



SANCHAR NIGAM EXECUTIVES' ASSOCIATION

CENTRAL HEAD QUARTERS

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All Communications
to the General Secretary

To,

Shri. P.K. Purwar ji,
Chairman and Managing Director, BSNL,
Bharat Sanchar Bhavan, HC Mathur Lane,
Janpath, New Delhi, 110001.

No. SNEA CHQ/Corr/CMD /2022-25/

Dated 24th June 2022.

Sub: Thanks for reminding DoT on burning issue of replacement of Intermediate Pay Scales with Standard Pays scales and further request for kind intervention to take up the replacement of present intermediate Pay Scales of E1A to and E2A to Standard Pay Scales E2 (20600-46500) and E3 (24900-50500) at higher level w.e.f. 01/01/2007 by clearing unwanted doubts /fear expressed by DoT.

Ref: Letter No. 62-4/2020-SU (E 103496) Dated 28/04/2022 issued by DoT.

Respected Sir,

With reference to above subject and matter, on my personal behalf and on behalf of thousands of young executives in BSNL in general and members of SNEA in particular, who are facing pay loss issue over the years, I convey sincere thanks and gratitude for your response as Worthy CMD BSNL in understanding and accepting genuine financial issues faced by about all JTOs/JAOs and certain SDEs /AOs in BSNL. We are not reproducing the history of the case as it is already known to all esteemed officers and offices but we have taken overlook on happening in past and same are attached as brief history of this case as **Annexure-I**.

We put on record that BSNL management has always taken stand in support of Standard Pay Scales for executives in BSNL and specially, the support extended by BSNL Management in not down grading the pay scales of BSNL executives even after Presidential order issued for same is highly appreciable. It is nice to see that earlier management of BSNL and the present management under your able leadership is standing with the young executives against all odds observed in past and present. Earlier, we have seen that at certain stage BSNL management has left this issue of Standard pay scales as if there will not be any solution for it in coming days.

But we are very happy to witness that BSNL management has very positively responded in the negotiation meeting held on withdrawal of 66 days hunger fast by members and leaders of SNEA at BSNL CO, after observing agitation programme at all Districts and Circles. We are happy to see that after first meeting of new SNEA CHQ team with your honor, there is lot of change in the stand of BSNL management on Standard Pay Scales from earlier not possible to the present stand of let us see how it can be done for motivating the deprived young executives of BSNL. We are confident that by continuing this approach, the issue of Standard Pay Scales will be surely resolved by intervention and further persuasion by your good self as Worthy CMD BSNL even after the fact that DoT has once again returned the proposal sent by BSNL.

Sir, we all are observing your sincere, devoted and day night efforts in revival of BSNL and we are aware that you are on very special and most difficult task of getting support from Government of India for revival of BSNL and as

appealed by your good self, the executive workforce in BSNL has to be ready for meeting such high goals and projects which will be received by BSNL in coming days.

We appreciate your first step towards adding motivation among executives by filling all vacant posts of executives in all cadres and all wings through promotions. The efforts of all officers in the BSNL management in removing deadlock in these promotions are highly appreciable. We are confident that with such sincere efforts, the good number of executives in BSNL will be motivated by at least one immediate promotion in coming days.

But even after these promotions, the level of motivation cannot reach to minimum required level to meet the huge targets by Government of India as there are no financial benefits of single rupee in these promotions. The major workforce to implement these projects is JTOs/JAOs and SDE/AOs and this workforce is facing huge financial losses due to non-grant of administrative approval by DoT on proposal of BSNL for approval of Standard Pay Scales even after repeated requests from BSNL Management. Due to non-implementation of Standard Pay Scales, the JTOs/JAOs who are backbone of BSNL are highly demotivated and we appreciate the efforts of BSNL management in updating DoT about this unrest at regular intervals.

