

BHARAT SANCHAR NIGAM LTD.
(A GOVT. OF INDIA ENTERPRISE)
CORPORATE OFFICE
TE SECTION
BHARAT SANCHAR BHAWAN, NEW DELHI -1

No. 13-2/2010-TE

Dated : 6 /01/2011

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.- Clarification thereof.

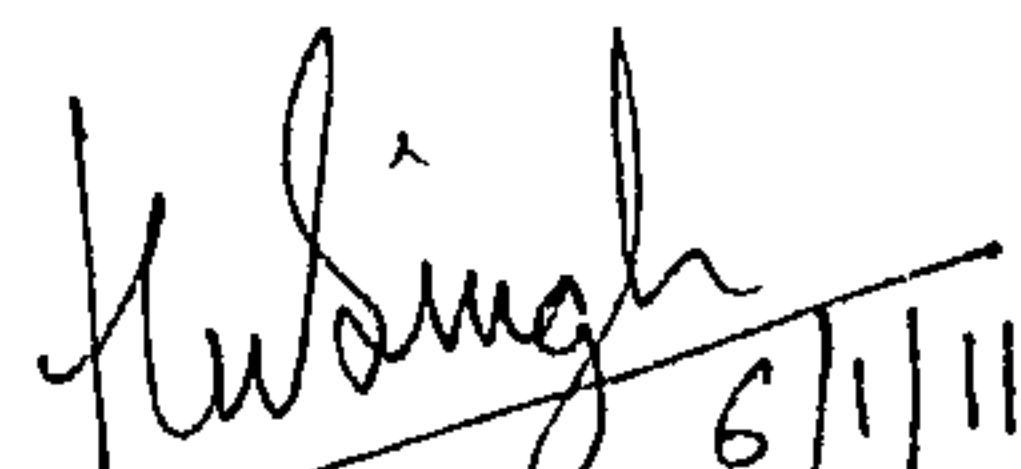
Kindly refer to this office letter No. 27-7/2008-TE-II dated 23/03/2010, vide which Non-Executive Promotion Policy (NEPP) for employees of IDA pay scales of NE-1 to NE-10 of BSNL has been circulated and also letter No. 13-2/2010-TE dated 20/08/2010 vide which clarifications with regard to implementation of NEPP have been issued. After issuance of clarification, this Section has received few more letters from various Telecom Circles and unions as well seeking clarification with regard to implementation of NEPP.

2. The matter has been examined in this office and it has been decided to issue additional clarifications with regard to the points raised by the Unions and Telecom Circles. Accordingly, the points raised and the clarifications on these points are enclosed herewith as Annexure.

3. It is, therefore, requested that immediate necessary action for implementation of Non-Executive Promotion Policy (NEPP) in accordance with the clarifications as mentioned at Annexure.

4. This issues with concurrence of BSNL Finance.

Enclosure : 5 Pages Annexure as above.

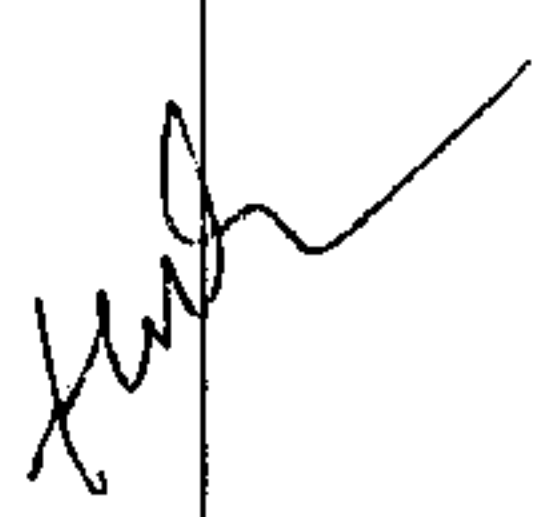

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Copy to:-

1. PPS to CMD/All Board of Directors of BSNL
2. DDG (Estt.), DOT
3. All PGMs/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. Intranet BSNL C.O.

