

**Salient points of OA filed in PBCAT, New Delhi
For MTNL Pension (Combined Service) Revision.**

II

I.The following Associations are the Part to this OA :-

1. Retired Telecom Officers' Welfare Association, Delhi (regd.)
through Shri Shayam Sunder Nanda, General Secretary
2. Retired Telecom Officers' Welfare Association, Mumbai, (Regd.)
through Shri K.Jawahar, President
3. MTNL Pensioners' Welfare Association, Mumbai
through Shri Sadanand Mahadev Sawant, General Secretary capacity :-

From RTOWA,Delhi side :

S/Shri

Ranbir Singh. (Group-“B”), Manish Kumar Bagchi (Group “B”), Rajendra Kumar Mudgal (Group “B”) & Ajay Kumar Kapoor (Group “B”).

From RTOWA, Mumbai side :

S/Shri

Badri Pathak (Group “B”), Janardan Singh Yadav (Group “B”), & Virendra Singh (Group “B”)

From MPWA, Mumbai side :

S/Shri

Kishore A.Haldankar, Sr. TOA (G), MTNL, Eknath Maruti, Rajapure, Sr.TOA(P) & Shrinath Kisan Yadav, Works Assistant.

II The Respondents are :

- 1.Union of India through Secretary, Dept. of Telecommunications,
- 2.Mahanagar Telephone Nigam Limited through its CMD
- 3.Department of Pension & Pensioners' Welfare through its Secretary
- 4.Department of Public Enterprises through its Secretary

III. Important aspects of this OA :

- (a) This OA is filed in PBCAT, New Delhi simultaneously with almost similar OA filed by AIRBSNLWA & Others – drafted & filed by the same Advocates (Ms) Gauri Puri & Amrita Singh. Adv. Shri Rajsekhar Rao will represent both MTNL and BASNL side our case in the court.
- (b) Posted for 17/09/2020 for hearing for admission. Hearing will be on virtual court proceeding basis. We have no scope for live witness. We need to wait to learn from the advocate post hearing.

III. Our Submissions (in brief) before the Hon'ble Court :

- (a) Ours (Combined Service Pension) is the Govt. Scheme of Pension under CCS(Pension) Rules-1972 as amended by from time to time including insertions under Rule 37 A as

amended last on 3.3.2014 through a Gazette Notification making all categories of MTNL Combined Service Pensioners including Non-Executive Combined Service Pensioners at par with all categories of BSNL Combined Service Pensioners with retrospective effect.

- (b) Pension is paid by GOI from the Consolidated Fund of India as it is the case of CDA pensioners of CG establishments. MTNL/BSNL has nothing to do except the payment of pension contributions while in service.
- (c) PRC recommendations have no direct bearing on the Combined Service Pension or its revision as PRC does not deal with our pension issue.
- (d) GOI is obliged to revise periodically the Combined Service Pension in MTNL/BASNL true to the spirit of assurances in terms of assured "Govt. Scheme of Pension." The pension (under the same Rule) in CG establishments has already been revised w.e.f. 01/01/2016 following the recommendations of 7th.C.P.C. as accepted by Govt.of India.
- (e) It is an arbitrary action to deny pension revision on the plea that pay revision of the employees of MTNL/BSNL has not yet been taken place, implying virtually that if there is no pay revision in future or if there is no similarly placed employee left on the roll to ask for pay revision, there will never be pension revision in future..
- (f) Payment of wages is done by the employer organizations from their respective Funds. But the payment of pension is done by Govt.of India from the Consolidated Fund of India.
- (g) The recommendations of 7th.CPC concerning pension are mostly applied for all other pensionary benefits of Combined Service Pensioners except two i.e., Revision of Pension (Fitment etc.) and Revision of Min. Pension as a result of this, among other factors, the pensioners of MTNL/BSNL in the lowest strata is still at the minimum pension of Rs3500/- much below the minimum of CDA pensioners.
- (h) Therefore, the Hon'ble Court has been urged to direct in favour of Revision of Combined Service Pension in MTNL/BSNL w.e.f 01/01/2017 on IDA pay scales following relevant recommendations of 7th.CPC and Revision of Combined Service Pension should be done in concurrent with Pension Revision of CDA Pensioners of the C.G. establishments.

[This is a mere essence of Submission. It should not be construed as an exhaustive or true copy of Submission. This is for the consumption of our general members and not for use any kind of court proceeding. – M.K.Bagchi, President / RTOWA,Delhi]
