



# BHARAT PENSIONERS' SAMAJ

ESTABLISHED IN : 1955

(All India Federation of Pensioners' Associations)  
(Registered No. 2023 of 1962-63)

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No:BPS/BDPA-I/U.Narayana/Pay-Fixation/2026

Dated 5<sup>th</sup> August, 2026

To:

**Hon'ble Shri Jyotiraditya Scindia,**

Minister for Communications,  
Sanchar Bhawan, Ashoka Road,  
New Delhi 110001

Subject: **Comprehensive Representation seeking restoration of pay fixation under Fundamental Rule 22(1)(a)(i) on promotion from OTBP Telecom Mechanic to Senior Telecom Office Assistant (General) in respect of Shri U. Narayana Raju, retired Senior TOA (G), Tirupathi, together with restoration of consequential pensionary benefits and refund of the amount recovered from Death-cum-Retirement Gratuity.**

Most Honoured Sir,

I have the honour to submit this representation on behalf of **Bharat Pensioner Samaj**, the apex federation of Pensioners' Associations in the country, seeking your kind intervention in an important matter involving the correct interpretation and application of **Fundamental Rule 22(1)(a)(i)** in the case of **Shri U. Narayana Raju**, retired Senior Telecom Office Assistant (General), Tirupathi.

## **PART – I – INTRODUCTION:**

- I. Although the immediate grievance relates to an individual pensioner, the issue has a much wider administrative significance. It concerns the uniform application of a statutory rule governing pay fixation on promotion and the consistent interpretation of departmental instructions issued by the Department of Telecommunications over a long period. The matter has remained unresolved for several years despite repeated representations, examination by various authorities, and the availability of relevant departmental precedents. It therefore deserves consideration at the highest level in the interests of fairness, administrative consistency and sound service jurisprudence.
- II. The controversy arises because the benefit of pay fixation originally granted to Shri U. Narayana Raju under **FR 22(1)(a)(i)** by the competent authority was subsequently withdrawn on the basis of an interpretation of DoT Letter No. 19-4/93-TE-II dated 12.10.1993. With utmost respect, it is submitted that the said clarification was issued for an altogether different situation relating to restructuring within the same cadre and was never intended to govern a regular promotion from one cadre to another involving assumption of duties and responsibilities of greater importance.
- III. More importantly, the Department's own orders issued between **1993 and 1995** consistently demonstrate that **the decisive test for applicability of FR 22(1)(a)(i) is the assumption of higher duties and responsibilities, and not merely whether the feeder and promotional posts carry identical pay scales.** These contemporaneous departmental decisions, issued in respect of various cadres, establish a consistent administrative interpretation of the Rule and directly support the principle involved in the present case.

It is, therefore, most respectfully submitted that the original pay fixation granted to Shri U. Narayana Raju was fully in accordance with the statutory rule as well as the Department's own established precedents, and that the subsequent revision of his pay, reduction of pensionary benefits, and recovery from his Death-cum-Retirement Gratuity call for reconsideration and rectification.

