

Joint Forum of BSNL-MTNL Pensioners Associations. New Delhi

No. JF/ MOC/ MIN/2024

23rd August, 2024

To

**Shri Jyotiraditya M Scindia,
Hon'ble Minister of Communications,
Sanchar Bhawan,
New Delhi-110001**

Respected Sir,

Sub: **Inordinate, motivated and Unjustified delay in resolution of pension revision of absorbed BSNL/ MTNL retirees due from 01-01-2017 - Notice for conducting agitational programmes – req.**

The Joint Forum of BSNL/ MTNL Pensioners Associations, consisting of eight organizations representing 2.5 lakh pensioners, is constrained, due to complete insensitivity of obdurate DOT Establishment towards more than 5 lakh Pensioners of BSNL/ MTNL, for last seven years, to launch the following agitational program to register their strong protest and indignation against unprecedented apathy of DoT in settling the genuine and legitimate demand of Pension Revision of absorbed BSNL/ MTNL pensioners.

1. March to CCA Offices and Dharna throughout the country on 05-09-2024.

2. Delhi Chalo - Dharna at Jantar Mantar, New Delhi on 12-11-2024.

Demands Day was observed on 02-07-2024 at all levels throughout the country with unprecedented participation reflecting the anger and anguish of aging and ailing Pensioners. .

We once again very briefly apprise you of following harrowing and agonising facts regarding non resolution of highly legitimate and just issue of Pension Revision of more than 5 lakh pensioners, thousands and thousands of which have painfully died during last seven years, simply because of non-resolution of their legitimate right of pension revision.

1. The DOT employees were absorbed en masse to the new entity, BSNL on 01-10-2000 assuring them better prospects and pension, besides unambiguously assuring them, through Cabinet decision of U.O.I, that they would be treated at par with Central Govt. Employees / Pensioners consequent upon their absorption in BSNL/ MTNL. To ensue this, CCS (Pension) Rules, 1972 was suitably amended by incorporating Rule 37A with appropriate provisions that guaranteed and fortified the above decision of the Union Cabinet. Accordingly, in consonance with these provisions of Rule 37 A, pension is being paid to BSNL/ MTNL absorbed retirees from the Consolidated Fund of the Central Government. The pension revision due from 01-01-2007 was accordingly settled in conformity with Provisions of Rule 37(A).
2. However, in the case of pension revision, due from 01-01-2017, initially the telecom ministry had taken a baseless and unfounded stand, in complete contravention of unambiguous Provisions contained and stipulated in Rule 37(A) that pension revision is intrinsically linked with wage revision and since BSNL is not in a position to implement wage revision, Pension Revision is not possible.

3. **But, in accordance to Sub Rule 8 of statutory Rule 37(A), it is unambiguously stated that DOT Employees absorbed in BSNL/ MTNL are deemed to have retired from Govt. Service and that the Pension is to be calculated under these Rules. Further, by implication, it is abundantly clear that the Pension and Family Pension of absorbed employees on superannuation from Public Sector Undertakings shall be calculated in the same way as would be the case with a Government Servant, retiring on superannuation, same day.**
4. *What is extremely pertinent and of paramount significance is that absorbed retirees of BSNL/ MTNL have, in accordance to the Provisions of FR 116 and FR 117 A, paid Pension Contribution to the Government in full on the maximum of their IDA pay scales, thereby, in totality, meeting the obligation of Pension Liability of the Government towards them.

What is further of paramount significance and is being overlooked deliberately by DOT Establishment is that Provision FR 117 A clearly envisages that the rate of Pension Contribution under FR 116 will be designed to secure to the Government Servant the Pension that he would have earned by service under the Government if he had been transferred to foreign service.

From the above provisions of Rule 37(A), it is abundantly crystal clear that retired absorbed employees of BSNL/ MTNL have met the Pension Liability of the Government towards them in full and that their Pension Revision is not even remotely, linked to Pay/Wage Revision of BSNL/ MTNL working employees which is to be borne by BSNL/ MTNL.

Therefore the demand of pension revision due from 01-01-2017 based on Rule 37 of CCS(Pension) Rules, 2021, delinking wage revision is absolutely right and fully justified.

5. DoT also was convinced of these facts that after prolonged internal consultations and with the nodal ministries had to agree to pension revision as per the DOT file notes in 2022. It was on the basis of this decision that a meeting of all BSNL MTNL Pensioners Associations was convened by DoT on 17-10-2022.
6. In this meeting the then Member (Services), Department of Telecommunications had stated the following.
 - (a) Pension revision will be delinked from wage revision.
 - (b) Notional fixation on new pay scales will be given to post 2017 retirees with effect from 01-01-2017 to avoid the possible anomalies.

The only disagreement was zero percent fitment offered by DOT.

After detailed discussion, DOT finally had assured that revised proposal would be submitted with higher fitment.

7. The file was processed accordingly and reached to near finality. When the Joint Forum representatives met Member (Finance) and Member (Services) on 21st March, 2023, it was categorically assured that the issue is going to be resolved as they are waiting for the approval of the fitment by the Hon'ble Minister of Communications, probably in the first week of April, 2023. Unfortunately nothing happened thereafter for reasons best known to DoT.

Sir, the unjust delay in pension revision pending for the last 91 months have put the BSNL/MTNL pensioners to severe hardships as vast majority of them are aged and ailing and worse, a sizable number of pensioners have already left this world without getting their legitimate right of pension revision.

Against the glaring facts stated above, we implore upon you to consider our dispassionate request of legitimate Pension Revision immediately and strictly in conformity with unambiguously envisaged provisions contained in the statutory Rule 37(A) of CCS Pension Rules 1972.

Needless to state that any further delay in resolution of this highly legitimate and just demand of Pension Revision of ailing and aging Pensioners of BSNL/ MTNL will undoubtedly have catastrophic consequences.

Therefore, we once again request your kind intervention for a reasonable resolution of the burning issue at the earliest and avert the agitation of the senior most citizens who have given their sweat and blood during the long service both in Government and BSNL/ MTNL.

With kind regards,

Yours sincerely,



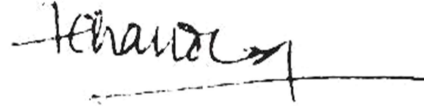
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(2) Shri Rohit Sharma, Member (Service), DoT, Sanchar Bhawan, New Delhi-110001.
(3) Shri Manish Sinha, Member (Finance), DoT, Sanchar Bhawan, New Delhi-110001.