

UNITED FORUM OF MTNL UNIONS & ASSOCIATIONS

[Room no. 756, Kidwai Bhawan, Janpath ,New Delhi-110001]
[D-14,Telegraph Square,Doctor Lane,Gol Market ,New Delhi-110001]

Associates

- # Telecom Executive Association of MTNL (M: 9869136363)
- # MTNL Executive Association (M: 9868133336)
- # MTNL Staff Union (M: 9868133959)
- # MTNL Mazdoor Sangh (M: 9868137700)
- # MTNL SC/ST Employees Welfare Association (M: 9810672392)
- # Bhartiya Mahanagar Telephone Nigam Karamchari Sangh (M: 9868240035)
- # MTNL Workers Union (NFTE) (M: 20591084)
- # Dr.Ambedkar MTNL Sc/ST/OBC Telecom Emp.Welfare Assn.(M: 9868549755)
- # MTNL Karamchari Sanghathan (M: 9868001515)
- # MTNL Karamchari Union (M: 9013018199)
- # MTN Employee Union Gr.C&D (M: 9013356947)
- # MTNL Employees Welfare Union (M: 9868115485)
- # MTNL Karamchari Ekta Union (M: 9868838008)
- # MTNL Karamchari Congress (M: 9868134633)
- # Retired Telecom Officers' Welfare Association (M: 9968721515)
- # MTNL(DOT) Ex.Employees Welfare Association (M: 9968075051)

Letter no. UFOM/2010-11

Date: 18 -11-2010

MEMORANDUM ON

DISCRIMINATION MADE AGAINST MTNL,MTNL EMPLOYEES, EXECUTIVES & RETIREES IN RESPECT OF DISCHARGING OF PENSIONARY LIABILITY OF DOT EMPLOYEES & OFFICERS EN-MASS TRANSFERRED AND ABSORBED IN MTNL

To

Dr. Manmohan Singh
Hon'ble Prime Minister
Govt. of India, New Delhi

Hon'ble Sir,

At the outset we beg apology to encroach upon your valuable time by way of inviting your kind attention to the issues stated in this Memorandum. But as all other means available with us have already been exhausted and the important issues like Government Pension payable to the employees recruited by the Government and served in the Government could not be justifiably resolved during last one decade, we are unalterably constraint to take this audacious measure.

Restructuring of DOT & Formation of MTNL & BSNL

Restructuring of DOT was done as a matter of Govt. policy to revamp the telecom service in our country and the service provider function of DOT was split into two CPSUs,e.g., MTNL and BSNL. Consequently, the employees and officers (except Sr.Officers recruited through UPSC) working in Delhi and Mumbai were made to be absorbed in MTNL on 1.11.1998 and 1.10.2000 respectively. Likewise the rest of the similarly placed

employees and officers of DOT were made to be absorbed in BSNL in 1.10.2000.

Thus MTNL and BSNL was formed to escalate the growth of quality telecom service in our country. It was definitely not so done to harm the Govt. employees under any excuse by way of depriving them of their legitimate pensionary benefits which is nothing but security of life for them and their family at the old age.

Status prior to 30.09.2010

The absorbees of MTNL and BSNL both, as Govt employees, were entitled to Govt.Pension payable by the Govt. at par with all other Govt employees of our country.

Status after 30.09.2010

Consequent upon the formation of BSNL on 1.10.2000, the significant disparity was brought in the mode of discharging the liability of pension and pensionary benefits between MTNL and BSNL. The department of P & PW vide notification No. 4/6/99-P&PW (D) dated 30.9.2000 published as S.O. No. 904(E) in the Gazette of India, extraordinary, inserted an amendment as rule 37-A in CCS (Pension) Rules 1972, effective from 30.9.2000. This amendment created the radical disparity having far reaching and disastrous effect on the pension prospect of the Govt. employees absorbed in MTNL and the financial viability of MTNL as well by making inherent provision that while BSNL absorbees will be entitled for pension payable by the Govt., for the payment of pension of MTNL absorbees, Trust will be formed and Govt will discharge its liability by way of one time contribution and pending formation of Trust MTNL is to pay pension from its own fund. The true and clear meaning is that while the DOT employees on their absorption in BSNL will be entitled for the pension to be paid by the Govt, the DOT employees absorbed in MTNL will be denied that. This is the discrimination made against MTNL, MTNL employees, executives and retirees and this, having financial burden of Rs 1000 Crore per year, has, by now, telling effect on the financial viability of MTNL which has since been paying the pension from its own fund.