## **PART – II - EXECUTIVE SUMMARY:**

- I. The present representation raises a short but important question concerning the correct application of **Fundamental Rule 22(1)(a)(i)** governing pay fixation on promotion.
  - II. The issue for consideration is whether the benefit of pay fixation under the said Rule is admissible where an employee is promoted to a post involving duties and responsibilities of greater importance, notwithstanding that the feeder post and the promotional post carry an identical scale of pay.
  - III. It is respectfully submitted that the answer is unequivocally **in the affirmative**.
1. Shri **U. Narayana Raju** was promoted from the cadre of **OTBP Telecom Mechanic** to the cadre of **Senior Telecom Office Assistant (General)** through the prescribed selection process. The promotional post belonged to a different cadre and required the discharge of duties and responsibilities of greater importance. Accordingly, the competent authority rightly granted him the benefit of pay fixation under **Fundamental Rule 22(1)(a)(i)**.
  2. Several years later, the said pay fixation was revised by the Principal Controller of Communication Accounts on the basis of DoT Letter No. 19-4/93-TE-II dated 12.10.1993. As a consequence, his Last Pay Drawn was reduced, his pensionary benefits were revised downward, and a sum of **₹1,11,902/-** was recovered from his Death-cum-Retirement Gratuity.
  3. The Association respectfully submits that the departmental clarification dated 12.10.1993 **is not applicable to the facts and circumstances of the present case.**"The said clarification was issued only in relation to officials inducted into corresponding restructured cadres within the same service stream and was never intended to regulate regular promotions from one cadre to another.
  4. On the contrary, the Department of Telecommunications has, in a series of its own orders issued between **1993 and 1995**, consistently recognized that the decisive criterion for granting pay fixation under **FR 22(1)(a)(i)** is the assumption of duties and responsibilities of greater importance, even where the feeder and promotional posts carry identical scales of pay. These contemporaneous departmental precedents **admit of no contrary administrative interpretation.**"
  5. The present representation, therefore, does not seek any relaxation of the Rules or any special concession. It seeks only the restoration of a pay fixation originally granted by the competent authority in accordance with the statutory provisions of **FR 22(1)(a)(i)** and supported by the Department's own consistent administrative interpretation.

Accordingly, Bharat Pensioner Samaj most respectfully requests that the original pay fixation of Shri U. Narayana Raju be restored, together with all consequential pensionary benefits, including refund of the amount recovered from his Death-cum-Retirement Gratuity.

## **PART – III - CHRONOLOGY OF EVENTS:**

| Date/Period                     | Particulars                                                                                                                                                                                                                                                                                                     |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Prior to Promotion</b>       | Shri <b>U. Narayana Raju</b> was serving as an <b>OTBP Telecom Mechanic</b> in the Department of Telecommunications.                                                                                                                                                                                            |
| <b>At the time of Promotion</b> | He was regularly promoted to the post of <b>Senior Telecom Office Assistant (General)</b> through the prescribed selection process involving assumption of duties and responsibilities of greater importance. His pay was correctly fixed under <b>Fundamental Rule 22(1)(a)(i)</b> by the competent authority. |
| <b>30.06.2013</b>               | Shri U. Narayana Raju superannuated as <b>Senior TOA (General), GMTD, Tirupati</b> .                                                                                                                                                                                                                            |

|                             |                                                                                                                                                                                                                                                                                            |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>After Retirement</b>     | The Principal Controller of Communication Accounts revised the pay fixation by applying DoT Letter No. <b>19-4/93-TE-II dated 12.10.1993</b> , resulting in reduction of the Last Pay Drawn and consequential revision of pensionary benefits                                              |
| <b>Consequential Action</b> | An amount of <b>₹1,11,902/-</b> was recovered from the Death-cum-Retirement Gratuity (DCRG).                                                                                                                                                                                               |
| <b>From 2023 onwards</b>    | Shri U. Narayana Raju and the Association submitted repeated representations to the Department of Telecommunications, CGCA, BSNL and CCA authorities seeking restoration of the original pay fixation and consequential pensionary benefits.                                               |
| <b>17.11.2025</b>           | The Department of Telecommunications called for comments from the <b>CGMT, BSNL, Andhra Pradesh Circle</b> , indicating that the matter required examination at the departmental level.                                                                                                    |
| <b>06.03.2026</b>           | The <b>CCA, Andhra Pradesh Circle</b> forwarded the matter to the <b>Controller General of Communication Accounts (CGCA), New Delhi</b> , for examination and appropriate decision.                                                                                                        |
| <b>30.06.2026</b>           | The <b>CCA, Andhra Pradesh Circle</b> again referred the matter to the Department of Telecommunications for consideration and appropriate orders.                                                                                                                                          |
| <b>Present</b>              | Bharat Pensioner Samaj has respectfully submitted this comprehensive representation seeking restoration of the original pay fixation under FR 22(1)(a)(i), restoration of all consequential pensionary benefits and refund of the amount recovered from the Death-cum-Retirement Gratuity. |

