

URGENT

**GOVERNMENT OF INDIA
Ministry of Communications/Sanchar Mantralaya
Department of Telecommunications/Doosanchar Vibhag**

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New Delhi, 18/08/2017

To

Conciliation Officer & Asstt. Labour Commissioner (Central-III),
Office of the Dy. Chief Labour Commissioner (Central),
Shramraksha Bhawan, Sion-East,
Mumbai-400022.

Subject: Notice of protest dated 23.12.2015 served by the United
Forum of MTNL, Union and Associations, Mumbai
upon the management of MTNL over three points
Charter of Demands.

Sir/Madam,

I am directed to refer to your letter No.
B.ALC(C).III/8(06)/2017-B-4 dated 19.7.2017 on the above mentioned
subject and submit as under:-

2. The three points charter of demands made by the
United Forum of MTNL vide their representation dated 23.12.2015 has
been examined in this Department and the comments are as follows:

1) Fixation of Pay and pension as on 01.01.2007 merging
at 78.2% IDA:

(i) In pursuance of decision of the Cabinet dated 09.01.2014,
DoP & PW, had issued notification vide GSR No. 138(E) dated
03.03.2014, extending pensionary benefits to all the combined
service pension optee absorbed employees of MTNL.
Subsequently, detailed O.M. covering the approval of the
Cabinet in toto was issued vide O.M. No. 423-4/2012-Pen(T)
dated 28.4.2014. The point (c) and (d) of decisions of the
Cabinet are reproduced as under:

(c) The liability of the Government for the payment of aforesaid pensionary benefits shall be restricted to the amount arrived at by calculating pensionary benefits of MTNL absorbed employees based upon the equivalent pay-scales of similarly placed employees in BSNL. As most of the pay scales in MTNL are higher than that of BSNL, the additional liability arising out from the same shall be borne by MTNL, by making advance payment to the Government.

(d) The arrangement as specified in para (c) above shall continue till next wage revision by which time MTNL and BSNL shall achieve pay scale parity by bringing down the pay scales of MTNL to the level of BSNL pay scales.

(ii) As per the above decision of the Cabinet, the exercise for achieving pay scale parity between BSNL and MTNL for bringing down the pay scale of MTNL to the level of BSNL was to be completed by MTNL before the next pay revision i.e. 01.01.2017 and MTNL was requested vide DoT letter No. 11-1/2009-SU.II dated 28.07.2016 to furnish the status. Apart from above, it is stated that pension/pensioner benefits for the BSNL's retirees are being calculated by taking into account 50% IDA merger effectively amounting to 78.2% IDA as the benefits have already been given to BSNL serving employees. Since the above benefit is yet to be given to serving employees in case of MTNL, it will not be justifiable to extend the same to MTNL retirees as it will create the demand of 78.2% IDA by the serving employees of MTNL.

(iii) However, as per DPE guidelines, the CPSE concerned has to bear the additional financial implication on account of pay revision from their own resources and no budgetary support will be provided. The proposal of MTNL for the benefit of 50% DA merger amounting to 78.2% as on 01.01.2007 to MTNL with the support from GoI/DoT for the arrear amount and the yearly additional liability is, presently, under consideration.

II. Providing an opportunity to the Pro-rata pensioners for exercising fresh pension option:

MTNL vide DoT's letter No. 42-04/2012-Pen(T) Vol.II dated 10.03.2016 was intimated that the proposal for providing an opportunity to the Pro-rata pensioners for exercising fresh pension option was under consideration/examination and that Finance Branch, DoT had observed that approx. 12000 MTNL employees had opted for pro-rata pension and if all of them were allowed to revise their option, there would be huge burden on the exchequer.

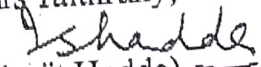
Thus, MTNL was requested to work out the financial implications of the proposal so that the burden on exchequer could be ascertained. However no reply has been received from MTNL in the matter.

III. Extending benefit of Medical facilities under CGHS to the absorbees – working in MTNL or since retired.

In this connection, it is stated that Department of Health & Family Welfare, MoH&FW vide O.M. No. Z15025/28/2013-CGHS III dated 09.01.2014, issued an order/circular whereby it was clarified, vide para 3, that the BSNL/MTNL serving absorbees are entitled to avail the medical facilities/scheme provided by the respective PSU. It is not possible to extend them the CGHS facilities during their service period.

In respect of BSNL/MTNL absorbee retirees, DoT in consultation with Ministry of Health & Family Welfare had issued an OM No. 4-12(11)/2012-PAT(Part) dated 31.08.2016 to extend CGHS facility to retired absorbee MTNL/BSNL employees who are in receipt of pension Central Civil Estimates.

Yours faithfully,


(Inderjit Hadda)

Deputy Secretary to the Govt. of India