

महानगर टेलीफोन निगम लिमिटेड

(भारत सरकार का स्वामित्व)

निगम कार्यालय

MAHANAGAR TELEPHONE NIGAM LIMITED

(A GOVERNMENT OF INDIA ENTERPRISE)

CORPORATE OFFICE



MTNL/CO/Pers.II/Pran Pol- Exe/07/1637
March, 2010

OFFICE ORDER

Sub: Clarifications on the issues arising out of retrospective scale upgradations under "Time Bound/Post Based Promotion Policy for Group 'B' level Executives/Officers of MTNL"

Consequent upon implementation of the above mentioned policy, Units have brought out certain types of practical problems in respect of fixation of pay in some categories of executives wherein drop in emoluments is noticed upon implementation of the policy.

Accordingly, the matter has been examined in detail in consultation with Finance Wing and the following clarifications are issued for implementation:

S.No	Situation that arose	Solution
1.	Whether the action, vide O.M.No. STA-1/1-22/CAO/revision/2008/30 dt.12.08.2008 of Delhi unit Administration in treating, retrospectively, the past local officiating period as "LOOKING AFTER ARRANGEMENT" on account of the scale up gradation overlapping with the same period, resulting in drop in emoluments, is in order?	By declaring so, the past Officiating promotion ordered specifically against a functional post, duties of which were already discharged by the employee gets undone, also with a drop in emoluments. Therefore, the same is <u>not</u> in order.
2.	In certain cases of E-2 Officers who have locally officiated in E-3 for long time and earned one or two increments, when upgraded to E-3 under the policy and pay fixed w.r.t. their substantive E-2 scale, it results in drop in emoluments. How to approach the situation?	Since the executives, by way of their past officiating in higher grades have earned increments, there cannot be a drop in their pay when they stand upgraded to the same scale on a later date. Therefore, the pay drawn at the time of issuing up-gradation orders shall be protected.
3.	In certain cases of E-2 Officers, who are already promoted to E-3 on regular basis on a date after 01.10.2004, when upgraded to E-3 retrospectively from 01.10.2004, the pay that arrived at w.r.t. substantive E-2 results lesser than what has been fixed on account of regular promotion happened later? How to approach the situation?	----Same action as above--
4.	Some Executives in E-3 scale have Officiated on local arrangement in higher post in the same scale. Thereafter they are regularly promoted to that higher post on 30.11.2006. On a later date in 2008	In normal course, the pay of such Officer in E-4 pay scale shall be fixed on 01.10.2004 w.r.t. the pay in E-3 scale held on regular basis and shall be carried forward.

	<p>when scale up gradation is granted in E-4 retrospectively w.e.f. 01.10.2004 and pay fixed in E-4 w.r.t. to the substantive E-3 Post, it results in lesser pay than the E-3 pay in the regular post being drawn on 30.11.2006. Whether the substantive pay already drawn in E-3 grade on 30.11.2006 onwards will be allowed to be drawn after that date despite being in E-4 scale? if otherwise, how to address the problem?</p>	<p>However, this anomalous situation has arisen on peculiar grounds due to the following reasons:</p> <p>(i) Central Govt. have revised the CDA of this post (AAO) retrospectively from 01.01.1998 with consequences in MTNL also;</p> <p>(ii) Post based promotion under Govt. Rules w.e.f. a later date i.e. 30.11.2006 issued first. Then promotion policy based time bound up gradation issued later i.e. 2007-2008 but w.e.f. 01.10.2004.</p> <p>Therefore, as a one time special dispensation, not to be adopted in any other case, pay of such employees will be protected on 30.11.2006 by placing them in E-4 scale from the higher E-3 post to which regularly promoted on that date, on the lines of FR 22 1(a)(2). Such placement shall be positively on 30.11.2006 only with no other choice/option to the employee.</p> <p>On implementation of the above, over payments still resulting for the past period, if any, shall be recovered.</p>
5.	<p>Whether an employee, who is at the maximum stage of a particular scale by way of scale up gradation, when stands promoted on regular basis to a post carrying the same scale, be eligible for the additional increment as provided in para-1(ii)(v) of the policy?</p>	<p>Yes the additional increment can be drawn.</p> <p>However, this will be subject to the condition that including this additional increment, the ceiling on number of stagnation increments (currently three) shall not be exceeded.</p>
6.	<p>Whether the benefit of one increment provided in clause 1(ii)(v) of the up gradation policy against regular promotions, be extended also in the case of "Post based Ad hoc promotion" to a particular post from a scale carrying the same scale?</p>	<p>Yes it can be granted.</p> <p>However, it will be subject to the condition that (i) on subsequent regular promotion to the grade no financial benefit shall accrue to the employee; (ii) in case the employee happens to be reverted to the substantive post without regularization in the higher post, the additional increment shall automatically get withdrawn while switching over to the lower post.</p>
7.	<p>Will the Additional increment mentioned above alter the DNI?</p>	<p>No. As there is no change in the pay scale and also the increment allowed is only an "additional increment" without any change in the scale, the increment date will stand unaltered.</p>

This has the approval of Competent Authority.


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