

To

The General Manager(Finance)
BSNL, Chennai Telephones, No:78, P.H.Road, Chennai-600 010.

Respected Madam,

Sub: Stoppage of recovery and restoration of the original pay of the affected Executives of 1997, 1998 & 1999 JAO, AO Batch & AO(Offtg) – Reg.

Ref: CO ND Lr.No.400-172/2015 Pers I dt.2.9.2015.

We would like to bring to your notice, the following issue for favour of your kind information and consideration.

As per the instructions of the Chennai Telephones, the pay of the Executives of 1997, 1998 & 1999 JAO Batches who have got AAO promotion on 26.12.2000, 1.4.2003 & 1.4.2004 respectively had been stepped down and recovery of excess Pay & Allowances drawn on account of pay protection on counting of past officiating spells in the AAO cadre was already initiated.

In the light of the instructions contained in BSNL CO letter referred above, it has been clarified that the post based promotion to the cadre of AAO allowed by DOT/BSNL during the period from 1st Oct'2000 to 30th Sep 2004 may be treated as Post based Promotion in EPP only for the purpose of counting of residency period for 1st Time Bound up-gradation and due benefits be allowed to the affected Executives in the grade of AAO, who have been put in loss.

Para 1.(I).d.7 of BSNL Corporate Office Lr. No:400-61/2004-Pers.I/308 Dated 18th January,2007 reads as follows: “Since the first review under Executive upgradation policy is to be made with reference to 01.10.2004, any upgradation due to the Executive on or before 01.10.2004 based on earlier Time Bound policies, such upgradation will be granted to the Executive on the basis of options as ONE TIME RELAXATION if he/she is willing for such promotion and adjudged fit in accordance with concerned regulatory conditions. Options once exercised, shall be final. The subsequent eligibility for IDA pay scale upgradations of such Executives will be governed by BSNL’s Time Bound Upgradation scheme as provided in Para 1(I) (b) (3.2) above.”

Sl.No. 4 and 9 of BSNL Corporate Office Clarificatory LR. NO: 400-175/2007-Pers.I Dated 19th February, 2010 is reproduced below:

Sl. No.	Name of The Unit(s)	Issue raised	Clarification
4	KTK	Seeks protection of pay drawn by some executives in local officiating arrangement before grant of time bound pay scale upgradation.	Pay drawn in local officiating arrangement will not be protected under time bound promotion policy.
9	G.U.J., KTK, STR, UP(East), NTR etc.	Whether IDA scale already drawn in higher post under local officiating arrangement can be protected?	Para [1.I.d.3] of EPP vide OM dtd 18-01-2007 is self explanatory. Pay drawn by virtue of any local officiating arrangement will not be allowed to be protected.

From the above, it is observed that the promotion given earlier i.e. before Executive Promotion Policy came into being, is governed by the relevant Rules existing on the date of Promotion upto 01-10-2004, the date on which the Executive Promotion Policy got implemented.

Para No.1 (I) d) 7), states that the First Review under Executive Upgradation Policy is to be made with reference to 01-10-2004. It amply proves No promotion/Financial upgradation could be granted under Executive Promotion Policy (EPP) since Service rendered with effect from 01-10-2000 will only counts as service for the purpose of granting the First Financial upgradation.

Since Post based Promotions to the cadre of AAO are governed by earlier Time Bound Policies of DOT/BSNL, counting of officiating spells and protecting the pay as per FR 22 I a (i) is correct

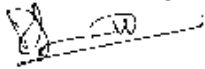
Further as per BSNL C.O. Lr No. 4-1/2003-SEA dated 08/07/2003, 26 JAOs have been promoted to the grade of AAO in the scale of Rs. 7450-225-11500. The order clearly stipulates “ On promotion to the grade of Assistant Accounts Officer, the pay of the officers will be fixed under FR22(I) (a)(i). Hence they are entitled for protection of Pay and their officiating pay while they were promoted to the same scale subsequently and they should not draw less than what they would have drawn earlier while officiating in the same scale of pay and the stage at which they have been promoted and the period of such stage will be taken into account for the purpose of granting the Date of Next Increment while fixing the pay in the promoted post.

In the TBP order dated 18.01.2007, there is no mention that the fixation on post based promotion carrying higher responsibility is applicable only for Regular/Adhoc promotions and not for officiating promotion. Further as per II(vi), officiating promotion will continue till completion of Group A absorption. This means that the BSNL Board and DoT took a conscious decision that in BSNL, Officiating/Adhoc/Regular promotion will continue as in DoT.

In the instant case, the pay fixed to an officer under relevant rules is reduced thereby tantamount to a measure of penalty which not only affects his wages but also his Retirement benefits including Pension, while he is holding the same post which is not permitted under any circumstances. The pay drawn by an officer has to be protected so long as he is holding the same post unless there is reduction in pay on account of any disciplinary proceeding.

In view of the above, we request the GM (F) to kindly look into the matter and order for stoppage of recovery and restore the original pay of the affected Executives.

With warm regards,



(P.UDAYASURIYAN)

Circle Secretary, Chennai Telephones.

Copy to :

The Chief General Manager, BSNL, CHTD, Chennai-10- For kind infn.