

BHARAT SANCHAR NIGAM LIMITED

(A Government of India Enterprise)

CORPORATE OFFICE

Bharat Sanchar Bhavan, Janpath New Delhi-1
(TE Section)

F. No. 13-2/2010-TE

Dated : 20 -08-2010

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. – Clarification thereof.

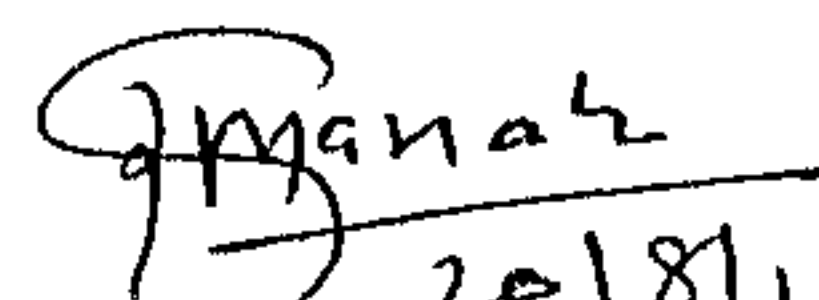
Kindly refer to this Office letter No. 27-7/2008-TE-II dated 23/03/2010, vide which Non-Executive Promotion Policy (NEPP) for employees of IDA pay scales of NE-1 to NE-10 of BSNL has been circulated. After issuance of the NEPP, this Section has received letters from various Non-Executive Unions as well 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 a general clarification with regard to the points raised by these Unions and Telecom Circles. Accordingly, the points raised and the clarifications on these points are enclosed herewith as **Annexure-I**.

In the light of the clarifications given in the **Annexure-I** of this letter, the Non-Executives covered under Non-Executive Promotion Policy (NEPP) may be allowed to exercise fresh options as per Option Form-I and Option Form-II, even if they had already given their option in accordance with the instructions contained in this Office letter No. 27-7/2008-TE-II dated 23/03/2010.

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

This issues with the approval of the competent authority.


(S.L. Manak) 20/8/10

Deputy General Manager (TE)
TEL. NO. 23737886
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Enclosures : Annexure – I & Annexure-II

Copy to :

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

Annexure - I

Sl. No.	Points raised	Clarifications issued
1	Whether in the event of opting for NEPP, the pay arrears drawn by an individual on account of OTBP/BCR/restructuring etc. during the intervening period (i.e. from the date he has got promotion between 01/10/2000 to 23/03/2010 i.e. till the date of publication of NEPP) are to be recovered ? If so, what methodology/criterion shall be adopted in recovering sum amount from an individual?	The pay/pay arrears, already drawn, will be adjusted, while regularizing under NEPP i.e. in case of excess amount, no recovery will be made but the amount due for BSNL, will be adjusted in the future payments made to employees, in installments. However, the number of installments may be suitably decided by the BSNL C.O./ Circle Office/ SSA concerned so that the recoveries can be completed by 2010-11.
2	Whether the pay already drawn by the Non-Executives upto 01/04/2008 is protected even though they opt for 1 st promotion from 2004 or between 2000 and 2004 (the promotion whichever is got in between 2000 October and 2004 treating as 1 st promotion as per new Promotion Policy) ?	No, the pay already drawn by the Non-Executives upto 01/04/2008 is not protected, if they opt for first upgradation w.e.f. 01/10/2004 under NEPP. The same is to be regulated as per the clarification given at point no. 1.
3	It may be clarified that in the event of foregoing earlier promotion, whether DPC is required to be done in respect of those officials who have been promoted during 01/10/2000 to 22/03/2010 based on the DPC already held ?	Minutes of DPC already held during the earlier promotion may be placed on record and considered by the prescribed Screening Committee for the purpose of granting first financial upgradations under NEPP.
4	Whether a separate option form is required to be submitted in case of foregoing earlier promotion/upgradation stipulated in para 6.4 of NEPP Order dated 23/03/2010 ? If so, specific proforma of the option may kindly be furnished.	Yes, a separate option form is required to be submitted. Option Form – II, for opting for first upgradation is annexed herewith. Option Form annexed with letter dated 23/03/2010 may be read as Option Form – I, against Para 5.1 of NEPP Order dated 23/03/2010.
5	Whether the cadre to cadre promotion got is treated as 1 st promotion in the new Promotion Policy or he gets 1 st promotion after completing 4 years in the New Cadre as per the new Promotion Policy ?	As per Para 6.5 of NEPP Order, promotion got by the official from one post on or after 01/10/2000 and before 01/10/2004 to another post as per the provisions of the Recruitment Rules is to be treated as first upgradation under NEPP.

