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BHARATIYA DOORSANCHAR PENSIONERS SANGH

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NoBDPS/Telangana/Memorandum /2026

Date:04/05/2026

To,

The Chairman / Secretary,
8thCentralPayCommission,
Government of India, New Delhi.

Subject: Comprehensive Memorandum seeking the urgent resolution of the Pension Revision anomaly and administrative deadlock affecting 4.5 Lakh BSNL Absorbed Pensioners.

Respected Sir/Madam,

This comprehensive memorandum is being submitted before the esteemed 8thCentral Pay Commission (CPC) on behalf of approximately 4.5 lakh absorbed pensioners of the Bharat Sanchar Nigam Limited (BSNL). The purpose of this exhaustive representation is to bring to the immediate and serious cognizance of this Commission a grave, persistent, and deeply unjust administrative anomaly that has completely stalled the revision of our rightful pensions for several years. We humbly urge the 8thCPC to thoroughly examine the unique, unprecedented situation we find ourselves in—trapped in a bureaucratic vacuum between various government departments—and to formulate a definitive, clear, and binding recommendation to end this agonizing deadlock once and for all.

As senior citizens in the twilight of our lives, we have been subjected to an unrelenting jurisdictional "Catch-22," wherein our statutory rights are acknowledged in principle but repeatedly denied in practice due to shifting goalposts between the Department of Telecommunications (DoT), the Department of Public Enterprises (DPE), the Department of Pension & Pensioners' Welfare (DoP&PW), and previous Pay Commissions. We present below the detailed factual matrix, statutory backing, inter-ministerial correspondence, and our specific prayers for your kind consideration.

1. The Genesis: Statutory Right to Pension from the Consolidated Fund of India

The root of our predicament lies in the historical corporatization of the Department of Telecommunications (DoT). Upon the formation of BSNL in the year 2000, lakhs of serving DoT employees were asked to transition and be absorbed into the newly formed Public Sector Enterprise. Recognizing the immense anxiety this caused regarding the security of post-retirement benefits, a sovereign guarantee was provided by the Government of India regarding our pensionary benefits.

This guarantee was codified under Rule 37-A of the Central Civil Services (CCS) (Pension) Rules. As per these statutory rules, our pensions are not paid by BSNL but are drawn directly from the Consolidated Fund of India, exactly mirroring the mechanism for any other regular Central Government employee. Furthermore, as explicitly noted in the rules, absorbed employees are eligible for pensionary benefits based on the combined service rendered by them—both with the Central Government prior to absorption and with BSNL post-absorption. The absorbed employees of BSNL who retired after 01.10.2000 get their pension, and the dearness relief thereon, as per the Industrial Dearness Allowance (IDA) pattern.

Because our pensions are drawn from the Consolidated Fund of India, the liability of our pension and its subsequent periodic revisions rests entirely, squarely, and legally upon the Government of India, and not upon the financial balance sheets of BSNL. This is a fundamental distinction that has been tragically lost in subsequent administrative interpretations.

2. The Jurisdictional "Catch-22" and the Inter-Ministerial Passing of the Buck Despite drawing our pension from the sovereign Consolidated Fund, our pension revision has been completely stalled due to a continuous shifting of responsibility between the Pay Revision Committee (PRC), which governs Public Sector Enterprises, and the Central Pay Commission (CPC), which governs Central Government employees. This has created an insurmountable administrative deadlock.

A. The 3rd PRC Rejection and the DPE's Stance

The 3rd Pay Revision Committee (PRC), which determines the pay structures in IDA scales for Central Public Sector Enterprises (CPSEs), categorically refused to recommend our pension revision. They correctly reasoned that a pension drawn from the Consolidated Fund of India is fundamentally a Government of India liability, and therefore, it inherently falls outside the mandate and purview of a CPSE Pay Committee.

This was further solidified when the Department of Telecommunications (DoT) officially approached the Department of Public Enterprises (DPE) to explicitly include the BSNL retirees in the Terms of Reference (TOR) of the 3rd PRC. The DoT made this request via Letter Reference No. 40-17/2018-Pen(T).

The DPE returned the proposal to the DoT, strictly declining to include the issue in the 3rd PRC Terms of Reference. In their official reply and file notings, the DPE's stance was explicitly and unambiguously recorded as follows:

Jurisdictional Limit: The DPE officially stated that the mandate of the Department of Public Enterprises is strictly confined to issuing policy guidelines for the pay and wage revision of serving employees (executives and non-unionized supervisors) of Central Public Sector Enterprises (CPSEs).

