PENSIONERS' PATRIKA

पेंशनर्स पत्रिका

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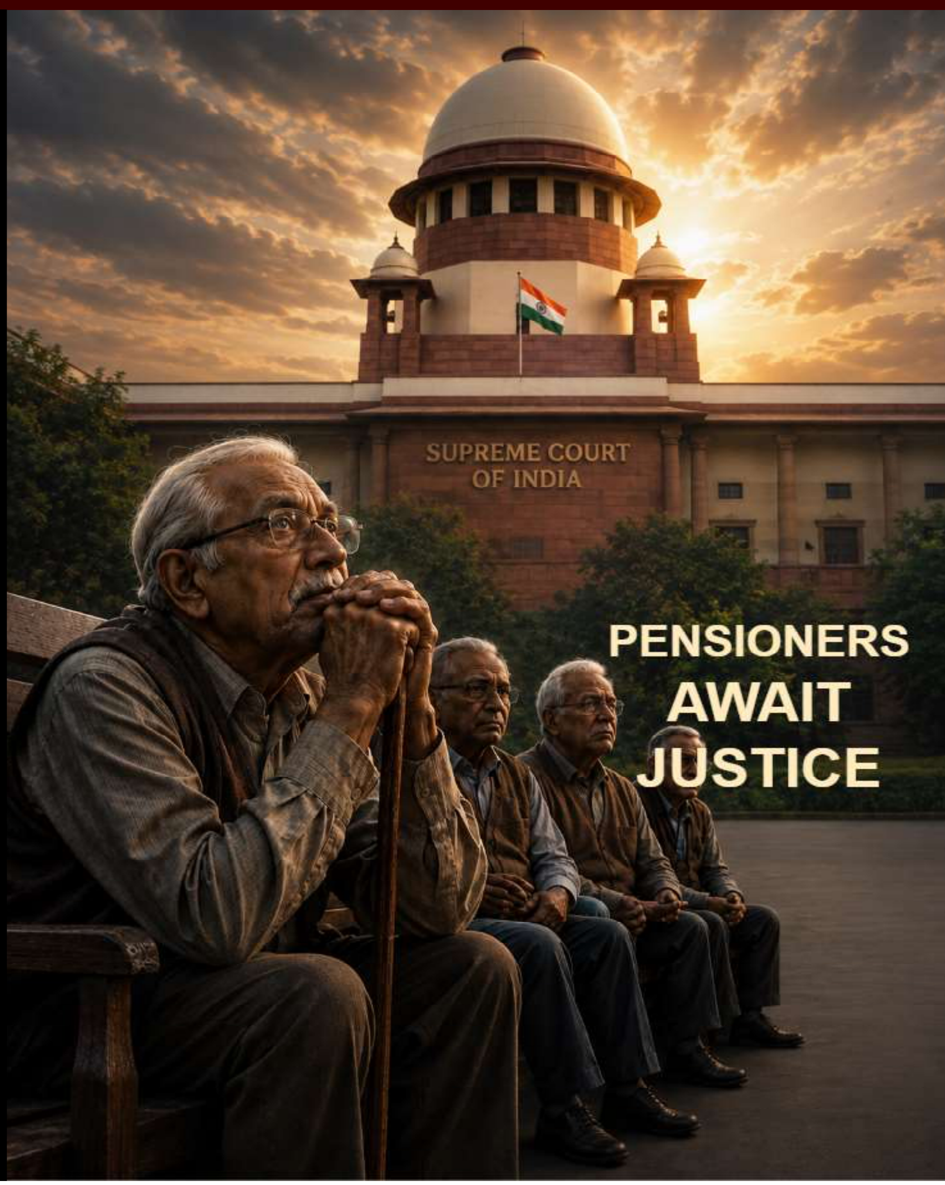

Pensioners and Workers in the street

PENSIONERS PATRIKA

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Editorial

WE REFUSE TO BE VICTIMS OF A HECATOMB

Public trust in the Indian judiciary has faced growing strain over time. While the courts are regarded as a crucial pillar of Indian democracy, structural hurdles, financial barriers, and systemic delays often lead ordinary citizens to feel detached or disillusioned. Still, BSNL/MTNL retirees were forced to approach the Court of Law seeking justice when the Cabinet Minister for Communications formally ruled out in the Parliament, both pay revision and pension revision. The order of Principal Bench of CAT pronounced on 20th September 2023 kindled a tiny, delirious spark of hope. The powerful Minister Mr. Ashvini Vaishnav assured that no Appeal would be filed. But the authorities were playing a dirty ***Hide & Seek*** game. DoT filed an Appeal. The Hon'ble High Court adjourned the Appeal case 40 times and finally gave a judgement totally disappointing.

This issue caries a detailed write-up on the judgement, primarily prepared on the inputs provided by our esteemed President Com. Gopalakrishnan. In short, we feel that the judgement reveals several factual inaccuracies, contradictory findings, incorrect interpretations of statutory provisions, reliance on irrelevant precedents and omission of important legal authorities. The judgement, therefore, raises substantial questions of law that merit examination by the Supreme Court. While Kerala High Court has clearly told that BSNL retirees are entitled to benefits at par with central government pensioners Delhi High Court has given an opposite decision. The dispute raises substantial questions relating to statutory interpretation, constitutional principles, and pension jurisprudence. Since the matter was always expected to reach the Supreme Court irrespective of the decision of the High Court, the unanimous view is that the legal battle must be pursued to its logical conclusion. The CWC took a correct decision to file SLP before the Supreme Court.

As our Vice President Com. M R Patnaik points out, the DoT employees reposed absolute trust in state systems before moving from government service to BSNL in 2000. Now it has become clear that authorities have ultimately betrayed them. The four lakh BSNL retirees refuse to be victims of a hecatomb. We shall fight to the last.

GS Writes

Namaskar.
This issue of the Patrika talks lot about the judgement from Delhi High Court, which are not repeated here. Our CWC took a clear decision to take the matter to its logical end.

Democratic decisions:
Our CWC meeting held in 2014 decided to demand pension revision with 7th CPC fitment formula. All subsequent CWC meetings and all the AICs approved and reiterated the conscious decision. We act upon such democratic decisions, not on individual views. For, collective wisdom is always superior to the individual wisdom. Some comrades have the illusion that pension revision will automatically follow wage revision in BSNL and hence pensioners should fight for wage revision with PRC formula for serving staff first. Let us understand the facts.

According to the DPE Website, there are 291 Central PSEs; BSNL is 233rd in the list.

Schedule A: 73, B 67, C 45 and D 6. 191
Then 13 Maha Ratnas,
16 Nava Ratnas (incl. MTNL) and 71 Mini Ratnas (incl. BSNL).

PRC never recommends pension revision. There is no PRC formula for pension revision. PRC report is only for Pay revision for Executives in all CPSEs, including BSNL; not even for the pay revision of Non Executives. The 3rd PRC report was implemented in some CPSEs earning profit.

Discussion on pay revision took place between BSNL and associations of Executives in 2017. BSNL sought permission of exemption of 'affordability' condition. Permission is not yet granted even after 9 years. It is obvious. For BSNL alone the government shall not remove the condition in view of probable repercussion in many other CPSEs. The government policy is well known to all.

Wage revision for Non Executives is done on negotiations. It was started. Staff Unions are willing for at least 5% fitment. For that too, the 'affordability' condition has to be removed. It is not yet permitted. Agreement says that same fitment formula will be applied for both Executives and Non Executives. Still, DoT has not permitted anything, not even 0%.

Still, some friends plead that pensioners should fight
1) for removal of the affordability condition; 2) then for wage revision of Executives; 3) then for Nonexecutives, 4) thereafter fight for the pension revision.

Two Cabinet Ministers (Late Sh. Anantkumar and Sh. Pralhad Joshi) intervened in our favour. But in December 2019, the Communication Minister formally told Lok Sabha that both pay revision and pension revision are not possible, closing route of negotiations. Left with no alternative, we sought legal remedy. We were aware of the intricacies of legal action. And, failure is not uncommon in legal fight. We won in CAT, but Govt. has won in the HC. All applicant unions are firm and unanimous in taking the matter to the Supreme Court. Even otherwise the DoT would have gone to SC had they lost in HC.

The four lakhs DoT employees reposed full trust in the solemn assurance given on behalf of President and moved to the BSNL in 2000. They are repeatedly betrayed by the Government and by the Bureaucracy.

We shall not take it lying down.
We shall fight to the end. We are united and firm.

V Vara Prasad,
General Secretary

13-8-2026

PENSION REVISION CASE: WP(C) 4955/2024

DELHI HIGH COURT JUDGEMENT

OPERATIVE PORTION

270. As per Rule 37A, while the Government bears the pensionary liability of the absorbed employees, such employees are still subject to sub-Rule 8 for the calculation of their pension. The source of payment does not determine the nature or extent of the right.

