No.AIRBSNLEWA/2014-15/ dated at New Delhi 23/02/2015

To

**Shri Ravi Shankar Prasad,**

**Hon’ble Minister of Communications & IT,**

Sanchar Bhavan,

20, Ashoka Road, New Delhi – 110001

**Sub:- Gross injustice and discrimination with BSNL Pensioners/ family pensioners over a period of last eight years owing to denial of 50% IDA Merger w.e.f. 1/1/2007, effectively amounting to 78.2% dearness relief, originally granted by Govt. of India for all CPSE Employees vide DPE O.M. no.2(7)/2005 DPE- (WC) GL-III dated 26th February 2008 and further reaffirmed after Cabinet review of 2nd Wage Committee report vide DPE O.M. No.2(70)/08-DPE(WC)-GL-VII/09 dated 2.4.2009.**

**Ref:- (1) DPE OM no.2(7)/2005 DPE- (WC) GL-III dated 26/02/2008**

 **(2) DPE OM no.2(70)/08-DPE (WC)-GL-XVI/08 dated 26/11/2008**

 **(3) DPE O.M. No.2(70)/08-DPE(WC)-GL-VII/09 dated 2.4.2009**

 **(4) DOT Memo no.61-01/2012-SU dated 10th June 2013**

 **(5) Deptt. Of Expenditure O.M. No.582/EV/2014 dated 16/10/2014**

 **(6) ATR Reports/ minutes of 22nd and 25th SCOVA Meetings**

Respected Sir,

A letter dated 28th January 2015 has already been addressed to your office in this matter. Once again full history and background of the case regarding incorrect/ partial implementation of DPE orders for BSNL Employees / Pensioners regarding 50% IDA Merger w.e.f. 1/1/2007 and revision of IDA scales of Pay w.e.f. 1/1/2007 onwards, is detailed below:-

1. Merger of 50% of IDA (industrial dearness allowance) with basic pay for all CPSE employees following 1997 Industrial dearness Allowance (IDA) pattern scales of pay, was approved by Government of India with effect from 01/01/2007 vide memo no.2(7)/2005 DPE- (WC) GL-III dated 26th February 2008. Accordingly, approval for merger of 50% IDA with basic pay for all BSNL employees was given by Deptt. Of Telecommunications vide letter no.79-38/2006-SU dated 01/05/2008. Thereafter merger of 50% IDA with basic pay for all the BSNL Executives and Non-Executive Employees was implemented by BSNL Corporate Office vide memo no.14-3/2008-PAT(BSNL) dated 29/5/2008.

2. Consequently all BSNL Pensioners retiring between 1/1/2007 and 04/03/2009 were granted benefit of 50% IDA Merger and all its consequential benefits by BSNL and Deptt. Of Telecom., But this benefit was not extended to BSNL Pensioners retiring between 01/10/2000 and 31/12/2006. (This benefit of 50% IDA Merger w..e.f. 1/1/2007 was later withdrawn/ neutralized for all the BSNL Executives in March 2009 while issuing orders for partial implementation of 2nd Wage Committee Report vide DPE orders dated 26/11/2008, due to non-compliance with the directives in associated DPE Circular dated 02/04/2009 as detailed in paras 3, 4 and 5 herein below.)

3. **Revision of IDA scales of Pay for Board Level and below Board Level Executives in CPSEs with effect from 01/01/2007 was approved by Government of India, providing merger of 68.8% IDA with basic IDA Pay on 1/1/2007 vide memo no.2(70)/08-DPE (WC)-GL-XVI/08 dated 26th November 2008**. Further approval for revision of IDA scales w.e.f. 01/01/2007 for all BSNL Executives has been accorded by Deptt. Of Telecommunications vide letter no.61-01/2009-SU dated 23/02/2009 in terms of DPE memo ibid and implemented by BSNL Corporate Office vide memo No. 1-50/2008-PAT(BSNL) dated 05/03/2009 under the terms and conditions laid down by DPE vide Memo no.2(70)/08-DPE (WC) -GL-XVI/08 dated 26th November 2008.

4. **Further amendment to order dated 26/11/2008 were made by Govt. of India allowing Revision of IDA scales of Pay for Board Level and below Board Level Executives in CPSEs with effect from 01/01/2007 providing for merger of 78.2% IDA with basic IDA Pay on 1/1/2007, after allowing the benefit of merger of 50% IDA with Basic Pay as on 1/1/2007 for Fitment Purpose a vide DPE O.M. No.2(70)/08-DPE(WC)-GL-VII/09 dated 2.4.2009. It was categorically stated in DPE O.M. No.2(70)/08-DPE(WC)-GL-VII/09 dated 2.4.2009 under para 3 as below:-**

 ***“3. Government has also decided that benefits under this O.M. read with the earlier decision as conveyed vide O.M. dated 26.11.2008 and 09.02.2009 has to be viewed as a total package. It has also been decided that the pay revision package as communicated by earlier O.M.s along with the above modifications would be applicable to all the CPSEs.”***

