

ALL INDIA BSNL-DOT PENSIONERS' ASSOCIATION

**Central Head Quarters,
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AIBDPA/ GL

17.11.2009

To

**Thiru A. Raja
Hon'ble Minister of Communications & IT
Govt. of India,
1080, Electronics Niketan,
CGO Complex,
New Delhi – 110 003**

Sir,

A kind reference is drawn to our earlier letter No.AIBDPA/GL dated 26.10.2009 forwarding the list of office bearers of our Association formed on 21.10.2009.

Now, I may take the privilege to bring to your kind notice the following long pending and agitating problems of BSNL and DOT retirees for your early favourable action and settlement.

1) 50% IDA merger and resultant revision of pension to the BSNL pensioners retired before 01.01.2007.

As per DPE order 50% IDA merger was implemented for the BSNL employees with effect from 01.01.2007. Subsequently this IDA merger was extended to the BSNL employees retired after 01.01.2007. But in the case of BSNL employees retired before 01.01.2007, this benefit has been denied on the plea that DPE order did not cover these section of pensioners and also due to absence of any provision for revision of pension in Rule 37 A under which pension is assured to the BSNL employees. Thus this issue now stands closed by DOT after the concerned file traveling from ministry to ministry for the last 17 months.

Further it is learnt that DOT is proposing to revise the pension of BSNL absorbed employees from IDA pattern to CDA pattern. This is reported to be on the basis of Department of Pension order No.4/14/2001-P&PW(D) dated 19.09.2003. This will certainly create unnecessary crisis and far reaching consequences. The BSNL absorbed employees are assured of pension on IDA scales as per orders issued earlier by the DOT and also as per Rule 37 A of CCS (Pension) Rules. Actually the above referred to order is not applicable to BSNL since for all BSNL absorbed employees retired after 01.10.2000 (formation of BSNL) pension is being paid on IDA scales only. If it is to be assumed that for those retired after 01.01.2007 pension will be paid on IDA scale and those retired before 01.01.2007 pension revision will be done on equivalent CDA scale, it will be a gross discrimination and negation of the law established by the supreme court in D.S. Nakara Vs govt. of India case where in it clearly pronounced that all pensioners should be of the same class without discrimination. Therefore DOT may suitably be directed to desist from such an illegal and discriminatory move.

2) Anomaly in fixation of pension to DoT employees absorbed in BSNL who retired between 01.10.2000 and 31.07.2001.

In the case of these section of retirees pension is fixed on a reduced pay and thereby suffered anomaly. This is due to conversion from CDA to IDA scales w.e.f. 01.10.2000. Generally whenever pay revision takes place such anomalies are natural and are settled subsequently. Similar problem during wage revision based on 6th Pay Commission Recommendations w.e.f. 01.01.2006 is settled by the Central Government vide sub rule 12 of its order No.38/37/08-P&PW dated 02.09.2008 by taking pay + DP + DA relevant and drawn on 01.01.2006 as emoluments for the pre revised period. Such a benefit was extended at the time of wage revision based on 5th CPC recommendations also, vide DOP&PW No.45/86/97-P&PW(A) Part I dated 18.10.1999 by notional increase of pre revised pay on par with revised pay.

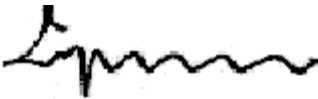
The issue has been sent to DOT by the BSNL management and necessary action be caused to settle the issue without further delay.

3) Grant of fixed medical allowance of Rs.1000/- to the DOT retired pensioners.

The DOT pensioners are now being paid Rs.100/- mensem only towards medical allowance for OP treatment. This is quite insufficient even for purchase of medicine for one time since the cost of medicines has increased exorbitantly. The above allowance was granted years back and the same may be enhanced to Rs.1000/-.

Thanking You,

Yours faithfully,



**[K.G. Jayaraj]
General Secretary**