271. Properly construed, Sub-Rule 8 is nothing but a promise of extending the same formula to the absorbed employees which is applied for Central Government employees for the calculation of pension. The formula referred to is the one which shall be in force at the time of retirement or death of such absorbed employee. The Rule neither preserves the status of the absorbee as a Government servant nor creates a continuing right to claim every future benefit that may be extended to Central Government pensioners. Accordingly, this Rule does not entitle the respondents to any other benefit that may arise in the future after their retirement.

272. We accordingly hold that neither Rule 37A nor any of the Office Memoranda relied upon by the respondents confer a right upon combined service pensioners governed by the IDA regime to claim revision of pension pursuant to the recommendations of the 7th CPC. This is because recommendations of the 7th CPC only apply to Central Government employees and absorbees of BSNL/MTNL who draw pension on pro-rata basis from the Government. The respondents do not fall under either category. Moreover, since the underlying pay structure applicable to the respondents has not been revised as per the 3rd PRC, the question of consequential revision of pension does not arise.

273. For all the aforesaid reasons, the impugned order dated 20.09.2023 passed by the learned Tribunal cannot be sustained and is set aside. Accordingly, this batch of writ petitions stands allowed in the aforesaid terms.

Pending applications, if any, stand disposed of. There shall be no order as to costs.

OM PRAKASH SHUKLA, J.
C.HARI SHANKAR, J

1st July 2026

A central govt. employee with 10 years' service gets full pension and he is entitled to pension revision. A BSNL Retiree, after working in DoT, under Government for 39 years and then moved to the PSU, receiving pension from same government, is denied pension revision.

WHERE IS JUSTICE?

The strange judgement delivered by Delhi High Court on 1st July 2026 in the Pension Revision case contains 108 pages and 273 paragraphs. Out of these 273 paras, Government counsel's argument contains 27 paras. The respondents' counsels' arguments are given in 28 paras. Reasoning and analysis contain 173 paras, and conclusion, 5 paras.

We give some comments parawise on the Judgement hereunder.

LEGAL FICTIONS THAN FACTS AND CONTRADICTIONS.

Date of formation of BSNL is 1-10-2000. But, in para 10 of the judgement it is wrongly mentioned as 1/1/2000.

Para 2: It is astonishing and strange to notice that, In the very beginning itself, judgment states "By the impugned order", which shows that DHC prejudiced in this case is amply clear.

Para 56: The Government counsel presented a chart during the course of the argument to say that BSNL pensioners are getting more pension than CDA pensioners. Justice Hari Shankar interjected and asked the Government counsel that, as per this chart, the basic pension for IDA pensioner is less, but you are saying that the gross pension for the IDA pensioners are more. Is it like that? Government counsel replied yes. But in para 56, it was mentioned, "It was submitted that basic pension of employee A, that is Central Government employee, under IDA scale was more than that employee B, that is absorbed employee, under the CDA scale."

This is an incorrect version.

When the government lawyer argued that we are getting more pension, our lawyers argued that the minimum pension for Central Government employees is 9,000, and for BSNL absorbed pensioners it is only 3,500. It was mentioned in the judgment in para 70 and 79.

Para 16: It says that the liability is for the government and PSU. **It is not a fact.** With regard to the pension, the PSU has no liability except

NEVER MISTAKE LAW FOR JUSTICE. JUSTICE IS AN IDEAL AND LAW IS A TOOL

paying the pension contribution. So, this para 16 is contrary to the truth.

Para 28: It is mentioned that the pension revision in BSNL took place from 1/1/2007 to remove the anomaly between pre-2007 retirees and post-2007 retirees. But on the other hand, it was interpreted in contradictory manner in Para 193.

Para 31: Gratuity extension was given to the BSNL retirees, as per 7th CPC. In subsequent paras they have said that **it is not applicable** to BSNL absorbed pensioners.

Para 169: it is very important that deals with OM dated 2.9.2008. Quote from para 169:

"We are equally cognizant that no such categorical exclusion exists in OM dated 2.9.2008. Therefore, the contention of the petitioners of this OM does not apply to the respondents because they cease to be government employees does not come to their rescue, as this OM clearly applies to all central government employees governed by the CCS Pension Rules 1972. The respondents are governed by Rule 37A of CCS Pension Rules. Therefore, they prima facie fall under the broad ambit of this OM."

What it says? OM dated 2.9.2008 is applicable to the absorbees.

Para 171 says that, *"The earlier OM dated 1.9.2008 expressly confines its applicability to pro-rata pensioners. No such restriction is stipulated in the OM dated 2.9.2008."* This para 171 confirms para 169.

Para 180 says: *"Hence, in our considered view of the OMs dated 1.9.2008 and 2.9.2008 along with the clarification of 27.4.2009, we are inclined to agree with the stance advanced by the petitioners."*

This is contrary to para 169.

Para 173: The judgment says OM dated 2.9.2008 is akin to 1.9.2008. Earlier para they say this is different from 1.9.2008.

That is another contradiction.

Para 207: DPE OM enhancing limit of gratuity as recommended by 7th CPC is not applicable to CPSE employees.

This is contradictory to para 31 and 224.

In para 15, it is mentioned that if you opt for retention of government employment, you will be declared surplus and will be transferred to surplus cell. And that is why most of the DOT employees at that point of time opted for BSNL. But in para 20, the judgment says you had a lucrative IDA scale, and that is why you have opted for BSNL.

This is wrong interpretation.

In fact, there was an apprehension that if we opt for government service we will be transferred to the surplus cell. Because of that danger only, most of the government employees opted for BSNL and not for lucrative IDA pay scale.

Para 106 quotes one Supreme Court judgment which deals with Article 311. The government company and government servants are different, and the government company employees cannot claim the protection under Article 311.

It is quite irrelevant to the case on hand.

"Deadliest enemey of Justice is Prejudice", Albert Einstein

In para 109, they have referred the BSNL vs. Ajit Kumar case on which the Supreme Court gave a judgment on 1st April 2008. Subsequently, there was a judgment on 10th February 2010 in FCI case. When above case, BSNL versus Ajit Kumar case, was quoted during the course of the argument, the Supreme Court said that it was not applicable in that case.

So, irrelevant Supreme Court judgments were quoted, but on the other hand, the Supreme Court judgment on 10th February 2010, which clearly said that the retirees of Food Corporation of India (a PSU) **are entitled for pension on IDA and DR on CDA is not quoted..**

Para 110: High Court says that CPC decision is not for judicial review. **Nobody pleaded for judicial review of the CPC decision.**

Para 121 The Hon'ble Delhi High Court while stating that "the Heart of Rule 37A is sub rule 8", its reliance on a literal and plain reading of such vital rule is nothing but failing to comprehend the statutory intent of this special provision. By not looking beyond the literal text, the judgment overlooks the vital historical necessity and compensatory context of the rule. A restrictive, textual interpretation is detrimental to the interest of combined service pensioners and defeats the legitimate expectations created by the government at the time of absorption." Alas! The health of human heart cannot be gauged with a simple look at the physique

The High Court has put a hole in the heart. The interpretation of sub-rule 8 is the main point. And the Delhi High Court came to the judgment that it is applicable only at the time of retirement and not for subsequent revisions.

Then in **para 124,** they have reiterated the formula for calculating pension is only at the time of retirement.

Para 125 mentions a case of the same Delhi High Court, Union of India vs. AIBSNLPWA. **That case pertains to the pension anomaly, not Pension Revision.** There, they have mentioned para 13 and 15 of that judgment and deliberately omitted the para 11 and para 14. Para 11 of that judgment delivered by Justice Muralidhar in January on 4/1/2020 says:

"In other words, Rule 37A provided that those government servants permanently absorbed in PSU or autonomous body would be entitled to pension in the same manner as Central Government employees."

This para was not quoted in the judgment.

Para 14 of that judgment which was not mentioned in this Delhi High Court judgment, which said: *"An office order was issued on 7th August 2002 introducing IDA pay scales in replacement of CDA pay scales for Group C and D employees with effect from 1st October 2000. A net minimum increase of Rs. 1,500 per month (basic pay plus DA taken together) has been assured to each employee of the non-executive staff at the time of changeover of pay from CDA pay scales to IDA pay scales with IDA pattern of dearness allowance. It was further stated that as pension is calculated at 50% of average pay at the time of retirement, the benefit of minimum increase of Rs. 750 per month (basic pension plus dearness relief taken together) will be available for the non-executive staff at the time*

DOT staff reposed absolute trust in state systems that have ultimately betrayed them after retirement.

of changeover of pension from CDA pay scale to IDA pay scale with IDA DR."

So, this para 14 clearly says how we got more pay and more pension and **it was omitted by this Delhi High Court judgment.**

It is totally a one-sided judgment, and it needs a definite challenge.

And para 131 and 132, they quote Note 10 under Rule 33, and **they interpret in a wrong way** as if it is applicable only to pro-rata pensioners.

