

1. All India BSNL Pensioners' Welfare Association
 2. All India Retired BSNL Executive Welfare Association
 3. Sanchar Nigam Pensioners Welfare Association
 4. Retired Telecom Officers Welfare Association Delhi
 5. Retired Telecom Officers Welfare Association Mumbai
 6. Mahanagar Pensioners' Welfare Association Mumbai
-

Date: 31/10/2023

Dr Neeraj Mittal,
Secretary, Telecom,
Sanchar Bhawan,
New Delhi-110001

Respected Sir,

Sub: Request implementation of judgement dated 20/09/2023 of Hon PB, CAT, Delhi on
OA 1271/2020, 1272/2020 & 1329/2020

The above SIX associations are the applicants of the above-mentioned OAs before Hon PB, CAT, Delhi. Copy of the judgement is already available with DoT.

2. At the outset, we request you, sir, to implement the above judgement in letter and spirit in the interest of four lakh BSNL/MTNL pensioners/family pensioners, most of them are above the age of 70.

3. We are the erstwhile employees of DoT, presently government pensioners, genuine stake-holders and we request you, sir, to arrange for serious discussion at the level of DDG for implementing the above judgement.

4. Para 1 of the judgement states “ *all the OA(s) have been taken up together for disposal and these are being decided by a common order*”.

5. Para 26 of the judgement states “*We reiterate that even on their absorption in the corporate undertaking, the terms and conditions of services governing them were to remain the same as they existed when they are employees of the Department of Telecommunications*”.

6. Direction is given in para 28 which states *“The competent authority amongst the respondents is directed to forthwith revise the pension and family pension wherever applicable, strictly in accordance with the relevant rules and the entitlement governing pension to various sets of employees of the Central Government, maintaining strict parity. It is clarified that the benefits of revision of pension and family pension as notified by the Central Government on the recommendations of the Pay Commission, shall stand extended in favour of the applicants, analogous to the revision of such pension in case of Central Government pensioners”*
7. We understand the direction as follows:
- a) The competent authority is Department of Telecommunications
 - b) Strictly in accordance with the relevant rules and the entitlement governing pension means *“pension and family pension on IDA as per Rule 37 of CCS (Pension) Rules 2021”*
 - c) It is clarified that the benefits of revision of pension and family pension as notified by the Central Government on the recommendations of the Pay Commission, shall stand extended in favour of the applicants, analogous to the revision of such pension in the case of Central Government pensioners means *“pension plus DR as on 01/01/2017 plus 32% of basic pension which works out to 2.515 multiplication factor in favour of the applicants which include one pensioner viz. V Latha (4th applicant in OA 1329/2020) who retired on 31/01/2020. It is analogous to the revision of Central Government pensioners”*
8. There are no guidelines for pension revision for BSNL/MTNL pensioners who opted for Government pension on combined service. In this connection may we draw your kind attention to para 2.3 of Cabinet Note of 29/12/2010 proposed by DoT which was approved by the Cabinet. We quote that para 2.3 *“The Department of Pension & Pensioners Welfare (DoP&PW) had earlier advised the Department of Public Enterprises (DPE) to issue instructions to all administrative Ministries for revision of pension (under IDA pattern) of retired en-masse transferees who had opted for combined pension as per formulae under the Central Government rules based on IDA pattern of pay, on the lines of procedure adopted for pay scales of PSU officials. No instructions have, however, been issued by DPE to the administrative ministries for revision of pension, presumably on the ground that IDA pension revision issue is beyond DPE’s scope”. It is apparently clear that DoP&PW is for pension revision as per Central Government formulae on IDA pay. So, the contention of DoT (para iii of their letter No.47-63/2022-Pen(T)/part dated 17/11/2022) that the recommendations of 7th CPC are applicable to Central Government employees who are getting pay/pension on CDA pattern is thoroughly misplaced. In the absence of any*

guidelines, the judgement pronounced on 20/09/2023 by Hon PB, CAT, Delhi on the above OAs may please be taken as a guideline for pension revision.

9. *As per DoP&PW (ID note) No.4/19/2022-P&PW(D) para 5 " The DoT then stated the case of retired employees of BSNL/MTNL is same as that of Government pensioners. It was also stated that at the time of the absorption, there was no intention of depriving the Government employees of pension on their absorption in BSNL/MTNL".*
10. DoT on 17/10/2022 proposed for pension revision with zero percent fitment benefit which was rejected by the entire pensioner community. On that day, DoT also exhibited Power Point Presentation (PPP) about the methodology for revising pension for pre-2017 & post-2017 retirees. It revealed that DoT was inclined for pension revision. It may also be noted that Hon'ble MOC & IT and the then Member (S) have also assured that pension revision is delinked from pay revision of BSNL/MTNL employees. Now our request is that instead of zero percent, it should be 32% of basic pension as given to more than 60 lakh Central Government pensioners.
11. On behalf of nearly 4 lakh BSNL/MTNL pensioners, we earnestly appeal to you, sir, to implement the above-quoted judgement. We are also willing for some serious, purposeful discussion at the level of DDG.

Thanking you

Yours faithfully,



(V Vara Prasad)
GS, AIBSNLPWA
9440000482



(Prahlad Rai)
GS, AIRBSNLEWA
9868278222



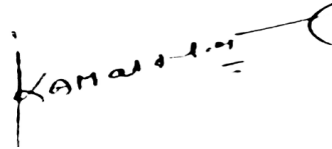
G L JOGI
GS , SNPWA
9868217799



(A K Kaushik)
GS, RTOWA, Delhi
8368052466



(J S Yadav)
GS, RTOWA, Mumbai
9869041090



(Kishor Haldankar)
GS, MPWA
986900499