



ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

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Dated: 29.08.2018

To

Smt Aruna Sundararajan,
Secretary (Telecom),
Department of Telecommunications,
New Delhi 110001

Sub: Denial of benefit of fixation of pension by taking into account the extra increment granted on post based promotion under BSNL Executive Promotion Policy to the BSNL Executives retired between July, 2017 and April 2018 – by Principal CCA, Tamilnadu Circle.

Madam,

We are constrained to draw your kind attention to a particular issue wherein a section of the BSNL Executives who were granted extra increment on their post based promotion under BSNL's Executive Promotion Policy, 2007 and retired between July 2017 and April, 2018 are being denied the benefit of fixation of pension by taking into account the said extra increment by the Principal CCA, Tamilnadu Circle. However, those who retired before July 2017 and retired/retiring after April 2018 face no such issue.

2.1 The problem started with DoT issuing an Order vide its letter No.40-12/2004-Pen (T) (Pt) dated 5th July 2017 conveying a decision that "(1) Para I.II. (v) of BSNL O.M. No.400-61/2004-Pers.I dated 18th January 2007 regarding grant of an extra increment on post based promotion under EPP stands rescinded". DoT also issued order not to reopen the cases of the past pensioners who had already been allowed the said benefit before the issue of the said order.

2.2 Following issue of the above quoted DoT Order, the pay of the executives retiring in July 2017 and later were revised withdrawing the extra increment, if any and consequently they were granted lower pension.

2.3 Aggrieved by the above decision of DOT, an OA was filed in Principal CAT Delhi challenging the above quoted DOT Order and the PCAT vide its order dated 21.12.2017 quashed and set aside the DoT letter dated 5th July 2017.

2.4 BSNL then issued an Order vide its No. 400-55/2016-Pers.I dated 11th May 2018, asking all Heads of Circles/Units that "Pay/pension cases of the affected executives may be settled

accordingly and concerned CCAs may accordingly be intimated please." The circles also acted on this letter and revised the pay fixation of these executives by restoring the extra increment and intimated the concerned CCAs.

2.5 But Principal CCA, Tamilnadu refused to revise the pension of those who retired in July 2017 onwards and upto April 2018, stating in a particular case that "DoT HQ New Delhi vide letter No. 40-12/2004-Pen (T)/Pt dated 17/05/2018 has issued directions for prospective settling of cases of Executives regulating their fixation of pay. As the Applicant has retired before the date of issue of latest orders, pensionary benefits were settled as per orders existing on the date of retirement and hence no revision of pension needs to be made."

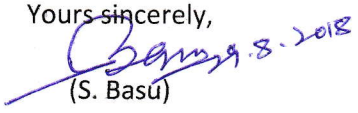
2.6 The DoT letter dated 17/05/2018 as quoted by Tamilnadu CCA states that "Accordingly, the implementation of the said order has been reviewed and it has been decided to process pension cases of absorbed BSNL executives, who are immediately retiring or retiring within the ensuing months, ignoring DoT order No.40-12/2004-Pen (T) (pt) dated 05.07.2017 after obtaining an undertaking from the retiring executives". But this Order did not say that the pension cases of the absorbed BSNL executives who retired after issue of DoT Order 40-12/2004-Pen (T) (pt) dated 05.07.2017 (since virtually withdrawn) and before issue of its Order No. 40-12/2004-Pen (T)/Pt dated 17/05/2018 are not to be processed in the light of its latest Order dated 17/05/2018.

2.7 Since, the Principal CAT Delhi issued orders quashing and setting aside the said DoT order dated 05.07.2017 and DoT has also shown its intention to implement the PCAT Order, there is no question of processing pension cases of the concerned retired BSNL Executives from a prospective date and it is a complete injustice and discrimination to those pensioners who retired during the period from July 2017 to April 2018 by not processing their pension cases.

3. In view of the above, we earnestly request you to kindly intervene in this case and cause issue of suitable clarification advising the Principal CCA, Tamilnadu Circle not to deny processing the pension cases of the absorbed BSNL pensioners, who retired between July 2017 and April 2018, by granting the extra increment on their post based promotion in the same manner as in other cases of the rest of the retired executives granted/being granted extra increment under BSNL's EPP.

With kind regards,

Yours sincerely,


(S. Basu)

General Secretary

Copy to:

1. Shri Ravi Kant,
Member (Services).
2. Shri S K Jain,
Dy Director General (Estt), DOT.