Another important aspect of disparity of pension is that in BSNL, both staff and executive absorbees are entitled for one and the same type of pension. Whereas in MTNL the DOT staff absorbed in MTNL on 1.11.1998 were granted different type of pension and as a result of that many of the staff get very negligible amount as pension on their retirement. DOT is inhumanly indifferent about this.

Our submission is that the Govt pension as assured to MTNL absorbees and the Govt. pension as being entitled by BSNL absorbees by virtue of the said Govt. notification should be the same in all respects. There should not be any disparity and any discrimination.

Repercussion unfounded:

The fear of repercussion can not and should not be anticipated in this case simply because no other comparable CPSU or any corporate body has been carved out of

conversion of Govt. Department during this period, i.e. 1.11.1998 to 1.10.2000. On the contrary, remedy lies in removing the discrimination created as aforesaid.

Disparity feared to be widened further

The disparity which has already been created is feared to be widened further as the proposal of pension revision after Wage Commission Report is being denied so far for MTNL absorbees whereas the same for BSNL absorbees are presently under the active consideration of the Govt.

MTNL in red

MTNL is in red now, thanks to the indifferent attitude of DOT/Govt. Govt. has put its own liability of payment of pension on MTNL. MTNL is to bear the extra burden of Rs1000 Crore per year for this. Apart from this, nearly Rs 45000 Crore have been pumped out of MTNL coffer by the Govt so far on one plea or the other. Now MTNL is to borrow money from outside sources to pay the salary and pension. This is the position in respect of financial viability.

As regards functional viability, a large section of management who are holding the key, are visibly indifferent about MTNL. They have preferred not to be absorbed in MTNL. They don't have any sense of belonging to MTNL. MTNL is losing land line connections very fast. MTNL's GSM and CDMA mobile telephones are not working with optimum level of efficiency. But this section of management is indifferent and a silent spectator at this much to the delight of the private service providers.

What DOT is to understand that this section of management is the main stumbling block in rejuvenating MTNL. With this kind of Management at the helm of affair, it is useless to find fault with the staff and staff strength.

Incomplete Absorption Process

The root cause of all this is the deliberate inept handling of absorption process. We were told at the time of absorption that deemed deputation status can not continue for long and if we did not opt for MTNL/BSNL we were likely to be transferred to the surplus cell. But this section of management is on the deemed deputation status for more than a decade. If this is the case, all absorbees should be taken back in DOT and they may be allowed to continue to work in MTNL on deemed deputation basis.

Govt's commitment in respect of MTNL pension

DOT/Govt. should honor the commitment made in respect of MTNL pension. DOT's No. 40-29/2002-Pension (T) dated 29.08.2002 addressed to CMD/MTNL underlines the commitment as follows :

“ The matter was taken up by DOT with the Department of Personnel & Training

and Ministry of Finance. This is to inform you that it has been agreed in principle that payment of pensionary benefits including family pension to the Government employees absorbed in MTNL and who have opted for Government scheme of pension shall be paid by the Government. The exact modalities in this regard are being worked out by Dept. of Pension and Pensioner's Welfare."

The long eight years have since passed but this matter has not been resolved as committed.

Our Appeal

In view of the facts stated in the foregoing paragraphs, the 40000 thousands DOT employees and officers absorbed in MTNL and their families make an ardent APPEAL to your goodself as follows :

Kindly use your good offices to ensure :

- @ **Stop Discrimination against MTNL, MTNL employees & MTNL retirees.**
- @ **Pension and related dues of MTNL retirees should be paid only by DOT as in the case of BSNL retirees.**
- @ **MTNL should be adequately compensated for the damage it has suffered for bearing the liabilities of DOT so far**
- @ **If DOT/Govt is not in a position to complete the absorption process, the absorbees should be allowed to revert back to DOT and continue to work in MTNL on deemed deputation basis.**

For this, we shall remain ever grateful to your goodself.

Thanking you,

Yours faithfully,

Sd/-
(M. K. Bagchi)
Convener