



ALL INDIA BHARAT SANCHAR NIGAM LIMITED
RETIRED EXECUTIVES' ASSOCIATION
Central Headquarters

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No. AIBSNLREA/CHQ/2012/24

Dated: September 19, 2012

To

Shri R Chandrasekhar,
Secretary,
Department of Telecommunications,
Sanchar Bhawan,
New Delhi 110 001

Sub: Revision of Pension of pre-2007 pensioners/family pensioners of BSNL – Cases of wrong fixation of family pension due to non-application of the provision that revised family pension, in no case, shall be lower than 30% of the minimum pay in the pay scale corresponding to the pre-revised scale in which the pensioner/deceased employee last worked

Ref: (1) DOP&PW O.M. F.No 38/37/08 P&PW(A).Pt.I dated 3.10.2008
(2) DOP&PW F.No 1/3/2011-P&PW(E) dated 25.05.2012

Sir,

We would like to draw your kind attention to our earlier representation on the above subject vide No. AIBSNLREA/CHQ/2012/20 dated 21.08.2012 wherein we had pointed out that while revising the pension of the pre-2007 pensioners/family pensioners of BSNL in terms of the **DoT Order No. 40-17/2008-Pen(T)-Vol.III dated 15.03.2011**, the **family pensions of the DoT Officers absorbed in BSNL mainly in the scale of E-7 and above have been wrongly revised and fixed at much lower stages.** This is due to non-application of the provision that the revised family pension, in no case, shall be lower than 30% of the minimum pay in the pay scale corresponding to the pre-revised pay scale in which the pensioner/deceased employee last worked.

2. In support of our representation on the issue we quoted the DOP&PW O.M. F.No 38/37/08 P&PW(A).Pt.I dated 3.10.2008 in which it

has been clarified at Para 4.2 of the OM that **'the fixation of family pension will be subject to the provision that the revised family pension, in no case shall be lower than thirty percent of the sum of the minimum of the pay band and the grade pay thereon corresponding to the pre-revised pay scale in which the pensioner/deceased Government Servant had last worked.'** We also mentioned that the said clarification was in conformity with the Rule 54(2) of Family Pension Rules 1964 which provides that "*Family Pension shall be calculated at a uniform rate of 30% of basic pay in all cases...*". Our contention was that since the payment of Pension/Family Pension of the absorbed BSNL pensioners are governed under the provisions of CCS (Pension) Rules 1972, as applicable to the Government servants, the above clarification is equally applicable to the Pensioners/Family Pensioners of BSNL.

3.1 Now, DOP&PW has issued another Order vide its **F.No 1/3/2011-P&PW(E) dated 25.05.2012** [copy enclosed for ready reference] again reiterating at Para 2 of this Order that "*The fixation of family pension at ordinary rates is subject to the provision that the revised family pension in no case shall be lower than 30% of the minimum of the pay in the pay band plus grade pay corresponding to the pre-revised pay scale from which the pensioner had retired. In case of HAG and above scales it is 30% of the minimum of the revised pay scale. In the cases of such employees who retired/died on and before 31.12.2005 the family pension at enhanced rates was also required to be revised.*"

3.2 This Order of DOP&PW further clarifies at its Para 3 that *..."revised enhanced family pensionshall not be less than 50% of the sum of minimum of the pay in the pay band plus the grade pay or 50% of minimum of pay scales in case of HAG and above, corresponding to the pre-revised pay scale in which the pensioner/deceased employee had last worked."*

4. In view of the above stated facts, **suitable instructions by DoT will have to be issued to all concerned with reference to its earlier Order No. 40-17/2008-Pen(T)-Vol.III dated 15.03.2011 to implement the provisions made in the above quoted DOP&PW OM dated 3.10.2008 and 25.5.2012 in the cases of the pre-2007 pensioners/family pensioners of BSNL also** while revising their pension/family pension and also directing that the fixation of family pension will be subject to the provision that the revised family pension, in no case shall be lower than thirty percent of the minimum of the pay corresponding to the pre-revised pay scale in which the pensioner/deceased Employee absorbed in BSNL had last worked.

5. We shall, therefore, once again request for issue of the necessary instructions at the earliest to remove the above stated genuine grievance of the pre-2007 pensioners in BSNL .

With kind regards,

Yours sincerely,



(S Basu)
General Secretary

Encl: As stated.

Copy to:

- 1 Shri S C Misra,
Member (Services),
Telecom Commission,
New Delhi 110 001.
- 2 Dr Vijayalakshmi K Gupta,
Member (Finance),
Telecom Commission,
New Delhi 110 001.
- 3 Shri Sanjay Kothari,
Secretary,
Deptt of Pension & Pensioners' Welfare.
New Delhi 110 003.