

BHARAT SANCHAR NIGAM LIMITED

(A Government of India Enterprise)

CORPORATE OFFICE

TE Section

5th floor, Bharat Sanchar Bhawan, Janpath, New Delhi

F. No. 13-2/2010-TE

Dated : 28-09-2011

To

All Heads of Telecom Circles,
Metro Districts & Administrative Units,
Bharat Sanchar Nigam Limited.

SUB: Non-Executive Promotion Policy (NEPP) for employees in the IDA pay scales of NE-1 to NE-10 of Bharat Sanchar Nigam Limited. – Clarifications thereof.

Kindly refer to this Office letter No. 27-7/2008-TE-II dated 23/03/2010, vide which Non-Executive Promotion Policy (NEPP) for employees of IDA pay scales of NE-1 to NE-10 of BSNL has been circulated. After issuance of the NEPP, this Section has received letters from various Non-Executive Unions as well as various Telecom Circles, seeking clarifications with regard to implementation of NEPP.

The matter has been examined in this Office and it has been decided to issue additional clarifications with regard to the points raised by these Unions and Telecom Circles. Accordingly, the points raised and their clarifications are enclosed herewith as **Annexure**. In the light of the clarifications given in the **Annexure** of this letter, it is requested to accept fresh options from the Non-Executives covered under Non-Executive Promotion Policy (NEPP), as per Option Form-I and Option Form-II, if they want to change their earlier option, in accordance with the instructions contained in point no. 8 of these clarifications.

Immediate necessary action may be taken for implementation of Non-Executive Promotion Policy (NEPP) in accordance with the above clarifications.

Harsh Singh
28/9/11

(Harsh Vardhan Singh)

Addl. General Manager (TE)

TEL/FAX. NO. 23715155

Enclosure : Annexure

Copy to:-

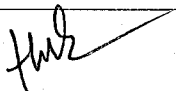
1. PPS to CMD/All Board of Directors of BSNL
2. DDG (Estt.), DOT
3. All PGMs/Sr. GMs/GMs/DGMs, BSNL C.O.
4. CSS/Pers.-III/SEA/Civil Wing/Electrical Wing/Arch. Wing, BSNL C.O.
5. Secretary General, BSNLEU
6. Order Bundle
7. OL Section – for Hindi translation
8. BSNL Intranet

Annexure

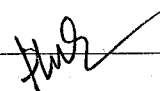
Sl. No.	Points raised	Clarifications issued
1	Whether the higher Executive Pay Scales given to the Stenographers with reference to their 1 st and 2 nd upgradations under ACP Scheme has to be regularized with reference to the clarification issued vide BSNL C.O. letter No. 13-2/2011-TE dated 06/01/2011 and difference of pay has to be recovered ?	No. As per Para 5.2 of NEPP Order dated 23/03/2010, the cases settled prior to the issue of this Order, need not be reopened, unless the employee himself opts for this Non-Executive Promotion Policy.
2	Due to the orders issued by CAT/High Court, some Telecom Mechanics were granted OTBP/BCR pay scales on completion of 16/26 years of service, after counting RM and TM service together. Subsequently, the Hon'ble Supreme Court has granted stay on the said orders and as a result, those who already got the benefit are allowed to continue with the benefit and those not yet got the benefit are not given any further favourable orders by the Courts. Some officials got OTBP pay scale in TM cadre by counting RM and TM service together before 01/10/2000, making them eligible for first upgradation under NEPP on 01/10/2004 and some got the same OTBP pay scale after 01/10/2000, making them eligible for second upgradation under NEPP after seven years of getting the OTBP scale. How the cases of these Telecom Mechanics of both the categories is to be settled ?	Since the matter is sub-judice, the cases of these Telecom Mechanics of both the categories may be kept pending. These cases may be settled after outcome of the cases pending in various courts of law.
3	Some officials, appointed as Telecom Mechanics before 01/10/2000, were promoted as TTA in the year 2008. Whether these officials may be granted first upgradation in the scale of Telecom Mechanic from 01/10/2004 ?	These officials may be granted first upgradation by placing them in the next immediate higher Non-Executive IDA pay scale from 01/10/2004 notionally and actual benefit w.e.f. 01/04/2008 and the post based promotion got in the TTA cadre in the year 2008 may be treated as their second financial upgradation under NEPP.
4	Whether the merger of some posts with another post of higher pay scales involving upgradation in the pay scales is to be treated as first upgradation under NEPP ?	Yes. As per the instructions contained in Para 6.4 of NEPP Order dated 23/03/2010, any upgradation in the pay scale due to any reason is to be treated as the first upgradation under NEPP.