#### **PART – IV - FACTS OF THE CASE :**

1. Shri U. Narayana Raju was serving as an OTBP Telecom Mechanic in the Department of Telecommunications. In accordance with the applicable Recruitment Rules and the prescribed selection procedure, he earned regular promotion to the cadre of Senior Telecom Office Assistant (General). The promotional post belonged to a distinct cadre and required the discharge of duties and responsibilities of greater importance than those attached to the feeder post.
2. Consequent upon his promotion, the competent authority examined the nature of the promotional post and correctly fixed his pay under the provisions of Fundamental Rule 22(1)(a)(i). The said pay fixation was duly implemented and continued to regulate his pay and service benefits without any objection during his service.
3. Shri U. Narayana Raju retired from service on 30.06.2013 as Senior Telecom Office Assistant (General), GMTD, Tirupati. His retirement benefits, including pension, were accordingly determined on the basis of the pay lawfully fixed by the competent authority.
4. Subsequently, the then Principal Controller of Communication Accounts, Andhra Pradesh Circle, took the view that the pay fixation granted under FR 22(1)(a)(i) was inconsistent with DoT Letter No. 19-4/93-TE-II dated 12.10.1993. Acting upon that interpretation, the pay fixation was revised retrospectively.
5. As a direct consequence of the above revision, Shri U. Narayana Raju's Last Pay Drawn was reduced. His pension and other retirement benefits were correspondingly revised downward, and an amount of ₹1,11,902/- was recovered from his Death-cum-Retirement Gratuity (DCRG).

6. Aggrieved by the above action, Shri U. Narayana Raju has, over the years, submitted representations to the competent authorities seeking restoration of the original pay fixation. The matter has also been consistently pursued by the Association through detailed representations supported by the relevant statutory provisions, departmental instructions and administrative precedents.

7. The records further show that the matter has received consideration at different administrative levels. The Department of Telecommunications called for comments from the CGMT, BSNL, Andhra Pradesh Circle; thereafter the CCA, Andhra Pradesh Circle, referred the matter to the Controller General of Communication Accounts (CGCA) and thereafter referred the matter to the Controller General of Communication Accounts (CGCA) and later placed it once again before the Department of Telecommunications for appropriate consideration.

8. Despite prolonged examination and repeated correspondence extending over several years, the controversy remains unresolved. The present representation is, therefore, submitted seeking a final and authoritative decision by the competent authority on the correct interpretation and application of Fundamental Rule 22(1)(a)(i) in the facts and circumstances of the present case.

## **PART – V - STATUTORY FRAMEWORK AND LEGAL POSITION:**

### **A. Fundamental Rule 22(1)(a)(i) :**

1. Fundamental Rule **22(1)(a)(i)** is a statutory provision governing the fixation of pay on promotion. The Rule provides that where a Government servant is promoted or appointed to a post carrying **duties and responsibilities of greater importance** than those attaching to the post previously held, his pay shall be fixed in accordance with the provisions contained therein.
2. The Rule thus embodies a well-established principle of service jurisprudence that an employee who assumes a post involving higher responsibilities should receive the benefit of pay fixation contemplated under the Rule. The entitlement flows directly from the statutory provision itself.

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### **B. Governing Criterion under the Rule:**

1. A careful reading of **Fundamental Rule 22(1)(a)(i)** shows that the determining factor is **the assumption of duties and responsibilities of greater importance**.
2. The Rule does **not** prescribe that the benefit shall depend upon the promotional post carrying a higher scale of pay than the feeder post. Equally, it does not prohibit the grant of such benefit merely because both posts happen to carry an identical scale of pay.
3. The emphasis throughout the Rule is on the **nature and importance of the duties attached to the promotional post**, and not upon a numerical comparison of the respective pay scales.

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### **C. Application of the Rule to the Present Case:**

1. In the present case, Shri **U. Narayana Raju** was promoted from the cadre of **OTBP Telecom Mechanic** to the cadre of **Senior Telecom Office Assistant (General)** through the prescribed selection process.
2. The promotional post belonged to a distinct cadre and required the discharge of duties and responsibilities of greater importance. The competent authority, after examining the nature of the promotion, correctly granted the benefit of pay fixation under **Fundamental Rule 22(1)(a)(i)**.
3. The original fixation was neither provisional nor accidental. It was an administrative decision consciously taken by the competent authority in accordance with the statutory Rule then governing the field.