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Sl. No.	Points raised	Clarifications issued
6	Whether the staff is allowed to opt for the normal promotion got after 2004 as 1 st promotion in the new Promotion Policy ?	As per Para 6.6, any post based promotion on or after 01/10/2004 and before 22/03/2010 is to be treated as first upgradation under NEPP. Further, as per Para II (i) of NEPP, post based promotion will continue along with the NEPP, in cadres where post based promotions already exists.
7	An employee promoted under OTBP/BCR between 01/10/2000 to 01/10/2004 will get his second upgradation under NEPP on completion of 7 years from the date of earlier promotion or from 2011 by taking the year 2004 as cut off year for 1 st upgradation ?	The employee will get his second upgradation under NEPP on completion of 7 years from the date of earlier promotion, if he opts that the said promotion is to be treated as the first upgradation, as per the provisions contained in Para 6.4.
8	Some Group 'D' officials of CSS cadre are working as L.D.C. on adhoc basis w.e.f. November 2004. How the cases of these officials would be treated, if these officials opt for NEPP ?	In the cases where the employees are working on adhoc/officiating basis before 01/10/2004, the date of their adhoc/officiating promotion may provisionally be treated as the first upgradation under NEPP. Similarly, in the cases where the employees are working on adhoc/officiating basis on or after 01/10/2004 and on or before 22/03/2010, such employees may be provisionally granted the first upgradation under NEPP w.e.f. 01/10/2004. However, in both the aforesaid cases, if the officiating/adhoc service is terminated in between, then the residency period spent in adhoc/officiating post will be treated as spent in their substantive post and the first upgradation granted under NEPP will be suitably adjusted.
9	Some L.D.C.s of CSS cadre are working as U.D.C. on adhoc basis w.e.f. January 2003. How the cases of these officials would be treated, if these officials opt for NEPP ?	In the cases where the employees are working on adhoc/officiating basis on or after 01/10/2004 and on or before 22/03/2010, such employees may be provisionally granted the first upgradation under NEPP w.e.f. 01/10/2004. However, in both the aforesaid cases, if the officiating/adhoc service is terminated in between, then the residency period spent in adhoc/officiating post will be treated as spent in their substantive post and the first upgradation granted under NEPP will be suitably adjusted.
10	Some U.D.C.s of CSS cadre are working as Assistant on local officiating basis w.e.f. August 2005. How the cases of these officials would be treated, if these officials opt for NEPP ?	Since these UDCs, on their local officiating promotion, have been placed in the pay scale of Rs.9850-250-14600, they are not covered under the purview of NEPP, till they continue to officiate in the post of Assistant. However, on their reversion to their substantive post of UDC, the residency period in the officiating post will be counted, treating the same to be spent in their substantive post and the upgradations will be granted as per the provisions of NEPP.

