quota) rules as prescribed in FR-22 I (a) i. More over these were all working in a substantive cadre TTA and appointed to JTO substantive cadre.

After PCAT Judgment BSNL CO again issued another letter which is referenced under letter no 7. This letter also lacks clarity on the pay protection issue due to this also lot of confusion is created in field units. Ref letter no 7 lacks clarity on this statement 'TTA grade pay will be protected', now the question is which TTA grade pay will be protected i.e. **Pre revised TTA grade pay or Revised TTA grade pay to be protected.** On their appointment date they were drawing pre revised TTA grade pay, to ensure their pay protection as per ref letter no.7 their pay has to be fixed in pre revised JTO scale 9850/-.

The Departmental outsiders pay should be fixed as per FR-22 I(a)i ruling by invoking powers under FR-27 as per ref letter no.2, since they fulfilled all the eligible conditions prescribed in FR-22 I(a)i ruling.

In some PSUs like SJVNL have recognized Departmental outsiders as promotes for pay fixation purpose whose HR manuals are referenced under letter No.8.

Hence in the light of the above facts I request you to allow legitimate **"Date of promotion"** option of non executive PRC to Departmental outsider JTOs, since they all are serving BSNL for the last 15 to 16 years. On allowing this option to them will boost their morale and they strive hard to serve our customers in the field.

Yours Sincerely

[Ravi Shil Verma]
General Secretary

Copy to:

1. Sr. GM (Establishment), BSNL CO, New Delhi for kind information and n/a please.