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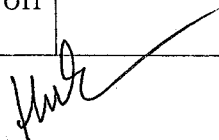
Sl. No.	Points raised	Clarifications issued
5	Whether the financial upgradation of Motor Drivers is to be done at Circle level or at SSA level ?	As Motor Driver is a Circle Cadre, the financial upgradation under NEPP is to be done at Circle level.
6	Some officials, who are in receipt of 3 or 4 average/satisfactory entries in their ACRs, are being deprived of upgradation under NEPP. Whether these officials can be given opportunity to represent for upgrading their grading during conduct of prescribed Screening Committee for granting financial upgradation under NEPP ?	It has already been clarified vide BSNL C.O. letter No. 27-7/2008-TE dated 20/09/2010 that the instructions/guidelines issued by DOP&T vide their O.M. No. 21011/1/2010-Estt.A dated 13/04/2010 may be followed while implementing NEPP and granting financial upgradation through prescribed Screening Committee.
7	Whether the ACRs of the non-executives are to be considered for the previous five years from the due date of promotion or from the date of DPC/Screening Committee in the cases where in financial upgradations were to be considered from the back date ?	As per Para 4.2 of NEPP Order dated 23/03/2010, the ACRs of the non-executives are to be considered for the previous five years from the due date of financial upgradation under NEPP.
8	Some officials who had initially given option as per Option-I and Option-II now wants to change their options in view of the clarifications issued subsequently. Whether these officials may be allowed to change their option.	These officials may be allowed to change their initial options as a onetime measure within 30 days from the issuance of this letter. Accordingly, options may be called for from the employees. However, the options exercised in pursuance to this clarification will be treated as final and cannot be changed under any circumstance. No further extension to furnish option except above may be allowed.
9	In the case of some officials due to court orders, the date of BCR Gr. III promotion was preponed to the year 2002 on par with their immediate juniors and they were placed in the PRC pay scale of NE-9. Thereafter, on completion of 26 years of service in the year 2005, they were placed in the higher RC pay scale of NE-10. In this case, which date is to be taken as first financial upgradation under NEPP ?	In this case, since the pay upgradation of the officials happened prior to 01/10/2004, the date of preponment of BCR Gr. III promotion i.e. 2002 is to be treated as the first financial upgradation under NEPP. Thereafter, since the placement of the officials in the higher pay scale of RC happened after 01/10/2004, the date of actual completion of 26 years of service i.e. 2005 is to be treated as the second financial upgradation under NEPP.



Sl. No.	Points raised	Clarifications issued
10	In the case of some officials due to court orders, the date of BCR Gr. III promotion was preponed prior to 01/10/2000 on par with their immediate juniors and they were placed in the PRC pay scale of NE-9. Thereafter, on completion of 26 years of service in the year 2003, they were placed in the higher RC pay scale of NE-10. In this case, which date is to be taken as first financial upgradation under NEPP ?	In this case, the placement of the officials in the higher pay scale of the Restructured Cadre on actual completion of 26 years of service i.e. 2003 is to be treated as the first financial upgradation under NEPP, if they opt for treating the pay scale upgradation granted to them in the year 2003, as their first financial upgradation under NEPP, as per the provisions of Para 6.4 of NEPP Order dated 23/03/2010.
✓ 11	A TOA (G) drawing NE-6 pay scale as on 01/10/2000 got the first promotion after 01/10/2004 in NE-7 on completion of restructuring training. Whether the official is eligible for first upgradation under NEPP in NE-7 on 01/10/2004, if he opt for foregoing his first promotion ?	Yes. As per the instructions contained in Para 6.4 of NEPP Order dated 23/03/2010, the official may opt for first upgradation under NEPP by foregoing the promotion availed under the erstwhile OTBP/BCR/ Gr. IV/ACP Schemes etc. or by way of conversion/restructuring/ pay scale upgradation etc.
12	Whether the minutes of earlier DPC which had assessed the ACRs for the preceding five years are to be assessed or the ACRs for the period 1999-2004 are to be assessed for the first upgradation due on 01/10/2004 under NEPP ? ✓	For the first financial upgradation due on 01/10/2004 under NEPP, the ACRs for the period 1999-2000 to 2003-2004 are to be assessed for the first upgradation due on 01/10/2004 under NEPP. ✓
13	As per the clarification issued vide point no. 3 of letter dated 20/08/2010, minutes of DPC held during the earlier promotion may be placed on record and considered by the prescribed Screening Committee for the purpose of granting first upgradation under NEPP. However, the grading criteria as per Para 4.3 of NEPP Order dated 23/03/2010 was not existing in the erstwhile promotion policies. In this case, whether earlier DPC held without observing grading criteria can be treated as valid for first upgradation under NEPP ?	The minutes of DPC held during the earlier promotion is required to be placed before the prescribed Screening Committee in order to give treatment of the said promotion under NEPP and not to review the grading criteria as per Para 4.3 of NEPP Order dated 23/03/2010. Accordingly, minutes of earlier DPC held without observing grading criteria, as specified in Para 4.3 of NEPP Order, may be considered by the Screening Committee for granting first or subsequent financial upgradations under NEPP.