When a government servant has been transferred to an autonomous body, consequent of the conversion of a department of the government into such a body, and the government servant so transferred opts to retain the pensionary benefits under the rules of the government, the emoluments drawn under the autonomous body shall be treated as emoluments for the purpose of this rule.

[The issue of pro rata pensioners was unnecessarily brought in during hearing and in the judgement as well when none of the Applicants in the original peition is a pro rata pensioner. None of the associations in the case represents any pro rata pensioner.]

In para 132 of the judgment, they say, *"Thus, the aforementioned Note clarifies that even if an absorbee opts to retain pensionary benefits under the government (pro-rata pension), they shall draw emoluments as per the CCS rules, that is CDAs case."* Note 10 of Rule 33 does not say that it is applicable only to the pro-rata CDA pensioners. It only says your pension will be calculated as per the emoluments drawn in the autonomous body.

The interpretation by the Honourable Delhi High Court is totally wrong.

Then para 138 says that Cabinet Note dated 25.9.2000 is an administrative proposal and does not carry the force of law.

They say even the cabinet note is only a proposal and does not carry any law.

In para 172, it says, "They cannot be read in isolation and must be construed harmoniously as a composite whole rather than as independent and disconnected instructions in the earlier, in the clear absence of any indication that the letter dated, OM dated 2.9.2008 was intended to enlarge the class of beneficiaries."

Pension and Pensionary benefits:

Everybody knows that Pension and Pensionary Benefits are entirely different elements. Pension, being granted every month, throughout the year, till death of the retiree, is taxable and pensionary benefits being onetime payment at the time of retirement are not taxable. Government has conceded the fact that both are distinct and different. **Unfortunately the Hon. High Court arrived at the decision on wrong assumptions of the PRC proposal on pensionary benefits.**

Comments of the Hon'ble High Court on PRC report are very astonishing. Where is the question of PRC? PRC does not have any terms of reference for pension revision. The Para 3.18 of 3rd PRC, refers to superannuation

A wrong decision of the Court affects four lakh families. They lose faith in Judiciary.

benefits. The superannuation benefits for other central public sector undertaking employees are restricted to 30% of last pay drawn plus DA. This 30% is divided for four components, namely CPF, gratuity, pension, and post-retirement medical benefits.

And 3.18 of third PRC report also says that this is not applicable to those who are drawing pension under defined pension scheme that means old pension scheme. This is applicable only to the defined contributory pension scheme. We are coming under the old pension scheme and we are not under contributory pension scheme.

The said PRC report on is for a super annuation benefits and it is applicable only to the contributory pension scheme and not to us, covered by defined pension scheme. The contention of this judgment is totally wrong.

Para 262: If the respondents' pay were revised, they would be entitled for revision of pension, and pay revision has no link for pension revision. Pay is taken into account only at the time of fixing your pension. With regard to revision of pension, the existing pension plus DR plus quantum of increase, that is only added to arrive at a new basic pension.

This is how it has been explained in 15th March 2011 also when we got the pension revision from 1.1.2007.

EXTRANEOUS OPINIONS

Para 264 says that we are not entitled to CGHS benefit; it is applicable only to the pro-rata pensioners. **Wrong**. **We are covered by CGHS.**

Sub Rule 4 of Rule 37A:

In the judgment, they have mentioned at least in 23 places about sub rule 4 of Rule 37A to state that *"You cease to be a government employee on a permanent absorption in the PSU.* **This has to be challenged.**

Commutation Rules:

1) Earlier, commutation was not restored after 15 years till Supreme Court delivered a judgment in 1985. After the Supreme Court judgment in 1985, Department of Pension issued an OM on 5th March 1987 to the effect that restoration of commutation after 15 years is applicable only to the Central Government pensioners. And para 4 of that 5th March 1987 OM stated that the absorbed Central Government employees are not entitled for restoration after 15 years, since they cease to be government employees on absorption. This was challenged before the Supreme Court. And a three-member bench of the Supreme Court headed by Justice Mr. Venkatachaliah, delivered a judgment on 15th December 1995, quashing para 4 of 5/3/1987 OM. That means they are also entitled.

2) There's another case: Abdul Rashid versus Union of India before the honourable Kerala High Court. It delivered a judgment on 13th November 2019. Para 9 of that judgment says: *"As per sub-rule 4, the permanent absorption of the government servants as employees of the PSU takes effect only from the date on which their options are accepted by the government. They cease to be government servants from the date of such acceptance and continue as employees of the PSU. But their right to pension as a government employee and the membership in the GPF remains protected."*

DEAD CAN NOT CRY OUT FOR JUSTICE. IT IS DUTY OF THE LIVING TO DO SO. NOBODY ELSE WILL COME TO FIGHT FOR US. WE HAVE TO FIGHT FOR OUR RIGHTS

No CPSE employee has got GPF. As government employees, we got the General Provident Fund.

It was continued even after absorption. So there is a distinction between other CPSE employees and absorbed BSNL employees. So they cannot say that, quoting sub-rule 4 of 37A, “we cease to be a government employee and we cannot claim the parity with the Central Government,”

Gratuity, Family Pension

On permanent absorption in BSNL, every individual was given an order, called presidential order. In that order, point number 3 deals with pension / gratuity:

"... shall be eligible for pensionary benefits including gratuity as per the provision of Rule 37-A of CCS (Pension) Rules, as amended from time to time."

Point 4 mentions about family pension:

"The family shall be eligible for family pension as per provisions of Rule 37-A read with Rule 54 (13-B) of CCS (Pension) Rules, 1972, as amended from time to time." **HC ignored this aspect.**

So, in toto, this judgement is with number of contradictions, one-sided, and it is against the 4 lakh absorbed pensioners of BSNL.

NOW, WHAT IS TO BE DONE?

Unity among the applicant associations is a must. We had a consultation with applicant associations virtually on 6th July 2026 and appointed a five-member committee consisting of Comrades M K Bagchi, G L Jogi, Anupam Kaul, Prahlad Rai, and Ashok Kaushik. This committee was asked to explore the possibility of filing an SLP by consulting eminent lawyers or legal luminaries because in the Supreme Court, the legal interpretation of statutory rules and constitutional provisions only will be have to be focused.

On 17th July 2026, the five member committee had a detailed discussion with a retired Judge of Supreme Court. He gave unbiased opinion about filing the SLP. He firmly told that the case should be argued in Supreme Court. On 18th July 2026, the CWC meeting was held virtually. Every CHQ Office bearer and Circle Secretary, except one, suggested in one voice that we should file the SLP before the Supreme Court of India and engage an eminent lawyer. The resolution adopted by CWC meeting is given in next page.

The subcommittee held further discussion with a senior lawyer in the Supreme Court, who has won many cases, related to Pension, and fixed him to fight the case in Supreme Court. The applicant associations in the original case held number of virtual meetings and unanimously decided to share the expenditure.

We knew well that this case would go up to Supreme Court. Had we won in High Court, DoT would have gone to Supreme Court. As we lost in HC we have to go to SC.

We shall take the matter to its logical end. We shall not leave the battleground middle of the war. We shall not leave the 4 lakh absorbed pensioners in the lurch.

RESOLUTION ADOPTED BY THE CWC MEETING HELD ON 18-7-2026

As notified, virtual CWC was held under the presidentship of Com D Gopalakrishnan, CHQ President today on 18/7/26. 46 CWC members attended. Four members expressed their inability to attend because of personal reasons. 37 members expressed their opinion that the association has no other option but to file SLP in Hon Supreme Court against Hon Delhi High Court judgement delivered on 1/7/2026 setting aside Hon PB CAT judgement. The only exception was the voice of Com K Muthiyalu who expressed his opinion against filing SLP and said that Delhi HC judgement is correct. With his lone dissent voice, The Central Working Committee of AIBSNLPWA, which met virtually on 18th July 2026 resolved to challenge the judgment of the Hon'ble Delhi High Court in the BSNL Pension Revision case by filing a Special Leave Petition (SLP) before the Hon'ble Supreme Court of India.

The CWC resolved to engage the best available Senior Counsel/ Advocate to effectively present the case and protect the legitimate demand of pension revision to BSNL and MTNL absorbed pensioners. At present there is no need to seek donation and the expenses shall be met from the available legal fund.

The CWC noted that this decision is in conformity with the resolution of the Ernakulam All India Conference to pursue the pension revision issue to its logical conclusion. The CWC authorised CHQ to take all necessary steps in this regard.

The CWC appeals to all members to remain united and extend their full cooperation and support to CHQ. All are requested to take this decision to the grass root members and the leaders have to adhere to the organisational discipline and tell the CWC decision only.

