

12, भारत संचार भवन, हरीश चन्द्र मथुर लेन,
जनपथ, नई दिल्ली - 110001
12, Bharat Sanchar Bhawan, H.C. Mathur Lane,
Janpath, New Delhi-110 001
दूरभाष कार्यालय/Ph.: +91-11-2373 4070
फैक्स/Fax : +91-11-2373 4072
ई-मेल/E-mail : dirhrd@bsnl.co.in

भारत संचार निगम लिमिटेड
(भारत सरकार का उद्यम)
BHARAT SANCHAR NIGAM LT
(A Government of India Enterprises)

सुजाता तपन रे
निदेशक (एच.आर.)
Sujata T. Ray
Director (HR)

D.O. No. 1-13/2015-PAT(BSNL)

Dated: 03.04.2017

Dear Sh. Sivasailam,

Please refer to DOT Order No. 61-2/2016-SU dated 28.03.2017 with reference to BSNL's proposal for revised pay scales effective from 01.01.2007 for JTOs and SDEs. As per DOT's order, the pay scale of JTOs and SDEs has been revised in the scale of Rs. 16400-40500(E1) and 20600-46500 (E2) in replacement of 9850-14600 (E1A) and 11875-17275 (E2A). However, the same order also states that the pay of absorbed appointees, appointed by direct recruitment or by promotion and drawing pay in the scale of Rs. 9850-14600 and in Rs. 11875-17275/- may be revised in the scale of Rs. 18850-40500 and Rs. 22800-46500 on personal basis. New appointments to these cadres shall be in the scale of Rs. 16400-40500 and Rs. 20600-46500 respectively. As per this order, there are two scales for the cadre of JTOs viz., Rs. 16400-40500 and Rs. 18850-40500 and similarly for SDEs viz. Rs. 20600-46500 and Rs. 22800-46500/- which is not permissible as per DPE OM dated 24.12.2012 (Annexure- I).

2. In this regard, I would also like to draw your kind attention to the Presidential order No. 61-6/2002-SU dated 28.7.2003 (Annexure-II) where by DOT conveyed to BSNL that in respect of executives appointed by BSNL in CDA scale (Rs. 6500-10500) for JTOs / JAOs on or after 01.10.2000, the executives will be deemed to have been appointed in the corresponding IDA scale (Rs. 9850-14600 (E1A)). The decision conveyed now vide DOT order dated 28.3.2017 is in conflict with the earlier decision conveyed vide order dated 2.7.2003, since direct recruitment of JTO / equivalent cadre has now been ordered to be made lower than the scale of Rs. 9850-14600 (E1A).

3. It is relevant to inform that BSNL's earlier proposal dated 09.1.2009 referred to in DOT's order dated 28.3.2017 was for revision of equivalent pay scales for E1A (Rs. 9850-14600) and E2A (Rs. 11875-17275) into the scale of Rs. 18850-40500 and Rs. 22800-46500 w.e.f. 01.01.2007. This proposal had been rejected twice by DOT initially on 24.01.2011 and finally on 18.07.2014 after consultation with DPE. It was stated that DPE vide OM dated 02.04.2009 has clarified that there is no justification for introducing intermediary pay scales and if there have been any aberrations they need to be corrected. It was also clarified that every officer has to be fitted in the



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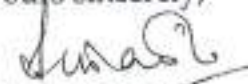
corresponding new scales. In fact, DOT itself had not agreed to the proposal of introduction of intermediary pay scales in BSNL for the reasons indicated in their communication to DPE.

4. In view of non-approval of DOT & DPE to revised E1A and E2A pay scales, BSNL reconsidered the matter and revised its proposal and sought DOT approval for grant of E2 and E3 pay scales replacing the intermediary pay scales of E1A and E2A w.e.f. 01.01.2007. However, at this stage, when BSNL after prolonged consultation with all stakeholders have proposed E2 and E3 pay scale, DOT has now ordered for continuance of Rs. 18850-40500 (on personal basis) for the cadres of JTOs / JAOs and scale of Rs. 22800-46500 (on personal basis) for the cadres of SDEs / AOs. Furthermore, the scale of JTOs and SDEs have been downgraded from E1A / E2A to E1 / E2 respectively. This has created situation of demoralization and demotivation of junior cadres.