**5. Belatedly Department of Telecommunications realized the injustice done to BSNL Employees/ Pensioners due to non-compliance with the directives in DPE Circular dated 02/04/2009 enumerated in Para 4 above. Hence all the BSNL Employees in service as on 10th June 2013 and those retiring after 10th June 2013 were granted benefit of 50% IDA merger amounting to 78.2% IDA (as on 1/1/2007) vide Presidential Order issued under DOT Memo No. 61-01/2012-SU dated 10th June 2013. But even after lapse of one year and eight months the same benefit of 50% IDA Merger has not been extended to BSNL Pensioners retiring between 1/10/2000 and 09/06/2013 inspite of repeated assurances given by DOT in various SCOVA meetings chaired by Hon’ble MOS, D.O.P. & Pensioners Welfare.**

**6. Subsequently, the proposal to extend the benefit of 50% IDA merger to BSNL Pensioners amounting to 78.2% IDA (as on 1/1/2007) was moved by DOT in January 2014 for consent/ approval from DOP, DPE and Deptt. Of Expenditure. After several rounds of consultations / clarifications the proposal moved by DoT was approved vide DOE OM No. 582/EV/2014 dated 15/10/2014 with a caveat that DOT should seek Cabinet Approval as well for granting benefit of 50% IDA merger w.e.f. 1/1/2007 to all BSNL Pensioners retiring between 1/10/2000 and 09/06/2013 as granted to working Employees of BSNL vide DOT Memo no.61-01/2012-SU dated 10th June 2013.**

**7. SCOVA Proceedings regarding Merger of 78.2% IDA with basic pension over a period of last two years:-.**

 **This issue was taken up in 22nd SCOVA Meeting chaired by Hon’ble MOS(PP) on 19/02/2013, wherein Deptt. Of Telecom. Committed to extend this benefit to absorbee Pensioners whenever the serving employees of BSNL were extended this benefit. Extracts of minutes of meeting/ ATRs of respective SCOVA Meetings are detailed below:-**

 **(a) Under Fresh Agenda Items for 22nd SCOVA Meeting on Page 7, under Para 9 of the Minutes of 22nd SCOVA Meeting circulated vide F.No.42/1/2013- P&PW(G) dated 04/03/2013, this item reads as under:-**

**“9. Merger of 78.2% IDA with basic pension benefit to the absorbed BSNL Pensioners:**

**DoT informed that the decision to merge 68.8% IDA with pension was in line with the decision taken for revision of pay in respect of serving employees of BSNL. They informed that if at any stage the benefit of merger of 78.2% IDA with pay of serving employees is given, this benefit would also be extended to absorbee pensioners of BSNL. DoT informed that the matter is under examination in that Department.”**

(Action: Department of Telecommunication, DOP & PW, Desk-D)

**(b) False/ incorrect statement was made by Department of Telecom. Under Folllow Up Action communicated in SCOVA Meet on 03/02/2015 regarding ATR for 25th SCOVA Meeting held on 05.09.2014 under the Chairmanship of the Honourable MOS(PP). Under Sl.No.8 on Page 7, vide OM dated 02/02/2015, the extract of ATR is as under:-**

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| --- | --- | --- | --- |
| **Sl. No.** | **Issues raised in the 25th SCOVA Meeting** | **Gist of decision taken in the 25th SCOVA Meeting** | **Follow up Action** |
| **8.** |  **Merger of 78.2% IDA with basic pension benefit to the absorbed BSNL Pensioners.** | **DOP & PW has already conveyed its “no objection” to the proposal. Department of Expenditure intimated that they will send their comments to DOT within a week.****(Action D/O Telecom and D/O Expenditure)** | **Department of Expenditure****A proposal from D/O Telecom was examined in D/O Expenditure and comments/ views of D/O Expenditure has been conveyed to DOT vide OM dated 15.10.2014****Department of Telecom****DOP & PW has conveyed it’s no objection and Department of Expenditure has also agreed to the proposal subject to the approval of Cabinet. Accordingly Cabinet Note has been prepared and put up for approval of MOC(IT)** |

 It is hereby pointed out for your kind notice that the Department of Telecommunications has very boldly but incorrectly stated before MOS(PP) under Follow up action in Action Taken Report for 25th SCOVA Meeting vide  **Table in Para 7(b) above,** that:-

 “**DOP & PW has conveyed it’s no objection and Department of Expenditure has also agreed to the proposal subject to the approval of Cabinet. Accordingly Cabinet Note has been prepared and put up for approval of MOC(IT)”**

**You are requested to kindly look into the matter so that all the EX-DOT Employees who opted for BSNL and retired as BSNL Pensioners before 10th JUNE 2013, do not suffer continued discrimination and injustice as enumerated above inspite of repeated DOT assurance in all the forums that if at any stage the benefit of merger of 78.2% IDA with pay of serving employees is given, this benefit would also be extended to absorbee pensioners of BSNL***.*

Thanking you.

 Yours faithfully,

                                                                                   (Kishan Singh)

 General Secretary