18 July 2026

V. Vara Prasad,
General Secretary

AIBSNLPWA | AIRBSNLEA | SNPWA
RTOWA(DELHI) | RTOWA (MUMBAI) | MPWA

JOINT CIRCULAR

STAND UNITED AND FIGHT

Dear Comrades

The steps taken by the Six Applicant Associations in the Pension Revision Case since the delivery of Delhi High Court Judgement are summed up below:-

Delhi High Court' Judgment:- All of you are aware, the judgement delivered on 01.07.2026 allowed the Writ Petition filed by the DoT and set aside the Pr.CAT' favourable orders dated 20/09/2023. The judgement runs into 108 pages containing 273 paragraphs and took us more than a week to study and assess its implications. In our considered view, the judgement is one-sided, contains references to irrelevant judgements and has internal contradictions.

Meeting with Adv.Gauri Puri – 10.07.2026: Leaders of the Applicant Associations—Coms. M.K. Bagchi, G.L. Jogi, Anupam Kaul and Ashok Kaushik met Adv. Ms. Gauri Puri and discussed the future course of action. Com. Prahlad Rai could not attend due to communication gap. The following points emerged during the discussion:-

■ Sufficient grounds exist to file Special Leave Petitions (SLPs) before the Hon'ble Supreme Court in view of the conflicting judgements from two constitutional courts. The Delhi HC has denied the benefit of 7th CPC whereas the Kerala High Court extended the benefit of the DoP&PW OM dated 12.05.2017 to the second petitioner, a BSNL pensioner. However the said judgment held that the benefit cannot the extended to the first petitioner AIBSNLPWA, stating that associations cannot espouse individual pensioners' grievances. AIBSNLPWA filed a SLP in the Supreme Court against this part of judgment and it was coming up for hearing on 13th July'2026. So it was decided to wait till then. On 13.07.2026 the SLP filed by AIBSNLPWA in the Supreme Court was admitted and notice was issued to the Govt.

■ Three separate SLPs will be required, but a common Senior Counsel can be engaged.

■ It would be useful to obtain the legal opinion of Justice (Retd.) J.K. Maheshwari, who retired from the Supreme Court in June 2026. Advocate Gauri Puri suggested the names of Senior Advocates R.S. Patwalia and Nidhesh Gupta as Senior Counsel for the proposed three SLPs.

Consultation with Justice (Retd.) J.K. Maheshwari – 17.07.2026:- The leaders of AIBSNLPWA, SNPWA, AIRBSNLEWA and RTOWA (Delhi), along with Advocate Gauri Puri, met Justice (Retd.) J.K. Maheshwari. Various provisions of the Delhi High Court judgement, relevant Office Memoranda, and Rule 37-A sub-rules were examined in detail. The discussion lasted nearly two hours. Retd. Justice J.K. Maheshwari made the following observations:

- ♦ There is no need to file a Review Petition before the Delhi High Court.
- ♦ SLP should be filed before the Supreme Court.
- ♦ The entitlement to pension revision exists and must be effectively substantiated before the Court.
- ♦ He is willing to guide the preparation of the petitions without any additional cost.
- ♦ It would be preferable to engage Senior Advocate Shri. Nidhesh Gupta.

Virtual Meeting of Applicant Associations – 22.07.2026:-

The Applicant Associations met virtually to decide the further course of action. The leaders who met retd. Justice J.K. Maheswari briefed about the discussions in that meeting. All the Associations expressed their views and there was unanimity in going ahead for filing the SLP. Before taking a final decision on who should be the Senior Counsel, probable expenditures and sharing arrangement, it was decided to consult the senior counsel Sh. Nidhesh Gupta. Com. D. Gopalakrishnan, President of AIBSNLPWA had already contacted Senior Advocate Shri Nidhesh Gupta, who agreed to meet the Association representatives on 25.07.2026. A five-member committee comprising Comrades M.K. Bagchi, G.L. Jogi, Prahalad Rai, Anupam Kaul and Ashok Kaushik was constituted to meet the Senior Counsel.

Meeting with Senior Advocate Nidhesh Gupta – 25.07.2026:-The Committee met Sh. Nidhesh Gupta and he expressed his views that:-
It is a strong case to be argued in Supreme Court. The fee structure was also discussed. The probable total expenses may be around 80 L to 100 L. Senior Counsel's fee of Rs.10 lakhs is to be paid now and Rs.70 lakhs is to be paid at the time of filing SLP.

Virtual Meeting of Applicant Associations – 27.07.2026: -The Applicant Associations again met virtually at 1900 Hrs. After thorough discussions it was decided to engage Sh. Nidhesh Gupta as Senior Counsel for all the three SLPs. The ratio of sharing expenses among the Applicant Associations was also unanimously decided.

Expenditure Sharing :-Expenses on Fess for consultation with retd. Justice J.K. Maheswari Rs.5.5 lakhs and Fees of Smt.GauriPuri Rs.25 K..total of Rs.5.75 L has been met by AIBSNLPWA (1.65 L), SNPWA (1.65 L), AIRBSNLEWA (1.55 L) and RTOWA+MPWA (90 K)

The Fees for Senior Counsel and all other legal expenses in future shall be shared in the following ratio:- AIBSNLPWA-40%, SNPWA-20%, AIRBSNLEWA-20%, RTOWA+MPWA-20%. The immediate payment of Rs.10 L to the Senior Counsel Sh. Nidhesh Gupta has been paid as per this ratio during 28th and 29th July'2026.

A Call for Unity and Support:- All Circle and District leaders are requested to convey this message of unity and collective action to every member at the grassroots level and seek their wholehearted cooperation. This is truly a "Do or Die" battle for pension revision. We cannot afford to abandon this long-pending issue. There is absolutely no possibility of securing pension revision through negotiations with an unwilling bureaucracy. Therefore, all Applicant Associations are unanimous that approaching the Hon'ble Supreme Court is the only viable option. We, the Pensioners' Association committed to protecting the legitimate rights of pensioners cannot remain silent and accept the one-sided verdict of the Hon'ble Delhi High Court. Let us stand united and strengthen this legal battle until justice is achieved.

With greetings,

sd/-	**Sd/-**	**Sd/-**
(V Vara Prasad)	**(G L Jogi)**	**(Prahalad Rai)**
AIBSNLPWA	**SNPWA**	**AIRBSNLEWA**
Sd/-	**Sd/-**	**Sd/-**
(Ashok Kaushik)	**(J S Yadav)**	**(Kishore Haldankar)**
RTOWA (Delhi)	**(RTOWA Mumbai)**	**(MPWA)**

Date:- 30/7/2026

ORDERS

INTEGRATION OF CGHS WITH BHAVISHYA

CGHS.OM F. No. S.11012/1/2024-EHS(8283407)/I/3881628/2026 dated 17-7-2026

The undersigned is directed to state that, as part of the Government's commitment towards digital governance and enhancing the ease of living for retirees and pensioners, the Department of Health & Family Welfare, and Department of Pension & Pensioners' Welfare (DoPPW), has integrated the CGHS web portal with the Bhavishya web portal to provide a simplified, paperless and technology-enabled additional facility for processing applications for CGHS Pensioner Cards by retiring Central Government employees.

2. Under the integrated workflow, the following facilities shall be available:

i. Approved pension-related details available on the Bhavishya Portal shall be automatically fetched for pre-filling of the CGHS Pensioner Card application.

ii. PAN shall be used as the unique identifier for real-time validation and exchange of data between the CGHS Online System and the Bhavishya Portal.

iii. Upon verification of pension forms by the Head of Office (HoO), generation of the Pension Payment Order (PPO) and successful online payment of the prescribed CGHS contribution through the integrated BharatKosh payment gateway, the CGHS Pensioner Card shall be generated.

iv. The approved CGHS Pensioner Card may be downloaded through both the CGHS Portal and the Bhavishya Portal.

3. The above integration is expected to significantly reduce procedural delays, minimize manual intervention and documentation, eliminate duplication of data entry, and provide a seamless digital interface for retiring Government employees, thereby ensuring timely availability of CGHS healthcare benefits immediately upon retirement.

4. It is clarified that the above facility has been introduced as an additional mode for obtaining CGHS Pensioner Cards. The existing online application process through the official CGHS Portal shall continue to remain operational, and retiring Government employees may avail either of the two modes, as per their convenience.

5. All Ministries/Departments are requested to bring the above facility to the notice of retiring Government employees under their administrative control so as to facilitate maximum utilization of the integrated digital platform.

6. Detailed Standard Operating Procedures (SOPs), user manuals and S.11012/1/2024-EHS I/3881628/2026 operational guidelines for the integrated workflow shall be made available separately on the official websites of CGHS and Bhavishya.

CGHS: MEDICAL REIMBURSEMENT

DoH&FW OM NO Z.15025/14/2/DIR/CGHS dated 25-6-2026

1. With reference to this Ministry's Office Memorandum of even number Z.15025/79/2/DIR/CGHS dated 5th October, 2016 on the subject cited above and subsequent instructions issued from time to time, the matter has been reviewed by the Ministry in view of the need to enhance and rationalize the financial delegations for expeditious settlement of claims and related approvals under CGHS.