5. As you know, BSNL is currently in revival mode and the young executives are playing a pivotal role in the revival. Lowering the pay scales would perhaps lead to industrial unrest. I would, therefore, impress upon you to kindly use your good offices to ensure that the proposal of BSNL for grant of E2 and E3 pay scales in replacement of pre-revised E1A and E2A pay scales is reconsidered and approved in order to arrest the grave discontent in the organization.

With regards,

Yours sincerely,


[Sujata T. Ray]

To

Shri N Sivasailam,
Additional Secretary (T),
Department of Telecommunications,
New Delhi



अनुपम श्रीवास्तव
अध्यक्ष एवं प्रबन्ध निदेशक
ANUPAM SHRIVASTAVA
Chairman & Managing Director

D.O. No. 1-13/2015-PAT (BSNL)

Dated: 1st May, 2017.

Respected Sir,

I am writing this letter to bring to your kind notice an extremely important HR issue of BSNL requiring your immediate attention. The issue concerns DoT's Order dated 28.3.17 regarding replacement pay scales for BSNL executives effective from 01.01.2007 for the pre-revised scales E1A (Rs. 9850-250-14600) and E2A (Rs. 11875-300-17275). DoT's order which is not as per the BSNL Management's recommendation, has led to widespread discontent among executives and industrial unrest in BSNL. I wish to explain the issue and its background in the following paras as per the discussion held on 27.4.17 in DoT.

2. At the time of absorption in BSNL, DOT vide its letter No. 61-6/2002 SU dated 28.7.2003 notified pay scales in industrial DA (IDA) pattern for BSNL employees. Prior to 28.7.2003, JTOs and SDEs were recruited/promoted by BSNL/DoT in the CDA scale of Rs. 6500-10500 and Rs. 7500-12000 respectively. JTO & SDE level (and equivalent officers) were placed in the IDA pay-scale of Rs. 9850-250-14600 and Rs. 11875-300-17275. These scales are termed as E1A & E2A because these are not standard (E0 to E9) executive scales prescribed by DPE, but they fall in-between the standard scales of E1 & E2, E2 & E3 respectively. However, it is important to mention that these intermediate pay scales were allowed by DoT for BSNL with the specific approval of the DPE. It was also stated in the DoT letter under reference that "1.2.....in respect of executives appointed by BSNL in CDA pay scales on or after 01.10.2000 the executives will be deemed to have been appointed in the corresponding IDA pay scale." The CDA and the corresponding IDA pay-scales approved by DOT in 2003 are reiterated below:

Grade of Executive	CDA scale in Govt.	IDA scale in BSNL approved by DoT
JTO & equivalent	6500-200-10500	9850-250-14600
SDE & equivalent	7500-250-12000	11875-300-17275

3. In BSNL, the Recruitment Rules for different equivalent executive cadres were framed in 2001 & 2002 with the approval of BSNL Board and the pay scale for JTOs were mentioned as 'IDA pay scale in BSNL corresponding to the CDA scale of Rs. 6500-200-10500'. Similarly, 'IDA pay scale in BSNL corresponding to the CDA scale of Rs. 7500-250-12000' was mentioned for SDE and equivalent. Accordingly, in terms of para 1.2 of the DOT letter dated 28.7.2003 the scales of Rs. 9850-250-14600 (E1A) and Rs. 11875-300-17275 (E2A) have been given to the absorbed as well as directly recruited executives.

