



ALL INDIA BHARAT SANCHAR NIGAM LIMITED EXECUTIVES' ASSOCIATION

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No. AIBSNLEA/CHQ/Secy. DOT/2013

Dated:27.08.2013

To

Shri M.F.Farooqui,
Chairman Telecom. Commission & Secretary(T)
Sanchar Bhavan,
20, Ashoka Road,
New Delhi – 110001

Subject : Resolution of problems arising out of DOT Memo no.61-01/2012-SU dated 10th June 2013 as enunciated vide BSNL memo no.1-19/2002-PAT(BSNL) dated 8/8/2013 leading to hold up in Revision of Pension of Pre-2007 and Post-2007 Pensioners/ family Pensioners of BSNL in accordance with DPE's O.M. dated 2.4. 2009-reg.

Respected Sir,

Orders for revision of Revision of Pay of all BSNL Executives/ Non-Executives granting the benefit of 50% IDA Merger with basic pay w.e.f. 1/1/2007 resulting in net 78.2% IDA Merger as on 1/1/2007, were issued vide DOT Memo no.61-01/2012-SU dated 10th June 2013, in accordance with terms and conditions laid down vide DPE O.M. No.2(70)/08-DPE(WC)-GL-VII/09 dated 2.4.2009. DPE's OM dated 2/4/2009 clearly specified the date of implementation as 1/1/2007, but DOT's order has arbitrarily specified 10th June 2013 as cut-off dated for revision/ payment of salary of BSNL Employees existing in BSNL as on that date, which is clearly in violation of letter and spirit of DPE's OM dated 2/4/2009. The exact language of DOT order is quoted below:-

"In exercise of the powers conferred by the Article 145 of the Articles of Association of the Bharat Sanchar Nigam Limited (BSNL), the President is pleased to approve the proposal of BSNL regarding the fitment formula as per Department of Public Enterprises O.M. No.2(70)/08-DPE(WC)-GL-VII/09 dated 02.04.2009

Accordingly, In partial modification of this Department's Order No. 61-01/2009-SU dated 27.02.2009, the benefit of merger of 50% DA effectively amounting to 78.2% as on 01.01.2007 for the purpose of fitment in respect of the Board Level & below Board Level Executives and Non-Unionised Supervisors and Non-Executives of BSNL is hereby allowed from the date of issue of this order,

2. No arrears will be paid and the revised fitment on the basis of DPE OM dated 02.04.2009 will be paid with prospective effect only."

2. Deptt. Of Telecommunications had earlier conceded in 22nd SCOVA Meeting held on 19/2/2013 that if at any stage the benefit of merger of 78.2% IDA with pay of serving employees is given, this benefit would also be extended to absorb pensioners of BSNL. (The minutes of SCOVA Meeting were circulated vide DOP & PW memo No.42/1/2013- P&PW(G) dated 04/03/2013).

3. In order to expedite the benefit of 78.2% IDA Merger as on 1/1/2007 to Pre-2007 and Post-2007 Pensioners/ family Pensioners Deptt. Of Telecommunications asked BSNL to furnish the mode/ manner of implementation of DOT's order dated 10.6.2013 vide DOT letter no. 40-13/2013-Pen(T) dated 28/6/2013.

4. BSNL replied to DOT's letter dated 28/6/2013 vide memo No. 1-19/ 2012-PAT(BSNL) dated 8/8/2013 and stated two important points as enumerated below:-

“ In terms of DPE OM dated 2.4.2009, allowing benefit of merger of 50% DA with Basic Pay w.e.f. 01.01.2007, effectively amounting to 78.2% for the purpose of fitment, a proposal with the approval of BSNL Board, wherein, it was proposed to extend the said benefit to the BSNL employees w.e.f. the date of approval of the competent authority and the payment of arrears to be considered after the Company's operation become profitable, was sent to DOT vide BSNL letter dated 10/9/2012.

DOT vide letter dated 10/6/2013 approved the proposal of BSNL However it is mentioned in DOT letter dated 10/6/2013 that no arrears will be paid and the revised fitment on the basis of DPE OM dated 02.04.2009 will be paid with prospective effect only.

The referred orders have been implemented in reference of absorbed BSNL employees as on 10/06/2013 only. Since the orders are effective only from this date, the issue of pay revision, notional or otherwise of those employees who retired between 01.01.2007 and 09.06.2013 does not arise.”

5. It is very clear that BSNL Board approved the implementation of DPE OM dated 2.4.2009 in true letter and spirit vide BSNL memo dated 10/9/2012 but Deptt. Of Telecommunications added a rider of cut-off date of 10/6/2013 to the proposal of BSNL Board which leads to denial of benefit of 78.2% IDA Merger as on 1/1/2007 to Pre-2007 and Post-2007 Pensioners/ family Pensioners, which is a gross injustice to ex-DOT Employees retiring as BSNL Pensioners.

In the light of above submissions, you are requested to kindly look into the matter afresh and approve the proposal of BSNL Board dated 10/9/2012 in toto to enable BSNL to make payment of arrears at a future date, at its convenience, after the Company's operation become profitable and thus resolve the associated problems arising out of imposition of an arbitrary cut-off date for implementation of DPE orders dated 2.4.2009.

Thanking you.

Yours faithfully,
-sd-
(Prahlaad Rai)
General Secretary

Copy to:-

- o Shri R.K. Upadhyay, CMD BSNL, New Delhi-110001.
- o Shri S.C. Mishra, Member(S), DoT, Govt. of India, New Delhi-110001
- o Smt. Rita Teotia, Addl. Secretary, DoT, Govt. of India, New Delhi-110001
- o Shri A.N. Rai DIR (EB & HR), BSNL Board, New Delhi-110001
- o Shri K.C.G.K. Pillai, DIR (Fin), BSNL Board, New Delhi-110001
- o Shri R.K. Goyal, GM(Estt.), BSNL C.O., New Delhi-110001