Amruth
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Sl. No.	Points raised	Clarifications issued
11	Some Steno Grade 'D' and some U.D.C.s have been granted ACP and are placed in the pay scale of Rs.9850-250-14600. How these officials will be covered under the NEPP ?	As per the provisions, only Non-Executive employees in a substantive Non-Executive Post and drawing Non-Executive pay scales of NE-I to NE-10 will be covered under NEPP.
12	Whether the Non Executives drawing NE-11 scale after 01/10/2000 and before 01/04/2008 are eligible for promotion under NEPP Scheme. If eligible what will be the date of effect of promotion to the following Non Executives :- 1) Promoted after 01/10/2000 and before 01/10/2004 2) Promoted from 01/10/2004 till date.	
13	An official was promoted to NE-10 pay scale i.e. Rs.7800/- on 01/09/2000 and opted for pay fixation from the date of next increment which falls after 01/10/2000. It is presumed that for the purpose of promotion under NEPP, he is considered to be in the pay scale of Rs. 7800/- on 01/10/2000, irrespective of the date from which he is drawing pay in that scale. Please confirm.	For the purpose of granting next upgradation under NEPP, the date of promotion of the official is to be reckoned, irrespective of the date from which he was drawing that scale.
14	It has been mentioned at para 5.2 of the NEPP order dated 23/03/2010 that "All the concessions given by BSNL to Non-Executives in relation to OTBP/BCR/Grade-IV/ACP etc. after 01/10/2000 stands withdrawn with immediate effect." This needs elucidation.	The provisions of Para 5.2 are self explanatory. However, in case any difficulty is faced while implementing the said provisions, the case may be referred to this Section with complete details of the case.
15	If the post based promotion availed by an employee on or after 01/10/2000 but before 01/10/2004 is treated as first promotion under new scheme, whether the financial benefits availed upto 31/03/2008 needs to be refunded as the first promotion under this scheme is Notional upto 31/03/2008 ?	No recovery/adjustment is required to be made, as the employee has been promoted under post based promotion and the same has been treated as first upgradation without seeking any option from the concerned official.

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Sl. No.	Points raised	Clarifications issued
16	It is presumed that the post based promotions means vertical promotion from one cadre to another cadre through examination/ absorption etc. Kindly confirm.	Post based promotions means vertical promotions from one cadre to another cadre in its hierarchy, based on the provisions of Recruitment Rules of the concerned cadre.
17	Whether the officials promoted as Sr. TOA/ TM/ TTA through restructuring process, are covered under post based promotion ?	Since restructuring to Sr. TOA/TM/TTA is with due regard to creation of posts, the restructuring of officials to Sr. TOA/TM/TTA will be treated as post based promotion for the limited purpose of application of NEPP and Para 6.5 and 6.6 of NEPP will accordingly apply.
18	It has been mentioned at para II (ii) that except as provided in the instant guidelines, there will be no claim on account of any of the other provision of FRSR in the context of pay scales, pay fixation, substantive status etc. It may be clarified whether this includes the option under FRs for fixation of pay on promotion from the date of next increment or otherwise.	The concerned employee has the option to get his pay fixed either from the date of upgradation under NEPP or from the date of his next increment.
19	Whether the employee, who has availed any post based promotion after 01/10/2004 and before notification of NEPP, are eligible for first upgradation/promotion in his pre-promoted IDA scale from 01/10/2004 and if so, whether the post based promotion availed after 01/10/2004 is treated as second promotion and accordingly the third upgradation will be after 8 years as per NEPP. Please confirm.	As per Para 6.6 of NEPP Order, in case the employee gets a post based promotion after 01/10/2004 and before notification of NEPP, then he will be eligible for second upgradation and subsequent upgradations as per the provisions of Para 3.1 or Para 3.2 (b), as per applicability from the date of such post based promotion.
20	It has been mentioned at Para 5.1 of NEPP order dated 23/03/2010 that an individual Non-Executive employee is required to give option within one month from the date of Circle/SSA authority ask for such option. Some Heads of SSAs are fixing 15 days time to submit the option. Whether the last date can arbitrarily be fixed by the Heads of Circle or Heads of SSA ?	As per Para 5.1 of NEPP order, at least one month time is required to be given by the Circle/SSA for exercising option.

