

# Telecom Executives' Association of MTNL

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No. TEAM/CHQ/MTNL/2016-17/142  
To

Dated :28.06.2017

Shri Narendra Modi ji  
Hon'ble Prime Minister  
Government of India  
Central Secretariat, South Block, New Delhi -110001

**Subject :- Non-implementation of the recommendations of the 7<sup>th</sup> CPC to the erstwhile DOT Employees who were absorbed in MTNL/BSNL and since retired and are drawing Pension under CCS(Pension) Rules,1972 as amended from time to time.**

Hon'ble Sir,

### BACKGROUND

In pursuance of Government's decision on the recommendation of the 7<sup>th</sup> C.P.C. DOP&PW vide its OM No.38/37/2016-P&PW(A) (ii) dated 04/08/2016 issued instructions for revision of pension of pre-2016 pensioners/family pensioners w.e.f 01/01/2016. As per para 2.1 of the said OM, "These orders shall apply to all pensioners/family pensioners who were drawing pension/family pension before 01/01/2016 under the Central Civil Service (Pension) Rules,1972." Further as per para 7(a) of the said Om. "Where the Government servants on permanent absorption in public sector undertakings/ autonomous bodies continue to draw pension separately from the Government, the pension of such absorbees will updated in terms of these orders." These orders have further indicated that even the restored one-third commuted portion of pension of those fortunate absorbees who could enjoy the benefits as one time lump sum terminal benefits equal to 100% of their pension at the time of absorption shall also be regulated albeit a separate orders will be issued.

2. The plain reading of the said OM leads to an understanding that the erstwhile Central Government employees of DOT who were permanent absorbed in MTNL/BSNL and who were drawing pension/family pension before 01/01/2016 under the Central Civil Services (Pension) Rules, 1972 as amended from time to time shall also be covered under the provisions of this OM for the revision of their pension and family pension, particularly because their all other pensionary benefits used to be regulated in the same way and under the same rules as that of the Central Government pensioners.

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**CRUX OF THE PROBLEM IN DECIDING THE ISSUE OF REVISION OF PENSION OF MTNL/BSNL RETIREES**

The crux of the problem is :-

(1). As often said, the issue of pension revision is linked with pay revision. But guidelines for pay revision of Central Government employees and the employees of MTNL/BSNL are not same. The recommendations of CPC as accepted by the Government of India are mandatory to ensure uniform applicability of the pay revision of all Central Government employees across the board. But the issue of pay/wage revision of MTNL/BSNL employees are subjected to the recommendations of PRC as accepted by the Government of India. The formulations/guidelines thus prescribed do not ensure mandatory and uniform revision of pay/wages of all employees of all PSUs. It varies from PSU to PSU depending on some other factors including "affordability", profit and loss account etc etc.

(2) Thus the pension revision is secured, certain and clearly defined for the Central Government pensioners as their pay revision is secured, mandatory and uniformly defined across the departments. Where as the revision of pension in MTNL/BSNL is uncertain and unsecured as the pay/wage of the IDA pay scale are not certain and uniform, even though the governing rules applicable for pension and other pensionary rules for the Central Government pensioners and the pensioners of MTNL/BSNL are the same. In fact, this is the reason why the PRC did not want to consider the issue of pension matters of MTNL/BSNL.

(3) The pension is related to the social security aspects for the Central Government pensioners. So it is for the pensioners of MTNL/BSNL as they were basically Central Government employees absorbed in MTNL/BSNL due to Government's decision of restructuring the Department of Telecom. More over the lump sum benefit of 100% commutation of pension was denied to them at the time of absorption. In fact, that is why the entire pension liabilities are borne by Government of India after due considerations.

(4) For the services rendered after absorption, BSNL and MTNL are paying pension contributions to the Government in the maximum pay scale.

(5) Pension revision is presently linked to pay revision. Pay revision in MTNL and BSNL is being linked to "affordability". But as regards the liabilities of pension/family pension and pensionary benefits in MTNL/BSNL, Government needs to afford, not MTNL/BSNL. Therefore, the pension revision in MTNL/BSNL should not be linked to pay/wage revision in MTNL/BSNL.

(6) As already said, pay/wage revision in PSU is dependent on profit and loss scenario of concerned PSU. No exception has been made for MTNL/BSNL in this respect. Without entering into the debate about justification of applying such criteria for the converted PSUs like MTNL/BSNL which has to unalterably bear the burden of long legacy of Government set up – good or bad, one can easily understand that the pensioners of MTNL/BSNL can not be held captive under this provision so far as their pension revision is concerned. The pensioners have no means to contribute to the productivity of MTNL/BSNL nor can they deserve any credit or discredit for the same. Why is then their pension revision shall be made subjected to such factor directly or indirectly ?

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**WAYOUT & OUR SEGGESTIONS**

(1)The only way to come out of this fallacious situation is **TO DE-LINK THE PENSION REVISION OF THE SAID PENSIONERS OF MTNL/BSNL FROM PAY/WAGE REVISION.** We suggest so out of our considered opinion.

(2) The formula of pension revision recommended by the 7<sup>th</sup>.CPC as accepted by the Government of India and implemented for the Central Government pensioners shall be applied for the revision of pension of MTNL/BSNL also by way of applying the same multiplying factor of 2.57 as recommended by the 7<sup>th</sup>.CPC from 01/01/2017 for all pensioners who retired before this date. The revision of pension will be carried out independent of the fact and phenomenon like :

- (a) They retire on ID pay and
- (b) Whether pay/wage revision has been done or not and if done, to what extent it is done.

**However, before revision of pension thus carried out for the similarly placed pensioners in MTNL, it must be ensured that the basic pension as on 01/01/2007 should be fixed after merger of 50% DA effectively amounting to 78.2% which is still pending.**

**APPEAL**

Hon'ble Sir,

We represent the working employees, pensioner/family pensioners of MTNL/BSNL. We are now in deep den of insecurity and uncertainty about the prospect of pension revision in MTNL/BSNL. The Central Government pensioners whose pension is regulated under the same rule as ours, have already received revised pension w.e.f 01/01/2016. The pensioners of MTNL/BSNL also aspire to get revised pension w.e.f. 01/01/2017. But for your kind and decisive intervention, this may not be possible. The pension revision is already delayed. Therefore, it is our ardent appeal to your goodself to direct the concerned Ministry/ Department to examine our appeal and do the needful to ensure justice to this section of senior citizens by way of laying standing provisions for pension revision in MTNL/BSNL for the erstwhile Central Government employees.

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

Thanking you

Yours faithfully,




(A.K.KAUSHIK)

General Secretary

Copy to :-

1. Shri Arun Jetley, Hon'ble Finance Minister, North Block, New Delhi
2. Shri Manoj Sinha, Hon'ble Minister of State ( C ), Independent Charge
3. Dr. Jitendra Singh, Hon'ble Minister of State (Personnel, PG & Pensions)
4. Smt. Aruna Sundarajan, Chairman T.C. and Secretary (T), D.O.T.
5. Smt. Anuradha Mitra, Member (Finance), D.O.T.
6. Smt. Seema Gupta, Director (PW), Dept. of Pension & PW, Lok Nayak Bhawan, New Delhi

  
(A.K. Kaushik).  
General Secretary.