Sl. No.	Points raised	Clarifications issued
14	Some officials drawing non-executive IDA scales as on 01/10/2000 and had not got any post based promotion/ upgradation etc. under their erstwhile promotion policies between 01/10/2000 to 01/10/2004 and subsequently regularly promoted in Executive Cadre i.e. JTO/JAO/ Assistant Manager/P.A. between 01/10/2004 to 23/03/2010. Whether these officials are also eligible for being granted first financial upgradation on 01/10/2004 under NEPP ?	The DOT recruited non-executive officials, who had not got any post based promotion/upgradation etc. between 01/10/2000 and 01/10/2004 are eligible for being granted first financial upgradation on 01/10/2004 under NEPP, if these officials opt for NEPP as per Option Form-I of NEPP Order dated 23/03/2010.
15	Some non-executive officials drawing non-executive IDA scales as on 01/10/2000 and had not got any post based promotion/ upgradation etc. under their erstwhile promotion policies between 01/10/2000 to 23/03/2010 and subsequently regularly promoted in Executive Cadre i.e. JTO/JAO/ Assistant Manager/P.A. after 23/03/2010. Whether these officials are also eligible for being granted first financial upgradation on 01/10/2004 under NEPP ?	The DOT recruited non-executive officials, who had not got any post based promotion/upgradation etc. between 01/10/2000 and 23/03/2010 are eligible for being granted first financial upgradation on 01/10/2004 under NEPP, if these officials opt for NEPP as per Option Form-I of NEPP Order dated 23/03/2010.
16	Whether the above promotions are to be counted as first and second upgradation when the officer is due for upgradation under Executive Promotion Policy (EPP) ?	The promotion granted on 01/10/2004 is to be treated as first financial upgradation under NEPP and after regular promotion of the officials to the Executive cadre, the officials will be covered under EPP and not NEPP.
17	Some non-executive officials had not got any regular promotion/ upgradation etc. under their erstwhile promotion policies between 01/10/2000 to 01/10/2004 and subsequently promoted regularly to the higher non-executive post under post based promotion as per the provisions of RRs between 01/10/2004 to 23/03/2010. Whether these officials are eligible for first financial upgradation on 01/10/2004 under NEPP ?	The DOT recruited non-executive officials, who had not got any post based promotion/upgradation etc. between 01/10/2000 and 01/10/2004 are eligible for being granted first financial upgradation on 01/10/2004 under NEPP, if these officials opt for NEPP as per Option Form-I of NEPP Order dated 23/03/2010. However, the post based promotion got by them is to be treated as second financial upgradation under NEPP.



Sl. No.	Points raised	Clarifications issued
18	Some non-executive officials had not got any promotion/upgradation etc. under their erstwhile promotion policies between 01/10/2000 to 23/03/2010 and subsequently promoted regularly to the higher non-executive post under post based promotion as per the provisions of RRs after 23/03/2010. Whether these officials are eligible for first financial upgradation on 01/10/2004 under NEPP?	The DOT recruited non-executive officials, who had not got any post based promotion/upgradation etc. between 01/10/2000 and 23/03/2010 are eligible for being granted first financial upgradation on 01/10/2004 under NEPP, if these officials opt for NEPP as per Option Form-I of NEPP Order dated 23/03/2010. However, the post based promotion got by them is to be treated as second financial upgradation under NEPP.
19	Some non-executive employees are working in the executive posts viz. JTO/JAO/ADOL/ Assistant Manager/PA on adhoc/ local officiating basis. How the cases of these officials would be treated, if these officials opt for NEPP?	NEPP is applicable to all regular non-executives who are in the substantive non-executive post. Hence, in case of local officiating, the pay would have been fixed as per existing FR SR. However, on their reversion to their substantive non-executive post, the residency period in the officiating post will be counted, treating the same to have been spent in their substantive post and the upgradations will be granted as per the provisions of NEPP.
20	Some Motor Drivers have been promoted to the next higher grade on the basis of post based promotion after 01/10/2004 and before 23/03/2010. As they are promoted to the higher post after 01/10/2004, whether they are eligible for first upgradation under NEPP?	These Motor Drivers are eligible for being granted first financial upgradation on 01/10/2004 under NEPP, if they give Option -II under Para 6.4 of NEPP Order dated 23/03/2010, opting for first financial upgradation as per NEPP. However, the post based promotion got by them is to be treated as second financial upgradation under NEPP.
21	If not, how their case will be regulated under NEPP?	
22	Regular Mazdoors in NE-1 pay scale promoted as Telephone Mechanic in NE-6 pay scale after 01/10/2004. In this case, whether first upgradation to NE-2 is to be granted on 01/10/2004 or the date of promotion as Telephone Mechanic is to be treated as first upgradation?	These Regular Mazdoors are eligible for being granted first financial upgradation on 01/10/2004 under NEPP, if they give Option -II under Para 6.4 of NEPP Order dated 23/03/2010, opting for first financial upgradation as per NEPP. However, the post based promotion as Telephone Mechanic got by them after 01/10/2004 is to be treated as second financial upgradation under NEPP.
23	What would be the date of second upgradation in this case?	

