



## ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

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No.AIBSNLREA/CHQ/2021/44

Date: 11<sup>th</sup> August 2021

To  
Shri Indevar Pandey,  
Secretary (Pension),  
Dept of Pension & Pensioners' Welfare,  
New Delhi

**Sub: Discrimination arising out of denial of option to Group C employees of DoT to retain CDA pay scale till their promotion after 01.10.2000, the date of formation of BSNL**

Sir,

We are constrained to seek your kind attention to a discriminatory action by DoT after offering a common benefit to all DoT employees seeking absorption in BSNL, stating that "an option to retain Government Pay scale i.e. CDA pay scale till their promotion or retirement whichever is earlier" in pursuant to the provision in Para 4 of DOP&PW OM No.4/18/87-P&PW(D) dated 5.7.1989.

2. This benefit of option was a part of the General Terms and Conditions of Service separately issued to the Group 'C & D' employees and the 'Group A & B' officers of the erstwhile DoT, before their absorption in BSNL. After the absorption process was over, all the employees who opted for this specific benefit were rightly extended the same and their basic pay was fixed from CDA to IDA pay scale in terms of this condition. But surprisingly and to the agony of the absorbed employees, CCA units of DoT started disallowing the benefit to the absorbed BSNL employees at the time of fixing their basic pension on their retirement. This resulted in court cases and subsequently DoT reluctantly restored the benefit only to the retired absorbed Group "B" level officers vide its No.2-49(3)/2009-PAT dated 4.11.2010 but denied the benefit to the retired Group "C" and "D" employees who also took absorption in BSNL and opted for the same benefit.

3. We had raised this issue of gross violation of a specific provision in the settled terms and conditions of service offered at the time of absorption in BSNL, pointing out the clear discrimination between similarly placed employees and officers, though they were both

covered by the same terms and conditions for absorption. Despite raising the issue with all concerned including the DoP&PW, the affected pensioners are yet to get justice.

4. In the meanwhile, it has been brought to our notice, that discrimination exists not only between the employees and officers but also among the employees themselves, **leading to a situation wherein senior employees of Group "C" level are drawing lesser pension than their junior Group "C" level employees who have been allowed the benefit of option and got their fixed at higher stages while in service.** As a sample case, we are enclosing the copy of representation from Shri R D Modak, TTA promoted as JTO, who is senior to two other TTAs who were also promoted as JTO but got their pay fixed at a higher stage [**Annexure-A**]. While Shri R.D.Modak was denied the option, the two juniors were allowed to opt and the benefit of fixation based on the option was availed by them. **Shri R.D.Modak had worked under Pune District of Maharashtra Circle and the other two had worked in Nagpur and Wardha Districts of the same Circle.** The pay fixation memos of all the three employees are enclosed [**Annexure-B**].

5. Shri R.D.Modak and a few others have been discriminated against by such type of differential treatment by different districts of Maharashtra Circle. We would request you to kindly personally intervene and direct DoT/Maharashtra Circle of BSNL to follow DOP&PW OM No.4/18/87-P&PW(D) dated 5.7.1989, revise the pay/pension of the affected pensioners and thus render justice to them.

With kind regards,

Yours sincerely,

  
(R.R. Balasubramanian) 11/8/21

Asst. General Secretary  
For General Secretary

Encl: As stated

Copy to: 1. Shri Anshu Prakash,  
Secretary, DoT  
2. Shri Ramakant Sharma,  
CGMT, Maharashtra Circle