From the communication made by BSNL on implementation of Standard Pay Scales over the years, **it is seen that BSNL management is very clear in upgrading pay scales of executives in BSNL and we all are surprised that even after such detail letters from BSNL management with signature of Director HR and CMD BSNL, the officers in DoT are not responding positively and issue seems to be twisted at certain level and every time including recent reply, the DoT has conveyed the same stand.**

As per DPE Guidelines Standard Pay Scale should be given executives replacing Non-standard Pay scale as per recommendation from PSU concerned i.e. BSNL. It is unfortunate that though BSNL is recommending for replacing Intermediate Pay Scales E1A and E2A granted by DoT to E2 and E3 for JTO/JAO and SDE/AO without any Cascading on other Pay Scales w.e.f. 01/01/2007 but DoT issues Order to replace nonstandard Pay Scale E1A to E1 instead of E2 which is downgrading of Pay Scales. BSNL is proposing for implementation of the DPE and DoT orders on replacement of intermediate pay scales by Standard Pay scales, the officers in DoT are not allowing it to implement rather compelling BSNL to downgrade the pay scales which will create further industrial unrest among executives in BSNL.

It may be seen that BSNL is asking for administrative approval for up gradation of E1A and E2A non-standard Pay scales to Standard pay scale E2 & E3 respectively without cascading of next higher standard pay scales from 01/01/2007 and DoT is interpreting and responding regarding upgradation of E1 and E2 Pay scales to E2 & E3 with cascading of next higher scales which is totally opposite with respect to the repeated requests of BSNL management and DPE directions on the subject matter. It is crystal clear that BSNL demanding "X" and DoT is responding "Y" and this is real problem in getting administrative approval of Standard pay scales by BSNL from DoT.

In recent one and half months, we have vigorously pursued this matter with various officers in DoT and we are happy to see that the concerned officers in DoT also appreciated stand of BSNL and elaborate explanation by SNEA how there is gap in demand/request by BSNL and response by DoT. After understanding the genuine grievances and difficulties faced by young executives in BSNL, many of the officers have expressed sympathy to deprived executives and assured to look into the proposal of BSNL for replacing non-standard scales with Standard pay scales E2 & E3 if again sent to DoT from Higher level.

It may be seen that in last letter under reference dated 28/05/2022 with signature of Deputy Secretary PSU-I DoT to BSNL **in connection to conciliation meeting held by CLC New Delhi in response to agitation Programme by SNEA**, DoT has done nothing new but only endorsed earlier stand of wrong interpretation of implementation of E2/E3 scales with cascading effect on next higher scales against which BSNL management is raising concern for years together. We were expecting some response at higher level from BSNL to re-take up this matter with DoT by clearing the unwanted doubts of cascading effect and related issues projected by DoT in this letter, but nothing has been done by BSNL. Due to this wrong interpretation only, this fear of cascading effect on all other scales has been mentioned but fact is that there is no cascading effect demanded by BSNL, concerned associations or even by affected executives and in revised scenario, all are ready to accept the replaced standard pay scales without cascading effect.

Further during our discussions with certain officers in DoT, it was queried about its effect on pension contribution to DoT if any. We have clarified that as all these deprived executives are recruited by BSNL, there is no role of pension contribution to DoT. Few non-executives recruited by DoT and later promoted as JTOs are and were there in these pay scales, but they all have crossed pay scales and hence there is no impact of it either on BSNL or on DoT. But such small issues if any, should not become hurdle in implementation of DOT/DPE instructions in standardization of pay scales. Further it has been reported that in similar case, the other PSUs have provided such upgraded scales with notional pay fixation effective from current date and if required, same can be followed in BSNL.

Due to absence of Standard Pay Scale in BSNL, the recruitment for the cadre of JTO and JAO was made by BSNL in E1 scale with assurances to upgrade these scales in due course of time and majority of the recruitments in BSNL are made in intermediate pay scale E1A also. It may be please seen that Pay Scale of JTO as per JTO RR 2014 is E1 whereas as the Pay Scale of JAO was never modified and it continues E1A as per JAO RR 2001 and not modified till today. But fact is that BSNL is disbursing salary in downgraded Pay Scales of E1 which are less than given in JAO RR 2001.

