



All India Graduate Engineer Telecom Officers Association

(An Association of DR Graduate Engineers / Account Officers of BSNL)

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No. GS/AIGETOA/2018/4

Dated 05.02.2018

To,

Smt Sujata Ray
Director (HR)
BSNL, New Delhi

Sub: Request for immediate settlement of pending issues of 2nd PRC, regarding.

Respected Madam,

Your kind attention is invited to the GM (SR) letter No. BSNL/7-1/SR/2018 dated 29.01.2017, issued to the various Unions/Associations for specifying the details of the pending issues of 2nd PRC. We are very surprised to note that the nodal section which has been dealing with various staff related issues of BSNL is unaware of the pending issues of second PRC while time to time all unions and associations have been raising the issues in a consistent manner. However, in reference to the aforesaid letter of SR section, we would like to submit the following:

The pending issues of the 2nd PRC implementation can be categorized under two heads:

- (i) Pay Related Issues
- (ii) Superannuation benefits related issues.

i. Pay Related Issues:

With regard to the first issue, BSNL Management Committee has approved the revised E-2 and E-3 scales w.e.f. 01.01.2007 in replacement of pre-revised E-1A and E-2A scales for JTO / JAO and SDE / AO. The scales have not been approved by DOT so far. The order issued by DOT on 28.03.2017 for granting revised E-1 and E-2 scale instead of the BSNL proposed E-2 and E-3 scales is in gross violation of principle of natural justice and also of the DPE guidelines. In all previous pay revision no instance of downgrading of pay scale of a post could be found. The scales which are discontinued are always upgraded to the next available scale. Further, BSNL has never proposed E1 and E2 for JTO and SDE grade. **Therefore notification of E2 scale for JTO grade and E3 Scale for SDE Grade is a pending issue of 2nd PRC which has remained unaddressed till date.**

The case of pay loss of the JTOs / JAOs appointed after 1.1.2007 in the scale of Rs. 9850-250-14600 is still unaddressed. It is learnt that the Committee has given a negative report on pay parity of 22820/- without consideration of the material facts. The calculations involved and the facts supporting the merit of the grievance of these executives have been submitted during various discussions and meetings in your high office and also with the committee members separately. But, no positive outcome or assurance has ever come from BSNL Management to address this genuine grievance. **Therefore, to devise a strategy to address this long pending issue of pay loss/pay parity of the executive's recruited post 01.01.2007 vis-à-vis their pre-revised scales is a pending issue and has remained unaddressed till date.**

Regn. No. : HR/019/2016/02138

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This issue should be looked more from the perspective of natural justice than the technicalities involved in analyzing FR/SR which have been relaxed several times earlier to impart natural justice to some of the deprived lot. Management should understand that motto of any pay revision is to upgrade the pay of executives and motivate the executives and at all points of time during the ten year period, an executive should remain in an advantageous position vis-à-vis his pre-revised scale. **Looking from this humanitarian and sympathetic perspective will definitely entail the management to consider this issue of pay loss/pay parity in a positive and justified manner.** Management has been taking references from the judgement of one case filed by some executives in the court of law. **This case was filed by a group of individuals and whether the same has been defended properly or not, has not been analyzed.** An individual files a case by arranging the funds on his own individual basis and it is not possible for him to pursue the case beyond a point due to lack of funds and resources. **Forcing the outcome of a case filed by a group of individuals to the whole executive lot without getting into the merits of the issue is unjustified.** There are many judgments which are favorable also for dealing with this pay loss/pay parity, but the references from such judgements have not been considered by BSNL and one judgement where an individual lost is being made the reason for negating the issue of pay loss. **Endeavor of BSNL should be to make all efforts to motivate its younger lot in the matters related to Pay, Promotion and Pension instead of trying to stop their genuine dues as these executives are the future of BSNL and are to go a long way in BSNL.** A loss not handled properly will multiply many folds in the years to come and hence should be resolved at the initial stage itself to avoid a cumulative loss to the most deserving lot of BSNL. If the management want this deprived lot of JTO cadre to get it's justified due, then this can be done in one shot. Accordingly, as stated above, we request BSNL to consider this pending issue of second PRC from a positive and sympathetic perspective.

