

**APPEAL TO ALL BSNL PENSIONERS RETIRED BETWEEN 1-10-2000 AND 09-06-2013
FROM**

All India Retired BSNL Executive Welfare Association (AIRBSNLEWA)
website www.aibsnlretd.org email sdebhl@yahoo.co.in Whatsapp 9433000088

Subject: Court Case to recover the unpaid portion of pension and pensionery benefits.

Dear Pensioner/Family Pensioner,

At the outset please accept the greetings from AIRBSNLEWA, the pensioners Association dedicated for the cause of the pensioners and protection of their rights i.e. Pension & Medical.

By this time for 78.2% IDA merger from 1-1-2007, the service books are already sent to concerned CCA offices. In many places the pensioners got the payment also. We hope that you have also received the revised pension from 10-06-2013 with arrears if not you will get it shortly. This achievement along with annulment of draconian 60:40 pension sharing system was possible due to continuous efforts by this Association for long three years. But the task is not over. While extending this benefit, Government has withheld our increased pension till 09-06-2013 and all other pensionery benefits which has become due for this pension revision. As a result we are losing much more than what we are getting. Now we have to prepare for the struggle to achieve our due share. Let us realize first what we get and what is denied to us.

For Pre 2007 Pensioners (Retired between 1-10-2000 & 31-12-2006)

Their pension is now refixed by merging 78.2% IDA notionally from 1-1-2007 with 30% fixation but actually paid from 10-06-2013. Hence they get

- ✓ Arrears of pension from 10-06-2013 to current date and revised pension from now onwards. But they are denied
 - ❖ Pension Arrears from 1-1-2007 to 9-6-2013. That means they are illegally being denied 77.3 months arrears of pension with its DA component.

For Post 2007 Pensioners (Retired between 1-1-2007 to 9-6-2013).

Pay of these pensioners are revised notionally from 1-1-2007 by merging 78.2% IDA with 30% fixation and accordingly their last pay drawn on retirement date is also revised notionally. Revised pension is calculated on revised last notional pay from next day of retirement but actually paid from 10-06-2013. Hence they get

- ✓ Arrears of pension from 10-06-2013 to current date and revised pension from now onwards. But they are denied
 - ❖ Pension Arrears from date of retirement to 9-6-2013 with its DA component.
 - ❖ Gratuity difference due to increase in last pay drawn.
 - ❖ Leave encashment difference due to increase in last pay drawn
 - ❖ Difference in commutation value due to increase in pension.
 - ❖ Arrears of Pay from 1-1-2007 to date of retirement. Only this component is denied to serving employees. But all other benefits as above are allowed to employees retired after 10-06-13.

This denial of pension and pensionery benefit is done by the Government only for a single reason that Serving employees are also not paid their pay arrears from 1-1-2007 to 9-6-2013. But these employees are allowed all pension and other pensionery benefits on 78.2% merged pay when they retire, then why old pensioners are not paid the same. Arrears of pay and arrears of pension cannot be treated at par.

Supreme Court also on number of cases has given verdict that "*Pension is Property Right. It cannot be withheld or denied*" also "*there could not be separate treatment to the same group of pensioners*". But while implementing 78.2% IDA merger, Government has clearly violated the Judgments.

Therefore to protest against this injustice and to protect the Right of the pensioners, AIRBSNLEWA has decided to file a court case in the Principal Bench of CAT, New Delhi. It has also been decided to make all affected members /pensioners as party to the case as the recent verdict of similar cases goes only to the favour of the applicants. That means all pensioners willing to be party to the case have to sign Vakalatnama and Verification sheet with his details. The process is a lengthy one and time consuming but we have to fulfill the task for the welfare of

pensioners. The Modalities as decided are as below:

- The case will not be filed before 15th of January 2017. One senior Advocate of Supreme court has been appointed for this case. He is now preparing the brief. The supervision will be done by CHQ office bearers at New Delhi under guidance of Chief Mentor Sri Prahalad Rai.
- All our effected members can be party to the case by paying Rs 200/- only as 1st installment of court case subscription for CAT episode. If the case subsequently goes to High or Supreme Court, members will have to pay subsequent amount of subscription as will be decided time to time
- Those executive pensioners who are not members of AIRBSNLEWA can also become members by paying life membership fee of Rs 525/- and also become party to the case by paying court fee of Rs 200/-. If they are member of any other pensioner association, there is no bar in taking our membership as well. A pensioner can become member of two or more welfare association simultaneously. Contact the Circle Secretary, AIRBSNLEWA of your state for becoming party to the court case. Their Contact nos are available in our website www.aibsnlretd.org.
- Non Executive pensioners also can enroll as “Associate Members to the court Case” and also become party to this case by paying Rs 300/- plus Rs 200/- court case fee.
- Family Pensioners willing to be party to this case are welcome. They need not pay any Fee either for membership or for court case.
- The period from 15th Nov to 31st Dec 2016 will be utilized to collect the signatures and verification sheets.
- Circle Secretaries can organize camps at different places for the convenience of the pensioners.
- **Amit Kumar Gupta AGS-I CHQ, Mob 9433000088 with Whatsapp**, email sdebhl@yahoo.co.in, Res Add 1/4 Rajendra Banerjee Road, Behala, Kolkata 700034 shall co ordinate the entire process for mobilizing the applicants to this court case on behalf of CHQ. Pl contact him for any further information and for becoming party to this case. All Circle Secretaries shall also contact him for court papers and submit to him all signed papers for tabulation. Two copies of Verification Sheet and one copy of Vakalatnama is to be signed by each pensioner.
- Individual Pensioners can also become Life Member/ Associate Member directly to CHQ and become party to the case. They have to fill up membership form and other papers for this. Pl contact Sh. Gupta for all information.
- All information regarding list of applicants and other details of the court case will be available in our website from time to time. SMS s also will be sent from time to time to all applicants.
- All collections will be made through account payee cheque only and to be sent to Sh Amit Gupta along with the signed papers.

Please come forward if you want to be a party of the court case. Kindly inform other pensioner / family pensioner friends also. After 31st December we shall not be able to accept any further applicants. Pl contact immediately, the mobile will be answered till 11 PM but it is better if you send email or SMS or Whatsapp Message.

With best wishes.

■ **Kishan Singh , General Secretary CHQ AIRBSNLEWA New Delhi
Mob & Whatsapp 09968270611**