2. Accordingly, with a view to streamline procedures, reduce avoidable references and facilitate timely disposal of cases, it has been decided to revise the delegation of financial powers to the competent authorities as under:

A. MEDICAL REIMBURSEMENT CLAIMS / HOSPITAL BILLS AT APPROVED RATES

(a) Addl Director, CGHS City/Zone:
Existing Power: Rs. 7 lakhs
Revised Power: Rs 15lakhs

(b) Director, CGHS:
Existing Power: Rs. 15 lakhs
Revised Power: Rs 25 lakhs

(c) Addl Secretary & DG CGHS:
Existing Power: Rs. 25 lakhs
Revised Power: Rs 50 lakhs

Note: Cases exceeding Rs 50 lakhs shall continue to be referred to the Ministry of Health & Family Welfare for approval with the concurrence of the Integrated Finance Division (IFD)

B. UNLISTED INVESTIGATIONS/ PROCEDURES/IMPLANTS

(a) Addl Director, CGHS City/Zone:
Existing Power: Upto Rs. 1 lakh.
Revised Power: Upto Rs. 2 lakhs

(b) Director, CGHS:
Existing Power: Upto Rs 3 lakhs,
Revised Power: Upto Rs 5 lakhs

(c) Addl Secretary & DG CGHS:
Existing Power: Upto Rs. 5 lakhs
Revised Power: Upto Rs 10 lakhs

Note : Cases exceeding Rs.10 lakhs shall continue to require approval of the Ministry with the concurrence of IFD. The above delegation shall apply to cases where CGHS package rate / CGHS ceiling rate is not available for the investigation, procedure or implant.

C. PERMISSIONS / EX-POST FACTO APPROVALS

i) Ex-post facto approval in non-empanelled hospitals / Diagnostic Labs / Imaging Centre: Requests for permission /ex-post facto approval for elective treatment / investigations in non empanelled hospitals / diagnostic centres in respect of Pensioners/ex-MPs/freedom Fighters, serving CGHS employees etc., shall be considered by Addl. Director of concerned CGHS city / Zone subject to the reimbursement being restricted to CGHS package rates or actual expenditure, whichever is less.

ii) Permission / ex-post facto approval in cases involving procedural lapse: Addl. Director of concerned CGHS city/ Zone shall consider requests for approval of elective treatment / investigations in empanelled hospitals / diagnostic centres without recommendation of Govt. Specialist or CMO and without prior permission in respect of Pensioners/ex-MPs/freedom Fighters, serving CGHS employees etc., subject to the reimbursement being restricted to CGHS rates or actual expenditure whichever is less.

3. The revised delegations mentioned above shall be subject to the following conditions:

i. The revised delegations shall not include cases involving relaxation of rules, irrespective of the amount involved.

ii. In cases exceeding the monetary limits prescribed above shall be referred to the Ministry of Health & Family Welfare for approval with the concurrence of the Integrated Finance Division.

iii. Reimbursement shall be restricted to CGHS package rate / CGHS ceiling rate, wherever applicable, or actual expenditure, whichever is less.

iv. In cases covered under para 2(B), where no CGHS package rate / CGHS ceiling rate is available, reimbursement may be considered on actual expenditure, subject to admissibility, reasonableness and the financial limits prescribed above.

v. All approvals shall be subject to admissibility under CGHS rules, availability of supporting medical records and bills, reasonableness of charges, budgetary provisions and audit requirements.

vi. The powers delegated herein shall be exercised on a case-to-case basis and shall not be treated as creating any general entitlement or precedent for future cases.

vii. These revised delegations shall supersede earlier instructions on the subject to the extent of the financial delegations now being conveyed.

4. This issues with the concurrence of the Integrated Finance Division, MoH&FW, vide Dy. No.1029,dated, 18.06.2026.

NOTIONAL INCREMENT NOT FOR FAMILY PENSION

DoT OM No. 40-5/2026-Pen(T)
Dated 17-6-2026

Kindly refer to your Office letter No.13-118/2025-26/P&IT/855 dated 20.01.2026 regarding applicability of notional increment for calculation of family pension in cases covered under DoPT O.Ms. dated 14.10.2024 and 20.05.2025.

2. The matter has been examined in consultation with Department of Personnel & Training (DoP&T). DoP&T has informed that the instructions issued vide O.Ms. dated 14.10.2024 and 20.05.2025 were issued in compliance with the Orders of the Hon'ble Supreme Court relating to grant of one notional increment to Central Government employees retiring on 30th June/31st December for the purpose of calculation of pension.

3.DOPT has further clarified that while issuing these instructions due care was taken not to include any provisions therein which did not find place in the Orders of the Hon'ble Supreme Court keeping in view the position that inclusion of such provisions could have serious legal ramifications and undue financial implications. Moreover, no separate instructions/clarification have been issued regarding extension of the benefit of notional increment for calculation of Family Pension.

4. Attention is also invited to Para-6 of DoPT O.M. dated 20.05.2025 and Para-8 of DoT O.M. No. 38-66/2024-Pen (T) (1) dated 26.05.2025, wherein it has been stipulated that the grant of notional increment on 1st January/1st July shall be reckoned only for the purpose of calculating the pension admissible and not for the purpose of calculation of other pensionary benefits.

5. Family Pension is a distinct statutory benefit governed under Rule 50 of the CCS (Pension) Rules, 2021. Neither the Hon'ble Supreme Court's Orders nor the DOPT O.Ms. dated 14.10.2024 and 20.05.2025 contain any provision extending the benefit of notional increment for fixation or revision of Family Pension.

6. In view of the provisions contained in the aforesaid O.Ms. and the clarification furnished by DoPT, it is clarified that the benefit of notional increment granted in terms of DoPT O.Ms. dated 14.10.2024 and 20.05.2025 and DOT OM dated 26.05.2025 **is admissible only for calculation/ revision of pension and shall not be extended for fixation/revision of family pension.**

7. Accordingly all CCAs/Pr.CCAs may be advised to regulate all such cases in accordance with the above position.

ADDITIONAL INCREMENT ON COMPLETITION OF 80 YEARS

DoP&PW OM No. F. No. 38/10(03)/2025-P&PW(A) (e 11193) (v) Dated: 30.10.2025

The undersigned is directed to say that as per the provisions of Sub Rule 6 of Rule 44 of CCS(Pension) Rules 2021, after completion of eighty years of age or above by a retired Government servant, in addition to a pension or a compassionate allowance admissible under this rule, additional pension or additional compassionate allowance shall be payable to the retired Government servant in the following manner. Similarly, in accordance with sub-rule (3) of Rule 50 of the CCS (Pension) Rules, 2021, in addition to family pension admissible under this rule, additional family pension shall be payable to the family pensioner **after completion of eighty years of age or abov**e.

Age pen/FP	Additional Pen/FP
80-85 years	20 % of Pens/FP
85-90	30 % of Pens/FP
90-95	40 % of Pens/FP
95-100	50 % of Pens/FP
100 & more	100 % of Pen/FP

2. The additional pension or additional family pension or additional compassionate allowance shall be payable fro m first day of the calendar month in which it falls due. For example, a pensioner/family pensioner born on 20th August, 1942 shall be eligible for additional pension/family pension at the rate of twenty per cent of the basic pension/family pension with effect from 1st August, 2022. A pensioner/family pensioner born on 1st August, 1942 shall also be eligible for additional pension/family pension at the rate of twenty per cent of the basic pension/family pension with effect from 1st August, 2022.

3. The above provisions of Central Civil Services (Pension) Rules, 2021 are brought to the notice of all Ministries/Departments and Pension Disbursing Authorities/Banks for compliance.

IDA FROM 1-7-2026

DPE OM No.W-02/0037/2025-DPE(WC)/FTS-14505 dated 17-7-2026

The undersigned is directed to convey the revised rates of Industrial Dearness Allowance (IDA) applicable to executives holding Board level and below Board level posts and Non-Unionized Supervisors of Central Public Sector Enterprises (CPSEs) following the 1987, 1997, 2007 and 2017 pay scales, effective from 01.07.2026.Finance

2. The quantum of IDA payable from 01.07.2026 at the old system of neutralization @ Rs.2.00 per point shift for increase of (98) points, may be Rs. 196/- and at Average AICPI 9854, DA payable may be Rs. 18,298 to the executives holding Board level post, below Board level post and non-unionized supervisors following IDA pattern in the CPSEs of 1987 pay scales.

3. The rates of Dearness Allowance (DA) payable w.e.f. 01.07.2026 to executives holding Board-level and below Board-level posts, as well as nonunionized supervisors of CPSEs following the 1997, 2007, and 2017 pay scales, shall be 476.9% for the 1997 pay scale, 241.7% for the 2007 pay scale, and 55.7% for the 2017 pay scale.Management

4. All administrative Ministries/Departments of Government of India are requested to bring the foregoing to the notice of the CPSEs under their administrative control for necessary action at their end.

5. This issues with the approval of the Secretary, Department of Public Enterprises.

NO PAY /PENSION REVISION AS PER THE PRC REPORT

Minister of State (Communication) clarifies in Lok Sabha on 12-8-2026

Question No 4005 from SHRI KULDEEP INDORA.

