



P. Abhimanyu
General Secretary

BSNL EMPLOYEES UNION

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BSNLEU/511(Rectt.)

12.05.2023

To,

Shri K. Rajaraman,
Secretary, Telecom,
Department of Telecommunications,
Ministry of Communications,
Sanchar Bhawan, 20, Ashoka Road,
New Delhi - 110 001.

Respected Sir,

Sub: - **Issuing of Presidential Orders to the employees recruited and sent for training by the DoT, prior to 01.10.2000 and who joined duty after the formation of BSNL – requesting to treat them as DoT recruitees, based on the criterion laid down by the Department of Pension and Pensioners' Welfare – reg.**

Ref: - **Letter of DoP&PW OM No. 57/05/2021-P&PW(B) dated 03rd March, 2023.**

We wish to bring the following to your kind notice, with the fervent appeal to bestow your personal attention to solve the burning problem as explained hereunder.

The Department of Pension and Pensioners' Welfare, vide letter cited under reference, has laid down an important criterion, regarding eligibility of employees to the benefits of the Pension Scheme under CCS (Pension) Rules 1972 (now 2021). The DoT vide its letter No. 36-03/2019-Pen(T) dated 17th April, 2023, has issued endorsement to this letter of the Department of Pension and Pensioners' Welfare.

In its letter, the Department of Pension and Pensioners' Welfare has stated that, ***all the Central Government employees appointed against a post or vacancy which was advertised / notified for recruitment / appointment, prior to the date of notification for National Pension System, i.e., 22.12.2003, may be given a onetime option to be covered by the CCS (Pension) Rules 1972 (now 2021).*** It is very important to note that, the DoT has endorsed this letter.

In this connection, we wish to bring to your kind notice that, in BSNL also, there is a section of employees to be covered by the criterion as laid down by the Department of Pension and Pensioners' Welfare. These employees were recruited by the DoT against the posts / vacancies, which were advertised / notified for recruitment / appointment, prior to the formation of BSNL, i.e., 01.10.2000.

These employees are not only recruited by the DoT, but are also sent for training by the DoT, before the formation of BSNL, i.e., 01.10.2000. However, before completion of their training, BSNL is formed and thus, all these employees are given appointment in BSNL and are being treated as BSNL recruitees. As a result, these employees are either not issued with Presidential Orders, or the DoT has cancelled the Presidential Orders issued to them. As a result of this, these employees are deprived of their pension to be paid under CCS (Pension) Rules 1972 (now 2021). This is a very big injustice.

As we have mentioned earlier, all these employees are recruited and sent for training by the DoT, against the vacancies that existed prior to 01.10.2000, i.e., the date on which BSNL was formed. Hence, all of them should be treated as DoT recruits and should be issued with Presidential Orders for the payment of pension under CCS (Pension) Rules 1972 (now 2021). This is as per the analogy, laid down by the Department of Pension and Pensioners' Welfare, vide letter cited under reference.

The DoT also has to adopt this criterion laid down by the Department of Pension and Pensioners' Welfare and needs to issue Presidential Orders to all the employees recruited and sent to training by the DoT, against the posts existed prior to the formation of BSNL, i.e., 01.10.2000.

In this connection, we would also like to bring to your kind notice that, the affected employees, who are wrongly being treated as BSNL recruits, approached various Hon'ble CATs. It is very important to mention that, the Hon'ble CAT, Jaipur and Hon'ble CAT, Chandigarh, have given judgements that, these employees should be treated as DoT recruits. It is also significant to mention that, two High Courts, viz., Hon'ble High Court, Rajasthan and Hon'ble High Court, Kerala, have upheld the judgements delivered by the Hon'ble CAT, Jaipur and Hon'ble CAT, Chandigarh.

However, it is a misfortune that, the BSNL Management, obviously under the direction of the DoT, has filed a Special Leave Petition in the Hon'ble Supreme Court against the judgements delivered by the Hon'ble High Courts. However, this case in the Hon'ble Supreme Court is lingering on for a very long time and the affected employees are suffering from mental agony, since their rightful entitlement to the pension under the CCS (Pension) Rules 1972 (now 2021), is being denied.

Now, as per the criterion laid down by the Department of Pension and Pensioners' Welfare, cited under reference, all employees recruited by the DoT against the posts / vacancies, which were advertised / notified for recruitment / appointment, prior to the formation of BSNL, i.e., 01.10.2000, should be treated as DoT recruits and should be issued with Presidential Orders.

Hence, we fervently appeal to you to kindly intervene in this matter and to take the needful steps, including legal steps, for issuing Presidential Orders to the aforementioned affected employees and to make them eligible for payment of pension as per CCS (Pension) Rules 1972 (now 2021).

Thanking you,

Yours sincerely,



[P. Abhimanyu]
General Secretary

- Copy to: (1) Shri V. Srinivas, Secretary (Pension), Department of Pension and Pensioners' Welfare, Lok Nayak Bhawan, Khan Market, New Delhi – 110 003
(2) Shri Uma Shanker Pandey, Member (Services), Digital Communications Commission, Department of Telecommunications, Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110 001.
(3) Shri P.K. Purwar, CMD BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110001
(4) Shri Arvind Vadnerkar, Director (HR), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi - 110001