

No. BPS/BDPA(I)/BSNL/DoT/Adalat

dated 23rd June 2022

To,
Shri S K Vermaji
Jt. Secretary,
Department of Telecommunications,
Sanchar Bhawan, Ashoka Road,
NEW DELHI 110 001

Sub: **Proposal for Holding of PENSION ADALAT For BSNL Pensioners**

By

1) DoT. 2) BSNL Corporate Office.

Hon'ble Sir,

We write to invite your kind attention to your honor explaining the difficulties being experienced by the BSNL Pensioners with a request for timely settlement of BSNL Pensioners grievances.

Present Procedure

1. There are two types of the Pensioners in Bharat Sanchar Nigam Ltd, hereafter mentioned as BSNL.
2. **First:** Those who have opted for Department of Telecommunications, who are getting their pay scales and other benefits as per Central Government Employees, including revision of Pension and Dearness allowance, known as **DoT Pensioners**.
3. **Second:** Those who have opted for Bharat Sanchar Nigam Limited, i.e. BSNL with effect from 01.10.2000. All kind of leave on date was transferred to such employees and they were categorized as Bharat Sanchar Nigam Limited Employees, i.e. BSNL Employees. Their pay were revised and re-fixed as per 1stWage Revision Committee as per Associations agreement with the BSNL Management.
4. The Central Dearness Allowance was replaced by Industrial Dearness Allowance, making all the BSNL Employees/Pensioners eligible for IDA, i.e. Industrial Dearness Allowance which is revised each three months and orders are issued automatically without waiting for approval from the

Central Government for all Public Sector Units, i.e. PSUs. The pensioners are categorized as **BSNL Pensioners**.

5. As per the strike agreement of October, 2000, Rule 37A was incorporated in Pension Rules making the eligible/entitled for Pension from the Central Government, delinking from the loss/profit of BSNL. **The BSNL give pension contribution each month at the maximum of scale** to the Department of Telecommunications, hereinafter cited as DoT. It was also mentioned that if BSNL fails to contribute for Pension Contribution, it will be reimbursed by the Government and the Pensioners will not suffer. The employees who are retired from the BSNL are given Pension by the DoT, which is under Ministry of Communication.
6. Prior to this, MTNL, i.e. **Mahanagar Telecom Nigam Limited** was formed for New Delhi and Mumbai for three employees from these cities, giving them option for MTNL or DoT, i.e. Department of Telecommunication, which was Government of India entity under Communication Ministry. *MTNL Employees were given attractive pay scale and responsibility to pay the Pension to its employees was with MTNL for which separate Pension Fund was created from the accumulated money it got from the DoT as Pension Fund.*
7. For obvious reasons we are not going into merit/demerit of the decision for creation of MTNL. As the time passed, the Pensioners got difficulties to get their pension from the MTNL which was incurring loss. As the MTNL was also running in huge loss; *A group of Minister was entrusted with task to find out solution as there was pressure from the MTNL Employees/Pensioners' and ultimately they were also extended benefit of Government Pension by the Department of Telecom, DoT with certain pre-conditions on future wage revision and pension contribution to which we are not touching. Resultantly, Rule 37A has been modified incorporating MTNL Pensioners/Employees eligible for Govt. Pension.*
8. **The Bharat Sanchar Nigam Limited**, i.e. BSNL has its corporate office in New Delhi and administers all the States of India excluding Mumbai and New Delhi. The states are known as **Telecom Circles** by the Management and its head is identified as **Chief General Manager Telecom**, i.e. CGM Telecom who is in charge of the Circle and under direct control of **Bharat Sanchar Nigam Limited, i.e. BSNL**.

9. In all States, i.e. **Circle**, head is **Chief General Manager Telecom**, i.e. CGM, as elucidated above. He is assisted by all the **Districts** known as **SSAs**. These SSAs has its head executive known as **Principal General Manager Telecom/General Manager Telecom**, i.e. **PGM/GM** depending upon the telecommunication net work.
10. They are assisted by hierarchy divided into administrative and accounting. Administrative work for development of Telecommunications net work and also look after the work of Recruitment of non-executives employees and their promotions. The recruitment rules are devised by the BSNL Head Quarter in New Delhi, also known as Corporate office. The accounting wing look after the work of payment of salaries, collection of revenue, fixation of pay on promotions and also preparing Pension papers for fixing the pension of the employees.
11. For the Pensioners, the Accounts Branches of each District Heads, i.e. SSA prepared Pension Papers of employees each year in advance before the date of their retirement, checks Service Book and send the proposal with all required forms dully filled in by the employees; six months in advance to the office of the **Controller of Communication Accounts** (known as **CCA**), situated in each State, i.e. Circle.
12. The work of Controller of Communication Accounts office is to check all the forms and service book, pay fixation at each state and to authorize pension as fixed by the SSA head. The CCA Office also checks GPF Account of the employee and authorizes the payment after retirement and pay the commutation amount.
13. Till December 2018, the CCA Office was issuing Pension Payment Order, i.e. PPO to the Pensioner and sends it to the Post Office/Bank Authority as opted by the employee while submitting his pension papers. And thus a circle is complete. The preface is given in order to make you understand our *nomenclature* and to under our difficulties which arose hereafter. Now, CCAs offices are issuing PPO as per SAMPANN rules.

