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Reminder-III

No. AIBSNLEA/CHQ/Dir(HR)/2020/

Dated: 21.08.2020

To
The Director (HR)
BSNL Board,
New Delhi- 110001.

Subject: Request for Withdrawal of letter issued on the presumption of Telangana Circle regarding the wrong pay fixation done against first up-gradation under Executive Promotion Policy for the JAOs of 1999 Batch by DGM Vigilance of CGMT, TS Circle –reg.

Reference: (1) DGM (Vig), TS Circle Lr.No.TT/Vig/67(A)/2020/2/28 dated 11/03/2020
(2) BSNL C.O. Lr.No.400-172/2015-Pers.1. dated 02/09/2015
(3) BSNL C.O. Lr.No.3-10/2007-SEA/BSNL(part) date 14/01/2016
(4) BSNL C.O. Lr.No.4-14/2007-SEA(part) dated 28/11/2016
(5) Our Lr No: AIBSNLEA/CMD/EPPO/2019-2020 dated: 17.03.2020.
(6) Our Lr No: AIBSNLEA/CMD/EPPO/2019-2020 dated: 14.07.2020
(7) Our Lr No: AIBSNLEA/CMD/EPPO/2019-2020 dated: 30.07.2020

Respected Sir,

Kindly refer to our earlier letter dated 17.03.2020, followed by reminders dated 14.07.2020 and 30.07.2020 cited under reference (6 & 7) above, wherein we have requested to withdraw the DGM (Vig.) TS Circle letter dated 11.03.2020 cited under reference (1) above, which was issued on the wrong presumption by DGM(Vig.) O/o CGM Telangana Circle to the GM(Fin.), TS Circle, CGM, AP/KTK/STR/STP/TN/MH with a copy to Pr. CCA DoT Cell, TS Circle to revise the Pay fixation of Account Officers (JAOs 1999 batch) who are presently working in BSNL as well as who opted for BSNL VRS-2019 and wrongly ordered recovery of Overpayment to the tune of Rs.7 Lakh to 12 Lakh and stall the regularization process (Pension & retirement benefits)of VRS optees **in a biased and arbitrary manner with ulterior motive on the basis of frivolous complaint, which is against the Natural justice.** Sir, in this regard, we would like to draw your kind attention that the issue was discussed with Dir(HR), DIR(Fin), PGM(Pers), Sr.GM(Estt), GM(EF) and DGM(Pers) in

detail several time with relevant orders/clarifications issued by the DoT, Pers &SEA Branch of BSNL CO, but even after a lapse of five months, this issue has not been resolved and necessary directions to withdraw the orders of reducing the pay of aggrieved JAOs of 1999 batch have not been issued.

Detailed history of the case is furnished below for favour of kind information and necessary action please.

Nearly 300 departmental candidates qualified in the JAO Part-II examination held during February 1999 (DoT Exam) and assumed charge as JAO in the month of May 2000. As per the Recruitment Rules of AAO, on completion of three years of regular service as JAO, a DPC is to be conducted as per the time schedule and all the eligible JAOs are to be promoted to the grade of AAO as per the recommendations of the DPC. They have completed three (3) years of regular service as JAO in the month of May 2003 and as per the AAO Recruitment Rules, they were eligible for promotion to the grade of AAO as on 01-01-2004. However, DOT did not conduct the DPC due on 01/01/2004 presumably on the ground that BSNL absorption process of Group -"B" officers was under process.

Subsequently BSNL had taken up the issue with DoT and **DOT vide Lr.No.18-1/2009/SEA-II dated 09/10/2009 directed BSNL to conduct DPC under intimation to DoT.** However in accordance with para [1.0][1][d][7] of time bound/post based Executive Promotion Policy for Group 'B' level officers of BSNL vide OM No. 400-61/2004-Pers.I/308 dated 18.01.2007, **any up-gradation due to the executive on or before 01.10.2004 based on earlier time bound policies (existing DoT Promotion Policies) such up-gradation 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 regulatory conditions.** On the basis of options as ONE TIME RELAXATION, under the above said para of EPP, they were given AAO promotion from 01.04.2004 after completing three years regular service of JAO as per existing RRs of AAO.

All the BSNL Circles have allowed time bound promotions for all the 1999 batch JAOs as a onetime measure as per EPP **in view of the clarification issued by the BSNL Corporate Office vide letter No.4-14/2007-SEA (pt) dated 19.07.2010 since they are eligible for AAO Grade as per RRs from Jan, 2004, DPC which has been effected from 01-04-2004.** It is pertinent to mention that, all the Circles of BSNL including AP Circle (the then Combined Circle) have followed the instructions of BSNL Corporate Office scrupulously and allowed AAO Promotion w.e.f. 01.04.2004 as per the existing DoT Promotion Policy to the executives of 1999 JAOs batch working in their respective Circles all over India including BSNL Corporate Office, New Delhi.

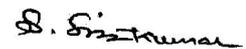
Later on further clarifications issued for the doubts raised by some Circles, whether to treat such AAO Promotion as post based or otherwise, in view of the EPP of BSNL as the earlier batches contented the AAO promotion was Post Based. In order to settle the dispute between JAOs of 1999 and earlier batches for AAO as time bound or post based promotion, BSNL Corporate Office, New Delhi has issued clarifications vide BSNL CO letters cited under reference (2) to (4) above. **All the above clarifications indicates that the promotions given by DOT/BSNL during the period 01.10.2000 to 30.09.2004 are to be treated as Post Based Promotion including the JAOs of 1999 batch, who were promoted to the grade of AAO w.e.f. 01.04.2004 in accordance with the regulatory conditions of AAO RR of DoT after exercising the options under Para 1-1(d) of EPP 2007 of BSNL.**

In view of the above facts, it is very clear that the Pay fixation of JAO-1999 batch is in order. However, DGM (Vig) O/o CGM TS Circle Hyderabad without going through all the facts and clarificatory orders of DoT and BSNL, ordered for cancellation/revision of all the Pay Fixation of JAO-1999 Batch Accounts Officers and wrongly ordered to recovery of overpayment to the tune of Rs.7 Lakh to 12 Lakh and stall the regularization process of Pension & Retirement benefits in a biased and arbitrary manner with ulterior motive on the basis of frivolous compliant, which is against the Natural justice.

In view of the foregoing facts, we request your good-self to kindly intervene in the matter and cause to issue necessary instructions to the CGM-TS Circle for immediate withdrawal of DGM (Vig) Lr.No.TT/Vig/67(A)/2020/2/28 dated 11/3/2020 under intimation to Pr. CCA DoT Cell TS Circle to avoid unnecessary hardship, harassment and mental agony to the working executives as well as the VRS retirees, as it is issued in arbitrary and biased manner ignoring all the facts & clarifications already issued from BSNL Corporate Office.

With kind regards,

Yours Sincerely



(S. Sivakumar)
General Secretary

Copy for favour of kind information & necessary action to:

1. Director (Finance), BSNL Board, New Delhi-110001
2. PGM (Pers.), BSNL Corporate Office, New Delhi-110001
3. GM (EF & FC) BSNL Corporate Office, New Delhi- 110001
4. GM(SR), BSNL Corporate Office, New Delhi-110001