(a) Whether the 3rd Pay Revision for BSNL employees and pensioners has been pending since 01-01-2017 affecting lakhs of employees and pensioners; if so the details thereof.

(b) The key recommendations of the report submitted on 08-10-2025 by the Pay Revision Committee constituted in March 2025 and the action taken thereon so.

(c) Whether the Government has assessed the impact of no implementation of the 3rd Pay Revision on employees' morale, BSNLs' operational efficiency and service quality if so; the details thereof and

(d) The action plan and timeline of the Government for implementing the 3rd Pay Revision with effect from 01-01-2017 and for payment of the outstanding dues to employees and pensioners.

ANSWER

(a) to (d): As per extant guidelines of Department of Public Enterprises vide Office Memorandum dated 03-08-2017, the revision of pay scales is subject to the condition that the additional financial impact in the year of implementing the revised pay package for the Board level Executives, below Board level Executives and Non-Unionized Supervisors should not be more than 20% of the average profit Before Tax (PBT) of the last three financial years preceding the year of implementation. The 3rd pay revision has not been implemented in BSNL as it does not meet the criteria under affordability clauses of DPE guidelines.

The recommendations contained in the Wage Revision Committee report are dealt with in accordance with the extant policy framework, the applicable guidelines issued by the DPE and additional financial implications.

Shri Shiv Gopal Mishra, Secretary Staff Side of JCM informed a conference in Chennai on 17th July that Staff Side had two meetings with the 8th Central Pay Commission and also that the C P C refused to discuss the issue of Pension Revision.

THE SPIRIT Vs. LETTER OF LAW

Beware of the growing pitfalls and paradoxes

M R Patnaik Vice President

Our pension revision case seeking parity with Central Government employees under the 7th CPC guidelines, presents a unique and legally straightforward scenario. It requires no examination of witnesses or factual trial. Instead, the adjudication rests entirely on the legal interpretation of specific GOI mandates: the specially amended Rule 37A of the CCS Pension Rules, the official circulars governing absorption options into BSNL, 6th and 7th CPC implementation guidelines issued by the DOP&PW, and few more clarifications. The diametrically opposed analytical conclusions reached by the Hon.PBCAT and the Delhi High Court, vividly illustrate the classic management paradigm of viewing a glass as either "half full" or "half empty." This judicial uncertainty was precisely anticipated by our experienced founder leader, Shri Raman Kutty, who consistently cautioned in successive meetings against premature exuberance prior to securing a final victory.

The Honorable DHC has consistently chosen to adjudicate based upon a literal, "plain reading of these OMs and circulars." This superficial approach is analogous to attempting to distinguish pure milk from adulterated milk with the naked eye. While administrative machinery mostly with negative institutional bias will naturally argue based on the strict letter of the text, vulnerable senior citizens would look to the judiciary to delve deeper into the underlying positive spirit of these welfare policies. Furthermore, the GOI has placed reliance on Section 149 of the Finance Act 2025, contending that this legislative provision empowers the state to differentiate between distinct classes of pensioners. This governmental stance directly vindicates the forethought and apprehensions of our President DG, who has vociferously argued across all public forums regarding the absolute necessity of waging a parallel legal battle against the draconian Validation Act.

Setting aside the divergent legal reasoning of the PBCAT and DHC, it is crucial to analyse the extraneous financial arguments put forth by the DOT. The government's assertion that implementing the PBCAT judgment would open a "Pandora's Box" and result in an expenditure of Rs.16,938 Cr. is highly deplorable. In the context of a Union Budget exceeding Rs.50 lakh crores, this pensionary requirement represents a minuscule fraction. Regrettably, the welfare of about 4 lakh senior citizen pensioners and family pensioners, more than 50% of whom belong to the Group D category has been overshadowed by state interventions aimed at bailing out private corporations. To maintain brevity, this analysis restricts its focus to the top two defaulting Telecom Service Providers relevant to this domain.

First, in October 2019, the Hon'ble Supreme Court ordered immediate clearance of AGR dues totalling Rs.1,47,000 Cr.from the prevailing TSPs. On September 1, 2020, responding to appeals from the TSPs that were endorsed by the GOI, the Apex Court permitted a ten-year staggered payment schedule. Then the government granted a four-year moratorium on these dues and offered to convert the outstanding liabilities into equity. Following an option exercised by Vodafone Idea, the GOI converted Rs.16,133 crores of accumulated interest dues into equity on February 3, 2023, thereby acquiring a 22.6% stake in the entity. On April 8, 2025, via a second tranche, the GOI converted an additional Rs.36,950 crores, raising its total share holding to 48.99%. Ironically, both acquisitions were executed at a par value of Rs.10 per share when the prevailing market price was hovering below Rs. 8. This occurred despite the explicit public philosophy expressed by Honble PM that "government has no business to be in business". Furthermore, the 2021 telecom policy redefined the scope of AGR and altered its calculation methodologies. This structural shift reduced the baseline AGR for TSPs, thereby lowering their sovereign liabilities. Consequently, on May 1, 2026, the government further slashed the AGR liability of VI by Rs.23,600 crores and granted a fresh five-year moratorium on the remaining dues of Rs.64,046 Cr. making it repayable over a decade starting in FY of 2032. These actions were publicly justified under the guise of preventing a duopoly and preserving the domestic telecom sector.

Then, case of Reliance Communications reflects a different facet of corporate relief. Unable to service a massive Rs.49,000 crore debt owed to multiple public sector banks, RCom filed for bankruptcy. Since June 2019, the company has remained under a complex Corporate Insolvency Resolution Process under the Insolvency and Bankruptcy Code. The resolution plan approved by the Committee of Creditors in March 2020 envisioned a recovery of less than 50%, amounting to approx.Rs. 23,000 crores. The RCom insolvency remains one of India's most intricate corporate bank ruptcies; the final resolution plan still awaits formal approval from the NCLT amid numerous systemic challenges. Despite the promoter chairman, Anil Ambani, controlling nearly a dozen companies under the ADAG, it appears that neither the IBC framework, the SEBI, nor the ED has established jurisdiction to recover the Rs. 49,000 Cr. debt of RCom from these sister entities. Additionally, RCom owes the DOT Rs. 25,195 crores in AGR dues, including historical spectrum liabilities. The recovery and ultimate status of these public dues remain deeply compromised.

The four lakh combined service DOT/BSNL retirees acted in good faith, trusting the solemn institutional assurances by the then PM, Sh. A B Vajpayee, who guaranteed the continuous payment of pensions by the Government. Relying upon this executive promise, employees opted for absorption in BSNL. The present administration, rather than honouring the historic commitment made by its own esteemed veteran, has resorted to a narrow interpretation of the absorption agreement. In doing so, it dishonours the explicit legislative intent behind the unique and specially provisioned Rule 37A. Like a sacrificial animal trusting human handlers until the final moments, we, as disciplined soldiers, reposed our absolute trust in state systems that have ultimately betrayed us. Ironically, the highly intelligent ITS officers, who opted *not* to absorb into BSNL over the past 26 years, continue to enjoy the operational privileges of BSNL alongside the full perks of Government service. Leaders in Legislature and Executive must recognize that governance is not an instrument of raw power, but a medium of inclusive public service. As elderly senior citizens, we may be physically vulnerable, but we remain mentally resilient. Our leadership, including Chief Advisor PSR, President DG, GS Varaprasad, and many others, understands deeply that while our patience will be tested, our core conviction will ultimately be rewarded. We must steadfastly continue our righteous struggle against gross institutional injustice, maintaining perseverance through adversity and total unity in our collective efforts.

'लुका-छिपी'

Some people propagate that Department of Telecom was ready to revise our pension; but the court case stood in the way. **Is it the fact? No. Not at all.**

On 12/12/2019: MoC Sh. Ravi Shankar Prasad stated on the floor of Parliament that ***"due to poor financial condition of BSNL it has not been possible for the Government to agree to the demand of pay revision. Hence the issue of Pension Revision has also not been agreed to as on date."***

Then only we filed the case in 2020. Then what was offered? Propaganda is that Member (Services) agreed to Pension Revision on 17-10-2022. This meeting was held when our court case was pending. Case did not prevent authorities from discussing the issue with pensioners' organizations. Member said that DoT was thinking of revision with **Zero** per cent benefit. 9 organizations including AIBSNLPWA rejected **Zero** benefit and submitted a memorandum asking for CPC fitment benefit. Member assured that DoT would not proceed with proposal of **zero** per cent. But he did not assure any other fitment as he had to consult higher-ups including the Minister. No minutes was issued on the said meeting. May be the M(S) was not permitted to issue the minutes. No officer can offer pension revision after the Minister made such a formal announcement in the Parliament. On 14.12.2022 we met same Member(S) again. Then he informed that DoT was collecting financial implications of 0%, 5%, 10% etc. It was only an evasive reply. Nothing happened after that.

