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	<p>महानगर टेलीफोन निगम लिमिटेड (भारत सरकार का उद्यम) MAHANAGAR TELEPHONE NIGAM LIMITED (A GOVERNMENT OF INDIA ENTERPRISE)</p>
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No:MTNL/CO/Med/Retirees/CGHS/2016/262
Dated: 15/07/2021

Office Order.

Sub: CGHS facility to MTNL Prorata-Pensioners-reg.

MTNL received representations from retired Prorata Pensioners to revise LPC for the purpose of upgradation of CGHS contribution and ward entitlement on the basis of current CDA pay corresponding to last IDA pay. Some Prorata pension optees have also filed following Court Cases seeking the said relief wherein Hon'ble Tribunal has disposed the said cases mostly at admission stage with direction(s) to examine the issue and pass Speaking Order thereafter:-

Details of Court Cases:-

S No	Title Of the Case	Date of Judgement/Order
1	OA No 1035/2020 In the matter of Sudesh Kumari Sharma & Ors Vs MTNL & Ors	13.08.2020
2	OA No 100/974/2020 In the matter of Pushpa Sharma & Ors Vs MTNL & Ors	06.08.2020
3	OA No 100/974/2020 In the matter of Mahesh Chandra & Ors Vs MTNL & Ors.	17.08.2020
4	OA No 1075/2020 In the matter of Santosh Kumar & Ors Vs Uol & Ors	17.08.2020.
5	OA No 1203/2020 In the matter of Santosh Kumari Bhatia Vs Uol & Ors	04.09.2020
6	OA No 1347/2020 In the matter of Smt Kanta & Ors Vs MTNL & Ors.	23.09.2020
7	OA No.1568/2020 In the matter of Saroj Dhanija & Ors Vs MTNL & Ors	16.10.2020

As the issue was outside the purview of MTNL and falls within the ambit of DoT and CGHS, MTNL had requested DoT to take-up the matter with CGHS to issue directions/speaking order regarding revision of revised LPC of the Prorata Pension optees/applicants for seeking revised CGHS facilities in consultation with Ministry of Health.

In this regard a letter F.No 4-12(12)/2018-PAT dated 26.02.2021 and letter No 04-35(03)/2021-PAT dated 09.07.2021 is received from DOT, in consultation with Ministry of Health & Family Welfare and had issued following directions:-

- i) DoT OM No 4-12(12)/2018-PAT-Part(1) dated 01.07.2019 vide which revised mapping of IDA payscale with corresponding pay levels in CDA was issued for determining CGHS subscriptions



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and ward entitlements is applicable for those retirees of BSNL/MTNL who are in receipt of pension from Central Civil Estimates.

ii) The above mapping is applicable for the Combined Service Optees who retired from BSNL/MTNL with IDA pay scale.


iii) This mapping is not applicable for prorata pensioners who retired from DoT under CDA payscales. Though they are eligible for CGHS facility as pensioners of DoT, the last pay drawn by them under CDA is being taken for CGHS facility and requires no further mapping of IDA pay last drawn in BSNL/MTNL.

iv) It may be noted that the Prorata Pensioners and Combined Service Optees of BSNL/MTNL absorbees are not identical, even though both the groups are getting pension benefits from the Government. The Prorata Pensioners are also getting pension from EPFO in addition to the Prorata-Pension from the Government.

v) Also, as per guidelines issued from Directorate of CGHS, MoHFW, ward entitlement is based on the last basic pay and CGHS subscription is based on the pay scale as mentioned in the Pension Payment Order(PPO) of a particular retiree. Accordingly, ward entitlement and CGHS subscription in case of Prorata Pensioners of BSNL/MTNL, is to be decided based on last pay drawn, as mentioned in their respective PPO while retiring from DoT, Gol.

In view of the afore-stated instructions received from DoT, the claim of the applicants in the above mentioned Court cases including individual representations seeking revised LPC for the purpose of upgradation of CGHS contribution and ward entitlement on the basis of current CDA pay corresponding to last IDA pay, cannot be acceded to, as the same is to be decided based on last pay drawn, as mentioned in their respective PPO while retiring from DoT, Gol.

This is issued with the approval of Competent Authority.


Shama Kaushik
DGM(HR)

Encl: as above

Copy to:

1. ED Delhi/Mumbai Unit.
2. GM(Fin), Delhi/Mumbai/CO.
3. ADG(PAT), DoT./Director(Estt), DoT
4. Additional Director(HQ), CGHS(HQ), Sector 13, R.K.Puram, New Delhi.
5. Majority Unions Delhi/Mumbai.

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No. 04-35(03)/2021-PAT
Government of India
Ministry of Communications
Department of Telecommunications

Sanchar Bhavan, 20-Ashoka Road
New Delhi-110001
Dated 27/07/2021

To

The Dy. General Manager (HR),
Mahanagar Telephone Nigam Ltd.,
Corporate Office, New Delhi.

Subj.: CP No.255/2020 in OA No.1568/2020 filed by Smt. Saroj Dhanija & Ors before Hon'ble CAT(PB), New Delhi regarding issue of revised LPC for prorata pension optees for seeking revised CGHS facilities

Pleased refer to your letter No. MTNL/CO/Medical/Retirees/CGHS/2016/258 dated 24.06.2021 on the subject noted above.

