



ALL INDIA GRADUATE ENGINEERS & TELECOM OFFICERS ASSOCIATION, GUJARAT

Circle President

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No: Guj /AIGETOA/137

Dated: 15.02.2020

To
The Hon'ble Chief General Manager
Gujarat Telecom Circle
Ahmedabad-380006

Subject: Wrongful deduction of E/L and recovery of training cost from JAOs of Gujarat Circle on their reversion from JTO for effecting subsequent promotion to JAO

Respected Sir,

During the year 2016, there were two parallel notifications issued by BSNL Corporate Office for conduction of LICE exams for the post of JAO (40% quota) and JTO(T) (50 % quota) as per following letters.

- 1. LICE JAO(40%) Exam** vide Letter No. 9-1/2014-Rectt.Dated 01.03.2016
- 2. LICE JTO(T) 50% Exam** vide LetterNo. Rectt/LDCE/JTO(T)/2016/15Dated 04.03.2016

Both the exams were scheduled to be held on the same date i.e. 22.05.2016 as per the notifications mentioned above. LICE Exam for JTO(T) was held on 22.05.2016 while LICE exam for JAO was delayed and extended to be held on 17.07.2016 by BSNL Corporate Office vide Letter No. Rectt/LDCE/JTO(T)/2016/07 dated10.03.2016.

Many Group 'C' employees who desired of getting promotion to Group B posts i.e. JTO/JAO had applied and few of them applied to appear for both the examinations. Since the exam for JAO was delayed, candidates appeared for JTO(T) exam on 22.05.2019 and later on they also appeared for JAO exam on 17.07.2016. The result of JAO exam was declared on 05.08.2016 and result of JTO exam was declared on 09.08.2016.

Following three JEs who appeared in both the exams, were declared unsuccessful in JAO exam due to some discrepancies/ambiguity in question paper / wrong questions in paper as alleged by many candidates, while they were declared successful in JTO Exam.

1. Asadabbas Manknojiya, JE (Erstwhile TTA), HR : 200800795, Palanpur SSA
2. Jitendra Mevada, JE (Erstwhile TTA), HR : 200800807, Palanpur SSA
3. Chetankumar B Prajapati JE (Erstwhile TTA), HR : 200800507, Himmatnagar SSA

Before any clarification issued by BSNL Corporate Office regarding some discrepancies/ambiguity in question paper / wrong questions in paper of JAO exam, the training schedule for the post of JTO (T) was declared and all the above three candidates joined the JTO training and completed it successfully including JTO (T) Pre Basic I and II, JTO (T) Phase I and JTO (T) field training. After successful completion of four week field training, all these candidates were posted as JTO in their respective SSA w.e.f. 23/01/2017.



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However, during the JTO Phase-I training period, the Recruitment Branch, BSNL Corporate office had constituted a Committee to scrutinize some discrepancies/ambiguity, alleged wrong questions/answers in the question paper of the LICE JAO(40%) exam held on 17.07.2016 and instructions were issued to all circles not to issue promotion orders in respect of the successful candidates who have already been sent on training on the basis of the result declared vide letter no: 9/1-2016-Rectt Dated: 05.08.2016, till further orders. Further vide letter No : 9/1-2016-Rectt dated 18.11.2016, instructions were issued by Recruitment Branch, BSNL Corporate office, to issue provisional promotion orders to the successful candidates of JAO LICE Exam held on 17/07/2016, with some riders.

Now as per the report of expert committee constituted to scrutinize some discrepancies/ambiguity, alleged wrong questions/answers in the question paper of the LICE JAO exam, committee recommended to modify few of the answer key options and accordingly on the basis of modified answer key, a fresh merit list of qualified candidates was circulated and revised result was declared vide Circle office Letter No. Exam/JAO/LICE 40%/2016/16-17/19 dated 08.02.2017. As per revised result, all the above three candidates were declared qualified in the LICE JAO exam held on 17.07.2016.