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### **D. Scope of Executive Instructions:**

1. It is a settled principle of administrative law that cannot enlarge, curtail or override the operation of the Rules themselves
2. Consequently, where a statutory Rule confers a benefit upon fulfillment of specified conditions, the scope of that benefit cannot be restricted by extending an executive clarification beyond the purpose for which it was issued.

3. The true scope of the departmental clarification dated **12.10.1993** must therefore be examined strictly with reference to the circumstances for which it was issued, without permitting it to curtail the operation of **Fundamental Rule 22(1)(a)(i)**.

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#### **E. Central Issue for Determination:**

1. The controversy in the present case does **not** concern the validity of **Fundamental Rule 22(1)(a)(i)**. Nor does it concern the correctness of the Rule governing pay fixation on promotion. The real issue is whether the departmental clarification dated **12.10.1993**, issued in an entirely different factual context, can legitimately be applied to deny the benefit of a statutory Rule in a case of regular promotion from one cadre to another involving duties and responsibilities of greater importance.
2. It is respectfully submitted that the answer to this question must necessarily be found by harmoniously reading the statutory Rule together with the departmental instructions, keeping in view the object and purpose of each. That exercise, it is respectfully submitted, leads to only one conclusion, namely, that the clarification dated **12.10.1993** does not govern the facts of the present case.

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#### **F. Transition to Departmental Precedents:**

1. The above interpretation is not based merely upon the language of **Fundamental Rule 22(1)(a)(i)**. It is fully reinforced by the Department's own contemporaneous administrative interpretation reflected in a series of official orders and clarifications issued from time to time. Those departmental precedents, spanning the period from **1990 to 2006**, consistently recognize that the decisive consideration for grant of pay fixation is the assumption of duties and responsibilities of greater importance and not merely the identity of the pay scales.
2. The relevant departmental orders are discussed in the succeeding Part.

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#### **PART – VI - DEPARTMENT'S OWN CONSISTENT ADMINISTRATIVE PRECEDENTS:**

1. The interpretation placed upon **Fundamental Rule 22(1)(a)(i)** in the present representation is not founded merely upon the language of the statutory Rule. It is also fully supported by the Department of Telecommunications' own contemporaneous administrative interpretation reflected in a series of official orders and clarifications issued over the years.
2. These departmental decisions consistently establish that **the governing criterion for grant of pay fixation under FR 22(1)(a)(i) is the assumption of duties and responsibilities of greater importance, and not merely the comparison of the scales of pay attached to the feeder and promotional posts.**

The relevant precedents are summarized below.

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#### **A. DoT Letter dated 01.08.1990:**

1. The Department of Telecommunications, by its Letter No. **3-13/89-PAT dated 01.08.1990**, recognized that the benefit of pay fixation under **FR 22-C** (now **FR 22(1)(a)(i)**) is admissible where promotion involves duties and responsibilities of greater importance, even though the lower post may carry an equal or even higher scale of pay.
2. This departmental decision clearly establishes that **comparison of pay scales is not the decisive test**. The determining factor is the assumption of higher duties and responsibilities.

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#### **B. DoT Letter dated 22.12.1993:**

1. The Department, by Letter No. **7-1/93-SEA (Pt.) dated 22.12.1993**, extended the benefit of pay fixation under **FR 22(1)(a)(i)** in the case of promotion from **Senior Accounts Officer** to **Junior Time Scale, Group 'A'**, notwithstanding that both posts carried identical scales of pay.
2. This order is a significant departmental precedent demonstrating that **identity of pay scales was not treated as a bar** to grant of pay fixation where the promotional post involved duties and responsibilities of greater importance.

