



## Editorial

### CONCEDING DEFEAT EVEN BEFORE THE WAR BEGINS

A recent letter issued by BSNL recording the discussions that took place between the CMD and the Board of Directors and the Unions and Associations in a meeting held on 27.10.2021, revealing that the unions and associations submitted that they were agreeable to wage revision with 0% fitment to address stagnation, has come as a rude shock. Only a few days earlier, it was reported that the Wage revision committee had been reconstituted, raising hopes of meaningful negotiations and implementation of revised pay scales for non-executives, which could be a precursor for pay revision of executives and as a consequence revision of pension of the pre-2017 pensioners. This clearly is a case of conceding defeat even before the war begins.

In the past too, this group had added "delinking of pension revision from pay revision" as one of the demands along with implementation of 3rd PRC pay scales, explicitly displaying their disbelief on possibility of pay revision. Had 3rd PRC scales been implemented, pension revision would have followed automatically, of course after cabinet approval, like in the case of pension revision after implementation of 2nd PRC.

Instead of putting entire focus on pay revision, they were laying emphasis on delinking pension revision from pay revision -ultimately losing both. They failed to cling to the opportunity of 5% fitment offered by the Government, with a declaration that nothing less than 15% is acceptable. This was followed by a three-day Strike call given by them which they portrayed as 'successful', but this actually led them to nowhere, except that the Government unceremoniously sending home 85000 employees on VRS.

It is not known whether the leaders of these unions and associations did their homework before submitting that they are agreeable to wage revision with 0%. Some of these leaders were earlier found advocating merger of DA as on 1.1.2017 with the basic pension and treating the merged amount as new basic pension, with 0% fitment. The serving employees and the pensioners were made to believe that after merging the DA/DR as on 1.1.2017 and treating it as new pay/pension, there is going to be enormous gain, as the DA/DR will be calculated on the new basic pay/pension. The fact remains that, in such an event, the DA/DR applicable will be far too lower, starting with 0% on 1.1.2017. In

most cases, the emoluments/pension being drawn now will be more than or equal to the proposed 0% fitment by the group. While non-executive unions are free to negotiate on the wage revision, the fate of the Executives are already sealed with the DPE categorically stating that the fitment can be either 5%, 10% or 15% depending on the affordability of the CPSE concerned and that no pay revision for the others. There is no provision for 0% fitment benefit for pay revision in the Government approved 3rd PRC recommendations.

The offer by these unions and associations agreeing to 0% fitment is neither logical nor is implementable. But in the rare event of BSNL accepting it in respect of non-executives, pension revision will become a thing of the past, since pension revision can be done only with the same fitment formula approved for the serving employees. While with 0% fitment, if accepted, the serving employees can at least expect an increase in annual increment due to merged DA, but the pensioners will get nothing.

We are yet to come out of the mess that these people once created by voluntarily offering to forego arrears of 78.2% fitment, which the BSNL/DoT readily jumped upon, resulting in loss of lakhs of rupees in arrears for employees and pensioners as well as enhanced pension and pensionary benefits for those who retired between 1.1.2007 and 10.6.2013. Now they are again attempting to slap a

similar disaster on both the serving employees and the pensioners.

It is really distressing that these unions and associations which were once found adamant not willing to accept anything less than 15% at a time when BSNL was literally sinking, are now voluntarily agreeing for 0% fitment, simultaneously shamelessly claiming that BSNL is still in a deep financial crisis and no better settlement is possible in the present situation. This at a time when the CMD himself is claiming that BSNL as an organization is getting more stable and the PSU is moving in the right direction. DoT too, it is on record, had declared that BSNL has turned EBIDTA positive in the first half of FY 2020-21.

