

टेलीकॉम ऑफिसर्स एसोसिएशन (बीएसएनएल)

TELECOM OFFICERS' ASSOCIATION (BSNL)

(Reg. No-NGP -5467 under Trade Union Act 1926)

Correspondence Address- CH-10, P&T Colony ,Atul Grove Road , New Delhi -110001

Email address- gstoabsnlchq@gmail.com

Website –toabsnlchq.in

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Dated the 31.05 2017

To

Shri Anupam Srivastava
The Chairman and Managing Director,
Bharat Sanchar Nigam Limited,
4th Floor, Bharat Sanchar Bhavan,
Janpath, New Delhi-110 001.

Subject- Pay loss to JTOs of post 2007 batch, recruited on pre-revised scale of Rs.9850-14600 and revision of Initial pay to Rs 22820 before implementation of basic pay scale to E2-E3.

Respected Sir,

It is humbly submitted that there are around 5000 professionally **qualified candidates recruited as JTO (Junior Telecom Officer in batch 2007 and 2008)** in pre-revised scale of 9850-14600/- (E1 A) in Engineering stream through open All India Competition Exam. Despite of qualification, eligibility and selection mode **“at par”** with selection in any of the CPSEs, executives preferred to join BSNL being a leading C.P.S.E. in schedule-A Category hoping for **at par Career Progression, pay and post retirement benefits like other C.P.S.Es.**

These young executives are the back bone of this company and working very hard for the revival of BSNL. **Despite this, they are getting batch-wise different initial basic pay, mainly on the basis of a particular Date of joining i.e. prior to 31.12.2006 and after 01.01.2007. On comparing with their colleagues of senior batches 2005 and Junior JAO batch 2010 with whom these executives have worked on pre-revised scale with hardly one or two years difference in joining were given an initial basic of Rs. 22820/- and these executives were fixed at Rs. 19020/- instead of Rs.22820/-** there is a difference of more than Rs.10000/- in present salary per month. The basis in relation to pay anomaly is as below:-

1. Department of Telecommunication in its reply vide letter No.70-208/2015-SU-IV dated 13/04/2014 says that DOT is not related to any pay fixation of officers recruited by CPSEs including BSNL, therefore no order is available with DOT w.r.t. pay- fixation of officers who joins in BSNL after 01.01.2007.
2. Department of Public Enterprises in its reply vide letter No. W-03/0019/2016-DPE (WC) dated 04/03/2016 says that Wage Cell, DPE has not issued guidelines for appointment of direct recruited executives in this respect. (It was in response to an RTI application seeking information

Registration Address-Pardesh karyalya -Bharatiya Mazdoor Sangh, 542-Dada Saheb Kamche Bhawan, Congress Nagar,Nagpur-440092

that if DPE has issued any guidelines w.r.t. 2nd PRC to appoint a direct recruited executive after 01.01.2007 on minimum of the revised only).

Yet in the name of DoT and DPE, BSNL has taken a stand that officer who joins after 1.1.2007 gets fixed at minimum of corresponding pay scale and says the same in a written statement vide No.7-1/2013-PAT (BSNL) dated 11-02-14 says at Para (VII). Due to this stand, the same Rs.9850/- becomes Rs.22820/ for pre 1.1.2007 appointed executive and becomes Rs. 19020/ for post 1.1.2007 appointed executive in revised scale .Rs.22820/ is more than 20% of Rs.19020/-. Thus it is not merely a difference but pushing back by one pay commission, because in the tune of 20% hike in salary takes place after pay revision.

Earlier JTOs of 2005 batch who were appointed after 1.1.2007 their initial basic was also fixed in line with minimum of revised scale but due to anomaly, initial basic of JTOs of 2005 batch appointed after 1.1.2007 was fixed at Rs.22820/-.

Hon. Calcutta High courts vide case of Mr. Ibrahim Mollah and Anr. vs Union Of India And Ors. on 17 November, 1992 Equivalent citations: (1994) 2 CALLT 410 HC said that "That is, for the same work and same functions, the appellants would get less pay than the other group of senior draughtsman. The explanation is that this division is based on seniority. This cannot be accepted as sufficient to meet the requirements of law. By seniority, a senior draughtsman will get higher pay with the increments that he earns proportionate to the number of years he is in service."

In other words a problem which has arisen due to the assumption of MINIMUM clause is being resolved by BSNL from section to section but for JTOs of 2007 & 2008 batch, who were recruited in pre-revised E1-A (Rs.9850-14600) has been left so far.

Although 7th CPC is not related to 2nd PRC at all but as BSNL in a written statement vide No.7-1/2013-PAT (BSNL) dated 11-02-14 say that who joins prior to 1.1.2007, gets more salary as compared to officers who joined after 01.01.2007, I would like to keep Table 5 of 7th CPC recommendation. There is not a difference of even single rupee between pre and post revision employee. So all these hypothesis and assumption that post revision employee gets fixed at minimum of revised scale and gets less salary compared to pre revision appointed employee do not exist at all. A senior gets more salary only because of increments earned by them. Pay revision does not mean for only existing employee.

It is needless to mention that the main purpose of pay revision is generally to make upward revision of pay of employees necessitated by modern lifestyle and market mechanism. Therefore when a pay revision is made, it is only fair and reasonable that the employees who were similarly circumstanced in material respects before the advent of the pay revision should get the same or similar benefit of the pay revision in the matter of pay fixation so that there may not be any undue discrimination amongst them.

In view of the above facts, Our Association humbly requests to the BSNL Management to implement Initial basic pay Rs 22820/- instead of Rs. 19020/- to Junior Telecom Officer post 2007 batch before implementation of basic pay scale E2-E3 and constitution of 3rd PRC.

With due regards.

Registration Address-Pardesh karyalya -Bharatiya Mazdoor Sangh, 542-Dada Saheb Kamche Bhawan, Congress Nagar,Nagpur-440092

Yours sincerely,

(Anil Kumar Tiwari)

General Secretary

Copy to: **1) The Director (HR & Fin) BSNL Board, Corporate Office, New Delhi for information please**