Exclusion of Pensions: The DPE clarified that matters regarding post-retirement benefits, specifically the revision of pensions for absorbed retirees, do not fall under the purview of the DPE.

Refusal to Intervene: Because pensions are entirely outside their administrative scope, the DPE stated that the request to amend the 3rd PRC's Terms of Reference to include BSNL pension revision could not be processed further by their department.

Furthermore, to facilitate the pay revision of serving BSNL employees (which historically triggers pension revision), the DoT requested a relaxation of the "Affordability Clause" for BSNL via OM No. 11-1/2017-SU.II dated 20.03.2018. The DPE firmly replied via OM No. W-02/0004/2018-DPE, stating that the DPE itself cannot relax the affordability clause, and the DoT must seek direct approval from the Union Cabinet.

B. The 7th CPC Rejection

Having been rejected by the PRC mechanism, one would expect the Central Pay Commission to address the issue of pensions drawn from the Consolidated Fund. However, the 7th CPC did not consider our pension revision. The reasoning cited was that BSNL absorbed employees draw their pay and pension in Industrial Dearness Allowance (IDA) scales, rather than the Central Dearness Allowance (CDA) scales utilized by standard Central Government employees.

As the DoT later clarified in an internal document, the recommendations of the 7th CPC are applicable only to Central Government employees who are receiving their pay or pension on the CDA pattern. Furthermore, the DoT argued that under Rule 37 (5) of the CCS (Pension) Rules, 2021, permanent absorption into a public sector undertaking means the employee ceases to be a Government servant and is deemed to have retired from Government service, meaning Do P&PW orders for pension revision do not apply to them.

3. The Administrative Deadlock and the Exploitation of the Vacuum Because of this unprecedented technical gap, we have effectively become orphans in the administrative system. The administrative ministry (DoT) has exploited this vacuum to deny us our rightful pension revision, arguing in the Hon'ble Delhi High Court that a Pay Committee recommendation is a mandatory, non-negotiable pre requisite for pension revision under the CCS Pension Rules. Since the PR Casserts it is a CPC issue, and the CPC asserts it is an IDA/PRC issue, the DoT is utilizing this circular logic to freeze our pensions.

The internal correspondence between departments further highlights this severe administrative dysfunction.

Analysis of Annexure-A (DoP&PWOM No. 4/02/2019-P&PW(D)/40504 dated 08th March 2019):

When the DoT sent a proposal for the revision of pensions for absorbed combined service pensioners from 01.01.2017, the Department of Pension & Pensioners' Welfare (DoP&PW) returned it with highly critical observations.

The DoP&PW noted that the DoT had not clearly brought out what the actual formula for the revision of pension for pre-2017 absorbed pensioners would be.

They also pointed out that the DoT failed to clearly indicate what the financial implications of such a revision would be based on that proposed formula.

Most importantly, the DoP&PW highlighted a severe resultant anomaly: because the pay of serving BSNL employees had not been revised under the 3rd PRC (as the entities did not fulfill the pre-conditions), serving employees remain on pre-01.01.2007 pay. The DoP&PW observed that if the pension of past retirees is revised based on a newly revised 2nd PRC pay scale, their revised pension would become higher than the pension fixed on retirement for currently existing employees.

The DoP&PW stated this would create an anomalous situation where past pensioners get more pension than freshly retired ones, and requested the DoT to propose how to resolve this. The DoT failed to provide the requisite clarifications.

Analysis of Annexure-B (DoT Letter No. 47-63/2022-Pen(T)/part dated 17th Nov 2022):

This document reveals the DoT's intent to continually deny parity and delay the process.

In response to associations pointing out that constitutional courts require combined service pensioners to be treated on par with Central Government pensioners, the DoT rigidly relies on adverse tribunal judgments to defend their inaction.

The DoT cites the dismissal of OA No. 021/0012/2017 by the CAT Hyderabad Bench, which ruled that an applicant cannot seek selective application of both Government and BSNL rules, stating, "One is a Govt. department and the other is a PSU".

The DoT also cites the dismissal of OA No. 170/00116-134/2018 by the CAT Bangalore Bench, which stated that having elected to be in BSNL, employees are estopped by the implied promise to abide by BSNL tenets, noting, "If BSNL cannot grow on it, naturally the employees will suffer a little diminishment... As they have already made their choice, they have to abide by it".

