Approach unitedly

The general guidelines issued by DOPT is specific, if any court order goes against the existing policy or rules of the GOI, then prefer appeal against it to reiterate the framed policy.

In BSNL absorbed pension revision case, the PBCAT order is construed as a direction against the existing policy and so DOT might be advised accordingly.

The existing policy is pension revision to the pensioners on a particular date is on account of pay revision on that date to the employees. This pension revision is based on the law of the land.

Ignorance of the existing rules cannot be an excuse to blame the other side and calling them names.

In their appeal sent to Delhi HC, DOT has taken a position that pension revision is not a warranted one in the absence of pay revision. There is no rule for pension revision in 37 A. The pay revision in BSNL is yet to be decided, as the 3 rd PRC affordability class is there. So they want stay to PBCAT order and so this appeal to quash the same.

At least some of us understand objectively the existing policy and know the mind of DOT. But that is not going to help the problem of today.

In the earlier PBCAT case both the sides preferred not to show the docs of Oct 17 th 2022 and the note sheet circulated in the social media for their own reasons . In that DOT was in a position to deviate from the existing policy of pension revision. They showed their inclination to examine pension revision in the absence of pay revision(3rd PRC basis) and assured DOPPW by the mechanism they found viz. notional pay for post 2017.
They thought that this mechanism with IDA merger on 1-1-2017 with nil fitment would solve the issue of anomaly between pre and post 2017 pensioners .

But some associations did not accept that position and pursued their court case and so the PBCAT.

Already 7 full years gone. Further court proceedings may take its own months.

If the associations having different understanding, one on PRC and the other on CPC , may find difficulty to approach things jointly. They can move together only on one issue that is pension revision even in the absence of pay revision. In that case , they cannot tell in what form 'PRC or CPC' , then only they can go together.

In the case of CPC, the associations gone to CAT may go together. Com OPG during his times , endeavoured common memo to CPC and common approach when facing evidences. Like that, the associations having faith on CPC demand settlement may face the trail of Delhi HC jointly. This may give some confidence to their members.

Those pursue the case on PRC way , on their understanding of reality , may do their efforts continuously to encash the demand of pension revision in the absence of pay revision as agreed by DOT on Oct 17 th , 2022. There the issue is nil fitment.

If DOT takes a positive decision at the behest of BSNL, on BSNL Executive pay revision seeking exemption from affordability clause, then confusion prevailing upon the pension revision may find its end road. This would solve both the issues of pay and pension revision of entire BSNL brotherhood in today's context. The issue is the 'inter connectivity' of BSNL absorbed as a single class.

Hope united approach of all the stakeholders may give at least some solace. - 0840 hrs 24 - 3- 2024 R Pattabiraman