



**ALL INDIA  
BHARAT SANCHAR NIGAM LIMITED  
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No.AIBSNLOA/CHQ/2010/2

Dated: 11<sup>th</sup> January 2010

To  
Shri Kuldeep Goyal,  
Chairman & Managing Director,  
Bharat Sanchar Nigam Limited,  
New Delhi 110 001.

**Sub: Pay fixation under FR 22 (I) (a) (1) instead of FR 35 for TTAs  
officiating as JTOs – reg**

Sir,

This is with reference to our earlier letter NO.AIBSNLOA/CHQ/2009/38 dated 30<sup>th</sup> July 2009 on the above subject, wherein we had drawn your kind attention to the Hon'ble CAT, Ernakulam Bench judgment on 15.7.2009 in T.A Nos. 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96 and 97 of 2008 directing BSNL to fix the pay of TTAs officiating as JTOs under FR 22 (I) (a) (1). Subsequently, the Principal CAT, Delhi has also concurred with the judgment of CAT, Ernakulam vide its order dated 11.11.2009 in OA 3213/2009 & MA 1941/2009.

It is reported that the concerned authorities in BSNL are still unconvinced in the matter stating that these TTAs have not yet undergone Phase II and Phase III training and hence are not eligible to get their pay fixed in JTO scale. Unfortunately, the authorities are reported to have planned to go on appeal.

As far as the question of eligibility, the Ernakulam CAT has categorically ruled that, 'the respondents cannot deny petitioners therein the benefit of fixation of their pay under F.R.22(I)(a)(1) in the scale of pay applicable to the post of Junior Telecom Officer on the ground that they have not cleared the three phases of training' and that 'As held by the single judgment of the High Court (supra) **what is relevant in the matter of fixation of pay is whether the applicants are performing duties attached to the posts of JTOs having higher responsibilities.** There is no dispute in this regard. Hence these T.As succeed.'

It is an undeniable fact that these TTAs have been performing all the duties performed by regular JTOs and in some occasions, even more, taking charge of a number of group exchanges. Therefore denying the pay of a JTO to these TTAs citing technicalities is quite unfair and unethical, particularly after the judgments of the High Court, Ernakulam, the CAT, Ernakulam and

Principal CAT, New Delhi. We feel it would be cruel on the part of the management to spend huge money for paying the advocates, just to deny justified payment to its own employees.

We therefore, request your goodself to kindly intervene immediately, advise the concerned authorities against going on appeal in this issue and to order fixation of pay under FR 22 (I) (a) (1) for these TTAs, as a gesture of goodwill and caring nature of the employer, if not as abiding by the court judgment.

With kind regards,

Yours sincerely,



(V.P.Arya)

General Secretary

Encl: As stated

Copy to:

1. Shri.Gopal Das,  
Director (HR)
2. Shri.D.P.De,  
GM (Estt)