All these action on part of BSNL management was with apprehension that Entry level Pay Scales for Executives in BSNL will be E2 as E1A will be naturally upgraded to E2 and if not upgraded it will be at least maintained as E1A. Naturally, it was never thought by BSNL officers that Pay scales will be downgraded from E1A to E1 as being proposed by DoT after period of decade. **It is pertinent to mention here that all these confusions in settlement of Pay Scales of JTO/JAO are created only due to delay on part of DoT to consider request of BSNL to replace the intermediate Pay Scales E1A to E2 for entry level cadres.** It is unfortunate that with violation of Article 39, 43 and 111 of Indian Constitution which speaks about Equal Work Equal Pay, BSNL continues to pay different salary to executives in same cadre with same work responsibility.

It is crystal clear that BSNL management in past and now also of the opinion that E2 or minimum E1A is entry scale in BSNL as same is visible in all the notifications and JTO/JAO RRs notified by BSNL, but officers in DoT are treating it as E1 even they are aware that pay of any executive cannot be downgraded at any stage of service without assigning any reason or for administrative lapses on part of certain officers in management. In case of such administrative lacuna or delay on part of two organization in settlement of issue, the benefits are always extended to deprived classes. We have analyzed the Recruitments done by BSNL in JTOs and JAOs and Pay Scales applied thereof and it can be seen that BSNL has adopted different standards for recruitment of JTOs/JAOs and this is reason for creating disparity among within the cadres of JAOs and JTOs. The details are attached as **Annexure-II**.

It is clear from the above analysis that recruitments JTO/JAO were notified in different Pay Scales from 01/01/2007 and given different type of basic to a same Cadre

executive in complete violations of the law of equality among executives during a single PRC period from 01/01/2007 to date of effect of 3rd PRC. All these actions on part of the officers in then management in applying different pay scales in same cadre over the period of years has created mass unrest among executives in BSNL and same has been repeatedly brought to Notice of officers in DoT by BSNL Management in writing different letters and even by giving presentations to Officers in DoT at repeated intervals to different officers by BSNL management even from Top level of CMD BSNL.

During 2nd PRC Implementation, all the pay scales except E1A and E2A pay scales were implemented as Standard Pay Scales wherein it is notified that same will be notified later. It was clearly mentioned in 2nd PRC notification that in respect of E1A and E2A scale their pay may be fixed in the revised E1 and E2 IDA scales of 16400-40500 and 20600-46500 scales respectively. It further stated that **these revised scales may also be used wherever specifying the pay scales is unavoidable e.g. for pension contribution, fresh appointment etc. till the time new scales are finalized and same has been followed in BSNL.** Hence, any Pay Scale fixation for E1A and E2A will be applicable from 01/01/2007 till the notification of 3rd PRC. Thereafter, though BSNL has always taken up matter, DOT has taken years together to finalize a Standard Pay Scales for JTO/JAO and till it is not finalized/ implemented, and further recruitment of JTOs/JAOs are done with different scales and posted in different Basics. Similar issues were reported in PSUs like CIL, NTPC, BHEL, ONGC, SAIL, FCI and all have resolved it by giving E2 as Starting Pay Scale for Executives. Similar action is proposed by BSNL management and only required is administrative approval of DoT and same is not given by DoT over the years.

It is important to note that by understanding all these complications and oversight mistakes in notifying the JTO/JAO recruitment and to overcome the industrial unrest, by making fair justification and to maintain a healthy work environment, BSNL management has always recommended and pursuing for **approval of Standard pay scale of E2 as an Entry level Scale for JTOs/JAOs who were recruited after 01/01/2007 and BSNL want to continue Entry Level scale of executive as E2 for recruitment of JAOs/JTOs in BSNL. DPE guidelines also states that the management of concerned PSU in fully empowered to decide the standard pay scales for replacement of Intermediate Pay Scales and same is done by BSNL.** Further BSNL being PSU converted from DoT, the administrative approval is required from DoT, which is pending for last decade.

