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No.AIBSNLOA/CHQ/2018/06

Dated: 21<sup>st</sup> February 2018

To

Smt. Aruna Sundararajan,  
Secretary,  
Department of Telecommunications,  
New Delhi 110001.

**Subject: Request for early decision regarding Pension Contribution in respect of the absorbed employees by BSNL on the basis of actual pay**

R/Madam,

We seek your kind attention and intervention in respect of an issue pending with DoT for a long time regarding payment of pension contribution by BSNL for its absorbed employees on the basis of actual pay drawn by them instead of on the maximum of the pay scales.

2. After formation of BSNL, those taking absorption in BSNL were offered payment of pension by the Government of India for their combined service in DoT and BSNL. Amendment was made to CCS (Pension) Rules accordingly, introducing Rule 37A providing for pension payment to absorbed BSNL employees by the Government of India on their combined service in DoT and BSNL, based on their last IDA pay drawn in BSNL. However, based on a Cabinet decision dated 27.1.2005, BSNL was asked to pay pension contribution to the Government, for its absorbed employees, as per FR 116. In fact FR 116 relates to pension contribution by the borrowing department for those who are on deputation/Foreign Service from the Government and not relates to those who have been permanently absorbed. Vide the then existing DoPT instructions vide OM No.2/3/2000-Estt.(Pay II) dated 15.5.2000, BSNL was asked to pay pension contribution on the maximum of the pay scales.

3. Later, DoPT issued modified instructions vide its OM No.2/34/2008-Estt.(Pay II) dated 19.11.2009 providing that the pension contribution payable in respect of a Government Servant during the active period of his foreign service shall be based on the existing pay of the post held by a Government Servant, w.e.f. 1.1.2006. This letter was even endorsed by DoT vide No.7-45/2008/TA-I dated 7.12.2009 for necessary action. But BSNL had to continue with payment of pension contribution on the maximum of pay scales.

4. However, the DoT then committed in the MoU between DoT and BSNL for the years 2012-13 and 2013-14, that pension contribution will be on the basis of actual pay, but nothing has crystallised till date.

5. Later, on 26.12.2013, the Union Cabinet, while approving 'similar treatment to MTNL employees in the matter of payment of pensionary benefits to the absorbed employees of BSNL,' categorically also approved change in methodology in pension contribution as per FR 116 upto 31.12.2005 on the maximum of the IDA pay scales and with effect from 1.1.2006 on the actual pay drawn in the IDA pay scales. But DoT did not implement this change in methodology but was reported to be pursuing the matter with Department of Expenditure. A few months back Department of Expenditure was reported to have left the matter to be decided by DoT, raising hopes of much needed relief to BSNL. But after lapse of almost six months, the issue still remains unresolved, raising concern among BSNL employees, since this is directly linked to pay revision of BSNL employees.

6. We feel that making BSNL to pay pension contribution on the maximum of the pay scales w.e.f 1.10.2000 under completely irrelevant FR 116 itself is wrong and erraneous. Continuing with the same wrong methodology even after DOP&T OM dated 19.11.2009 is totally unjustified.

7. We therefore request you to kindly bestow your personal attention so that this issue is resolved once for all.

With kind regards,



Yours sincerely,  
(Rakesh Sethi)  
General Secretary

Copy to:

1. Shri Manoj Sinha,  
Hon'ble Minister of State for Communications,  
Government of India
2. Shri Pradeep Kumar Sinha,,  
Cabinet Secretary, GOI  
Cabient Secretariat, Rashtrapati Bhawan, New Delhi
3. Shri Ajay Narayan Jha,  
Secretary (Expenditure), Depatment of Expenditure,  
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4. Shri Ajay Mittal,  
Secretary (P), DoP&T  
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5. Shri Anupam Shrivastava,  
Chairman & Managing Director,  
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