The GS of AIBDPA posted the following matter in their website, immediately after the said meeting on 17-10-2022:

" ..... ***During the meeting with the Associations on 17th October 2022 called by the Member (Services) DOT, the latter has clearly ruled out any pension revision on the basis of the VII CPC. The 0% offered by the DOT on the basis of 3rd PRC is not acceptable. Since the demand of the Associations for the delinking of pension revision from pay revision has been accepted by the DOT and since the full pension contribution at the maximum of the pay scales has been paid to the government, there is absolutely no justification for the government to deny 15% fitment and revise pension accordingly."*** No mention of any offer with 5% even.

When pay is revised with 0% benefit the serving staff may get small increase in HRA. As there is no HRA for pensioners, we shall get only **Zero.** Hence, all leaders rejected the Zero per cent proposal. Even **Zero** was not agreed upon. Agreement said that 'same fitment formula given to Executives would be applied for non - Executives'. That is also rejected. On 12th August 2026 the Minister has told Parliament that neither pay revision nor pension revision is possible.

The DoT authorities were playing a Hide & Seek game.

PRIVATIZATION IN DOSES

BSNL RECRUITS 100 GMs FROM OPEN MARKET

BSNL CO File No. BSNLCO-11/12(13)/2/2026-RECTT-CO Dated: 06.07.2026

"... Bharat Sanchar Nigam Limited (BSNL) invites applications for engagement of General Managers in Telecom Stream in BSNL on contractual basis from open market:

i. Total Number of Posts to be filled = **100** (Tentative)

ii. Remuneration: - **Rs. 2,25,000/**- per Month

iii. Age: - Maximum **50** Years as on crucial date (will be notified later)

iv. Educational Qualification: -

v. The detailed notification, including schedule of application, fee, link for online registration etc. will be published on the official BSNL website: - www.bsnl.co.in.

vi. Eligible candidates are advised to regularly check the BSNL website for updates and other relevant information. .."

BSNL CMD FROM PRIVATE SECTOR

The DoT has invited applications for the post of BSNL chairman. The position is **open for private sector people as well.** BSNL has been trying to make a comeback. The position of CMD is super important and needs to go to someone who can operate the telecom operator under stress. There are mountains of losses, and the speed of 4G rollout is super slow. So anyone going for this role will have to go in with an understanding that things will not be a smooth.

ITS REGIME TO END SOON

"... The Dept. of Telecom, in a communication to BSNL, conveyed the decision of the Cabinet for the reduction of Indian Telecommunication Service officers at the state-run telecom carrier. The Prime Minister Narendra Modi-led Union Cabinet has decided to reduce the deployment of ITS officers in BSNL from this year onwards, eventually cutting it down fully, and has sought the telco to prepare a succession plan. The Union Minister of Communications, Jyotiraditya Scindia, asked BSNL to utilize its internal cadre for succession planning...."

"... The Centre has constituted a high-level committee to address long-standing human resources issues at state-owned BSNL, signalling a renewed push to strengthen governance and align the organisation with performance expectations. **Mr. Joydeep Dutta Roy, executive director at Indian Overseas Bank,** will contribute with his expertise to bring private-sector financial and structural reform perspectives..."

[News in Media]

COCKROACHES CAN CONQUER A SCORPION

Education is often called the equalizer of society, but in India, systemic corruption threatens that very promise. Across a network encompassing over 1.5 million schools and nearly 39,000 higher education institutions, corruption has mutated into an institutionalized challenge. The intrusion of illicit practices compromises merit, dilutes quality, and deepens social inequalities.

The National Testing Agency (NTA), established in 2017, has conducted more than 200 national level Tests involving 661 lakhs students, and had to cancel more than 90 such tests due to question paper leak-outs. The new scandals surrounding NEET invalidate years of honest effort by students and erode public trust in national testing agencies. The rapid rise of the unregulated private institutions and predatory “coaching factories” has shifted the primary goal from holistic learning to profit-making. Wealthy individuals buy entry into elite programs, while talented, under privileged students are priced out of opportunities. The exam often mistakes privilege for merit.

The whole system is broken. The parliament has passed the Public Examinations (Prevention of Unfair Means) Amendment Bill, 2026 to crack down on organized exam fraud and paper leaks. This legislation introduces harsher penalties and faster judicial processes. Action against the fraudsters is not enough. Preventive measures should be taken by the Government.

Corruption is a cancer afflicted on our body politic from time immemorial. A corrupt education and exam system creates corrupt doctors, corrupt engineers and corrupt Judges. Such worthless fellows may become MLAs, MPs and even Ministers, using money power and muscle power.

And, they make laws.

PENSION REVISION not automatic in Banks

Some friends argue that we will get pension revision automatically when pay revision takes place in BSNL/MTNL. They may please study the **M C Singla Case** now pending before Supreme Court since 2016.

■ 7.81 lakhs bank employees retired between 1986 and 2002 are involved in the case. Now the number is reduced to 5.5 lakh; 2.3 lakh left this world. Mr. M C Singla also expired. *Bank Employees' Pension Regulations, 1995* was amended in 2002. Pre-2003 retirees were denied pension updation. They filed case before High Court of Punjab & Haryana in 2008. In 2015 the High Court dismissed their petition. Aggrieved over it the bank pensioners filed an SLP before Supreme Court in 2016. It was admitted and the Writ Petition, widely known as the **M.C. Singla case,** has been pending since then. The dispute centres on demands for "pension updation" for retired employees of public sector banks.

■ While serving bank employees were benefited from successive bipartite wage settlements and salary revisions over the years, pensioners who retired earlier continue to receive pensions calculated on decades-old pay structures. That has created widening disparities between older and newer retirees despite similar years of service and comparable ranks at retirement. The petitioners are seeking a mechanism that would revise older pensions in line with subsequent wage settlements across the banking industry. Retirees argue that the existing framework violates constitutional guarantees of equality and dignity under Articles 14 and 21. They have also relied heavily on the Supreme Court's landmark D.S. Nakara judgement, which held that pensioners cannot be arbitrarily classified for welfare benefits. Pensioners' groups have repeatedly framed the issue as one of deferred wages rather than discretionary welfare, arguing that inflation, healthcare inflation and post-pandemic living costs have sharply eroded the real value of old pensions.

■ The Union government, Indian Banks' Association and several PSU banks have opposed pension parity demands, arguing that pension structures are governed by specific regulations and **negotiated settlements rather than automatic revision principles**. They have also flagged the potentially large financial impact of retrospective pension revisions across the PSU banking system, a factor closely watched by financial markets.

■ Despite extended hearings, detailed data submissions and extensive arguments over the past years, the matter continues to remain part-heard before the apex court. For pensioners' groups, the prolonged delay itself has become one of the central issues in the case. Supreme Court' heard the case on 22nd July 2026 and adjourned it to 12th August 2026. And, on 12th August 2026, the senior Judge was on leave and the case was assigned to another Bench. It results in further delay of final hearing.

[News in Social Media.]

Note: ***Basic difference is that the Bank retirees get pension from banks under Bank Employees Pension Regulation 1955 while we get pension from the Government of India under CCS Pension Rules.***

SAME COURT: SAME MATTER, DIFFERENT DECISIONS

In the LPD Case, we filed before Hon. High Court of Kerala, the Hon. Court ruled that BSNL employees retired prior to 1-1-2006 are entitled to the benefits of LPD in pension and hence granted the benefit to one individual applicant. At the same time, the Hon. Court ruled that Associations have no right to espouse such common grievances. But same High Court of Kerala, in another case filed by Doctors and staff of Kerala Ayurveda Department ruled that such petitions filed by Unions are maintainable. The excerpts from the judgement in OP(KAT) No 447 of 24 delivered on 29-10-2024 are reproduced hereunder.

...... "The reliefs sought by the petitioners are legally sustainable. We make it clear that we have not decided anything relating to the entitlement of relief sought by them. We have only decided on the question relating to the formality of the institution in filing of the original application by the association. The maintainability of the petition has to be distinguished from the entitlement for the reliefs to which the applicant is entitled, which is a matter to be considered on its merits. <u>We hold that the application filed by the association is maintainable</u> in the circumstances referred to above. In respect of individual grievances, except in the circumstances as above, the law that has to be followed is as laid down by this Court in O.P. (KAT) No.316 of 2024. We set aside the impugned order and direct the Tribunal to consider the matter afresh in accordance with the law. The parties are directed to appear before the Tribunal on 25.11.2024.

This original petition is disposed of as above. "

Almost all High Courts and even the Supreme Court itself allowed registered associations to file cases espousing common grievances of their members. A common case filed by 19 organisations, including AIBSNLPWA, challenging the Validation Act, is already admitted and pending before the Hon'ble Supreme Court. It is now listed for 25-8-2026. Again, AIBSNLPWA has approached the Supreme Court with a Special Leave Petition against the flawed observation of Kerala High Court in the LPD case. A Division Bench of Apex Court has admitted the SLP on 13th July 2026, instructed to issue notice and posted the case to 21st August 2026 for further hearing.