After re-constitution of the wage revision committee in BSNL meant for non-executives, even before holding of a single meeting of the committee, instead of convincing the Management for a respectful wage revision, the meek surrender by these unions and associations without offering a fight, is too dangerous and harmful for both the serving employees and the pensioners. As pensioners, since pension revision is possible only with pay revision, we only wish that these unions and associations drop their jeopardizing proposal of 0% fitment, free themselves from the negative and defeatist mentality, stay positive and have meaningful discussions with the Management in order to achieve a real pay revision.■



## Important Developments of the Month

- BSNL CO has issued orders further extending the last date for submission of revalidation of BSNL MRS card and fresh option for cash payment without voucher by retired employees upto 30.11.2021
- DPE has issued orders revising IDA rate to 173.8% due and payable from 01.07.2021 and 179.3% due and payable from 01.10.2021, in respect of CPSEs where last pay revision was implemented w.e.f. 01.01.2007
- DPE has issued orders on calculation of gratuity and cash payment in lieu of leave for the employees of CPSEs following IDA pattern, retired on or after 01.10.2020 and up to 30.06.2021 based on notional IDA rates. Increase in rates of IDA during this period was frozen and was restored prospectively from 01.07.2021.
- DoT has finally issued orders to remove the anomaly in fixation of pension of those who retired within the period of 10 months from 01.10.2000, by allowing refixation, from the date of their retirement, by adopting the formula as contained in DOP&PW OM F No. 45/86/97-P&PW(A)-Part-I dated 18.10.1999 by giving them notional benefit of IDA pay for the period their pay was taken in CDA pay for the purpose of calculating average emoluments and thereafter grant of all consequential benefits, thus bringing to an end the anomaly that was allowed to exist for two decades.



## Issues taken up

**26.10.2021: AIBSNLREA WRITES TO THE SECRETARY, DoT, ON DELAY IN IMPLEMENTATION OF ORDERS OF SUPREME COURT OF INDIA IN CA No.4389 OF 2010 IN EXTENDING THE CONSEQUENTIAL BENEFITS OF THE JTOs QUALIFIED IN TES GROUP B QUALIFYING EXAMINATIONS AND WERE PROMOTED TO DE/AGM GRADE BASED ON THE REVISED SENIORITY LIST:**

AIBSNLREA has drawn the attention of Secretary, DoT to the BSNL letter vide No. BSNL CO-COMN/12(11)/3/2020-PERS 1 dated 19.01.2021, wherein BSNL had conveyed that "Further, review DPCs against the DPCs conducted in the past for promotion from SDE (T) to DE (T) is under process. It requires collection of ACRs from different part of India in respect of even those officers who have retired more than 10 years ago. This work of collection of essential ACRs/data/records is time consuming. All out efforts are being made to start the process of holding review DPCs" and has pointed out that only one review DPE has been conducted till date. Secretary, DoT has been requested to advise BSNL to conduct review DPC in respect of the remaining 162 promotion orders listed in its letter dated 16.07.2019, at the earliest and without further delay. [View the Letter](#)

**25.10.2021: AIBSNLREA AGAIN WRITES TO THE SECRETARY, DPE, ON NON-ISSUE OF ORDERS FOR REVISION OF IDA RATES DUE FROM 01.07.2021 & 01.10.2021 BY DPE:**

AIBSNLREA has again addressed Secretary, DPE, drawing his attention to the fact that while there has been no response from DPE to our earlier letters, the Union Cabinet has recently approved release of an additional instalment of Dearness Allowance to Central Government employees and Dearness Relief (DR) to pensioners w.e.f. 1.7.2021 and hence there can be no justification now to continue to deny increase in IDA due from 01.07.2021 and 01.10.2021 to

the CPSE employees, requesting him to ensure that orders for revision of IDA rates w.e.f. 01.07.2021 and 01.10.2021 are issued immediately. [View the Letter](#)

**22.10.2021: AIBSNLREA WRITES TO THE DIRECTOR (HR), BSNL ON DISCREPANCIES IN FORM 16 ISSUED BY TAMILNADU CIRCLE IN RESPECT OF BSNL VRS 2019 RETIREES:**

AIBSNLREA has written to the Director (HR), BSNL about the discrepancies in Form 16 issued by Tamilnadu Circle to those who retired under BSNL VRS 2019, which remain unrectified months after the same were reported and even when the extended last date for filing ITR by the retirees is fast approaching and has requested immediate action for issue of corrected and revised Form-16 to the BSNL VRS retirees of Tamilnadu Circle with simultaneous action to get Form 26 AS of the affected VRS-retirees rectified. [View the Letter](#)

**18.10.2021: AIBSNLREA AGAIN WRITES TO THE SECRETARY (PENSION), DoP&PW, ON CONDONATION OF ADMINISTRATIVE DELAY IN ISSUING APPOINTMENT LETTER TO SHRI A K DUBEY, Retd AGM AGRA UNDER RULE-22 OF CCS (PENSION) RULES, 1972:**