Contd...2/-

4. Based on 2nd Pay Revision Committee (PRC) recommendations, DoT issued Presidential directive to BSNL vide letter dated 27.2.2009 for replacement of E0 to E9 scales & mentioned that E1A & E2A pay scale replacement will be dealt later. BSNL Board recommended revised E1A & E2A scales to DoT on 9.1.2009. In response, DOT conveyed its disagreement to the proposed intermediary revised scales initially on 24.01.2011 and finally on 18.7.2014 after consultation with DPE and in accordance with the instructions contained in DPE OM dated 02.04.2009 that there is no justification for introducing intermediary pay scales and every officer has to be fitted in to the corresponding new scales notified by DPE.
5. Keeping in view DOT's directions and the need for finalization of revised pay scales, the Management Committee of BSNL Board recommended to DoT vide letter dated 6.6.16 for replacement of E1A & E2A intermediary pay scales with the standard pay scales E2 & E3 w.e.f. 01.01.2007. BSNL satisfies the affordability clause as on 1.1.2007.
6. Dir.(HR), BSNL has given a detailed presentation to DoT on 10.2.2017 in which an alternative proposal was given which entails that the standard pay scales of E3 to E6 approved by DoT will remain unaltered.
7. However, DoT vide its Order dated 28.3.2017 (copy enclosed) DOT has prescribed replacement scales for pre-revised E1A and E2A as under:

<u>Pre-revised scale</u>		<u>Revised scale</u>
Rs. 9850-250-14600 (E1A)	→	Rs. 16400-40500 (E1)*
Rs. 11875-300-17275 (E2A)	→	Rs. 20600-46500 (E2)*

**Rs. 18850-40500 and *Rs. 22800-46500 on personal basis to executives absorbed /appointed / promoted in pre-revised E1A and E2A scales.*

8. As can be seen, DoT has downgraded the scale of JTO & SDE equivalent level officers in BSNL. This has led to dissatisfaction and unrest among the BSNL executives. The Executive Associations are on path of agitation against DoT's decision. The infirmities in DoT order are as follows:
- i) The IDA scales for JTOs & SDEs were approved by DOT in consultation with DPE at the time of absorption. As per the terms & conditions of absorption, these scales were above E1 scale of Rs. 8600-250-14600 and E2 scale of Rs. 10750-300-16750/- respectively. However, with the presidential order dated 28.03.2017, the scale of JTOs & SDEs are downgraded to E1 and E2 scale. The fixation of pay at Rs. 18850-40500/- in respect of JTOs /equivalent on personal basis in the scale of Rs. 16400-40500/- is only a fixation method but the scale stands downgraded from E1A to E1. Similarly, scale of SDE equivalent grades is downgraded from E2A to E2.

- (ii) DR JTOs in BSNL were appointed in EIA scale prior to DOT letter of July 2014 and in E1 scale subsequently in the absence of non-finalization of revised pay scale. With the above order, one set of JTOs will be placed in revised E1 scale (16400-40500) while others in 18850-40500 on personal basis. Also, those promoted in the Departmental promotion examinations LICE will get placed in E1. As a result of this, there will be pay discrimination between officers in the same grade performing same set of duties & responsibilities.
- (iii) DoT order of downgrading pay scales of JTO & SDE level executives in BSNL has led to widespread unrest, discontentment and frustration among BSNL employees.
- (iv) Downgrading of the scale of the entry level executive cadre (JTO & equivalent) will also adversely affect retention of existing talent in BSNL and attracting fresh recruitment from market.

9. I would also like to mention here that as per para 17 of the DPE Pay revision OM dated 26.11.2008, the Board of Directors of each CPSE are required to consider the proposal of pay revision based on their affordability to pay and submit the same to the Administrative Ministry / Department for approval. The concerned Administrative Ministry has to then issue the Presidential Directive with the concurrence of FA. The presidential directive issued vide DOT order dated 28.3.2017 is not as per the proposal of BSNL Management and therefore needs to be reviewed.

10. As you are aware, BSNL is making committed efforts towards revival of the company in face of fierce competition from Private Players. Any attempt towards demotivation of the executive cadres would have severe implications on the company's health. In view of this, I request for your immediate personal intervention for reconsideration of DoT's order and convey Govt approval for grant of E2 and E3 scales w.e.f. 1.1.2007 in replacement of EIA & E2A scales for JTO/SDE and equivalent grades.

