



SANCHAR NIGAM EXECUTIVES' ASSOCIATION KERALA CIRCLE

(Recognised Majority Association of Executives in BSNL)
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No.SNEA/Kerala/2018-19/II/64

Dated 27/11/2019

To
The General Manager (HR)
BSNL, Kerala Circle
Thiruvananthapuram

Sir,

Sub: Request for revision of pay (2nd PRC 2007) w.e.f from date of regular promotion and on DNI and fixation of pay by protecting the pay drawn during the officiating period – case of officiating JTOs regularized on 4-2-2008

- Ref: 1.No. HR-III/2-5/JTO(O) Pay fixation /2012/Pt-II/9 dated 2-11-2019.
2. No. AO (ESTT)/JTO/17-18/52 dated 19-11-2019.
3. NO. P&A/JTO offg OP recovery/2019-20/25 dated at Kochi-16 , the 22.10.2019.

Sir,

This Association had discussed on the above subject on number of occasions and accordingly the CGMT has instructed to have a detailed discussion on the subject with officers of Finance, HR and Association representative. Accordingly one meeting on 20-8-2018 was chaired by GM HR, attended by DGM ERP, CAO ERP, DGM HR, AGM HR and Association representatives. In the meeting it was informed by the SNEA representatives that on request of the above the Ernakulam BA has fixed the pay of the officiating JTOs on their regular promotion on 4-2-2008 at minimum of the pre revised pay scale 9850-250-14600 though they were drawing a basic pay @Rs.10350 as officiating JTOs. The request for fixation of pay on regularization by protecting the pay they were drawing as officiating and the DNI option has not considered by the BA. After detailed discussion it was concluded that the pay fixation done by Ernakulam BA appears to be not in accordance with various provisions under FR regarding protection of pay and it was decided to give necessary instruction to the Ernakulam BA in this regard..

Accordingly as per the letter under reference 1, the circle office has directed the Ernakulam BA to confirm whether the pay fixation is in order in view of the provisions under FR22(1)a(1).

In reply to the above as per the letter under reference 2, it is reported by Ernakulam BA that the pay of the official on their regular promotion has been fixed at the minimum @ Rs 9850/- under FR22(1)(a) (1) without considering the pay drawn during the officiating period as no provisions of FR SR is applicable in this case based on the orders in NEPP as well as EPP.

The provision under NEPP para. 6.II.ii is reproduced below :

ii) Consequent to any post based promotion, where IDA pay scale on regular promotion is same as that of IDA pay scale in which the Non-Executive is placed under Non-Executive 'time bound promotion Policy, prior to his 'regular promotion, the pay of the Non-Executive will be fixed by granting one increment in his existing IDA pay scale. However, in cases where the nonexecutive pay scale, in which he is placed before the post based promotion, is higher than that of the promoted post, then no pay fixation will be allowed. Further, except as provided in the instant guidelines, there will no claim on account of any of the other provisions of FR SR in the context of pay scales, pay fixation, substantive status etc. On regular post based promotion to the. Non-Executive post carrying higher responsibility - in such cases where the IDA pay scale which the Non-Executive is carrying due to Non-ExecutivePromotion Policy is less than the pay scale of the post to which the employee is being promoted - the pay in the promoted post will be fixed as per above.

Necessary action may immediately be taken for implementation of Non-Executive Time Bound Promotion Policy on a time bound basis and all out efforts be made to complete the exercise within 4 months from the issue of this order in respect of all eligible Non-Executives with reference to review dates 01/10/2004 to 01/10/2009. In so far as the implementation of the Post Based Promotion Policy is concerned the same will be carried out as per the existing guidelines Pertaining to different cadres.

In this connection is submitted that provision under NEPP govern the procedure for fixation of pay of a non executive from one non executive scale to another non executive scale either under NEPP or under post based promotion. (Both are under NE scale). In such case a non executive in a lower grade but in a higher scale under NEPP is promoted on post based to the same scale he is presently holding one increment is granted under the guidelines of NEPP and there will not be no claim on account of any of the provision of FR SR in the context of pay, pay fixation, substantive status etc.

The provisions under EPP govern the fixation pay on promotion of an executive from one executive scale to another executive scale either under EPP or under post based promotion. (both are under executive scale). In such case a executive in a lower grade but in a higher scale under EPP is promoted on post based to the same scale one increment is granted under the guidelines of EPP and there will not be no claim on account of any of the provision of FR SR in the context of pay, pay fixation, substantive status etc.

The above provisions have no relevance in the instant case, which is a post based functional promotion from non executive grade to executive grade. As per the clarification under reference 3 it is reported by Ernakulam BA that the pay on regular promotion is fixed at minimum as per FR22.1.a.1 and further state that the proviso under FR 22.1.a.1 is not applicable for the protection of pay drawn during officiating period which are contradictory.

This association had a detailed discussion with the finance wing Ernakulam BA pointing out the irrelevance of the above provisions in NEPP & EPP in the instant case, but it appears that the Ernakulam BA is not convinced and insisting that the proviso under FRSR for protection of pay drawn during officiating period and for option on DNI is not applicable in the light of the instructions under NEPP and EPP. **Instead of extending eligible financial benefit to the employees the Ernakulam BA has issued notice to the officers for recovery of pay to the tune of more than Rs 200000/ and started recovery from the month of October 2019 as per the letter under reference3.**

Sir, In this connection it is requested to give a sample pay fixation to the Ernakulam BA in the above case to avoid further delay. This case is pending since Jan 2019 and all the similarly placed officers have opted for VRS and hence the issue to be settled without delay.

With kind regards,

Sincerely Yours



T.SanthoshKumar
CircleSecretary
SNEAKerala

Copy to:

1. GM Finance, Kerala Circle
2. GM, Ernakulam BA
3. DGM ERP, Circle office, Trivandrum

Encl. letter under references