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No. AIBSNLEA/CHQ/CMD, BSNL/2013

Dated:24.09.2013

To
Sh. R.K. Upadhyay
CMD, BSNL
New Delhi-110001

Sub: DoT Order issued on 78.2 % IDA fixation from 1-1-2007 – implementation of the order for the retired persons retired before 09-06-2013-reg.

Ref:1) Dot Memo No 61-01/2012-SU dated 10-06-2013 & 40-/13/2013-Pen(T) dt 28-06-2013 and BSNL reply vide 1-19/2012 – PAT (BSNL) dt 8-8-2013.

Respected Sir,

DOT vide its memo no. 61-01/2012-SU dated 10-06-2013, has allowed 78.2% IDA fixation from 01-01-2007. The date of effect of this order is 10-06-2013, but no arrears will be paid for such fixation. Which means that pay of the employees will be re-fixed considering 78.2% IDA merger from 1-1-2007 instead of 68.8% IDA merger as was done earlier but actual payment will be effective from 10-06-2013. Accordingly BSNL has revised the pay of all serving employees as on 10-06-2013 but taken no action for the pensioners retired after 1-1-2007 .

Subsequently on 28.06.2013 DOT has asked BSNL some inputs on the method of fixation to serving employees and also action taken for the officials who retired between 1-1-2007 to 09-06-2013, how the order of 78.2% IDA merger is implemented for them. BSNL in its reply dated 08-08-2013 stated that "***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.***"

Since then we are pursuing with DoT authority for issuance of proper orders for implementation of 78.2 % IDA merger from 1-1-2007 for both pre 2007 and post 2007 pensioners. At one point of time they were telling that the matter is under consideration but on 19-08-2013, when we met the member (Services), he opined that as BSNL the employer of these pensioners have submitted that the "issue does not arise" hence DOT has no further obligation to implement the order of 78.2% IDA merger for pensioners. He also mentioned that DoT may consider the issue once a request from BSNL, the employer, is received.

Under these circumstances we also feel that the reply of BSNL dated 8-8-2013 should have been carefully drafted. Instead of the words "**does not arise**" some other sentences could have been there which would have indicated BSNL's concern about the fact that as per the present order the pensioners are being denied of their right. Practically till date. no official communication expressing the concern about the deprivation of the pensioners, have been expressed by BSNL although the total no of pensioners who are being deprived is more than on lakh and BSNL is their employer.

Here we would like to mention that as per the agreement signed between BSNL and Joint forum of Unions and Associations, the pensioners are also supposed to get the benefit of 78.2% IDA merger from 1-1-2007.

We would therefore, request you to kindly consider the issue and take up the matter **officially with DoT** so that:

- For pre 2007 retirees, the pension is suitably revised from 1-1-2007. Already their pension has been revised with 68.8% IDA merger formulae from 1-1-2007. Now only suitable modification in the DoT order dated 15-03-2011 has to be made changing the formulae from 68.8% to 78.2%
- For post 2007 retirees, their pay may be revised from 1-1-2007 considering 78.2% IDA merger as was done for serving employees, which will consequently change their last pay drawn. Thereafter their pension and all pensionery benefits may be re-calculated on the revised last pay drawn and the differences be paid from their date of retirement.

With kind regards,

Yours Sincerely,

-sd-

(Prahlaad Rai)
General Secretary

Copy to:

- Shri M.F.Farooqui, Chairman Telecom. Commission & Secretary(T), Sanchar Bhavan, 20, Ashoka Road, New Delhi – 110001
- Shri S.C. Mishra, Member(S), DoT, Govt. of India, New Delhi-110001
- Smt. Rita Teatota, Addl. Secretary, DoT, Govt. of India, New Delhi-110001
- Shri A.N. Rai DIR (EB & HR), BSNL Board, New Delhi-110001
- Shri K.C.G.K. Pillai, DIR (Fin), BSNL Board, New Delhi-110001
- Shri R.K. Goyal, GM(Estt.), BSNL C.O., New Delhi-110001