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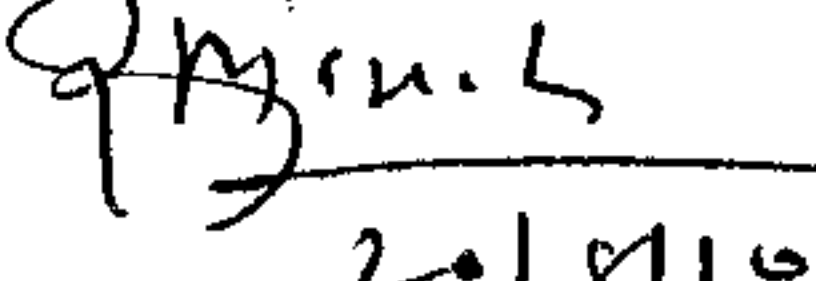
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Sl. No.	Points raised	Clarifications issued
21	In case of Non-Executives, who got BCR promotion between 01/10/2000 and 01/10/2004 and Gr. IV promotion after 01/10/2004, what will be the first upgradation and when will be the second upgradation ?	The BCR promotion will be treated as first upgradation and the Gr. IV promotion will be treated as second upgradation.
22	If any official got BCR and Gr. IV (NE-11) promotion during the period between 01/10/2000 and 22/03/2010, which is his first upgradation and if the official opt for Gr. IV as first upgradation, how the BCR placement will be considered ?	
23	For TTA direct recruitees, what will be the next higher pay scale for upgradation ?	As per the provisions of NEPP, the next higher IDA pay scale is to be granted on upgradation of the concerned employee.
24	Whether the officials who were Temporary Status Mazdoors/ Casual Mazdoors as on 30/09/2000 and regularized on or after 01/10/2000 may be treated as BSNL recruitees or BSNL absorbed officials ?	Clarification on this point will be issued later.
25	Can the officials in NE-10 be upgraded to the pay scale of NE-11 of IDA pay scale ?	Yes.
26	Which is the first upgradation of the officials converted from LDC (TA) to TOA (G)/Sr. TOA (G) and what is the qualifying service and procedure of upgradations of these officials under NEPP ?	The conversion from LDC (TA) to TOA (G) is to be treated as the first upgradation, if they opt for the same as per Para 6.4. Subsequent upgradations would be regulated as per the instructions under Para 3.2.
27	If any official got two promotions, one under Short fall and another as regular OTBP/BCR scheme between 01/10/2000 and before notification of NEPP, which promotion of the official could opt as his first upgradation, how the shortfall promotion will be treated i.e. whether he has to forego that promotion or not ?	Any promotion got between 01/10/2000 and 01/10/2004 is to be treated as first upgradation. The promotion and cadre change got between 01/10/2004 and 22/03/2010 are to be treated as his second and third upgradations, respectively.