Pointing out that BSNL has selectively quoting from Rule 22 of CCS (Pension) Rules, 1972 to deny the benefit of condonation of administrative delay in issuing appointment letter to Shri A K Dubey, AIBSNLREA has again written to the Secretary (Pension) that BSNL Corporate Office has tried to suppress the fact that under the same Rule, there is a provision for 'condonation of administrative delay in issuing posting order after training, for counting training period for pension'. Attaching the copy of the relevant pages of Swamy's Pension Rules, highlighting the provisions, AIBSNLREA has requested early resolution of the issue. [View the Letter](#)

**12.10.2021: AIBSNLREA WRITES TO THE SECRETARY (PENSION), DoP&PW, REQUESTING TO ADVISE MINISTRIES/DEPARTMENTS TO HONOUR AND IMPLEMENT THE INTENTION OF DoP&PW IN PROVIDING MECHANISM FOR RESOLUTION OF GRIEVANCES OF PENSIONERS THROUGH CPENGRAMS:**

Dismayed with the unimaginable and irresponsible responses by BSNL and DoT, to the grievances filed by AIBSNLREA in CPENGRAMS, AIBSNLREA has now written to the DoP&PW requesting to advise BSNL and DoT to sincerely make efforts to resolve the grievances of the pensioners instead of finding some excuse to close the docket. [View the Letter](#)

**11.10.2021: AIBSNLREA WRITES TO THE SECRETARY, DPE ON NON-ISSUE OF ORDERS FOR REVISION OF IDA RATES DUE FROM 01.07.2021 & 01.10.2021 BY DPE CAUSING CONCERN AND ANXIETY AMIDST BSNL IDA PENSIONERS:**

While there has been no response to our earlier letter from DPE and no orders on revised IDA rates due from 01.07.2021 has been issued, another installment of IDA has become due from 01.10.2021. AIBSNLREA has therefore again written to the Secretary DPE pointing out that all these years, DPE had been issuing orders on revised rate of IDA mostly in the first week of the month it became due and non-issue of orders for revised rates of two installments giving room for rumors and speculations unnecessarily. It is also against the principle of compensating the employees and pensioners for the price rise as and when the compensation becomes due. AIBSNLREA has requested Secretary, DPE to ensure that orders for revision of IDA rates w.e.f. 01.07.2021 and 01.10.2021 are issued immediately in order that the uncertainty in the matter comes to an end. [View the Letter](#)

**01.10.2021: AIBSNLREA WRITES TO THE CHIEF GENERAL MANAGER, TELECOM, BSNL, ANDHRA PRADESH CIRCLE ON DISCREPANCY IN PAY FIXATION IN IDA PAY SCALE ON**

### **ABSORPTION IN BSNL W.E.F. 01.10.2000 RESULTING IN LESSER PENSION - CASE OF SHRI C H SUBRAHMANYAM, RETD SDE NELLORE:**

Shri C H Subrahmanyam, Retd SDE, Nellore, had been representing since the year 2004 regarding fixation of his pay in IDA pay scales on absorption in BSNL which resulted in his drawing lesser pay than his junior from 19.01.2002. Non-settlement of his grievance has resulted in his drawing lesser pension than his juniors. AIBSNLREA has taken up the issue with the CGMT, AP Circle, drawing attention to Para 4 of DoP&PW OM No. No.4/18/87-P&PW (D) dated 5th July 1989, according to which "until the exercise of this option, they will continue to be governed by the pay scales, leave entitlements and terminal benefits under the Government" and therefore rejecting his representation as 'time barred' is completely against the law. [View the Letter](#)



## **GOVERNMENT/BSNL ORDERS & LETTERS**

### **30.10.2021: BSNL EXTENDS LAST DATE FOR REVALIDATION OF BSNL MRS CARD & FRESH OPTION FOR PAYMENT OF CASH ALLOWANCE TO RETIRED EMPLOYEES UPTO 30.11.2021:**

BSNL CO has issued orders further extending the last date for submission of fresh option form by retired employees upto 30.11.2021. [View the BSNL letter](#)

