



No: BDPA (I)/Pension-Revision/2024-Appeal

Dated 21<sup>st</sup> October, 2024

To:

Hon'ble Shri Narendrabhai Modi,  
Prime Minister. Govt. of India,  
New Delhi

Re: A request for political intervention – Case of BSNL/MTNL Pensioners Pension  
Revision as per 3<sup>rd</sup> P.R.C. Recommendations.

Jay Ambe,

1. On behalf of around three lac BSNL Pensioners, we venture to approach your august office with an earnest ray of hope that under your inner clear vision to ensure the welfare of senior citizens, we wish with earnest hope that the expectations of senior citizen viz. BSNL Retirees, who have devoted their three to four decade life to enrich the country in expanding the telecommunications in remote, deserted and uncultivated area of the rural villages; will not go in vain.
2. Yourself being leading the country consecutively since last three tenure with full vigor and commanding force; are fully aware of the fact that Department of Telecom was serving the country with full force with dedicated workers and due to well thought reasons and under expert advice, under some inexplicable reasons; Hon'ble Atal Bihari Bajpai had formed five Minister Committee and finalized road map of Converting Telecommunication Services into a Company and had negotiated with the three Federations of Telecom Workers for three days and under his reported instructions, a decision to form BSNL as Corporate Company was taken offering the new pay structure to workers; with the written guarantee by entering in agreement confirming and assuring the safety of services of workers and their Pension from Govt. of India's Consolidated Fund.
3. Honoring the agreement, necessary amendment to Pension Rules was issued and Rule 37A was issued enabling the BSNL Employees to get their Pension from the Government Consolidated Fund.
4. Sir, we need not to stress upon the point that the-then Working Employees Federations had never demanded the conversion from DoT to Company, but

being disciplined worker honoring hidden directives the Federations had agreed for Government Proposal and had given option for BSNL and Presidential Orders were issued. The Agreement was signed by O.P. Gupta – SG NFTE & K. Vallinayagam – SG – FNTTO. They had trusting the Govt. convinced the workers to withdraw the strike; and signed the Agreement and the undersigned is one of the witness of the said procedure and event.

5. The-then government lead by Hon'ble Atal Bihari Bajpai had also implemented the Pay Scales as prevailing as per 1<sup>st</sup> P.R.C. Recommendations by giving them point-to-point fixation simultaneously extending benefit as admissible to Industrial Workers for all perks as per verdict of Apex Court; which had in inspired the workers to work with dedication and reach goal of offering services to the citizen of the country.
6. In a smooth transition, more than 3 lac employees joined the Corporation by giving Option and a set a record of earning record in the year 2004-05 by showing net profit of Rs.10500/- crore rupees and achieved a target by getting the Company included in Navratna Companies. By that time, BSNL had accumulated amount of Rs.40, 000.00 Crore rupees in its Bank Account; which was glaring sign of success for the Company as the envisaged road map for development of the forming BSNL 100% Govt. PSU.
7. In the year 2007, Recommendations of 2<sup>nd</sup> P.R.C. were come and after long perusal it was also implemented by negotiating with the Workers Associations; but by advancing illogical and unreasonable arguments that there is no provision for automatic pension revision for BSNL retirees. However, the-then Govt. had after prolonged time was convinced to the right of workers and extended Pension Revision to BSNL Retirees by taking Cabinet Decision and approving our right for Pension Revision.
8. It is for your kind information that to accelerate the process, the undersigned had a meeting with the then MoC at his residence; who had personally assured the clearance of the file with Cabinet Decision. **Let us made it clear that Wage Revision and Pension Revision could be implemented with the Government Intervention and forceful perusal of the issue by the worker/pensioners despite prevailing indifferent views and situation.**
9. On assuming rains of the Govt. by your good-self, your office also was continuously monitoring the fiscal status of the Company, and when it was brought to your notice that the company is becoming sick and the employee's salary is also not done in time; - in order to ensure that a dream of late Shri Atal Bihar Bajpai is successful - your august office with well-designed strategy; on 21<sup>st</sup> October, 2019, the Council of Minister of the Govt. came out to rescue of the Company by allocating Rs.70,000.00 Crore rupees to restructure the BSNL by taking Cabinet Decision.
10. Sir, it is needless to mention that Cabinet Decision had to be taken, as the Working Employees were getting their salary delayed for days/months to gather; tarnishing the Image of BSNL as Govt. Own Company and also its

services were deteriorating and the road-map of the Govt. to extend latest technologies to remove villages was also suffering heavily in one side.

