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BHARATIYA TELECOM EMPLOYEES UNION (BSNL)

Registered No 5123

(Affiliated to Bharatiya Mazdoor Sangh & ITEF)

Andhra Pradesh Telecom Circle

307-Chanakya Apartments, West Maredpally, Secunderabad-500027

No: BTEU(BSNL)/Memorandum/2017

Dated the 11th August 2017

To

Smt Sujata T Ray

Director (HR & Finance)

Bharat Sanchar Nigam Ltd

New Delhi.

Camp @ Hyderabad.

Subject: Issues pertaining to non executive employees of BSNL – Reg..

Respected Madam,

The Bharatiya Telecom Employees union (BSNL) Telangana Circle cordially welcomes you to the historic city of Hyderabad and we are very happy to state that under your dynamic leadership the BSNL is achieving new milestones day by day. We wholeheartedly pledge our support to all the initiatives taken by the BSNL management under your esteemed leadership.

Madam, we would like to bring to your kind notice the following few issues which pertain to the Non executive employees working in the BSNL for your personal intervention and consideration.

1.Reduction of residency period for promotion to NE 12:

The non-executive promotion policy was introduced in BSNL in March 2010. According to this policy the employees are to be upgraded to next higher pay scale after completion of 8 years of stay in the lower cadre. Subsequent to this, the BSNL management has introduced a new Pay scale called NE-12 vide BSNL Lr.No.BSNL/39-3/SR/2006/Vol.III dt.8.9.2010. While introducing this pay scale the residency period in the lower scale has not been changed. The result is that only about 1% employees could be promoted in the first instance. The next year of promotion would be in the year 2019 i.e. after completion of 8 years of residency in the NE 11 Pay Scale for the officials who got into this scale in 2011. By the year 2019 nearly 90 % of the employees in NE 11 grade would retire from service. The union requests for reduction of residency period in NE 11 Pay scale to 4 years as a one time measure so that most of the employees get a chance to move into the NE-12 pay scale and there will not be much of a financial burden in this regard as all most all

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the officials have reached the pay scale of NE 12. Keeping in view of the above, it is requested to reconsider the residency period separately for the Non-Executive officials recruited in DOT but absorbed in BSNL and formulate and issue a separate set of instructions to BSNL absorbed employees taking into consideration of service rendered in DOT.

2. Issues arising out of Bifurcation of the erstwhile circle office of AP Circle into AP & Telangana circle offices:

Consequent to bifurcation of the erstwhile AP Telecom Circle into 2 circles, the CGMT office at Hyderabad is also bifurcated and a new office started functioning in Vijayawada. 28 officials working in Hyderabad were transferred to Vijayawada and have since reported there. The problems in the new circle office at Vijayawada are many in nature. There is no proper office accommodation and furniture to house these officials. Further finding a suitable house for rent in Vijayawada is next to impossible. **The house rents are sky rocketing. One can get a house at a cheaper rent in Delhi when compared to that of in Vijayawada. There are many staff quarters in Vijayawada lying vacant but are in a dilapidated condition and are unfit for occupation. Hence, we request you to kindly consider payment of HRA @30% as is being paid by State Government of Andhra Pradesh to their staff.**

The staff from JTO and down the line are given soft tenure for working at Vijayawada. In this connection we would be grateful to you if the same is made as hard tenure station especially for the Group C staff as they are low paid and cannot get a house to live in Vijayawada and apart from this all most all of them are recruited on compassionate ground basis and have huge social obligations to fulfil at Hyderabad.

3. Promotion of Stenographers to PA Grade:

A kind reference is invited to the BSNL Corporate office New Delhi letter no 250-32-2014-Estt-III dated 09-03-17 regarding promotion of the Stenographers to the cadre of Personal Assistants wherein it was directed to fill the vacancies of Grade-II Stenographers existing in the Circle prior to 31.12.2003. This letter is in compliance with the judgements delivered by the Hon'ble CAT, Madras Bench and also the Hon'ble High Court of Madras consequent upon dismissal of SLP(C) No.17130-17131/2012 by the Hon'ble Supreme Court of India vide Order dated 15.07.2016. In the light of the above orders of the BSNL Corporate office, the issue of promotion of Stenographers Grade III to PA Cadre in the erstwhile composite AP Circle has to be dealt with separately and the following suggestions may kindly be taken note of.