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#### **C. DoT Letter dated 02.09.1994:**

1. The Department further reiterated the same principle in Letter No. **4-3/94-PAT dated 02.09.1994**, relating to promotion of **Junior Telecom Officers (JTOs)** as **Sub-Divisional Engineers (SDEs)** and **SDEs as Junior Time Scale Officers of ITS Group 'A'**.
  2. The clarification reaffirmed that **FR 22(1)(a)(i)** was applicable even where the feeder and promotional posts happened to carry identical scales of pay, provided the promotional post involved duties and responsibilities of greater importance.
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**D. DoT Letter dated 28.10.1994:**

1. The Department, by its subsequent Letter No. **4-3/94-PAT dated 28.10.1994**, reiterated and further explained the above position while dealing with fixation of pay on promotion from **JTO to SDE** and **SDE to ITS Group 'A'**.
  2. The significance of this clarification lies in the Department's continued acceptance of the principle that the applicability of **FR 22(1)(a)(i)** depends upon the nature of the promotion and the higher responsibilities attached thereto, rather than a mere comparison of pay scales.
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**E. DoT Clarification dated 02.09.1995:**

1. The Department once again examined the issue in its clarification dated **02.09.1995**, dealing with notional promotion and fixation of pay under **FR 22(1)(a)(i)** in similar promotional situations.
  2. This clarification further reinforces the Department's consistent administrative understanding that **FR 22(1)(a)(i)** continues to operate where the promotion satisfies the statutory requirement of assumption of duties and responsibilities of greater importance.
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**F. Subsequent Clarifications:**

1. The subsequent departmental clarification dated **05.06.1996**, followed by the clarification issued by **BSNL Corporate Office dated 22.12.2006**, makes it clear that the benefit contemplated in DoT Letter dated **12.10.1993** was confined to officials inducted into the **corresponding restructured cadre of the same basic cadre**. It was never intended to regulate regular promotions from one cadre to another.
  2. These later clarifications thus reinforce the limited scope of the letter dated **12.10.1993** and support the distinction between **cadre restructuring** and **regular promotion**.
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**G. Clarification issued by BSNL, Tamil Nadu Circle:**

1. The Office of the **Chief General Manager, BSNL, Tamil Nadu Circle**, by its Letter No. **APTA/67-21/2003 dated 25.09.2003**, specifically clarified that promotion from **Telecom Mechanic in OTBP scale** to **Senior TOA** involves assumption of duties and responsibilities of greater importance and, therefore, attracts the provisions of **FR 22(1)(a)(i)**.
  2. This clarification assumes particular importance because it relates to the **very category of promotion** involved in the present case and represents the Department's practical application of the statutory Rule in an identical factual situation.
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**H. Cumulative Effect of the Departmental Precedents:**

The above departmental orders, issued over a period extending from **1990 to 2006**, reveal a clear, consistent and uninterrupted administrative interpretation of **Fundamental Rule 22(1)(a)(i)**.

Collectively, they establish the following principles:

1. **The decisive test under FR 22(1)(a)(i) is the assumption of duties and responsibilities of greater importance.**
2. **Identity of pay scales does not, by itself, disentitle an employee from the benefit of pay fixation.**
3. **The clarification dated 12.10.1993 is confined to cadre restructuring within the same basic cadre and does not govern regular promotions from one cadre to another.**
4. **The original pay fixation granted to Shri U. Narayana Raju by the competent authority was fully consistent with the statutory Rule and the Department's own established administrative practice.**

Accordingly, it is respectfully submitted that the subsequent revision of the original pay fixation represents a departure from the Department's own consistent interpretation of **Fundamental Rule 22(1)(a)(i)** and therefore calls for appropriate correction.

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## **PART – VII - GROUNDS FOR INTERVENTION:**

In the facts and circumstances of the present case, it is respectfully submitted that the matter merits the kind and personal intervention of the Department for, inter alia, the following reasons:

### **A. Statutory Rule deserves full effect:**

1. The entitlement claimed by Shri U. Narayana Raju arises directly under **Fundamental Rule 22(1)(a)(i)**, which is a statutory provision governing fixation of pay on promotion.
2. Where the conditions prescribed by the Rule stand satisfied, the benefit flowing there from cannot be denied by extending the scope of an executive clarification beyond the purpose for which it was issued. The statutory Rule must receive its full and proper operation in accordance with its plain language and object.