The Presidential order No. 61-2/2016/SU Dated 28/03/2017 issued by DOT is not as per guidelines of DPE as per DPE guidelines as DPE told to issue standard pay scale but DOT issues order for continuing intermediate Pay Scale of 18850/- by changing lower and upper band of pay scale. Further date of applicability of PO should be 01/01/2007 but it is given by DOT as 01/01/2017. Directions of DPE that every Executive should be accommodated with new scale but DoT issues order to allow intermediate scale for some batches and downgraded scale of E1 for rest. As per DPE standard pay scales should be given by DOT as per recommendation of BSNL Board. BSNL Board recommended E2 but DoT approves E1 in contravention of DPE guidelines. As such, there is need of review the PO issued regarding implementation of standard pay scale and allow E2 as entry-level standard pay scale for JTO/JAO to maintain a healthy work environment for young talents in BSNL.

It is important that the expenditure involved implementation of the standard pay scales is very minor amount as compared to overall turnover of BSNL, but non-grating of Standard pay scales has created huge unrest which has adversely impacted on growth of BSNL. It is understood that as on today about 100 Crores will be additional expenditure per year on part of BSNL and nothing has been paid by DoT. As such there should not be any issue on part of DoT in conveying Standard pay scales as requested by BSNL. If some amount of few crores is to be paid by DoT, it needs to be paid as DoT has already come forward by paying Rs.60000 Crores in implementation of VRS and it

should not have any issue in paying the pension contribution in implementation of Standard pay scales in BSNL which will be less than five cores.

Sir, your good self is having very well and co-ordinal relations with senior officers in DoT and Government of India, rather we find that such interpersonal relationship has been building very strong bonding between BSNL, DoT and Government of India through Hon. Minister of Communications. **Now, it is required that these facts of replacement of Standard Pay Scales are discussed and decided at highest level from both the sides i.e. BSNL and DoT. Hence, we request your honor for kind and personal intervention by sparing valuable time from your busy schedule and to discuss and take up matter suitably so that the officers in DoT take it seriously** and respond it by understanding the concern of BSNL about implementation of DPE guidelines as recommended by BSNL for replacing intermediate scales with Standard pay scales E2 (20600-46500) for JTO/JAO and E3 (24900-50500) for SDE/AO equivalent cadres without cascading effect from 01/01/2007.

Sir, your kind action and initiatives and interaction with senior officers in DoT will definitely clear this matter in time bound manner and it will definitely motivate the major workforce of BSNL and you will surely find its impact in implementation of projects and targets which are being assigned by Government of India under your able leadership. Thanking you in advance, Sir.

With Warm Regards,

Sincerely Yours,

Encl: AA

Sd/
M. S. Adasul
General Secretary
SNEA CHQ

Copy to:

1. Director HR BSNL Board for kind information please.
2. DDG Estt DoT, Sanchar Bhavan, New Delhi for kind information please.
3. DyCLC New Delhi for kind information and with request to continue to look into the injustice by denial of equal pay for equal work to the young executives in BSNL.
4. PGM Estt BSNL CO for kind information please.
5. PGM SR BSNL CO for kind information please.

Sub: Brief History on process of replacing Intermediate Pay Scales with Standard Pay scales.

Ref: Letter No. SNEACHQ/Corr/CMD /2022-25 Dated 24th June 2022.