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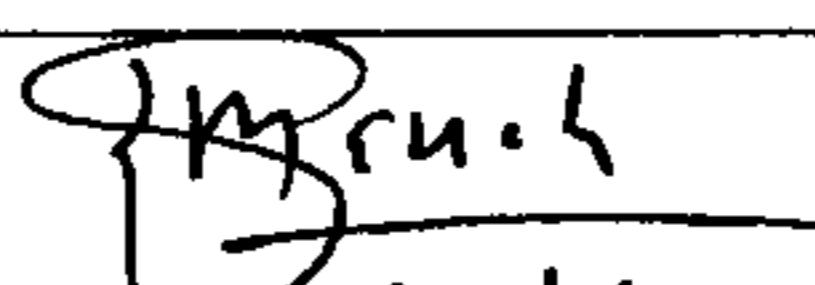
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Sl. No.	Points raised	Clarifications issued
28	If any official got three promotions during the above period i.e. one under shortfall, one under regular and another cadre change as TTA, Stenographer, JTO etc., which promotion will be considered as first upgradation and how the other promotions will be considered ?	Any promotion got between 01/10/2000 and 01/10/2004 is to be treated as first upgradation. The promotion and cadre change got between 01/10/2004 and 22/03/2010 are to be treated as his second and third upgradations, respectively.
29	If any official came on Rule-38 transfer on revision of scale after getting OTBP/BCR promotion, which will be his first upgradation and when he gets second upgradation ?	To be regulated as per Para 6.4, as per his option.
30	The option of the officials converted from LDC (TA) to TOA (G)/Sr. TOA (G) are to be sent to Circle Office along with other Circle cadre options or to be processed in SSA ?	The cases of officials belonging to the Circle Cadre are to be processed in Circle Office and the cases of officials belonging SSA Cadre are to be processed at SSA.
31	The post based promotion of Lorry Drivers are given by Circle Office and for all other purpose Lorry Driver is treated as SSA cadre. Whether upgradation under NEPP is to be given by SSA or by Circle Office ?	The cases of officials belonging to the Circle Cadre are to be processed in Circle Office and the cases of officials belonging SSA Cadre are to be processed at SSA.
32	There is no mention about periodicity of the third and fourth pay upgradation under NEPP.	As per Para 3.1, the periodicity of the third and fourth pay upgradations under NEPP is 8 years each in case of the BSNL absorbed as well as BSNL recruited employees.
33	Whether the Non Executives drawing NE-7 scale is eligible for first scale upgradation to NE-9 on fulfilment of 4 years residency period in the present IDA pay scale ?	No. As per Para 2.3, pay scale upgradation means placement of the Non-Executive employee from the current non-executive IDA pay scale to the next higher non-executive IDA pay scale.
34	RMs placed in the merged pay scale of NE-5 (NE-4 & NE-5 after getting stagnation in NE-4 as per the pay commission recommendations) can be placed in NE-6 on fulfilment of first upgradation conditions ?	No such orders have been issued by BSNL with regard to granting the pay scale of NE-5 to Regular Mazdoors by way of merger of NE-4 and NE-5 pay scales. Hence, on their upgradation they will be placed from their current IDA pay scale to the next higher IDA pay scale.


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Sl. No.	Points raised	Clarifications issued
35	Whether a Non Executive who was granted an extra increment in his BCR Gr. III (NE-10) due to non availability of Gr. IV post retired after 01/10/2004 and before 23/03/2010 is eligible for upgradation to NE-11 grade and also eligible for drawal of arrears and subsequent revision of pension ?	As per Para I.1 Non-Executive employees, who are working as on 01/04/2008 or after are covered under NEPP. Those, who have retired before 01/04/2008 are not covered under the NEPP.
36	Whether RMs and other Gr. D employees, who have been granted IDA pay scale of Lineman i.e. Rs.4250-6200 or Rs.4550-6650 as the case may be prior to 01/10/2000 as they have not been promoted to Telephone Mechanic cadre due to non-availability posts, can be considered for next higher IDA pay scale upgradation from existing IDA pay scale they are drawing. If not, how their promotion will be regularized and taken up under the NEPP ?	As per Para 3.2 (a), first upgradation to the next higher non-executive IDA pay scale is to be considered after 4 years of service in the IDA pay scale held by the employee as on 01/10/2000.
37	Whether an official in the restructured cadre of Sr. TOA (G) who has completed 16 years of service during the year 2009 but yet not been placed/promoted to the higher pay scale due to non-convening of DPC or for some other administrative reasons will be promoted retrospectively from 01/10/2004 under the new Scheme and with what pay scale i.e. Rs. 7100-200-10,100 (NE-9) or Rs. 6650-185-9325 (NE-8) in the event the official opts for the new NEPP ?	The cases of such officials may be expedited for placement/ promotion in the higher pay scales w.e.f. their due dates. Thereafter, the cases of these officials may be regulated as per Para 6.4, as per their option and as clarified vide point no. 33.
38	Whether the period of non-qualifying service viz. Dies Non, E.O.L. without medical certificate to be excluded for counting service ?	Yes.
39	Whether the officials, who are on deputation to other units from BSNL, can be considered for upgradation on eligibility for next higher scale through his/ her parent Circle or through the Office where the official is working. Whether orders for such upgradation will be issued by the parent Circle or by the Unit, where the official is working at present ?	In such cases, upgradation is to be done through the parent Circle and also the order is to be issued by the parent Circle.


