



ALL INDIA BSNL DOT PENSIONERS ASSOCIATION

[Registered No. S/68836/2010]

Central Head Quarters

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Advisor : V.A.N. Namboodiri
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AIBDPA/DOT/2016

August 03, 2016

To,

Shri J.S. Deepak,
Secretary,
Department of Telecommunications,
Sanchar Bhawan,
New Delhi - 110001

Sir,

Sub: - **Discrimination in payment of pensionary benefits to BSNL Pensioners retired between 01-01-2007 and 09-06-2013 consequent on the issue of orders extending the benefit of 78.2% IDA merger to BSNL pensioners retired prior to 10-06-2013- request for reconsideration-req.**

Ref: - **DoT Office Memorandum No.40-13/2013-Pen (T) dated 18-07-2016.**

On behalf of All India BSNL DoT Pensioners Association, I have the honour to express our sincere thanks to you and other concerned officers at DoT for settling the long pending demands of 78.2% IDA fixation to BSNL Pensioners retired before 10-06-2013 and annulment of 60:40 condition for payment of pensionary benefits.

While most of the pensioners are jubilant for the settlement of the twin issues, one section of the pensioners, i.e., those retired between 01-01-2007 and 09-06-2013 feel discriminated. The orders referred to above states in para (b) "However, these pensioners do not get actual benefit of increase in pay/pension during the period between 01-01-2007 to 09-06-2013, and they would not get increase in the amount of DCRG, leave encashment and commutation of pension on this account."

This has caused an anomalous situation to the effect that one who retired on 30-06-2013 is granted increased DCRG, leave encashment and commutation while another who retired on 31-05-2013 is denied the same benefit. This is a gross injustice, discrimination and heart burning for this section of pensioners. The Supreme Court in its historical judgment has categorically ruled that pensioners cannot be denied a benefit on the basis of date of retirement. Further, BSNL management when agreed for 78.2% IDA fixation in 2012 wanted to defer the payment of arrears due to financial constrains of BSNL. But contrary to this the DoT when issued the orders on 10-06-2013 mentioned that "No arrears will be paid." This was rightly pointed out by the then CMD, BSNL in a letter to the Secretary, DoT and sought revision of the order. But nothing happened in this regard which is the root cause for this anomaly.

Further, as far as the pensioners are concerned, the financial constraints of BSNL is not applicable as their pensionary benefits are paid by the central government from its consolidated fund. Moreover, now order is already issued by DoT for 100 per cent liability by central government for payment of pensionary benefits to BSNL absorbed DoT employees.

Considering the above genuine points it is requested that action may please be caused to extend justice to the BSNL pensioners retired between 01-01-2007 to 09-06-2013 by payment of increased pension, DCRG, leave encashment and commutation with effect from their date of retirement.

Thanking you,

Yours faithfully,

K.G.Jayaraj
General Secretary.

- Copy to: 1. Member (Services), Department of Telecom, Sanchar Bhawan, New Delhi.
2. Member (Finance), Department of Telecom, Sanchar Bhawan, New Delhi
3. Shri.S.K.Jain, DDG (Estt.), Department of Telecom, Sanchar Bhawan, New Delhi
4. Com.P.Abhimanyu, Convenor, Forum of BSNL Unions / Associations, New Delhi, for favour of n/a please.