



ARE WE REALLY SINCERE, TO ACHIEVE GOAL OF PENSION REVISION ?

THEN LET US COME TO
EARTH.....

Since we could see that the possibility of our Pension Revision is remote in view

of the stand taken by the Recognized Unions; we had made the collective efforts and we were successful in our mission and the DoT had provided unique opportunity to consider our demand as per 3rd P.R.C Recommendations.

There was a possibility to get our Pension Revision and finalization by initiating the process of calculating fiscal burden if the Pension Revision is to be delinked and considered and to fix the Pension by giving 5%, 10% or 15% weightage.

But some of Pensioners Association also preferred option to revert to legal remedy; file a case and got favorable result through 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..... within a period of ten weeks from the date of ... certified copy of this order."

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 – has not implemented the verdict even after a lapse of MORE THAN TWO YEAR.

Result we have seen, once again prompting the govt. machinery to stick to its well thought designed map of not to deviate from the concept of being against the revising the pension as per 7th CPC and moving speedily to get stay on the implementation of judgment. Now, the issue is applicability of Finance Bill in order to consider contempt petition, leaving the issue aside for the time being to determine the contempt petition for

failure to implement judgement within time frame or to consider stay as contemplated by the Govt.

Realizing the situations, we are happy to see that efforts are being made by the Pensioners Association to seek out of court settlement by approaching MoC & Cabinet Secretary, supporting our views in our letter dated 24th October, 2024 to Hon'ble to Prime Minister, wherein we have mentioned:

"(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) We, therefore seek your 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."

Wish you all happy Deepawali & Near Year....

Dinesh D. Mistry
General Secretary

02-10-2025