2. In this connection it is intimated that neither CP No.255/2020 nor OA No. 1568/2020 filed by Smt. Saroj Dhanija & Ors. before Hon'ble CAT (PB), New Delhi and order thereon and order dated 13.05.2021 were received in PAT Section in the past.

3. MTNL had earlier sent a letter dated 10.12.2020 regarding CGHC facilities to pro-rata pensioners of MTNL indicating that there are about 8-10 similar court cases of pro-rata pensioners seeking CGHS facility on the basis of their last IDA pay scales in MTNL at par with other BSNL/MTNL combined service pensioners. MTNL, therefore, requested for expediting clarification on the query raised by them, earlier, *as to whether all employees who took absorption in MTNL from DOT and got retired from MTNL, are covered by DOT's OM dated 31.08.2016, OM dated 01.07.2019, and CGHS order dated 30.01.2020 or not for extending the benefit of revised CGHS subscription and ward entitlement. This matter was examined in DOT in consultation with MOH&FW and the necessary clarification was issued to MTNL vide this office letter No.4-12(12)/2018-PAT dated 26.02.2021, incorporating the following:-*

- (a) The DOT's OM No. 4-12(12)/2018-PAT-Part(1) dated 01-07-2019, vide which revised mapping of IDA pay scales with corresponding pay levels in CDA was issued for determining CGHS subscriptions and ward entitlements is applicable for those retirees of BSNL/MTNL who are in receipt of pension from Central Civil Estimates
- (b) The above mapping is applicable for the Combined Service Optees who retired from BSNL/MTNL with IDA pay scale

- (c) This mapping is not applicable for pro-rata pensioners who retired from DoI under CDA pay scales. Though they are eligible for CGHS as well as pensioners of DoI, the last pay drawn by them under CDA is being taken for CGHS facility and requires no further mapping of DA pay last drawn in BSNL/MTNL.
- (d) It may be noted that the pro-rata pensioners and Combined Service Officers of BSNL/MTNL, absorbees are not identical even though both the groups are getting pension benefits from the Government. The pro-rata pensioners are also getting pension from EPFO in addition to the pro-rata pension from the Government.
- (e) Also, as per the guidelines issued from Directorate of CGHS, MOH&FW, ward entitlement is based on the last pay and CGHS subscription is based on the pay scale as mentioned in the PPO of a particular retiree. Accordingly, ward entitlement and CGHS subscription in case of Pro-rata pensioners of BSNL/MTNL is to be decided based on the last pay drawn, as mentioned in their respective PPO while retiring from DOT, Govt. of India.

3. In view of the position explained above, it is requested to consider and decide the pending representations of Smt. Saroj Dhanija & Ors. as was done earlier in the cases of Sunil Kumar Sharma & Ors and Mange Ram Sharma & Ors. and issue reasoned and speaking orders to them on the basis of this office order No 4-12(12)/2018-PAT dated 26.02.2021 and a suitable compliance affidavit on the CP may be filed before the Hon'ble CAT, under intimation to this office.


(S C. Karol)
Director (Estt)

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F.No. 4-12(12)/2018-PAT
Government of India
Ministry of Communications
Department of Telecommunications
(PAT Section)

1120, Sanchar Bhawan,
20, Ashoka Road,
New Delhi-110001.

Dated: 26.02.2021


Ms. Meena Chauhan, PGM (HR & Legal)
Mahanagar Door Sanchar Sadan,
5th Floor, 9 CGO Complex, Lodhi Road
New Delhi-110003.

Sub :- CGHS coverage for MTNL Retiree(s) -reg.

This is in reference to the correspondences made by MTNL regarding CGHS facility to pro-rata pensioners. In this regard, it is mentioned that the matter has been examined in consultation with Ministry of Health & Family Welfare and the comments/inputs of DoT as under:

- (i) DoT OM No. 4-12(12)/2018-PAT-Part (1) dated 01-07-2019 vide which revised mapping of IDA pay scale with corresponding pay levels in CDA was issued, is for determining CGHS subscriptions and ward entitlements for those retirees of BSNL/MTNL who are in receipt of pension from Central Civil Estimates.
- (ii) The above mapping is applicable for the Combined Service Optees who retired from BSNL/MTNL with IDA pay scale.
- (iii) This mapping is not applicable for pro-rata pensioners who retired from DoT under CDA pay scales. Though they are also eligible for CGHS facility as pensioners of DoT, the last pay drawn by them under CDA is being taken for CGHS facility and requires no further mapping of IDA pay last drawn in BSNL/MTNL.
- (iv) It may be noted that the pro-rata pensioners and Combined Service Optees of BSNL/MTNL absorbees are not identical, even though both the groups are getting pension benefits from the Government. The pro-rata pensioners are also getting pension from EPFO in addition to the pro-rata pension from the Government.
- (v) Also, as per the guidelines issued from Directorate of CGHS, MoHFW, ward entitlement is based on the last basic pay and CGHS subscription is based on the pay scale as mentioned in the Pension Payment Order (PPO) of a particular retiree. Accordingly, ward entitlement and CGHS subscription in case of pro-rata pensioners of BSNL/MTNL is to be decided based on last pay drawn, as mentioned in their respective PPO while retiring from DoT, Govt. of India.

2. This issues with the approval of Competent Authority.


(Bulley Mishra)
ADG (PAT)
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