- Pay Scales and Promotion Policy for the BSNL Executives were finalised at the time of BSNL formation itself **as per the direction of Hon PCAT in its order dated 06/08/2002 in OA 298/2002** and batch of petitions. Subsequently, through bi-lateral agreements, **the Pay Scales and Promotion Policy to be followed by BSNL had been finalised and communicated to this Association vide BSNL letter No: BSNL/7-9/SR/2002 dated 01/11/2002.**
- With the **approval of BSNL Board, DPE and DoT**, these Pay Scales and Promotion Policy become part of the **Terms and Conditions for Absorption of Group B Officers in BSNL circulated vide No. BSNL/11/SR/2003 dated 02/09/2003**, which is sacrosanct. Any deviation from the settled issue will be in violation of the Terms and conditions, PCAT order dated 06/08/2002 and the settlement reached with this Association in 2002 and 2017.
- The Pay Scales of E1A, E2A, E3, E4 and E5 are approved by **DPE vide No. 2(3)/02-DPE/WC dated 26/06/2003 and notified by DoT vide No.61-6/2002-SU dated 28/07/2003** and become part of the Terms and Conditions for Absorption dated 02/09/2003. **In the Presidential Order dated 28/07/2003, DoT clearly stated that the BSNL direct recruits are to be placed in E1A scale at the minimum of the scale**
- On recommendation of 2nd PRC, Union Cabinet prompted to direct all CPSUs to switch over to standard pay scales w.e.f. 01/01/2007. **DPE, vide OM dated 26/11/2008 issued clear instructions and the decision of the Union Cabinet was further reiterated by DPE vide its clarifications dated 02/04/2009 and 24/12/2012.**
- All other CPSUs like BHEL, NTPC, ONGC, Coal India, FCI etc which were operating intermediary pay scales E1A, E2A, E2B, E3A, E7A, E7B, E7C etc before, by maintaining basic HR values and sensibility, switched over to the immediate higher standard pay scales of E2, E3, E4, E8 ensuring that pay scale of no cadres are downgraded anywhere
- Initially, on 09/01/2009, after 2nd PRC BSNL proposed revised pay scales (as per 2nd PRC) corresponding to E1A and E2A. But the intermediary pay scales of E1A and

E2A were rejected by DoT on 24/01/2011 and again by DPE and DoT on 18/07/2014. DPE directed DoT and BSNL to implement standard pay scales replacing the intermediary scales of E1A and E2A.

- BSNL Board revised its recommendation dated 09/01/2009 and recommended replacement of intermediary pay scales of E1A and E2A with next higher standard pay scales of E2 and E3 w.e.f 01/01/2007, in line with the decision of the Union Cabinet and DPE guidelines. The recommendation has been sent to DoT on 06/06/2016. **Further, BSNL management gave a presentation to DoT on 10/02/2017 that only the intermediary pay scales of E1A and E2A has to be replaced by standard pay scales of E2 and E3 keeping the remaining scales untouched.** In other words, standard pay scales of E3, E4, E5 and E6 which was approved by DoT on 27/02/2009 was made to remain unchanged.
- **In the name of a contempt petition against Secretary DoT at Hon CAT, Chandigarh** on the issue, in complete disregard to BSNL recommendation, in the absence of a regular Secretary/DoT, DoT issued the PO dated 28/03/2017 lowering the pay scales from E1A and E2A to E1 and E2.
- **DoT rejected E2 and E3 Scales without considering the following crucial facts:**
- **E1 and E2 pay scales as approved in the PO were not as recommended by BSNL.**
 - a. Lowering the pay scales is nothing but demotion of the entry level cadres of JTO/JAO and SDE/AO. Other CPSUs similar to BSNL is doing recruitment in E2 or E3 scales only. Even DoT is recruiting JTOs at E3 equivalent scale. In the PO, it was mentioned that DoT issued the orders as per the recommendation of BSNL dated 09/01/2009. But the mentioned BSNL recommendation of 09/01/2009 was rejected by DoT on 24/01/2011 and again on 18/07/2014. **In fact, the BSNL proposal dated 09/01/2009 for revised E1A and E2A scales stands modified by the BSNL recommendation dated 06/06/2016** and there is no proposal of revised pay scale of E1 and E2 from BSNL anymore from 06/06/2016.
 - b. **Lowering the Pay Scales from E1A to E1 and E2A to E2 is against the Terms and Condition for Absorption.** E1A and E2A scales are equally applicable for BSNL direct Recruits also which DoT misinterpreted by making it applicable only for absorbed Executives.
 - c. **BSNL satisfied the affordability clause as per DPE guidelines: The Profit Before Tax of BSNL was Rs. 4451 Cr during 2007-08** and 2nd PRC recom-

mendations implemented w.e.f. 01/01/2007 and all the Executives got the benefit of 2nd PRC with 30% fitment and 78.2% IDA neutralization. So there is no rationale in denying the revised pay scales for one set of Executives who joined after 01/01/2007.