WHO IS RESPONSIBLE ?

In December 2015, DoT sent the following letter to Department of Public Enterprises to include our pension revision in the Terms of Reference of 3rd PRC. It shows that DoT was not against our pension revision. The 3rd PRC submitted its report and Dept of Pension & Pensioners Welfare approved the same in March 2017. On 8-3-2019, DoP&PW asked the DoT to send concrete proposal on our pension revision. DoT has not yet responded. Who is responsible for the inaction? DoT only. None else. Who is responsible for the huge accumulated arrears on account of pension revision? DOT only, None else.

F.No.47-63/2015-Pen (T)
Government of India
Ministry of Communications & IT
Department of Telecommunications
(Pension Section)

516-Sanchar Bhawan,
20-Ashoka Road, New Delhi-110001

Dated 31 Dec, 2015

OFFICE MEMORANDUM

Subject: Reference to 3rd PRC for revision of pensionary benefits to BSNL/MTNL employees- regarding

It is learnt the 3rd Pay Revision Committee is likely to be set up by Department of Public Enterprises to study and recommend the pay revision of serving PSU employees. BSNL and MTNL constitute an unique category of PSUs where pensionary benefits to a large sections of employees on retirement is discharged by Government as an obligation arising from their erstwhile status as Government employees. Therefore, while PRC for PSU employees does not deal with issue of pensionary benefits in general, the pension revision in case of BSNL and MTNL to the limited extent of erstwhile Government employees who were absorbed in the two PSUs, would need to be undertaken through the PRC as payment of benefits to such employees is an obligation of Government. I am, therefore, directed to request you that while framing the terms of reference for 3rd PRC for PSU employees, the case of revision of pensionary benefits to erstwhile Government employees absorbed in BSNL and MTNL and retired thereafter may also be included in the terms of reference. A detailed note on the subject is also enclosed.

Enclosures: As above.

(K S Dahiya)
Under Secretary to the Government of India
Tel No. 23036854.

To,

(Shri S Meenakshi Sunadaram, Director (Wage))
Department of Public Enterprises
Block No. 14, CGO Complex,
New Delhi-110003.

Mr. NIDHESH GUPTA

Sr. Advocate, Supreme Court of India

Mr. Nidhesh Gupta has been one of the outstanding Senior Counsels at the Supreme Court of India with a distinguished career spanning over several years. He regularly appears before the Supreme Court of India, other High Courts and Tribunals across the Country in Civil, Commercial, Company and Criminal Law matters

Over the years of his practice, he has served as a Senior Counsel for the Union of India before the Supreme Court of India, having also represented many other State Governments and Statutory authorities. He has rendered his service as an Amicus Curiae in several cases before the Hon'ble Supreme Court of India, as also the Delhi High Court.

Mr. Gupta has been actively involved with the rights of contractual employees. He had ably assisted the Supreme Court in the Radha Dubey case, in which questions about the rights of contractual employees compared to those of regular employees in any establishments were dealt with and for computing their pensions for the long services rendered.

With his vast expertise and plethora of experience across the Bar, Mr. Gupta has a diverse clientele and has represented major industrial & corporate houses in high profile their high profile matters. He has won many a cases in Supreme Court of India related pension and pensionary matters. He will be appearing for BSNL/MTNL pensioners organizations in the Hon'ble Supreme Court in the Pension Revision case..

Mr. Gupta's brilliant career is built upon the foundation of an excellent academic record. He completed his graduation in B.Com. from Punjab University, wherein he topped the University for 3 consecutive years. He is also a gold medallist in LL.B. from Punjab University.

A DEFINING MOMENT

The Bangalore Trunk Exchange Womens Strike of 1984:

Original Article appeared in the July-August 1984 issue of Vimochana Vartha Patra, a bimonthly women's magazine.

It is quite common for the majority of middle-class women, who constantly yearn to live in a cinematic world of sarees, jewellery, and material wealth, to remain passive regarding the fundamental struggles of life. In stark contrast to this, the operators at the Bengaluru Trunk Exchange are raising their voices against the issues they face. Women working as telephone operators at the Trunk Exchange went on a sudden strike on March 9, 1984. Leaving their work at exactly 1:30 PM, the operators held a strike lasting a total of four and a half hours. Due to this protest, the Trunk Exchange became completely non-functional.The female employees working here faced numerous hardships:

- Due to a shortage of staff, a single operator working the night shift isforced to manage three switchboards simultaneously. As a consequence, a high volume of calls ends up being cancelled.

- Employee efficiency can only be fairly measured if the equipment functions properly. On the Delhi cordless board, connections can often be established for only one out of ten attempts, resulting in just one successful call per hour.

- Due to persistent technical faults, connections to major cities like Delhi,Calcutta and Bombay cannot be established, and some lines remain permanently asleep.

- Although letters of appreciation are given to three operators every month,memos are issued to those whose performance falls below the average line. Even when anoperators efficiency drops solely due to technical glitches, a black mark is still stamped onto their service record. Senior workers operating on busier boards bear the brunt of this problem, as their efficiency is constantly questioned due to equipment failures. Furthermore, working a one-week night shift was mandatory. No matter how serious or genuine the emergency, employees have to practically beg the management to get leave. If leave is taken without prior notice, a memo is issued. An employee receiving such a memo faces a deduction of one days salary, and the day is erased from service history. Sometimes, these memos are dispatched so irresponsibly even to those who were already on approved leave received them. Even when leave is officially sanctioned, it can be cancelled arbitrarily at the whim of the management.

Facing these mounting challenges, the operators decided to protest against the unjust and meaningless attitude of the authorities. Representatives from the Post and Telegraph Union met with the General Manager to outline their grievances. The General Manager has assured them that he will investigate the technical faults and other issues.

Note by A. Savita, CHQ Org. Secretary: The above article about the snap strike by the women employees of the feminised Bangalore Trunk Exchange on 9 March 1984 appeared in the July-August 1984 issue of *Vimochana Vartha Patra,* a bimonthly women's magazine. I came across this piece, which I had completely forgotten, though I had not forgotten the strike itself, the most memorable event of my working life. I felt that this historical account deserved to be shared with a wider readership through Pensioners Patrika.

Although the strike lasted only a short time and was declared illegal, it reflected the deep frustration and anxiety experienced by the operators over their working conditions. It was an important experience in understanding collective action, negotiations, and the courage required to fight out unfair practices.

In the early 1980s, trunk telephony was one of the most demanding services in Telecom. Long-distance calls were manually connected by operators who had to work with speed, accuracy and concentration under constant pressure. Every call was monitored, and efficiency figures were closely watched by the administration. Around this period, the management expressed concern that the overall trunk efficiency had declined from 80% to 60%. In an effort to improve performance, stringent supervisory measures were introduced. However, these measures had an unintended consequence. Operators increasingly felt that they were being subjected to harassment rather than constructive supervision. Memos were issued frequently for late attendance, for handling fewer trunk calls even when the reasons were beyond the operators' control, such as faulty lines or defective switchboards, and even for emergency leave. The atmosphere became one of fear rather than encouragement. Many operators felt that genuine operational difficulties were ignored and that disciplinary action had become excessive.

Against this background, resentment gradually built up. On 9 March 1984, the women operators of the Bangalore Trunk Exchange resorted to a snap strike. It was neither a prolonged nor a carefully planned industrial action. It was a spontaneous expression of accumulated frustration over the illtreatment. The strike was declared illegal by the management. During the agitation, the General Manager personally came to the Trunk Exchange and appealed to the operators to resume duty. His visit reflected the seriousness of the action. The union leaders entered into discussions with the management and presented a number of demands. But, these discussions, didnot bring any immediate settlement. Memos for alleged dereliction of duty were issued to several participants. Adverse entries were also made in the C& D Roll for the period 1983–84. However, with the passage of time, these adverse entries were reviewed and eventually expunged. Although the strike did not secure all the demands placed before the management, the practice of issuing memos at the slightest pretext became considerably less frequent. The administration also adopted a more practical approach in certain situations.

For many of us, this episode was about dignity at work, fair treatment, and the need for management to understand the realities faced by the frontline employees. It demonstrated that discipline and efficiency could not be achieved through fear alone; they also required trust, fairness and mutual respect. The strike taught that collective action often emerges not from a single incident but from the accumulation of many small grievances. While the strike was declared illegal it succeeded in drawing attention to the problems faced by women operators and prompted at least some improvements in administrative practices.

No struggle goes in vain. Impact of an action may become visible after some time. The above spontaneous strike established that the 'womenfolk' are not weak, and, that 'Naari Shakthi' will rise up to resist injustice.

AIBSNLPWA DISTRICT MEETINGS

HYDERABAD TIRUMALAGIRI

DHANBAD

BHOPAL

SOLAN

TRIVANDRUM

PENSIONERS PATRIKA

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