ii. Superannuation benefits related issues:

ii – a) The superannuation benefits which includes the EPF, Gratuity, post retirement medical benefits and pension scheme should begin from the respective dates BSNL recruited employees appointment and the ceiling should reach the 30% of Basic + DA in line with 2nd PRC recommendation

With regard to the issue of Superannuation benefits, 30% ceiling has been prescribed by DPE under 2nd PRC. **It is important to note that this issue is pending since incorporation of BSNL w.e.f. 01.10.2000. Rule 37A of CCS (Pension) Rules -1972 clearly laid down a duty upon the BSNL management to frame a policy and make arrangements for creation & management of the Pension fund of the BSNL recruited employees and the disbursal of Pension after their superannuation.** AIGETOA on behalf of its members and other BSNL recruitment employees hereby express the gratitude for increasing the employer's contribution to 5%. But, there is still a considerable percentage of contribution lacking to reach the 30% minimum ceiling as envisaged in 2nd PRC. **It is a fact that the scheme ought to have been started in tandem with the arrangement of Pensionary benefits for the absorbed employees. Therefore, there is an immediate need to increase the contribution so as to secure the social security of the BSNL recruited employees who are not supported with government /statutory pension as like absorbed executives. Another point which needs worth mentioning here is the date of implementation of this scheme , which should be from the date of joining of the executive in BSNL and accordingly arrear contribution along with interest at par with income generated by the fund manager LIC in other such funds managed by them should be made by BSNL to the Superannuation Fund to secure the future of BSNL recruited employees and to impart benefit to the families of BSNL employees who have met untimely death during**

these years. In the Pay revision Committee recommendations , stages of implementation is given as I , II , III , IV and this can be termed as indicator that before extending Perks as per recommendation , the retiral benefits / Superannuation benefits are to be covered. BSNL was in Profit during 2007-08 and according all conditions of 2nd PRC was duly met by BSNL for complete implementation. The maximum fitment of 2nd PRC was extended to employees but the Superannuation benefits to the tune of 30% was not extended which should have done in one go with 2nd PRC implementation.

ii-b) The Post-retirement Medical Benefits (PRMB) included in SAB may be coined with defined contribution scheme as done with EPF / Gratuity/ Pension Scheme and employees should be made aware about the fund contribution

It is also not known whether the actuarial valuation of the post-retirement medical benefit (PRMB) percentage out of the total ceiling of 30% is being earmarked for securing the Medical facility after the retirement of BSNL recruited employees. BSNL Management has already decided to fully reimburse the employees' contribution in case any absorbed retiree opts for the CGHS facility. **Similar action for securing the Medical facility in respect of BSNL recruited employees after their retirement is immediately needed. Till the time, this mechanism is in place; the contribution stated by fixed percent towards Post-Retirement Medical Benefit should immediately be started and contributed in Superannuation Fund which is already in operation. The expenditure incurred on the part of medical reimbursement for retirees under BSNL MRS can't be taken as PRMB as , the same is not a defined contribution scheme and which clearly relies on company profitability / existence etc . The PRMB should be specifically done as a defined contribution as like EPF / Gratuity / Pension Scheme as the same to be made under SAB.**

It is well settled that all forms of superannuation benefits constitute the wages deferred for directly recruited employees who are doing equal work at par with the set of executives who are protected with government pension and CGHS medical facilities. The justified requirements in line with guidelines and orders were taken by AIGETOA several times with management specifically, and hence at this crucial juncture of implementation of next PRC we humbly request to have a considerate thought towards social security of those employees who are actually recruited and borne in BSNL.

With above submission, it is requested that the pending issues of 2nd PRC may be immediately settled as stated above so that there is no complexity at the time of implementation of 3rd PRC. Moving on to 3rd PRC without settling the 2nd PRC Benefits in totality which mainly pertains to BSNL recruited executives shall be gross injustice to the young and dynamic executives of BSNL.

With warm regards,

Sd/-

**[Ravi Shil Verma]
GS- AIGETOA**

Copy to:

1. Shri Anupam Shrivastava, CMD BSNL for kind information please.
2. Shri A.M. Gupta, GM (SR), BSNL CO for kind information please.
3. Shri Saurabh Tyagi, GM (Estt), BSNL CO for kind information please.