

UNITED FORUM OF MTNL UNIONS & ASSOCIATIONS

[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)

Ref. No. UFOM/2010-11

Date: 28.01.2011

To,

Shri R.Chandrasekhar
Secretary/ D.O.T.
Sanchar Bhawan
20, Ashoka Road
New Delhi-110001

Subject :- MTNL pension issue.

Ref. :- Our previous letter No. UFOM/2010-11 dated 20.12.2010.

Sir,

Kindly refer our letter under reference seeking an interview to discuss about MTNL pension issue(copy enclosed). We are yet to receive any response in this regard. Our feeling is, we are still denied an opportunity to apprise you of our viewpoints in a meeting,- face to face. We would request you once again to this effect.

(1) It must be pointed out that the most of the officials who were absorbed in MTNL, already put their maximum period of service in DOT, while their period of service in MTNL is

negligible. It also must be noted that MTNL was incorporated not because these officials demanded this .MTNL/BSNL was incorporated so as to implement the policy of the Government to restructure the telecom department to pave the way for private participation in the telecom sector. The DOT employees fell in the line to facilitate the implementation of the said policy. No where in the said policy, it is aimed at depriving the involved employees of their legitimate old age security like pension and related benefits.

(2)If the Booklet provided during option is looked into, it would be seen that the option was exercised with the view that the pension and pensionary benefits would be regulated in accordance with DOPT OM No. 4/18/87-P&PW(D) dated 5.7.89 and OM No P&PW(D) dated 31.3.95. The clear cut understanding was that it would be Government pension at the Government's liability. The efforts which were afoot thereafter are nothing but the structured decisions only to deprive Government employees of their legitimate pension.

(3) DOT issued order vide No. 40-19/2000-PEN(T) dated 21/11/2000 as follows :

“In case of DOT employees already absorbed in MTNL, the pension cases are to be Processed and sanctioned by MTNL themselves. As per GOI,Ministry of Personnel, Public Grievances and Pension O.M.No.4/8/85-P & PW dated 30.10.1986,

The Government will discharge the pensionary liability by paying in lump-sum, as a one time payment, the prorata pension/service gratuity/terminal gratuity and DCRG for the

service up to the date of transfer of Government servant.”

With this, MTNL was asked to bear the entire liability of pension of all DOT employees absorbed

In MTNL whereas for BSNL, the pension liability rested with DOT. Thus MTNL was singled out.

(4)As far as the effectiveness of the arrangement of transfer of Government liability by paying one time payment in a lump-sum, there existed a very prominent view in DOP & PW itself as early as in 2004 as follows :

“:,,,,,, that for such employees payment made by the government to MTNL at the time of absorption of such employees (based on their erstwhile service in the Govt,) may or may not be adequate to discharge even the proportionate pensionary liabilities of

these employees who opt for government pension at the time of their retirement.

Any entitlement that has no credible mechanism for enforcement of its availment

Has no operational significance.”

It goes further to state :

“ If an absorbees has given an option to be governed by the Government pensionary rules

at the time of absorption in accordance with the then exact instructions contained in the

OM of 5-7-89, he/she must also have assurance that the option would not rendered

nugatory on account of MTNL's inability to discharge the pensionary liability
In accordance with the formula devised by the Government on which MTNL has
no control."

Our point is, despite such a serious reservation in DOP &PW, how could DOT,-our own
administrative ministry, issue such a discriminatory order to pass the buck to MTNL ?

(5) It is not for nothing that the ministerial level interventions were taken place not
once but twice resulting into a clear cut commitments. It is not for nothing that the assurance
to this effect was given in Rajya Sabha . The matter should have been settled and rested at
that. But it is unfortunate that all this are being ignored or at best, being lost sight of only to
single out MTNL to harm. None bothers to think that if at all, at any point of time ITS Officers
decide to exercise option,none of them will like to opt for MTNL in this situation. Or, will
there be another set pension rule for them ?

(6)It is not difficult to understand that the bogey of "higher pay scale" is not
sustainable. Because if it was so, those who retire from DOT (in CD pay scale) would have
objected at BSNL pension itself. Even reference to court cases in this respect is short of
actual context. It is also to be noted that DOT employees exercised option for absorption in
MTNL in a different situation
than that of VSNL. While VSNL absorbees could avail the benefit of 100% commutation, the
said facility stood withdrawn during MTNL absorption. Thus there is no basis of such
apprehensive comparison.

(7) We are 45000 serving officials and 15000 retirees. We want nothing short of
parity in pension with our counterpart in BSNL. Should there be no body in the
administration of DOT to hear us ? Therefore, we requested you for an interview.

Thanking you,

Yours faithfully,

(M. K. Bagchi)

Convenor

M: 9868534060

Copy to :-

Shri Kuldeep Singh

Chairman & Managing Director

M T N L, Corporate Office

New Delhi

..... for kind information please.