



# SANCHAR NIGAM EXECUTIVES' ASSOCIATION

## KERALA CIRCLE

(Recognised Majority Association of Executives in BSNL)  
SNEA Bhavan, Dharmalayam Road, TVM-695001

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**No.SNEA/Kerala/2018-19/II/121 dated at TVM the 28<sup>th</sup> July 2020**

To

**Sh. C V Vinod,**  
**Chief General Manager Telecom,**  
**BSNL, Kerala Circle,**  
**Thiruvananthapuram-33**

Respected Sir,

**Sub: Delay in TBP under EPP and Non-inclusion in Gradation list – case of JAOs appointed on 22/3/2016**

- Ref: 1. Exam notification for JAO departmental examination - No.Rectt/3-4/2012/2 dated at Trivandrum the 5.9.2012  
2. Vaccancy Notification for JAO departmental examination - No. Rectt/3-4/2012/30 dated at Trivandrum the 23.11.2012

Sir,

As per the notification under reference, 101 JAO vacancies were notified under OC (other category) by Kerala circle. This examination was notified by all circles and the exam conducted all over India for all vacancies including carry forward vacancies. All circles except Kerala, published results against all notified vacancies and appointment was made against all notified posts including carry forward vacancies. But in Kerala the result against carry forward vacancies were not published and only 40 vacancies of the current year was announced and all of them were posted as JAOs in 2013.

In the notification it was specified that the appointment against the carried over vacancies will be subject to the result of pending SLPs before Apex court. The dispute before Hon. Supreme court was regarding earlier examination conducted in 2010. The remaining official who has cleared the examination had represented to the Circle administration requesting to implement its own notification and post them as JAOs as done by all other circles, but it was not considered. These qualified officials were constrained to approach Hon. Central Administrative Tribunal (CAT) Ernakulam with their grievance. As per order of CAT Ernakulam the result was published and they were posted as officiating JAOs and were sent for 4 weeks Phase-I Induction Training from 5/5/2015 which was completed on 30/5/2015.

On 22<sup>nd</sup> March 2016, CAT disposed the OA 180/00072/2014 with the following direction:

*Hence, the respondents are directed to appoint the 34 applicants of JAO,2012 examination as JAOs subject to the outcome of SLP Nos.14956/2012, 15365/2012, 16345/2012 & 15743/2012 pending before the Apex Court and subject to the conditions notified in the examination notification. But the applicant will submit undertakings before the respondents (competent among them) undertaking that if the Hon'ble Supreme Court in the pending SLPs decides against the interest of the applicants and as a consequent of the same if any amount becomes refundable, the applicants will refund the same to the respondents. All the Original Applications are allowed accordingly. No order as to costs..*

Circle administration sent the CAT order for legal vetting of corporate office and SEA section approved the appointment as JAO in consultation with legal branch of corporate office vide letter No. 9-31/2015-SEA Dated 8.6.2016 and ordered as follows:

*Subject: - Order of the Tribunal in the matter of JAO examination \_ reg*

*The undersigned is directed to refer to your office letter no. LC III/OA No. 72/2014/89 dated 26 05 2016 on the subject mentioned above and convey the approval of the competent authority to the proposal to appoint 34 applicants of JAO 2012 examination as JAO after obtaining undertaking from the candidates in compliance of Hon,ble CAT order dated 22.03.2016.*

*This issues in consultation with Legal branch of CO BSNL vide Dy.No. (F) 332/ O/o Sr. GM (L) dated 02.06.2016. Necessary action may be taken in the matter in compliance of the honorable CAT order under intimation to this office. Matter may be given TOP PRIORITY*

Finally, w.e.f. 22.3.2016, these officials were appointed as regular JAOs subject to the pending SLPs before Apex court. An affidavit in this regard for refund of amount also obtained from them.

*Appointment orders of Junior Accounts Officers on Probation under 40% quota consequent on Completion of 4 week's Phase 1 Inductiion Training - reg.*

*The following candidates who have been declared to have passed the JAO Part II Competitive Examination (40% quota) held in December 2012 and in accordance with the results as conveyed vide CGMT, Trivandrum No .AGM(R&E)/CON/JAO-40%/R,result/4 dated 08.04.2014 and deputed tor 4 weeks training on a provisional basis with effect from 05.05.2015 vide CGMT, BSNL, Kerala Circle No.E5/22-3/2012-2013/96 dated 29.04.2015 are appointed as 'JAO on Probation in BSNL in the IDA pay scale of Rs.16400-40500, and posted to the Offices/Units noted against them with effect from 22.03.2016 , in compliance with the direction of the Hon'ble CAT Ernakulam vide order dated 22.03.2016 in OA No. 180/00072/2014 by Sri P.S. Shoji& others and Connected cases .on successful completion of Phase 1 training and subject to Vigilance clearance to be verified by the SSAs/Units where the officers have to report for duty before allowing them to join as JAO on Probation and ( b) submission of undertaking by the officials as per the judgement dated 22.3.2016 of Hon'ble CAT Ernakulam*

*However, this order of appointment is provisional and is also subject to the outcome of the SLPs pending in the Aoex court. on the subject matter*

In June 2018, 2012 batch JAOs who has qualified the same examination that of these JAOs considered for promotion to the cadre of AO, but these JAOs were not considered for promotion. When these JAOs approached Hon.CAT ENK, it was submitted from the administration that, they are not having 3 years' service in JAO cadre and are not eligible for promotion as per AO Recruitment Rules and their case for promotion is not yet considered.

On 21.3.2020, all these officials completed 4 years of service in JAO cadre and crossed the minimum of the next IDA scale there by became eligible for time bound promotion under EPP. Their names were forwarded by SSA administration to consider for time bound promotion. But even after the expiry of two months, the same is kept pending with the Circle office.

Further all these JAOs have completed all phases of training but not included in the gradation list so far.

Hence any delay in allowing them time bound promotion and delay in including them in gradation list will cause irreparable loss to their career prospects and complication as the subsequent junior batches is due for promotions both under EPP and functional and may lead to further legal disputes.

It may be noted that they have lost valuable years of service as JAOs and further promotion on account of the wrong decision taken by previous circle administrations.

Hence it is most respectfully submitted to your goodself to intervene in this very genuine HR issue and take necessary action for the approval of promotion under EPP and for including their name in the gradation list of JAOs for promotions.

Thanking You,

Sincerely Yours



**Jithesh K P**

**Circle Secretary**

**SNEA Kerala Circle**

Copy to

1. GM (HR), Kerala Circle
2. PGM (F), Kerala Circle