No. 13-2/2010-TE
Dated 6 /01/2011

Sl. No.	Points raised	Clarifications issued
1	Whether the actual monetary benefits of second upgradation (if happens prior to 31/03/2008) will be paid from actual date of upgradation or from 01/04/2008 as in the case of first upgradation ?	As per Para 3.2 (a) of NEPP Order dated 23/03/2010, only the first upgradation will be notional and not the second upgradation, if the date of upgradation is before 01/04/2008. Accordingly, the actual monetary benefits of second upgradation is to be paid from the date of such upgradation, even if the same happens prior to 01/04/2008.
2	An employee availed upgradation more than once during the period between 01/10/2000 and 30/09/2004 on the basis of prevailing time bound promotion scheme and/or post based promotion. How these upgradations/promotions will be treated, if the employee opt for NEPP, i.e. which will be his first upgradation under NEPP and how the other upgradations/ promotions will be regulated ?	In such cases, if the pay scales of the employee on his first upgradation/promotion and the second promotion/upgradation remains same, then the first upgradation/promotion availed by the employee on the basis of his erstwhile time bound promotion scheme and/or post based promotion scheme is to be treated as his first upgradation under NEPP. However, if the pay scale of the employee on his first upgradation/promotion is less than the pay scale of the second upgradation/promotion, then the last upgradation/promotion availed by the employee on the basis of his erstwhile time bound promotion scheme and/or post based promotion is to be treated as his first upgradation under NEPP.
3	An employee availed one promotion under OTBP/BCR/ ACP etc. between 01/10/2000 and 30/09/2004 and also got post based promotion on or after 01/10/2004. How these promotions would be regulated ?	In such cases, the promotion/upgradation availed by the employee under OTBP/BCR/ACP etc. between 01/10/2000 and 30/09/2004 is to be treated as first upgradation and the post based promotion on or after 01/10/2004 is to be treated as second upgradation under NEPP.



Sl. No.	Points raised	Clarifications issued
4	If any official came on Rule-38 transfer on reversion of scale after getting OTBP/BCR etc., which will be his first upgradation and when he will be eligible for his second upgradation under NEPP ?	In such cases, the pay scale held by the concerned official as on 01/10/2000 shall be considered for his further upgradations under NEPP, based on the option given by the concerned official.
5	Whether the prescribed Screening Committee will consider the cases, where the effective date of upgradation happens to be a date other than 1 st October, prospectively or retrospectively ?	Review is to be done by the prescribed Screening Committee in respect of the employees who have completed/will be completing the requisite number of years of service required for their upgradation as on 1 st October of the year and if found suitable, their upgradations would have retrospective effect i.e. the concerned employees would be upgraded from the date on which they complete the requisite number of years of service required for such upgradation.
6	Whether the process of DPC for granting promotion/upgradation under OTBP/BCR/Gr. IV/ACP will be continued?	The process of DPC will continue for employees who have opted to continue in their erstwhile promotion policy.
7	It is presumed that from the date of eligibility for upgradation under NEPP, the ACRs of the earlier five years are to be assessed and in case any missing ACRs during the said period, the ACRs of previous years are to be taken into account. Please confirm.	As per Para 4.3 of NEPP Order, the prescribed Screening Committee will consider the ACRs of the previous five years from the date on which the employee becomes eligible for the upgradation. However, in the cases where ACRs for any period in between is missing then existing instructions relating to DPC may be followed, including considering ACRs of previous years.
8	In the absence of the records relating to the minutes of previous DPCs, which are not available/traceable, what action is to be taken by the prescribed Screening Committee for granting upgradations under NEPP to the concerned employees ?	In case of non availability / traceability of minutes of previous DPC, as per Para 4.3 of NEPP Order, the ACRs for previous five years from the date of such upgradation/promotion of the official will be reviewed by the screening committee.
9	If any official promoted to Gr. IV in NE-11 pay scale after 01/10/2004 and before notification of NEPP, can his pay be regulated as per his option from 01/10/2004 by foregoing his Gr. IV promotion ?	Yes, if he got promotion from NE10. As per para 3.2(a), the pay upgradation will be notional if the date of upgradation is before 01/04/2008. The actual benefits of pay fixation will be paid only from 01/04/2008.