11. On second side, the Cabinet had accepted all the recommendations of the 3<sup>rd</sup> P.R.C. which was appointed by it and with all its restrictions with many but and if, many PSUs were implementing the same. Being Govt. Own Company, it was sole responsibility to implement the recommendations of 3<sup>rd</sup> P.R.C. Recommendations for BSNL Working Employees/BSNL Pensioners.
12. As suggested by the report of the institutions; DoT followed its instructions and floated a scheme known as VRS-2019; which had made it possible; it acceptance by 78649 employees; which saved crore of rupees being spent toward salary of the Employees and fiscal burden was shared from the package.
13. It is open secret that the employees had accepted a scheme known as VRS-2019 as they were indirectly forced by the Company by not paying them timely salary and placing them in fiscal hardships resulting in numerous agonies of their families; alluring them that by VRS they will get regular pension.
14. We the retirees, refrain ourselves notwithstanding the fact that for us there are many reasons to point out and convince you that there are many lacuna in management; which prevented the company to grow, as it is being guided by the experts not only from the DoT but also indirectly from the other Government Agencies and other consultants.
15. Sir, our prime concern of approaching your august office is to say that in no way the BSNL retirees are responsible for the present tragic fiscal condition and handling of the company and we should not be made scapegoat for the situation.
16. Having brought this hard fact to your office in the year 2022, your office was kind enough to arrange meeting of all the BSNL Pensioners Associations by DoT in the month of October 2022; where the DoT had made its stand clear that it can go for moving the proposal for BSNL Retirees Pension Revision as per 3<sup>rd</sup> PRC Recommendations, convincing us by slides show that it will be nearly impossible to Revise Pension as per 7<sup>th</sup> CPC and also assuring to take initiative for delinking the Pension Revision from Wage Revision, if the proposal of zero percent fitment is accepted by the Pensioners Associations.
17. Sir, since all the Pensioners Association in the meeting protested against the zero fitment proposal, the DoT further assured that DoT will consider having 5% or more maximum possible fitment as per 3<sup>rd</sup> PRC.
18. To prove its sincerity, DoT also prepared the figures showing the would be expenditure involved in implementing the 3<sup>rd</sup> P.R.C. Recommendations by giving 5%, 10% and 15% fitment on the pay scales offered to BSNL Working Employees; which is on the record of DoT.
19. Sir, the then Hon'ble MoC Shri Ashwini Vaishnaw had repeatedly assured the Pensioners who met him that it will be done shortly. On 01.02.2024, he is reported to have said to the Pensioners Association, who met him in Cuttack

that “ince the Hon’ble PB CAT has given its verdict to revise the pension in CDA scale, it is difficult to implement the said order. He requested a consent letter from the Apex Body of Association agreeing to pension revision in IDA scale so that the issue can be solved in the shortest time.”

20. Meanwhile, some inexplicit reasons some Associations for the best reasons known to them and reverted to judicial process as they were victim of the say that a man convinced against his will is of the same opinion indeed; and reverted to judicial process and DoT, it seems closed the file.
21. Now, the situation is Hon’ble Pr. CAT New Delhi vide disposing O.A. No. 1272/2020, 1271/2020, 1329/2020 on 20.09.2023 has given the following decision:

“26. We are not inclined to consider the extended arguments on behalf of the respondents even though we acknowledge some merit in these. The decision qua these employees, as further reflected under innumerable communications, is unambiguous and has been, so far, implemented also. **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.** Further, these terms and conditions include pension and family pension and this has been expressly stated in the rules and several subsequent communications which have been elaborately quoted in some of the preceding paragraphs of this order.

27. We have no hesitation in concluding that the present application deserves positive consideration. **The Government had given a promise and stated it in black and white. How could it now retract from the promise, that too not by any law or rules but by simply a refusal to honour it?**

28. In view of the elaborate discussion above, the OA stands allowed. 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.

29. The directions contained herein shall be complied with within a period of ten weeks from the date of receipt of a certified copy of this order.” (Emphasize placed is ours).

22. Sir, thus it is established fact that the BSNL Pensioners are legitimately entitled for the Pension Revision; as it has clearly 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.”**

23. The Government had given a promise and stated it in black and white. How could it now retract from the promise, that too not by any law or rules but by simply a refusal to honour it?
- It further reads “The Government had given a promise and stated it in black and white. How could it now retract from the promise, that too not by any law or rules but by simply a refusal to honour it?”
24. Thus, the DoT was duty bound to implement the verdict within given time limit but because the DoT is either unable to interpret the verdict – **“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.”** - has not implemented the verdict even after a lapse of MORE THAN ONE YEAR.
25. We have strong and considered view that instead of challenging the verdict seeking stay in high court to save its skin from Contempt Petition, it ought to have been made clear its inability in clear words and placing its proposal for the judiciary.

#### **NOW WHAT WE EXPECT FROM YOUR OFFICE...**

- A) *It is unproven fact that the DoT with the support of all the interlinked ministries is prepared to contest the case for Stay on the Verdict and on the other side the Applicants Union are also determined to contest the case up to a level of Apex Court; which will naturally result in - Depriving the lacks of Pensioners to wait for the years to gather and it can be axiomatic to say that thousands of pensioners will leave the Universe; cursing their fate and decision for opting the BSNL.*
- B) *Now, the only way out left out for us is to seek your political intervention and to have some practical and positive possible solution and your word to DoT for once again convening a Joint Meeting of all the Pensioners Association and to come out with Out of Court, permanent solution.*

We conclude with positive approach to this prayer which will be a boon to lacs of BSNL and MTNL Pensioners.

With regards,

With Happy Diwali and Nutan Varshabhinandan;

Yours Sincerely,

  
(D.D. MISTRY)

General Secretary.