- d. Also, while making the decision **instead of considering the financial condition of 2007-08 the period when 2nd PRC benefits was extended to BSNL, DOT considered the financial condition of 2016-17 when BSNL was in a bad financial situation**
 - e. The financial implication on BSNL to implement this proposal is just **Rs. 100 Crores** per annum which BSNL is ready to pay.
 - f. **There is no financial implication what so ever for DoT**
 - g. **DPE only directed DoT to implement the Revised Pay scales as per their guidelines. As per the same 2nd PRC pay scales are to be implemented based on 2007-08 balance sheet and based on the recommendations of the CPSU.** In this case, both conditions stipulated by DPE are not followed and the case is to be reviewed accordingly.
- Explaining all these facts in detail, CMD BSNL and Director (HR) BSNL wrote multiple letters to DoT on 03/04/2017, 01/05/2017 and 27/12/2017 for reviewing the Presidential Order dated 28/03/2017 and for the approval of E2 and E3 scales alone without cascading effect.
 - **By this retrograde order, the pay of the Executive recruited after 01/01/2007 come down by at least Rs 10,000 per month.**

Pre-revised scale		Pre-Revised scale approved by DoT on 28/03/2017		Revised scale proposed by BSNL on 06/06/2016		Revised scale approved by DoT on 28/03/2017		Difference in Basic pay
E1A	9850-250-14600	E1	8600-250-14600	E2	20600-46500	E1	16400-40500	Rs 4200
E2A	11875-300-16750	E2	10750-300-16750	E3	24900-50500	E2	20600-46500	Rs 4300

- **BSNL has recommended by BSNL on 06/06/2016 and explained through the presentation on 10/02/2017 and subsequent letters dated 03/04/2017, 01/05/2017 and 27/12/2017, the intermediary pay scales of E1A and E2A may be replaced by E2 and E3 scales respectively without touching other pay scales already approved by DoT on 27/02/2009.**

Annexure II**Sub: Details of Pay scales in which JTO/JAO Recruited by BSNL after 01/01/2007****Ref:** Letter No. SNEACHQ/Corr/CMD /2022-25 Dated 24th June 2022.

Sr	JTO/JAO	Mode	RRs applied	Scale in RR	Notified Scale	Basic given
1	JTO 2007	Direct	JTO RR 2001	6500(CDA)-E1A	9850(E1A)	E1+5
2	JTO 2008	Direct	JTO RR2001	6500(CDA)-E1A	9850(E1A)	E1+5
3	JAO 2010	LDCE	JAO RR 2001	6500(CDA)-E1A	As per RR 2001	E1+5/22820
4	JTO SRD 2011	Direct	JTO RR2001	6500(CDA)-E1A	16400	E1
5	JTO 2012	LDCE	JTO RR2001	6500(CDA)-E1A	6500	E1
6	JTO SRD 2013	Direct	JTO RR2001	6500(CDA)-E1A	16400	E1
7	JAO 2013	LDCE	JAO RR 2001	6500(CDA)-E1A	As per RR 2001	E1
8	JAO 2015	Di- rect	JAO RR 2001		16400	E1
9	JAO 2016	LDCE	JAO RR 2001	6500(CDA)- E1A	As per RR 2001	E1
10	JAO 2017	Di- rect	JAO RR 2001	6500(CDA)- E1A	16400	E1
11	JTO 2017	LDCE	JTO RR2014	E1	E1	E1