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Sl. No.	Points raised	Clarifications issued
10	In some cases, the pay scale of regular promotion (OTBP) and cadre change as TTA are same in the pay scale of Rs. 7100-200-10100. It may be clarified whether these promotions are also to be taken as upgradation under NEPP although there is no upgradation of pay scale ?	As per Para 6.4 of NEPP Order, any change in pay scales is to be taken as upgradations. In the cases where there is no change in the pay scale of the employee consequent upon his upgradation/ promotion/ cadre change etc., the same is not to be treated as upgradation of pay scale under NEPP.
11	Whether NEPP is applicable to the diseased officials working as on 01/04/2008 and died afterwards without giving option for NEPP ?	Yes. In such cases as per Para 5.1 of NEPP Order, it is to be construed as if the concerned employee has opted for NEPP and his pay may be fixed accordingly.
12	If any officials opted for NEPP and died afterwards without giving Option-II, what action is to be taken with regard to his upgradations under NEPP ?	In such cases, as per Para 6.4 of NEPP Order, it is to be construed as if the concerned employee has opted for treating the upgradation granted to him under his erstwhile promotion policy as his first upgradation under NEPP.
13	Whether the JTO/JAO officiating promotion is also to be taken as upgradation under NEPP ?	The JTO/JAO/Astt. Manager/PA are executive posts and are not covered under NEPP. Hence, the substantive post hold by the official will be considered under NEPP and in such cases, the concerned employees will be regulated as per the clarification given vide point nos. 8 & 9 of this Office letter of even no. dated 20/08/2010.
14	If an official, who has opted for first upgradation under NEPP by foregoing his earlier upgradation availed under OTBP/BCR/ Gr. IV/ACP etc., is not found suitable for first upgradation under NEPP by the prescribed Screening Committee, what action is required to be taken ?	In such cases, the upgradation availed by the official under his erstwhile promotion policy viz. OTBP/BCR/Gr. IV/ACP etc. would be restored and will be treated as his first upgradation under NEPP and his option for availing first upgradation under NEPP by foregoing his earlier upgradation will be treated as null and void and the official will be allowed to submit a revised option. Thereafter, second upgradation under NEPP will be granted after seven years of the first upgradation.
15	If an official, who has opted for first upgradation under NEPP by treating his earlier upgradation availed under OTBP/BCR/ Gr. IV/ACP etc., is not found suitable for second upgradation under NEPP by the prescribed Screening Committee, what action is required to be taken ?	In such cases, the option exercised by the official for NEPP will be treated as null and void and the official will be allowed to submit revised option and the official is to be granted promotion/upgradation under his erstwhile promotion policy.
16	If an official, who has opted for NEPP and has been granted first upgradation under NEPP, is subsequently not found suitable for second or subsequent upgradations under NEPP by the prescribed Screening Committee, what action is required to be taken	In such cases, the second and/or subsequent upgradations are to be granted to the official only on being found suitable for such upgradations under NEPP by the prescribed Screening Committee.

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Sl. No.	Points raised	Clarifications issued
17	If an official opts for treating his date of earlier upgradation granted under OTBP/BCR/Gr. IV/ACP etc. as his first upgradation under NEPP, whether his pay is to be re-fixed as per the provisions of NEPP i.e. by giving one notional increment ?	No. There is no need to re-fix the pay of such officials.
18	If an official, who has been restructured as Sr. TOA for example on 03/02/2002 and has been granted promotion under BCR Schemes for example on 01/07/2010, opts for NEPP and also opts for treating his restructuring as Sr. TOA as his first upgradation under NEPP, then whether his date of second upgradation under NEPP is to be taken as 01/07/2010 ?	In such cases, the second upgradation under NEPP is to be granted after seven years i.e. 03/02/2008 from the date of first upgradation granted under NEPP. The promotion granted under OTBP/ BCR Schemes etc. is to be withdrawn w.e.f. 23/03/2010 and the pay & allowances drawn during the said period is to be adjusted against the amount due against second upgradation under NEPP.
19	Whether NEPP is applicable to the officials, who have taken voluntary retirement (VRS) after 01/04/2008 ?	Yes. The officials who have taken VRS after 01/04/2008 may be granted the benefit under NEPP, as per their option.
20	Whether the benefits of financial upgradations under NEPP is also to be granted to the officials, who have been dismissed/removed/compulsorily retired from service after 01/04/2008 ?	No benefit is to be granted to the officials, who have been dismissed/removed from the service. However, benefit is to be granted to the officials, who have been given compulsory retirement from service.
21	Whether the benefits of financial upgradations under NEPP is also to be granted to the officials, who have resigned from service after 01/04/2008 ?	Yes. As per Para I. 1, the officials who have resigned from service after 01/04/2008 may be granted the benefit under NEPP, as per their option.
22	Whether Modified Assured Career Progression (MACP) Scheme is applicable in the case of UDCs/ Stenographers, who are being governed by ACP Scheme, if they opt to continue in their erstwhile promotion policy ?	No. As per the instructions contained in Para 5.2 of NEPP Order dated 23/03/2010, these UDCs/ Stenographers would be governed by the provisions of the ACP Scheme, as it existed as on 01/10/2000.

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Sl. No.	Points raised	Clarifications issued
23	Whether Rs. 9850-250-14600 (pre-revised E-1A) pay scale is to be granted to the UDCs/ Stenographers, on their 2 nd /1 st ACP, respectively, if they opt to continue in their erstwhile promotion policy?	No. As per the instructions contained in Para 5.2 of NEPP Order dated 23/03/2010, UDCs/Stenographers would be granted the pre-revised pay scale of Rs. 7800-225-11175 (pre-revised NE-10) on their 2 nd /1 st ACP, respectively. Further, in the case of the Stenographers, they would be granted the pre-revised pay scale of Rs. 8570-245-12245 (pre-revised NE-11) on their 2 nd ACP.
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 recruited or BSNL absorbed officials?	In the context with the application of NEPP, such Temporary Status Mazdoors/Casual Labourers will be treated as BSNL recruited officials.