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### **B. Original Pay Fixation was lawfully granted:**

1. The benefit under **FR 22(1)(a)(i)** was not granted inadvertently or by oversight.
2. It was consciously allowed by the competent authority after considering the nature of the promotion and the duties attached to the promotional post.
3. There is no allegation that Shri U. Narayana Raju obtained the benefit by misrepresentation, concealment of facts or furnishing incorrect information. The original pay fixation was thus an administrative decision taken in the ordinary course in accordance with the applicable Rules.

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### **C. Departmental consistency requires uniform application:**

1. As demonstrated in the preceding Part, the Department has consistently interpreted **Fundamental Rule 22(1)(a)(i)** over several years in a manner that recognizes the decisive importance of higher duties and responsibilities rather than mere comparison of pay scales.
2. Uniformity in the interpretation of statutory rules is an essential requirement of sound public administration. Identical Rules should ordinarily receive identical interpretation throughout the Department so that similarly placed employees are treated alike.

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### **D. Avoidance of continuing hardship:**

1. The revision of the original pay fixation has resulted not merely in the reduction of the Last Pay Drawn but also in a continuing reduction of pension and other retirement benefits.
2. In addition, recovery of **₹1,11,902/-** from the Death-cum-Retirement Gratuity has caused substantial financial hardship to a retired employee who had legitimately regulated his post-retirement affairs on the basis of the pay fixed by the competent authority.

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### **E. Long pendency despite repeated examination:**

1. The matter has remained under consideration for several years.
2. It has been examined by different authorities within the Department and has been the subject of repeated representations and official correspondence. The records indicate that the issue has reached the Department more than once for consideration.
3. The continued pendency itself indicates that the matter involves an important question requiring authoritative determination by the Department.

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### **F. Opportunity to settle the issue authoritatively:**

1. The present case provides an appropriate opportunity for the Department to authoritatively clarify the scope of **Fundamental Rule 22(1)(a)(i)** vis-à-vis the departmental clarification dated **12.10.1993**.
2. Such a clarification would not only resolve the grievance of Shri U. Narayana Raju but would also ensure uniform implementation of the Rule by all concerned authorities in future and avoid recurrence of similar disputes.

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### **G. Ends of justice would be served:**

1. Granting the relief sought in the present representation would neither confer any unintended benefit nor amount to relaxation of the Rules.
2. It would merely restore the pay fixation originally allowed under the statutory provisions of **Fundamental Rule 22(1)(a)(i)** in a manner consistent with the Department's own administrative interpretation and long-standing practice.
3. Accordingly, it is respectfully submitted that this is a fit case for exercise of the Department's administrative authority to restore the original pay fixation together with all consequential pensionary benefits.

#### **PART – VIII – PRAYER:**

In view of the facts stated hereinabove, the statutory provisions governing the field and the Department's own consistent administrative precedents, **Bharat Pensioner Samaj** most respectfully prays that the Department may kindly be pleased to:

1. Hold and declare that the promotion of **Shri U. Narayana Raju** from **OTBP Telecom Mechanic** to **Senior Telecom Office Assistant (General)** was a regular promotion involving assumption of duties and responsibilities of greater importance within the meaning of **Fundamental Rule 22(1)(a)(i)**.
2. Hold that **DoT Letter No. 19-4/93-TE-II dated 12.10.1993**, issued in the context of induction into corresponding restructured cadres, is not applicable to the facts and circumstances of the present case.
3. Restore the original pay fixation granted to Shri U. Narayana Raju under **Fundamental Rule 22(1)(a)(i)** by the competent authority.
4. Restore the original last pay drawn for all pensionary and retirement benefit purposes.
5. Revise and restore his pension, family pension and all other consequential retirement benefits on the basis of the restored pay fixation, together with payment of all consequential arrears admissible under the Rules.
6. Refund the amount of **₹1, 11,902/-** recovered from the **Death-cum-Retirement Gratuity (DCRG)** together with all consequential financial benefits admissible under the applicable Rules.
- 7 **thereby ensuring uniform implementation of Fundamental Rule 22(1)(a)(i) and avoiding divergent interpretations in future.**