Now at the time when the revised result for JAO exam was declared, these successful candidates were already working as JTO (T) w.e.f. 23.01.2017 on regular basis. If the discrepancies/ambiguity was not there in the JAO question paper/answer key, than they would have been declared successful in LICE JAO Exam result declared on 09.08.2016 and they would have opted for JAO at the first instance, not for the JTO cadre.

Since they desired to join in account cadre, consequent upon revised result of JAO, all these successful candidates decided to join the JAO cadre and have given their willingness in this regard to the Gujarat Circle Administration.

Now to allow them to join the JAO cadre, they had been asked to follow reversion process from JTO (T) to JE (parent grade) by AGM(Admin), O/o CGMT Gujarat, Ahmedabad vide letter No. staff/2-48/JTO/35%/2016/63&64 dated 02.05.2017 in accordance with the BSNL corporate office letter No.5-21/Disc.cases/2015/Estt-IV dated 23.09.2015. After the reversion process, all these candidates were allowed to join the JAO Phase-I training at NATFM Hyderabad on dated 08.05.2017.

For the above reversion process from JTO (T) to JE, Gujarat Circle Administration has charged the entire cost of JTO training which they undergone at RTTC along with deduction of E/Ls for all the days of training period. Accordingly, not only the entire cost of JTO training was recovered from these candidates but the E/L for approx. 90 days was also deducted from their leave balance.

Sir, the deduction E/L and recovery of entire training cost from these candidates is neither fair nor justified and they have been wrongly penalized without any fault of them. In this regard, following is further submitted for your kind information and consideration of their grievances against wrongful act of recovery by Circle administration.



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1. At the very first instance, the BSNL CO letter dated 23.09.2015, which Gujarat Circle had referred for reversion process does not fit in this case. As per point no.5 of this letter, it actually deals with the cases of permanent reversion from JTO to parent cadre TTA(JE), while here the case is regarding subsequent promotion from TTA to JAO cadre after reversion. **So the recovery citing this letter is absolutely wrong.**
2. Had there been no any discrepancies/ambiguity, wrong questions/answers keys in the question paper of the LICE JAO(40%) exam, these three candidates would have been declared successful in the initial result itself announced on 09.08.2016 and **they would have joined the JAO cadre not the JTO cadre which could have saved themselves from reversion process.**
3. These candidates were reverted from JTO to JE not because of their own fault but due to wrong answer keys in the question paper, **so they can't be penalized for someone else's mistake.**
4. The reversion from JTO to JE was enforced not to permanently retain them in Group C post i.e. JE(TTA) but it was necessary to allow them to join another group B level post i.e. JAO. **Hence, the recovery on account of reversion should not arise as actual reversion has not happened.**
5. These candidates have appeared as internal candidates not as the external candidates. Further, they have not left the department; in fact they have served the department in whatever capacity they have been asked for. **So their case can't be compared with external candidates.**
6. The deduction of EL for entire training period is also completely unjustified as the candidates have not availed any kind of leave, but they have undergone JTO training for the said period.

From above submissions, it is clear that the recovery of JTO training cost from these candidates and deduction of E/L is done due to wrong interpretation of the Corporate Office order dated 23.09.2015 on the subject matter. It is also learnt that no such recovery on account of reversion has been carried out in similar cases in other circles like MP and Chennai Circle.

These three candidates have already represented on dated 17.12.2018 to General Manager (HR/Admin), O/o CGMT Gujarat Circle against this wrongful recovery through proper channel. However, it is to inform that till date no decision is taken in this regard.

Sir, it is requested to kindly consider their case sympathetically and arrange to give them exemption from the recovery of training cost as well as leave deduction.

Thanking you in anticipation.

Yours Sincerely,

C M Tamboliya
CS, AIGETO, Gujarat

Copy to:-**General Secretary (CHQ), AIGETO, New Delhi** for kind information please.