With regards,

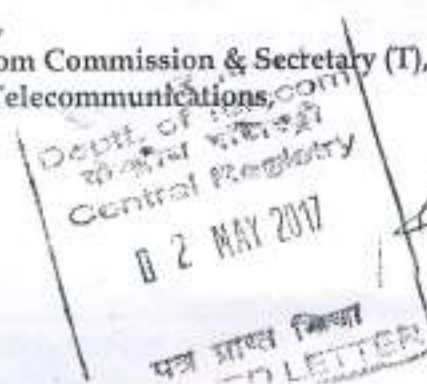
Yours sincerely,

[Anupam Shrivastava]

Encl: As above.

To

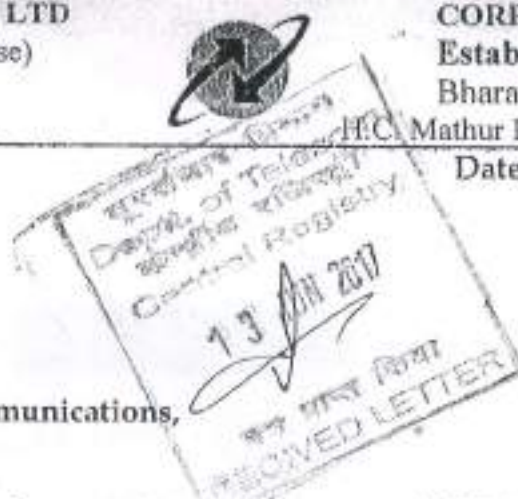
Shri P. K. Pujari,
Chairman Telecom Commission & Secretary (T),
Department of Telecommunications,
New Delhi



No. 1-13/2015-PAT(BSNL)

To

Sh. Pawan Gupta
Director (PSU-I),
Department Of Telecommunications,
New Delhi



Sub: Proposal for grant of replacement scales for pre-revised E1A, E2A pay scales for JTOs, SDEs & equivalent cadres w.e.f. 01.01.2007.

Sir,

I am directed to refer your letter No. 61-2/2016-SU dated 19.05.2017 on the above cited subject and submit the following information / para-wise comments to your letter referred above:

(i) The proposal for revision of existing E1A and E2A pay scales w.e.f. 01.01.2007 is the pending item of pay revision under 2nd PRC. As per para 3 of DPE OM dated 26.11.2008, the affordability for implementation of pay revision has been defined in terms of additional outgo by such revision, which for a period of 12 months should not result in more than 20% dip in profit before tax(PBT) for the year 2007-08 of a CPSE. BSNL was in profit during 2007-08 and the financial outgo for the present proposal for revision of E1A and E2A pay scales is within the prescribed limit as provided in DPE guidelines. It is also relevant to point out that all other BSNL employees got benefit of 2nd PRC like 30% fitment and 78.2% IDA neutralization. The benefit of revised scales is not extended to only one set of executives.

Financial year	Income in Cr.	Profit in Crores (before TAX)
2007-08	38054	4451

Financial implication of the proposal for replacement of E1A/E2A with E2/E3 scales with effect 1.1.2007 is as follows:

- Pay & allowances by BSNL: Recurring annual financial implication of Rs. 38 Crores will be there on account of Pay & allowances.
- Pension contribution by BSNL: Total financial outgo on account of increase in pension contribution for period from 01.01.2007 upto 31.03.2016 is around Rs. 157 Crores. Annual recurring expenditure on Pension Contribution payable to DOT will be Rs. 06 Crores.
- Pension liability of Govt.: As already stated in BSNL letter dated 21.06.2016, with regard to pension arrears to be paid from 01.01.2007 to 31.12.2016, there would not be any additional pension liability in respect of BSNL executives

J.M.R.



retired during the said period. This is due to the reason that there would not be any increase in pay and, therefore, also in the pension in respect of the absorbed employees as they are already drawing pay higher than the minimum of the pay scale.

BSNL has made profit of Rs. 4451 Crores during 2007-08. Therefore, in terms of DPE guidelines, BSNL meets the affordability clause for implementation of the proposed revised standard scales. As mentioned above, the proposal has financial implication of Rs. 157/- Crores and a recurring implication of about Rs. 44 Crores which would not be, therefore, difficult to meet by BSNL.