Regarding the desperate proposal to delink pension revision from pay revision, the DoT stated that the current proposal is merely to revise the pension by merging Basic and IDA as of 01.01.2017 "without any fitment factor" for present and future retirees. They caveat this by saying that if and when pay revision as per the 3rd PRC takes place in BSNL/MTNL, the same fitment factor extended to serving employees will be given to pensioners.

Finally, the DoT introduces further delays by stating that since the DPE only decides executive pay scales, the DoT is waiting on BSNL to provide non-executive pay scales so total financial implications can be computed before sending the proposal to the Department of Expenditure (DoE).

This correspondence proves that the DoT is fully aware of the deadlock but is using corporate profitability metrics (the inability of BSNL to implement the 3rd PRC) to deny sovereign pension revisions drawn from the Consolidated Fund of India.

4. The Devastating Human Cost and the Flawed Logic of 'Affordability'

We are a highly vulnerable demographic of senior citizens, many of whom are in their late 70s and 80s. We are battling severe inflationary pressures, rising medical costs, and the general hardships of old age. While Central Government pensioners have enjoyed the benefits of regular revisions and enhanced financial security, we have been arbitrarily left behind to suffer the diminishing purchasing power of a stagnant pension.

The application of an "Affordability Clause"—a metric designed to measure corporate profitability—to a sovereign pension drawn from the Consolidated Fund of India is fundamentally flawed, legally untenable, and morally bankrupt. Our pensions were guaranteed by the President of India, not by the Board of Directors of BSNL. Therefore, the financial health of the corporation should have absolutely no bearing on the revision of our pensions. The current framework penalizes retirees for the market performance of a company they no longer work for, violating the fundamental tenets of pensionary security.

5. Categorical Demands and Prayers before the 8th Central Pay Commission

Because both the DPE and the PRC have officially washed their hands of this issue, stating it is outside their purview, the responsibility to rectify this historical injustice falls solely upon the Central Pay Commission. We cannot be shuttled back and forth endlessly. Therefore, we humbly, yet urgently, request the 8th CPC to:

A) Take Official Cognizance and Expand Terms of Reference (ToR):

We request the Commission to officially include the specific category of BSNL absorbed pensioners—who draw their pension directly from the Consolidated Fund of India—within the official Terms of Reference (ToR) of the 8th CPC. Ignoring our existence based on the IDA vs. CDA technicality will only perpetuate the deadlock. We are paid by the Government of India; therefore, a Pay Commission of the Government of India must address our revision.

B) Formulate a Distinct and Harmonized Fitment Formula:

We request the Commission to utilize its vast economic and administrative expertise to recommend a specific, clear fitment factor formula for the revision of our pension. This formula must actively harmonize the realities of our Industrial Dearness Allowance (IDA) pay scales with the fundamental pension revision benefits granted to CDA-pattern Central Government pensioners. It is the lack of such a

clear formula that the DoP&PW cited as a primary reason for returning the DoT's previous proposals. The 8th CPC has the authority to bridge this technical gap.

C) Direct the Department of Telecommunications (DoT) with Binding Recommendations:

We request the Commission to issue an unequivocal, binding recommendation directing the DoT that our pensions must be revised periodically and systematically alongside standard Central Government pensioners. The Commission must permanently resolve the "Pay Committee prerequisite" argument utilized by the DoT. The 8th CPC must firmly state that since the PRC cannot govern Consolidated Fund pensions, the mandate for such revisions falls squarely under the mechanisms defined by the CPC, thereby destroying the vacuum the DoT has exploited for years.

Conclusion:

We place our ultimate faith in the wisdom, fairness, and constitutional mandate of the 8th Central Pay Commission. We pray that this memorandum is not treated as a mere administrative grievance, but as a plea to restore the dignity and statutory rights of 4.5 lakh senior citizens who spent their prime years building the telecommunications infrastructure of this nation.

Thanking you in anticipation of a just, swift, and definitive resolution.

Yours faithfully,

K. Seshaiyah.

(K Seshaiyah)
Circle Secretary

Enclosures/Annexures attached for reference:

* Annexure-A: Copy of DoP&PWOM No. 4/02/2019-P&PW(D)/40504 dated 08th March 2019.

* Annexure-B: Copy of DoT Letter No. 47-63/2022-Pen(T)/part dated 17th Nov 2022.

No. 4/02/2019-P&PW(DV)40504
Govt of India
Ministry of Personnel, P.G & Pensions
Department of Pension & Pensioners Welfare

3rd Floor, Lok Nayak Bhavan,
Khan Market, New Delhi-110003
Date:- 08th March,2019

OFFICE MEMORANDUM

Sub: - Revision of pension of the absorbed combined service pensioners of BSNL/MTNL from 01.01.2017- reg.

