

No: SNEA/CHQ/DIR(HR)/2015-18/26

Dated 31st May, 2016.

To

**Smt Sujata T Ray,
DIR(HR), BSNL, New Delhi.**

Sub: Re-fixation of pay of officiating JTOs --- Putting BSNL order vide letter No 3-32/2013/Estt-IV dated 22/12/2015 in abeyance based on the stay order issued by Hon PCAT, New Delhi.

Respected Madam,

TTAs after completing their first phase training were given promotion to the cadre of JTO on officiating basis. Their fixation were done as per provision of FR 22(I)(a)(I) read with FR 35. Here FR 35 has been wrongly invoked while doing fixation of officiating JTOs, because as per FR 35 " restriction under FR35 are not to be invoked where a Government servant holding the post in substantive or temporary or officiating capacity is promoted or appointed in substantive or temporary or officiating capacity, as the case may be, subject to fulfillment of the eligibility conditions as prescribed in the relevant Recruitment Rules, to another post carry duties and responsibilities of greater importance".

But in most of the circles fixation was not done as per FR 22(1)a(1). Various individuals went to Hon PCAT/CAT. Accordingly based on the judgment BSNL H/Q instructed all circles to carry out fixation as per FR 22(1)a(1).

Recently BSNL H/Q issued revised fixation method and recovery orders were issued vide letter No 3-32/2013/Estt-IV dated 22/12/2015. Same was challenged in PCAT New-Delhi by individuals. Stay order is granted by PCAT against recovery.

In this regard, we request your good self to instruct all Circle heads that till finalization of the matter in PCAT and administrative decision is taken in totality, recovery may stopped in field units.

With regards,

(K. Sebastin)

Copy to: Smt Madhu Arora, GM(Estt), BSNL CO for information and n/a please.