- ii) The details of direct recruit executives at every grade from E1 to E9 year-wise from 01.01.2007 onwards is attached as **Annexure-I**. Similar details of DOT absorbed executives are placed as **Annexure-II**. The percentage of salary as required by DOT in the referred letter is not available.
- iii) The details of executives who are covered by the DOT order dated 28.03.2017 pay scale wise, are provided in the **Annexure-III**.
- iv) On implementation of the DOT order dated 28.03.2017, the pay scales of the entry level executives of BSNL i.e. JTOs / JAOs etc. will be downgraded from pre-revised E1A (Rs. 9850-14600/-) to revised E1 (Rs. 16400-40500/-). Similarly, the pay scales of SDE and equivalent grades will also be downgraded. These are explained below :

Cadre	Pay scale as on 31.12.2006	Pre-revised pay scale corresponding to Presidential Order dated 28.3.2017
JTO equivalent	Pre-revised 9850-14600	The Pay scale of Rs. 16400-40500/- now granted by DoT corresponds to pre-revised pay scale of Rs. 8600-14600/-
SDE equivalent	Pre-revised 11875-17275	The Pay scale of Rs. 20600-46500/- now granted by DoT corresponds to pre-revised scale of Rs. 10750-16750

This down-gradation of pay scales w.e.f. 1.1.2007 is definitely going to affect the motivation of employees already working the grade JTO/JAO and also the aspiring Non-executives particularly the young DR TTAs comprising of Graduate engineers who see this as an opportunity to go higher up in the organization through DR quota examination.

Further, there would be out flow of direct recruits to other CPSEs like BHEL, NTPC, ONGC etc. as the recruitment at entry level in such organisation is being made at E2/E3 level after 2nd PRC.



- v) Vide letter dated 06.06.2016, BSNL had proposed to revise E1A and E2A pay scales by grant of E2 and E3 scale and also for upgradation of E3 to E6 pay scales to E4 to E7 in respect of Sr. SDE, AGM, DGM and SG-DGM cadres. But, DoT conveyed vide letter dated 9.8.2016 that the proposal of BSNL cannot be acceded to. However, considering that E1A & E2A pay scales in BSNL were given in 2003 with due approval of DoT & DPE and revision of these pay scales due from 1.1.2007 is still pending even after passage of ten years because of Govt's decision not to allow intermediary pay scales, BSNL is requesting for E2 & E3 scales in replacement of pre-revised E1A & E2A. Part I of the proposal in BSNL's letter dated 6.6.2016 for replacement of E1A & E2A with E2 & E3 is a residual issue of 2nd PRC and may be approved. The Part II of the BSNL's proposal will be taken up at the time of 3rd PRC.
- vi) With the grant of E2 scale in replacement of E1A, there will be simple placement of executive in the revised pay scale. This cannot be treated as up-gradation under BSNL Executive Promotion policy (EPP). In EPP, up-gradations are defined linking with scales as well as grades. The combined residency period in the pre-revised E1A scale and the proposed replacement E2 scale will be considered for the first time bound up-gradation in E3 scale (instead of present arrangement of up-gradation from E1A to E2A). Similarly, for 2nd time bound up-gradation under EPP, the combined residency period in E2A and E3 scale will be considered. Therefore, the question of EPP up-gradation without requisite period of service in the scale will not be attracted in this case. As this is mere replacement of non-standard pay scales of E1A & E2A with the standard pay scales of E2 & E3 in line with DPE guidelines, therefore, no legal or administrative issue are envisaged. Rather, it will be quite helpful in settling the pending court cases including various representations / Grievances on CPGRMS etc. which are being defended by BSNL.
- vii) In the erstwhile DoT, the scales in existence for different grade of officers were as under:
- JTO and equivalent grades- Rs.6500-200-10500
 - SDE and equivalent grades- Rs. 7500-250-12000
 - Sr. SDE and equivalent grades - Rs. 8000-275-13500
(Sr. SDE and Sr. AO are non-functional grades)
 - ADG/DE and equivalent grades- Rs. 10000-325-15200
 - JAG and equivalent grades- Rs. 12000-375-16500

