



ALL INDIA BHARAT SANCHAR NIGAM LIMITED
RETIRED EXECUTIVES' ASSOCIATION
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No. AIBSNLREA/CHQ/2012/20

Dated: August 21, 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**

Sir,

We are constraint to bring to your kind notice 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 pension 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 fact, DoP&PW vide Para 4.2 of its O.M. F.No 38/37/08 P&PW(A).Pt.I dated 3.10.2008 had clarified 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.' This clarification is 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...*". 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. But unfortunately, the DoT Order No. 40-17/2008-Pen(T)-Vol.III dated 15.03.2011, instructing to revise the pension/family pension of pre-2007 BSNL has no mention of the provision in respect of revision of family pension 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 scale in which the pensioner/deceased employee last worked, though the other provision in respect of revision of pension “that the revised pension in no case shall be lower than 50 % of the minimum pay in the pay scale corresponding to the pre revised scale in which the pensioners had retired’ has been clearly mentioned in Para 4.2 of the above referred DoT order. Many CCAs also did not take note of the said provision, as mentioned at Para 2 above, while revising the family pension.

4. In fact, DoT has given a formula at Para 4.1 of its above quoted Order for fixation of Pension/Family Pension. The uniform application of this formula for revision of family pension ignoring the standing provision on the subject and reiterated by the above stated clarification dated 3.10.2008 issued by DoP&PW has caused fixation of Family Pension of many pre-2007 BSNL pensioners/Family Pensioners at much lower stages.

5. In view of the above, DoT has to issue suitable instructions to all concerned with reference to its earlier Order No. 40-17/2008-Pen(T)-Vol.III dated 15.03.2011, 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.**

6. We shall be extremely thankful if the necessary instructions are issued at the earliest to remove a genuine grievance of the pre-2007 pensioners in BSNL .

With kind regards,

Yours sincerely,



(S Basu)
General Secretary

Copy to:

1

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Member (Services),
Telecom Commission,
New Delhi 110 001.

2

Dr Vijayalakshmi K Gupta,
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3

Shri Sanjay Kothari,
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