#### **PART –IX – CONCLUSION:**

1. The present representation is not founded upon any claim for relaxation of the Rules, nor does it seek any concession outside the statutory framework governing fixation of pay on promotion.
2. It seeks only the faithful application of **Fundamental Rule 22(1)(a)(i)** in the light of its plain language, its underlying object, and the Department's own consistent administrative interpretation reflected in a series of official orders issued over the years.
3. The material placed before the Department demonstrates that the promotion of **Shri U. Narayana Raju** was a regular promotion to a post involving duties and responsibilities of greater importance, that the original pay fixation under **Fundamental Rule 22(1)(a)(i)** was granted by the competent authority in accordance with the applicable Rule, and that the subsequent revision proceeded on an interpretation of the departmental clarification dated **12.10.1993** which, it is respectfully submitted, was never intended to govern promotions of the nature involved in the present case.
4. The Department's own administrative precedents, issued between 1990 and 2006, consistently affirm the principle that the decisive criterion for application of **Fundamental Rule 22(1)(a)(i)** is the assumption of duties and responsibilities of greater importance and not merely the identity of the scales of pay attached to the feeder and promotional posts. These precedents lend authoritative support to the interpretation advanced in the present representation.
5. It is also respectfully submitted that the issue involved extends beyond the grievance of an individual pensioner.
6. *An authoritative decision by the Department will promote uniformity in the application of **Fundamental Rule 22(1)(a)(i)**, reinforce consistency in administrative decision-making, and provide appropriate guidance for dealing with similar cases, if any, in future.*

"Our Prayer before your august office" → "Final Submission"

In these circumstances, Bharat Pensioner Samaj humbly and respectfully requests your good self to kindly cause this representation to be examined and appropriate orders to be passed for restoration of the original pay fixation of Shri U. Narayana Raju under Fundamental Rule 22(1)(a)(i), together with all consequential pensionary and retirement benefits, including refund of the amount recovered from his Death-cum-Retirement Gratuity, thereby ensuring that the statutory Rule receives the same interpretation and application as consistently adopted by the Department itself.

The Association places its full faith in the fairness, objectivity and institutional wisdom of the Department and is confident that this representation will receive sympathetic, fair and judicious consideration in accordance with the applicable statutory provisions and the Department's own established precedents.

"It is respectfully submitted that when the statutory Rule, the contemporaneous departmental interpretation, and the facts of the case all point to the same conclusion, restoration of the original pay fixation would not only be legally justified but would also uphold the long-standing tradition of fairness and consistency in public administration."

With highest regards,

Yours faithfully,



(D.D. MISTRY)

Secretary BSNL/PSU

Bharat Pensioner Samaj

Copy to:

1. Shri Amit Agrawal, IAS, Secretary, DoT, New Delhi
2. The Member Services, DoT, New Delhi
3. Shri A. Robert J. Ravi, CMD BSNL, New Delhi
4. Smt. Vandana Gupta, CGCA, New Delhi
5. The CGMT, BSNL, AP Circle, Vijayawada – 520 004.
6. The Pr. CCA, then AP Circle at Hyderabad.
7. The CCA, AP Circle at Vijayawada.
8. Shri Avinash Rajput, SG Bharat Pensioner Samaj, New Delhi
9. Shri D. Chandrasekharan, Executive President, BDPA (INDIA), VELLORE.

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#### ANNEXURES

|            |                                                      |
|------------|------------------------------------------------------|
| Annexure-A | Fundamental Rule 22(1)(a)(i)                         |
| Annexure-B | DoT Letter dated 01.08.1990                          |
| Annexure-C | DoT Letter dated 12.10.1993                          |
| Annexure-D | DoT Letter dated 22.12.1993                          |
| Annexure-E | DoT Letter dated 02.09.1994                          |
|            |                                                      |
| Annexure-F | DoT Letter dated 28.10.1994                          |
| Annexure-G | DoT Clarification dated 02.09.1995                   |
| Annexure-H | DoT Clarification dated 05.06.1996                   |
| Annexure-I | BSNL Tamil Nadu Circle Letter dated 25.09.2003       |
| Annexure-J | BSNL Corporate Office Clarification dated 22.12.2006 |
| Annexure-K |                                                      |