On corporatization w.e.f 1.10.2000, the officers working there were absorbed in BSNL in the corresponding IDA scale as conveyed vide DoT order no. 61-

2/16



6/2002-SU dated 28.7.2003. As per this order, the IDA scales corresponding to the CDA scales are as under:

Existing CDA scale	Corresponding IDA scale
6500-200-10500	9850-14600
7500-250-12000	11875-17275
8000-275-13500	13000-350-18250
10000-325-15200	14500-350-18700
12000-375-16500	16000-400-20800

From the above, it is clear that each designation has a definite link to the pay scale or the grade for that matter.

Further, in BSNL, designation is linked with the substantive post held by the Executive. As per the DOT approved BSNL EPP, two tier promotions are prescribed - (a) time bound up-gradation and (b) post based promotions. With time bound up-gradations, the pay scale is upgraded to the next higher scale after the prescribed qualifying service in the scale. However, with this up-gradation of scale no change of designation takes place. For example, a JTO recruited in E1A scale on grant of time bound up-gradation may be placed in higher scales of E2A, E3 and so on. His designation will, however, change only on his post based promotion to the post of SDE. This arrangement is in accordance with the terms & conditions of absorption of Group-B officers of erstwhile DOT in BSNL w.e.f. 01.10.2000. The terms and conditions of absorption states that '*on absorption in BSNL, the officers will be allowed up-gradation to the next higher pay scale on time bound basis varying between four to six years upto the level of JAG-SG*'. As per EPP, the time bound up-gradation to next higher scales is personal to the employee and no such data with regard the designations with the corresponding grades, is being maintained.

Encl: As above.

Yours faithfully,

[Sheo Shankar Prasad]
Dy. General Manager (Estt.)
Ph. 011-23715155

Issued
by
12/6/2013
JPC

भारत संचार भवन, हरीश चन्द्र माधुर लेन,
जनपथ, नई दिल्ली - 110001
312, Bharat Sanchar Bhawan, H.C. Mathur Lane,
Janpath, New Delhi-110 001
दूरभाष कार्यालय/Ph.: +91-11-2373 4070
फैक्स/Fax : +91-11-2373 4072
ई-मेल/E-mail : dirhrd@bsnl.co.in



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(भारत सरकार का उद्यम)
BHARAT SANCHAR NIGAM LTD
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सुजाता तपन रे

निदेशक (एच.आर.)

Sujata T. Ray

Director (HR)

D.O. No. 1-13/2015-PAT(BSNL)

Dated: 16.08.2017

Dear Sh. Sivasailam,

Please refer to my DO of even no. dated 03.04.2017 and 26.4.2017 regarding grant of E2 & E3 pay scales in replacement of pre-revised E1A and E2A pay scales for JTOs and SDEs & equivalent executives.

2. In this regard, CMD BSNL has also written to Secretary (T), DOT on 01.05.2017 (copy enclosed) for reconsideration of DOT's order dated 28.3.2017 and to convey Govt.'s approval for grant of E2 & E3 scales w.e.f. 01.01.2007 in replacement of pre-revised E1A and E2A pay scales for JTOs and SDEs & equivalent executives. Subsequently, DOT has sought some additional information / comments from BSNL which have been duly submitted vide BSNL letters dated 12.06.2017 & 05.07.2017 (copies enclosed).

3. In this regard, it is relevant to inform that the DPE has issued notification on 03.08.2017 for revision of pay and pay scales w.e.f. 01.01.2017, as per the recommendations of 3rd PRC Pay scales (copy enclosed). It may be seen that replacement scales for existing standard scales only have been notified by DPE. Therefore, continuation of non-standard scales as approved by DOT vide Order dated 28.3.2017 will again create an anomalous situation during the implementation of 3rd PRC w.e.f. 01.01.2017.

4. In view of above, I would request you to reconsider the decision conveyed vide DOT order dated 28.3.2017 and approve the grant of E2 & E3 pay scales in replacement of pre-revised E1A and E2A pay scales for BSNL executives.