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Prmia facie the rules that are to be followed at the time of restructuring were not followed while restructuring the cadre of stenographers. The contents of Department of Personnel & Training OM No.22011/10/84-Estt.(D) dated 4th February,1992 on Revision of pay scale/upgradation of the posts – Date of regular appointment of the incumbents to the upgraded posts were totally ignored(copy enclosed)

(i) Upgradation of posts involves only higher replacement scale without any higher responsibilities/higher qualifications or higher eligibility service;

(ii) Upgradation involves only higher replacement scale without any higher responsibility but the officers concerned have to fulfill the higher eligibility service;

(or)

In case if management feels it difficult to implement above orders at this state, at least following suggestions may be taken care of and do the justice to the small but important cadre in terms of their duties:

a) All the stenographers who were in the Stenographer Grade-III Cadre as on 31-12-2003 and subsequently promoted to PA/PS cadres and JAOs cadre and also stenographers who might have come to AP Circle along with post after 1.1.2004 on transfer from other units have to be considered for promotion in terms of the afroresaid orders.

b) As such the Gradation list of Stenographers Grade-III as on 31-12-2003 has to be prepared and below to that the names of those who have joined AP Circle on transfer from other units along with post may also have to be included.

c) While considering promotions in respect of Stenographers who have come to AP Circle along with post, if they have completed of 5 years in the previous station, that date should be considered and they should be placed at the bottom of the gradation list in the promoted cadre.

d) Vacancies may also have to be calculated as observed in the judgement of Madras High Court, i.e., vacancies existing in the cadre of Grade-II and chain of vacancies that have arisen in Grade II due to promotion from PA to Sr PA, Grade-I Steno to PA, Grade II Steno to Grade-I steno First by filling up of Sr.PA vacancies.

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4. Discrepancies in the JAO 10% examination question paper and answer key held in September 2016.

This is regarding discrepancies ***the manner in which questions*** set and wrong options given to the candidates who have appeared in the JAO LICE held on 24.9.2016 against 10% quota. Many of the officials have appeared for JAO (LICE) 10% Exam held on 24/09/2016 and a few to be precise 7 all over the country were declared as unqualified as per the Merit list declared on dated 02.11.2016. We have noticed that there is ambiguity in at least two questions found in the question paper-I (Part B) online Exam held on dated 24.09.2016. Since there is provision of negative marking, many have not attempted these questions. For this reason only a few could not qualify in the said paper. The details of the ambiguity and nature of the questions is as per the Annexure appended here with. Therefore, we earnestly request your kindness to consider the discrepancies (as listed in Annexure) and give suitable instructions to the concerned and cause remedial measures so that required relief is made available to such of the officials who have not qualified in the examination

Question Details	Announced Provisional Key Answer	Candidate's Version of Answer	Proof/ Supporting Document	Remarks
Q.No 80. EPF contribution under EPF Act must be paid within _____ days from the _____ of every month to the _____	Option 2	Option 2 & 4 are same		Since there is ambiguity whether to opt which answer i.e either 2 or 4. Full marks should be allotted due to this ambiguity
Q.No 84. Applicability of Income Tax on Transport Allowance is to the extent of _____	Option 4	No related Answer found in the Question	Notification No.39/2015 [f.No.142/02/2015TPL]/S.O.1002(E)	Since there is no answer in the four options given in question paper. Hence officials could not attempt the question. So please award full marks

5.Promotion to JAO cadre under 40% quota exam held in July 2016:

This is regarding promotion to the cadre of Jr Accounts officers in the Field units. Vide letter No BSNL/9-1/2016-Rectt, Dated 8.8.2016 the Recruitment branch of the BSNL CO ND has announced the results of the JAO LICE held in July 2017 and subsequently a review of the results was done and a further announcement of successful candidates was announced vide letter no BSNL/9-1/2016-Rectt, Dated 1.2.2017. After the release of the results of the review, it has come to our notice that in some circles more number of officials have passed in the examination than the vacancies available in the circles. As a result of this some of the officials cannot be promoted to JAO cadre and feel very much disappointed and dejected. In view of the above, the following suggestions of the union may kindly be looked into to resolve the case of officials who could not be promoted for want of vacancies under 40% quota.

- a) Divert vacancies from the 10% quota as there are many vacancies in all the circles under 10% quota and sufficient number of candidates are not available.
- b) Divert vacancies from the 50% direct recruitment quota as many vacancies are available in this segment Or
- c) Adjust these employees against future vacancies, Or Post them to circles where there are vacancies after taking an undertaking from them.

It is further understood that some of the officials who have already qualified in the JTO examination also are likely to opt for JTO cadre and as such their places can be earmarked to the officials who could not be accommodated in the JAO merit list.

6. Issue of correction to the JTO Recruitment Rules

This union has requested the management to issue a correction to the Recruitment rules of JTO cadre which were notified vide BSNL CO ND letter No 5-32/2013- Estt.IV, Dated 14.10.2015 to the effect that the officials who are working in BSNL and who are in the Pay scale of Rs.13600-25420 only are eligible to appear in the JTO LICE whereas the officials who are in the pay scale of Rs.9020-17430 are not eligible to appear in the said JTO LICE as per the recruitment rules circulated vide aforesaid letter. This has put to disadvantage a large number of officials in the non executive cadre who were otherwise aspiring to move over to the executive cadre as the Sr.TOA cadre has no promotional avenues expecting that of time bound upgradations after 8 years of service in a grade. The following points may kindly be taken note of in this regard.

