



**ALL INDIA
BHARAT SANCHAR NIGAM LIMITED
EXECUTIVES' ASSOCIATION**

**Central Headquarters
New Delhi-110001**

**President
P. Vencugopal
Mob:9443200177
E-mail:presidentaibsnlea@gmail.com**

**General Secretary
Prahlaad Rai
Mob:9868278222
E-mail:gsaibsnlea@gmail.com**

**Financial Secretary
B. Ravindranath
Mob:9868101880
E-mail:fsaibsnlea@gmail.com**

No. AIBSNLEA/CHQ/Dir(F)/2013

DATED:21.02.2013

To

**Shri K C G K Pillai,
Director (Fin), BSNL Board
NEW DELHI-110001**

**Sub-Fixation of pay on absorption as JAO from Department of Posts to BSNL (PSU) –
Reg**

Sir,

With reference to the above subject matter, it is to bring to your kind notice that, some officers have been appointed as JAOs in BSNL on permanent absorption basis w.e.f. 14/2/2005 after tendering their technical resignation from Department of Posts and posted in various Offices in BSNL under the terms and conditions as laid down in OM NO. 28016/5/85-Estt. © dated 31/1/1986 (Appendix 11 of Swamy's Pension Rules) as communicated in thier offer of appointment issued by BSNL Corporate Office letter no. 4-85/2003-SEA dated 9/2/2005 (copy enclosed) and Ministry of Communications & IT, Deptt. Of Posts, PA Wing letter 303(1)/2005/PA Admn-III dated 8/2/2005 (copy enclosed).

2. That as per above O.M., "a Government servant selected for a post in PSU will be free to negotiate his emoluments with the enterprise and will be at par with other employees of the enterprise". It was assured in BSNL Corporate Office SEA letter No. 4-51/2002-SEA dated 24/1/2003 (item viii) (copy enclosed) to place their pay initially in the CDA pay scale of Rs. 6500-200-10500 (equivalent to 5500-175-9000) fixing the pay under FR 22(1) (a) (1) with reference to pay in the substantive grade in Parent Department and then brought to IDA Pay scale.

3. That It was further assured vide O.M. No. 4-85/2003-SEA dated 5/11/2004 (Para xi) (copy enclosed) to give pay protection vis-a-vis their substantive grade in their Parent Department. As they were regular AAO in their parent Department in the substantive grade of 7450-225-11500 and drawing substantive pay Rs. 8575/- (pay certificate attached) after earning 5 increments in the grade, hence they should be placed initially at Rs. 11875/- in the IDA pay scale of 11875-300-17275 equivalent to CDA pay scale of 7450-225-11500 as per above orders and then brought to Rs. 13375/- after including 5 increments which they have already earned in their substantive grade but ignoring the assurance given their pay have been fixed at minimum i.e. 9850/-.

4. That we submit that their pay has been fixed at minimum (Rs. 9850/-) of IDA Pay Scale of Rs. 9850-250-14600 calculating it on the basis of FR(29) under FR-22 instead of FR 22(1)(a)(1) ignoring the assurance given to them in their offer of appointment. This order is not applicable on them. This order (fixation of pay under FR-29 has been quashed by Honorable High Court of Jharkhand at Ranchi (copy enclosed). Further the stay order has been issued by Honorable CAT Lucknow Bench in case of Sh. Y.K. Srivastava JAO Lucknow, whose pay was previously fixed on point to point basis and subsequently reduced by applying FR-29 (copy enclosed). The Honorable CAT has clearly mentioned that FR-29 is not applicable on the applicants but it is applicable on the persons being absorbed from PSU to Central Government.

5. They have resigned technically from the pensionable post of Deptt. of Post and joined the non-pensionable post in BSNL anticipating the fixation of their pay as assured by BSNL which compensate the loss occurred to them in pension. If their pay is fixed under FR 22(1)(a)(1) as assured, their pay will be fixed at Rs. 13375/- in IDA pay scale but ignoring all assurances, their pay has been fixed at the minimum of the scale i.e. 9850/-.

6. A list of external recruited JAOs/AAOs absorbed in BSNL who were regular in JAO/AAO Cadre and already holding substantive grade 6500-200-10500 (JAO) equivalent to IDA pay scale 9850-250-14600 and higher scale 7450-225-11500 (AAO) in their Parent Department and who were eligible for point to point fixation is enclosed herewith for ready reference please. Out of total 29 eligible JAO,s/AAO,s 17 have already got the point to point fixation with the approval of Circle Heads and merely 12 are left to get the benefit (list enclosed for ready reference please).

We would, therefore request you to kindly intervene in the matter so that their pay may be fixed on point to point basis as assured.

With regards,

Yours Sincerely
-sd-
(Prahlad Rai)
General Secretary

Copy to:1 Smt Geetha Rau, ED (Fin), BSNL, New Delhi-1
2 Shri S K Bhardwaj, GM(FP), BSNL CO, New Delhi-1