The undersigned is directed to forward herewith a copy of representation dated 12.2.2019 from Committee of BSNL/MTNL Pensioners' Association on the above subject and to invite the attention of the DoT to this Department's ID Note of even no. dated 14.01.2019.

2. This Department has made the following observations on the proposal of DoT for revision of pension of the combined service absorbee pensioners of BSNL/MTNL :-

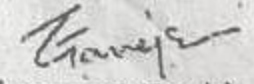
(i) DoT has not clearly brought out as to what would be the formula for revision of pension on pre-2017 absorbee pensioners and what would be financial implications on revision of pension as per that formula.

(ii) It has been stated by DoT that pay of the serving employees has not been revised in implementation of recommendations of 3rd PRC, since these entities had not fulfilled the pre-conditions for grant of the facility to these serving employees. This means that serving employees of BSNL/MTNL continue to be on the same pay which they were getting before 01.01.2007. In that case the existing Government employees would also be getting pension based on their unrevised 2nd PRC pay-scale/pay. In case pension of the past pensioners is revised, their revised pension would become higher than pension to be fixed on retirement of the existing employees. This will create an anomalous situation in BSNL/MTNL as the past pensioners would be getting more pension than the freshly retired pensioners. DoT, therefore, needs to bring about as to how they propose to resolve this anomaly.

3. DoT was requested to reconsider the matter and provide information/comments on the above observations. However, the requisite clarifications/proposal has not been received from DoT so far.

4. It is requested that the issues raised in the representation dated 12.02.2019 from Committee of BSNL/MTNL Pensioners' Association may be examined by DoT, and the comments of DoT thereon, may be sent to this Department alongwith the clarifications sought in this Department's ID Note dated 14.01.2019.

Encl: as above



(Charanjit Taneja)

Under Secretary to the Govt. of India

DDG(Estt)
Department of Telecom,
Sanchar Bhawan, New Delhi

Copy to:-

Shri P Gangadhara Rao, Convener, Committee of BSNL/MTNL Pensioners' Association, H NOo.6,
G No. 12th Stree, Jogupaiya, Halasuru, Bangalore-560008

S.No - 1688
11/03/2019

No.47-63/2022-Pen(T)/part.
Government of India
Ministry of Communication
Department of Telecommunications
(Pension Section)

513, Sanchar Bhawan, 20 Ashoka Road, New Delhi-01
Dated: 17th Nov.,2022

To,
All Heads of Associations

Sub: Proposal regarding revision of pensionary benefits w.e.f. 01.01.2017 in r/o absorbed BSNL/MTNL employees

Kind reference is invited towards your letter's received from various Associations regarding Record of Discussion of the meeting held on 17.10.2022.

(i) In this regard it is intimated that copy of Presentation made during the meeting is hereby attached as requested by you.

(ii) You have stated that nine associations have pointed out that there are judgments from constitutional courts which state that the combined service pensioners who opted for government pension should be treated on par with the C.G. Pensioners.

In this regard it is stated that on absorption, BSNL/MTNL absorbed employees started getting their pay in Industrial Dearness Allowance (IDA) pay scales. As per sub-rule 8 of rule 37A of CCS (Pension) Rules, 1972, these absorbed employees are eligible for pensionary benefits on the basis of the combined service rendered by them (with the Central Government and with BSNL/MTNL) in accordance with the formula for calculation of pension and family pension under CCS (Pension) Rules, 1972 at the time of their retirement from BSNL/MTNL. **The absorbed employees of BSNL/MTNL who retired after 01.10.2000 get pension, and dearness relief thereon, as per IDA pattern.**

Further, various Courts have also observed on similar lines as follows:

In OA No. 021/0012/2017 filed by Shri M.S.S.R Murthy before CAT Hyderabad Bench, the Hon'ble vide CAT observed vide Order dated 10.12.2018 (p.392/c) that *"The applicant cannot seek application of rules selectively, of both Government and BSNL, in order to take advantage of the best among the better of the rules in the two institutions. Being a BSNL employee the applicant cannot compare himself with DoT employee and allege discrimination. One is a Govt. department and the other is a PSU"* and dismissed the OA on merit.

In the Review Application No. 021/02/2019 in OA No. 813/2017 filed by Sh. Murthy before CAT Hyderabad, the Hon'ble CAT vide Order dated 11.01.2019 (p.398/c) observed that *"The applicant having become a BSNL employee his*