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i) In the case of Jr.Accounts officer cadre the RRs were corrected vide letter no 4-22/2013- SEA, Dated 14.1.2016 wherein the officials working in the grade of 9020-17430 are allowed to appear in the JAO examination and this letter was issued as a correction to the RRs of JAO cadre and no amendment was made as can be seen from the letter cited above.

ii) We wish to further state that as per the RR of 2001 for the JTO cadre there were two separate quotas for departmental officials i.e. 35% and 15% and different streams of officials were eligible for the JTO LICE.

iii)The JTO RRs were subsequently modified in 2014 and new RRs came into being vide reference dated 14.10.2015 in this RRs both the quotas of 35% and 15 % were merged and examinations are notified for the vacancies available.

iv)Some of the officials who were working in the grade of 9020-17430 have thus become ineligible to appear in the JTO LICE as per the revised RRs have approached the hon'ble Court of law and they are allowed to appear for the JTO LICE examination held in the year 2016 May.

v)Their contention was that they were eligible for appearing in the JTO LICE as per the old RRs but could not write the examinations as the same were not held by the management.

vi)Just to accommodate the TTAs who were directly recruited the eligibility criteria was changed thus depriving the officials who have worked in the BSNL/ DOT for long and their contention also has to be taken into account as the Sr.TOA cadre has no future in the company and they cannot aspire to become JTO in their life time.

As the Hon'ble court has permitted them to appear in the said examination on their plea that they would have otherwise become eligible for the JTO LICE as per the old RRs, it is just and fair that their cases should be got examined and the results of such of those officials be declared and they may be sent for training by relaxing the condition of pay scale as is done for the JAO cadre.

7.Regularisation of services of Jr Accounts Officers working on officiating basis:

It is brought to our notice that less than 70 officials are presently working as Officiating Jr.Accounts Officers in BSNL in various circles. Their case for regularisation was taken up by this union with the management at various levels. All these officials are officiating in the cadre for the past 10 to 15 years and also are having working experience in BSNL in the JAO cadre and have time and again proved that there are on par with the officials who are promoted to the cadre on regular basis and also performing key and complex functions in various offices in the BSNL circles. All these officials have passed the JAO part I examination which was conducted in descriptive nature quite long back from the years 2002 onwards but could not come out successful in the Part II examination for various technical reasons such as wrong evaluation of their answer scripts

etc. All these officials have also crossed the minimum pay scale of the JAO cadre and there would not be any financial burden on the company in case they are regularised now in the cadre. These officials will also not have any claim for seniority in the cadre as they will rank en-block junior to the officials who are working at present. It is requested that the case may kindly be considered on sympathetic grounds. All these officials are also willing to work in any circle where there are vacancies particularly in the hard tenure circles such as NE & J&K Circles. It is therefore requested to see that these hapless officials are given a ray of hope by regularising them.

8. Other issues:

a) Abnormal delay in settlement of Pensionary benefits to the BSNL employees:

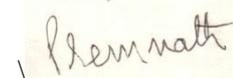
The DOT cell in Hyderabad is taking quite a long time to settle the terminal benefits and also issue of Pension Payment order to the retired employees. In the Central Government the terminal benefits are paid on the last working day of the employee i.e. at the time of their retirement and the PPO is issued within 10-15 days after retirement. However, the DOT cell in Hyderabad is taking quite a long time to settle the claims. The terminal benefits and GPF payments are being made only after about 45 to 60 days from the date of retirement and also even more than that time in some cases. The PPOs are issued only thereafter. It is requested to kindly issue necessary instructions to the DOT cell through the DOT to ensure that the terminal benefits are paid to the employees on the date of their retirement as is being done in all other Central Government establishments.

b) Filling up of vacant posts of SSA Heads in Telangana circle

There are several posts of SSA heads laying vacant in the Telangana circle viz Khammam / Adilabad / Karimnagar / Mahaboobnagar & Nalgonda and these Posts are being manned by SAG officers operating from other SSAs or from the Circle office. Sir, this involves additional expenditure on account of payment of TA/DA etc and also that when an SSA head is not there for days together, the management of the SSA takes a break. In order to avoid this situation it is requested that the senior most Addl General Managers or Dy General Managers available in the circle can be posted to look after the duties of SSA head. A full time SSA head can definitely bring in more revenue and results to the company. This may kindly be considered as the Telangana circle has huge potential in terms of revenue and other aspects.

With profound regards.

Yours faithfully,



(Premnath)
Circle Secretary