### **27.10.2021: DPE ISSUES ORDERS ON REVISED IDA RATES DUE FROM 01.07.2021 AND 01.10.2021:**

DPE has issued orders revising IDA rate to 173.8% due and payable from 01.07.2021 and 179.3% due and payable from 01.10.2021, in respect of CPSEs where last pay revision was implemented w.e.f. 01.01.2007. [View the DPE OM](#)

### **27.10.2021: DPE ISSUES ORDERS ON REVISED IDA RATES DUE FROM 01.07.2021 AND 01.10.2021:**

DPE has issued orders revising IDA rate to 362.2% due and payable from 01.07.2021 and 371.5% due and payable from 01.10.2021, in respect of CPSEs where last pay revision was implemented w.e.f. 01.01.1997. [View the DPE OM](#)

### **26.10.2021: DPE ISSUES ORDERS ON CALCULATION OF GRATUITY AND CASH PAYMENT IN LIEU OF LEAVE FOR THE EMPLOYEES OF CPSEs FOLLOWING IDA PATTERN RETIRED ON OR AFTER 01.10.2020 AND UP TO 30.06.2021:**

DPE has issued orders on calculation of gratuity and cash payment in lieu of leave for the employees of CPSEs following IDA pattern, retired on or after 01.10.2020 and up to 30.06.2021 based on notional IDA rates for different categories of CPSEs. [View the DPE OM](#)

### **08.10.2021: DOT FINALLY ISSUES ORDERS RESOLVING THE ANOMALY IN PENSION OF THE BSNL PENSIONERS RETIRED WITHIN 10 MONTHS OF THEIR ABSORPTION:**

AIBSNLREA has been pursuing a case for removal of anomaly in pension of some absorbed BSNL pensioners who retired within 10 months of their absorption for quite a long time. There are about 4320 such cases in BSNL belonging to different cadres- hardly a few of them had been the retired Executives. Since pension was fixed for them taking into average of last 10 months pay, parts of which were in CDA and part in IDA, they received less pension compared to others who had their last 10 months pay only in IDA scale. The matter was taken up both with DOT and DOP&PW. In order to resolve the issue, we first proposed to allow pension

fixation on one's last month's pay as has been made applicable to post 2006 Government/BSNL employees covered under CCS (Pension) Rules, 1972. But DOP&PW, vide its No. 38/6/10-P&PW(A) dated 11.08.2011, conveyed to us that it had consulted Department of Expenditure and no change in the said order for revision of pension to pre-2006 pensioners is required to be made. Then AIBSNLREA suggested that the said anomaly be removed by adopting a similar approach as available in DOP&PW OM F No. 45/86/97-P&PW(A)-Part-I dated 18.10.1999 for removal of an anomaly which was noticed during implementation of the V CPC recommendation. In the instant case, the CDA pay for the months prior to October 2000 forming part of 10 months average pay may be fixed notionally in the IDA pay by giving point to point fixation as was applied while fixing the CDA pay to IDA pay in October 2000. We even suggested that the notional IDA pay so fixed for the months prior to October 2000 forming part of 10 months average pay and the IDA pay from October 2000 till the date of retirement of the affected absorbed BSNL employees may be taken for calculating average pay for the purpose of fixation of pension. We even managed to get this issue along with few other issues included in the agenda items in the meetings of Standing Committee of Voluntary Agencies (SCOVA) since last few years.

DOP&PW, on its part, had suggested a formula to resolve the issue and the DOE advised DOT to work out the financial implication on application of this formula. Meanwhile, CAT Principal Bench, in an Order passed on 16.12.2016 in OA No. 2173/2014, allowed a petition filed by a Pensioners' Association and some other individuals, and directed to fix pension by granting notional benefit of IDA pay scales. In the subsequent Meeting of SCOVA held on 27.01.2017, Department of Telecom informed that, as desired by Department of Expenditure, financial implication on the formula suggested by DOP&PW was being worked out in consultation with BSNL. In the SCOVA meeting, Department of Telecom was requested to examine the judgment of CAT. Since there was no progress in the matter, we again took up the issue and even addressed a letter to Prime Minister in August, 2017. However, DOT moved Delhi High Court with a Writ Petition against the Principal CAT Order and also obtained a stay Order.