Yours sincerely,

[Sujata T. Ray]

To,

Sh. N Sivasailam,
Additional Secretary (T),
Department Of Telecommunications,
New Delhi

भारत संचार भवन, हरीश चन्द्र माथुर लेन,
जनपथ, नई दिल्ली-110001, भारत
भाषा कार्यालय : +91-11-23372424
फैक्स : +91-11-23372444
ई-मेल : cmdbsnl@bsnl.co.in
Bharat Sanchar Bhawan, H.C. Mathur Lane,
Janpath, New Delhi - 110 001, India
Ph. : +91-11-23372424
Fax : +91-11-23372444
E-mail : cmdbsnl@bsnl.co.in

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अनुपम श्रीवास्तव
अध्यक्ष एवं प्रबन्ध निदेशक
ANUPAM SHRIVASTAVA
Chairman & Managing Director

D.O. No. 1-13/2015-PAT(BSNL)
Dated: 11th September, 2017

Respected Madam,

I am writing this letter to bring your kind notice an extremely important HR issue of BSNL requiring your immediate attention. The issue concerns DOT's Order dated 28.3.2017 regarding revision of E1A and E2A pay scales for JTOs and SDEs & equivalent executives. On this issue, I have written a detailed letter on 01.05.2017 (copy enclosed) to the then Secretary(T) for reconsideration of DOT's order dated 28.03.2017 and to convey Govt's approval for grant of E2 & E3 scales w.e.f. 01.01.2007 in replacement of pre-revised E1A and E2A pay scales for JTOs and SDEs & equivalent executives.

2. It may be seen that as per the DOT's Order dated 28.3.2017, the pre-revised E1A (Rs. 9850-250-14600) and E2A (Rs. 11875-300-17275) scales of BSNL Executives which were originally approved by DOT vide order dated 28.7.2003, have now been ordered to be revised by lower scales of E1 (Rs. 16400-40500) and E2 (Rs. 20600-46500) w.e.f. 01.01.2007. In addition, the intermediary revised scales of E1A (Rs. 18850-40500) and E2A (Rs. 22800-46500) have been allowed *on personal basis* to executives absorbed / appointed / promoted in pre-revised E1A and E2A scales. This settlement of intermediary scales on personal basis is not in accordance with the DPE guidelines dated 09.07.2014.

3. The above order dated 28.03.2017 of DOT is not in accordance with the BSNL's proposal for grant of E2 and E3 scales w.e.f. 01.01.2007 and is clearly in conflict with DPE norms. BSNL has made the proposal for grant of E2 & E3 scales only after DOT and DPE rejected the BSNL's earlier proposal for grant of revised scales corresponding to the intermediary E1A and E2A scales which were introduced in BSNL by DOT. Moreover, grant of lower scales of E1 and E2 would amount to downgrading of the scales of the executives.

4. Further, DPE has issued notification on 03.08.2017 for revision of Pay and Pay scales w.e.f. 01.01.2017 in respect of Board level and below Board level executives of CPSEs as per the recommendations of 3rd PRC. It may be seen that replacement scales for existing standard scales only have been notified by DPE. Therefore, continuation of non-standard scales as approved by DOT vide Order dated 28.3.2017 will again create an anomalous situation w.e.f. 01.01.2017.

5. As you are aware that BSNL is making sincere efforts towards its revival even in the situation of fierce competition from private players. Any attempt towards demotivation of the executive cadres would have severe implications on the company's health. In view of this, I request for your immediate personal intervention for reconsideration of the DOT's order dated 28.3.2017 and convey the Govt. approval for grant of E2 and E3 scales w.e.f. 01.01.2007 in replacement of pre-revised E1A and E2A pay scales for BSNL executives.

With profound regards.

Yours sincerely,

[Anupam Shrivastava]

Smt. Aruna Sundararajan, IAS,
Chairman TC & Secretary (T),
Department of Telecommunications,
Sanchar Bhawan, 20, Ashoska Road,
New Delhi - 110 001