Our difficulties

- 1) After Retirement, the Pensioner has to depend upon two authorities' i.e. **District Head, i.e. SSA and Pension Head, i.e. CCA**. The SSA comes into picture for payment of Medical Reimbursement for which a scheme known as BSNLMRS is in force. The payment is made quarterly. In number of cases Pensioners are kept waiting and not informed of either wanting in their claims/approval/rejection of their claims.
- 2) In the majority of cases, the Pensioner has grievance relating BSNL Offices for his pay-fixation, promotion, pending disciplinary cases etc; pending and has to approach the authorities. *There is no machinery for the Pensioner or Pensioners Association to approach the BSNL Authorities and as such they have to struggle indefinitely for settlement of their grievance at the mercy of the SSA.*
- 3) We have ample examples where the Pensioner is not given hearing and Pensioner Association not given meeting to represent the grievances. **Even the numerous letters addressed to the authorities are never replied on the plea that there is no provision in the Rules to listen and reply to the Pensioner/Pensioners Associations'**
- 4) We had taken up the issue in one of our Annual General Conference, where the Officers from Department of Telecom (**DoT**) was present, who instructed the Controller of Communication Accounts, i.e. CCA to conduct the Pension Adalat for Pensioners at Circle level but **there is no provision for Pension Adalat at DoT level where policy decisions are taken.**
- 5) **The CCA's are holding Pension Adalat** at Circle Level at the interval of three months dividing the Circle in few parts and each part has Pension Adalat only one in a year instead of Quarterly.
- 6) In such Adalat, the **CCA Office** deal with only issues related to Pension and *for the issue related to BSNL Offices, i.e. SSA, One Officers from BSNL is attends the Adalat and he is made over all the issues related to BSNL for further disposal.* We regret to state that the issues made over to BSNL Authorities are never attended and no report is given in any meeting.

- 7) Many times Officers from BSNL are not attending the Pension Adalat convened by CCAs and many time they are merely physically present but not aware of the case of Pensioner which is to be discussed and deddiced!!
- 8) Further by *experience, we have seen that in each Adalat, 80% of cases are related to the Pensioners' service period for which BSNL Offices have to act. The CCAs have no authority to deal with such cases and merely they transfer the cases to BSNL Offices with instructions to settle the case. Unfortunately, such cases are never attended for decades to gather and pensioners have to suffer.*
- 9) We are addressing BSNL Corporate Office, Circle Offices & SSA Heads for multiple genuine problems, but we regret to write no one reply to our letters. Even the BSNL Corporate Office New Delhi is not responding to our letters.
- 10) **Our request to supply of the new rules issued by the BSNL Corporate Office relating to Pensioners is unheard.**

Our proposal

- i. We propose that a provision is made that all the CGMs should also hold the Pension Adalat to discuss and determine the cases of their Circle. This will ease the work of CCAs as well and the justice will get accelerated.
- ii. The CCA should hold Pension Adalat for all the Districts under their jurisdiction in each quarter; instead of dividing them and holding it indirectly once in a year for each district.
- iii. **The DoT New Delhi should also hold Pension Adalat for Pensioners issues WHICH are referred by them to CCA for consideration. In such cases obviously they hold good their decision and pensioner is deprived from the justice and also his right to appeal is indirectly made meaningless.**

- iv. The instruction should be issued by the BSNL Corporate Office to the Chief General Manager Telecom at Circle/District i.e. SSA level to entertain our correspondence and respond.
- v. The Associations should be given meeting when approached for specific irritating issues by Circle/SSA Head with specific agenda for discussion.
- vi. *The Pension Adalat for Pensioners should be held quarterly by **BSNL Offices** as is being held by the Controller of Communication Accounts, in each Circle.*
- vii. Nodal officer for Pensioner should be appointed in SSA/CCA to settle the Pensioners issues fixing one day for Pensioners.
- viii. *Instead of holding National Pension Adalat by CCAs, the DoT should hold National Pension Adalat virtually on line to focus attention on the cases where pensioner is not satisfied with the decision of CCA; which would serve real purpose of terming it as National Pension Adalat.*

With regards,

Yours Sincerely

(D.D. MISTRY)
General Secretary