Consequent to the dismissal of the appeal on 24.01.2020, with the approval of the competent authority, DoT has now issued orders to remove the anomaly by refixing the pension of those who retired within the period of 10 months from 01.10.2000, from the date of their retirement, by adopting the formula as contained in DOP&PW OM F No. 45/86/97-P&PW(A)-Part-I dated 18.10.1999 by giving them notional benefit of IDA pay for the period their pay was taken in CDA pay for the purpose of calculating average emoluments and thereafter grant of all consequential benefits, thus bringing to an end the anomaly that was allowed to exist for two decades. [\\_View the DoT letter](#)

**02.10.2021: DEPARTMENT OF HEALTH & FAMILY WELFARE ISSUES CLARIFICATION REGARDING INVESTIGATIONS AT EMPANELLED DIAGNOSTIC CENTRES IN RESPECT OF CGHS BENEFICIARIES AGED 75 YEARS AND ABOVE:**

With reference to its earlier O.M. dated 29.05.2019 permitting CGHS beneficiaries aged 75 years and above to consult Specialists at Hospitals empanelled under CGHS without referral from CGHS, Department of Health & Family Welfare has clarified that there is no provision to undergo investigations at CGHS empanelled Diagnostic Laboratories and Imaging Centres without advice from Government Specialists/CGHS Medical officer/Specialists of empanelled hospitals. In case of unlisted investigations, approval of competent authority is necessary

before undergoing such investigations from empanelled Diagnostic Laboratories and Imaging Centres. [View the DoH&FW O.M.](#)



## RESPONSE/ACTION TAKEN ON AIBSNLREA'S REPRESENTATIONS

### **30.10.2021: BSNL EXTENDS LAST DATE FOR REVALIDATION OF BSNL MRS CARD & FRESH OPTION FOR PAYMENT OF CASH ALLOWANCE TO RETIRED EMPLOYEES UPTO 30.11.2021:**

BSNL CO has issued orders further extending the last date for submission of fresh option form by retired employees upto 30.11.2021. [View the BSNL letter](#)

### **27.10.2021: DPE RESPONDS TO AIBSNLREA LETTERS ON NON-ISSUE OF ORDERS FOR REVISION OF IDA RATES DUE FROM 01.07.2021 & 01.10.2021 BY DPE:**

In response to the letters dated 07.09.2021 and 11.10.2021 by AIBSNLREA addressed to the Secretary, DPE, DPE has today replied that "Orders for revision of IDA rates due from 01.07.2021 & 01.10.2021 are issued vide OMs dated 27.10.2021 (available on DPE website: www.dpe.gov.in )." [View the responses by the DPE](#)

### **20.10.2021: CGMT KARNATKA RESPONDS POSITIVELY TO AIBSNLREA LETTER DATED 15.09.2021:**

Responding to AIBSNLREA letter dated 15.09.2021 addressed to the CGMT Karnataka Circle requesting early settlement of claim for reimbursement of indoor treatment taken in a non-empanelled hospital by Shri I F Hadimani, Retd DGM, CGMT Karnataka has responded by providing the copy of the letter conveying post-facto approval in favour of the claim of Shri I F Hadimani to the GMTD Bellary. [View the response from CGMT KTK Circle](#)



## BRANCHES IN ACTION

### **30.10.2021: GENERAL BODY MEETING OF AIBSNLREA CHANDIGARH BRANCH HELD:**

A General Body Meeting of AIBSNLREA Chandigarh Branch was conducted on dated 27-10-2021 in Pearl Hotel Industrial Area II Chandigarh after a gap of 1.5 Yrs. The President Shri M.D. Bhasin presided over the meeting. After paying tributes to the three members of the Branch who had left for heavenly abode during Corona period, various issues related to pensioners were discussed. [View Chandigarh UT Section of State News Page of the website to read the full Report].



## STATEMENT OF AMOUNT RECEIVED DURING OCTOBER 2021

**Shri Akkem Subbarayadu, Retd CAO, Hyderabad** has deposited Rupees two thousand (Rs. 2000/-) only in the S/B Account of CHQ on 07.10.2021 as donation for the Court case.

**Shri Vasudev, Retd DGM and President, Maharashtra State Branch of AIBSNLREA** has deposited Rupees one thousand (Rs. 1000/-) only in the S/B Account of CHQ on 30.10.2021 as donation on his attaining 80 years of age and receiving enhanced pension as provided under the rules.

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***Edited and published by Shri S Basu, General Secretary, AIBSNLREA.***