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Sl. No.	Points raised	Clarifications issued
40	Whether the promotion to BCR Grade IV is coming under post based or otherwise ?	Promotion to BCR Gr. IV is not a post based promotion.
41	Whether a non-executive employee (absorbed in BSNL) who has not availed any promotion/higher scale on account of OTBP/BCR/Gr. IV/ACP/conversion/restructuring etc. during the period from 01/10/2000 to 01/04/2008 but promoted to executive cadre during the period after 01/04/2008 and before notification of the NEPP can be granted first upgradation on 01/10/2004 under NEPP ?	As per Para 3.2 (a), the employee is eligible to be granted first financial upgradation on 01/10/2004 under NEPP.
42	Whether the NEPP is applicable to Motor Drivers/Junior Accountant/Senior Accountant also?	All Non-Executive employees (absorbed or BSNL recruited) working in the Non-Executive IDA pay scale of NE-1 to NE-10 as on 01/04/2008 are covered under NEPP.
43	If so, whether the existing promotion policy in respect of these cadres is also to be continued along with new promotion or to be withdrawn?	As per Para II (i) of NEPP, post based promotion will continue along with the NEPP, in cadres where post based promotions already exists.
44	In the case of absence/non availability of the officer just below the SSA head, whether DE/AGM (Regular/Officiating) can be considered as Chairman of the Screening Committee for granting upgradations under NEPP?	Yes. As per Para 4.2, the officer above the rank of SDE can be Chairman of the Screening Committee.
45	In the case of TTAs, whose pay scale has been upgraded from CDA scale of 4500-7000 to CDA scale of 5000-8000 w.e.f. 01/10/2000, what will be date of first upgradation and what will be the date of second upgradation?	Any upgradation of the pay scale granted by BSNL on or after 01/10/2000 and before notification of NEPP will be treated as the first financial upgradation under NEPP. Accordingly, in the case of BSNL absorbed TTAs, the upgradation of pay scale w.e.f. 01/10/2000 is to be treated as first upgradation and hence the second upgradation is to be granted w.e.f. 01/10/2007 i.e. after completion of 7 years of service. In the case of BSNL recruited TTAs, the upgradations are to be regulated as per the provisions of Para 3.1 of NEPP Order dated 23/03/2010.
46	If most of the BCR officials opt for NEPP, how the vacancies for 10% BCR promotions i.e. Gr. IV promotions to non-optees are to be calculated?	10% of the non-optees in BCR Gr. III are to be promoted to Gr. IV.

OPTION FORM - II

(To be exercised as per Para 6.4)

(For those, who have exercised Option No. 1 under Option Form - I)

I, _____ Designation _____

working in the Office of _____

have gone through the contents of the Non Executive Promotion Policy, circulated vide BSNL C.O. letter No. 27-7/2008-TE-II dated 23/03/2010 and in particular Para 6.4 and have carefully gone through the instant clarifications and hereby

1. Opt for my first financial upgradation as per Non Executive Promotion Policy, by forgoing the promotion/upgradation already availed by me on (date) _____ by virtue of my erstwhile OTBP/BCR/Grade-IV/ACP promotion schemes etc. or by way of conversion/ restructuring/pay scale upgradation etc. *

OR

2. Opt for treating the promotion granted to me on (date) _____ under my erstwhile OTBP/BCR/Grade-IV/ACP promotion Schemes etc. or by way of conversion/restructuring/pay scale Upgradation etc. as my first financial Upgradation under Non Executive Promotion Policy *

* **Tick the chosen option**

(Signature)

Name _____

Designation _____

Staff No. _____ HR No. _____

Office _____

Date : _____

Place : _____

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2018/11