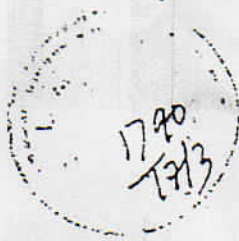




**NRIPENDRA MISRA**

अचिव  
RETARY



भारत सरकार  
संचार एवं सूचना प्रौद्योगिकी मंत्रालय  
दूरसंचार विभाग  
संचार भवन, 20 अशोक रोड  
नई दिल्ली-110 001  
Government of India  
Ministry of Communications and  
Information Technology  
Department of Telecommunications  
Sanchar Bhawan, 20 Ashok Road  
New Delhi-110 001

D.O.No.1-45/2003-B

March 15, 2005.

Dear *Shri Sinha*

Please refer to your D.O. letter No.500-57/2003-04/CAII/BSNL dated February 24, 2005 regarding the decision of the Government with reference to pension payment. The status is as follows:-

- i) Pension in respect of DOT retirees will be paid by the Government of India.
- ii) In respect of employees who were on deemed deputation to BSNL, BSNL will be liable to pay pension contribution in accordance with FR 116 for the period they have worked in BSNL and the pension liability will be met by the Government of India.
- iii) In respect of officials/officers absorbed in BSNL, BSNL will be liable to pay the pension contribution in accordance with FR 116. The liability on account of pension payable will be that of Government of India.
- iv) BSNL on their part will pay the pension contributions in respect of absorbed employees till the date of their retirement and also in respect of employees who were on deemed deputation till the retirement or till the date they are reverted back to the Government of India.

2. The Finance and Accounts Wing would work out the modality for payment by BSNL towards pension contribution on the basis of the above decision. You have clarified that BSNL is presently regularly paying the pension contribution of the employees to the respective CCAs in the circle offices. This is noted.

With regards,

Yours sincerely,

*(Nripendra Misra)*

Shri A.K. Sinha,  
C.M.D BSNL



No. 40-12/2007-Pen. (T)  
Ministry of Communications & IT  
Department of Telecommunications

Sanchar Bhavan, 20, Ashoka Road,  
New Delhi-110001

Dated: January 5, 2009

**Subject : Pension liability of Bharat Sanchar Nigam Ltd. (BSNL) towards pensionary benefits including Family Pension to its employees – Regarding.**

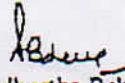
Reference this Department's letter No. 1-45/2003-B dated 15<sup>th</sup> June, 2006 on the above noted subject conveying the following position:-

(i) Annual pension liability of the Government in respect of employees who retired prior to 01.10.2000 and those who have worked/ are working in BSNL on deemed deputation and those who are absorbed in BSNL shall not exceed 60% of the receipt to the Government on the following items:-

- (a) Dividend Income from MTNL/BSNL
- (b) License fee from MTNL/BSNL
- (c) Corporate Tax/Excise Duty/Service Tax paid by BSNL

- (ii) Any amount exceeding (i) shall be borne by BSNL.
- (iii) Pensionary contribution from BSNL would be made to Government as per FR-116.
- (iv) Employees recruited directly by BSNL on or after 01.10.2000 shall not be covered under this Section.

2. In this context, it is hereby clarified that the above-said limit of 60% is for normal funding. This does not in any way distract from the fact that the ultimate liability towards pensionary benefits including family pension to the BSNL employees (excepting those recruited after 01.10.2000), as per sub-rule 21 of Rule 37-A of CCS (Pension) Rules, 1972, lies with the Government of India. If BSNL, for any reason, is not able to contribute to the extent prescribed in para 1 above, the Government of India will still pay the admissible pensionary benefits including Family Pension to BSNL employees (excepting those recruited after 01.10.2000).

  
(Siddhartha Bchura)  
Secretary

To  
The Chairman & Managing Director, Bharat Sanchar Nigam Limited, New Delhi-  
110001

Copy to: DDG(TPF)/DDG (Establishment)/DDG (SU)/DDG (Accounts), DoT

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO.35 OF 2006

SOCIETY OF RETIRED FOREST OFFICER, U.P. Appellant(s)

Versus

STATE OF U.P. & ORS. Respondent(s)

ORDER

We have heard learned counsel for the parties.

-Having regard to the facts and circumstances of the case, we direct that every pensioner whether he/she is employee of Government of India, State Government, Corporation or public sector is entitled to pension on the beginning of every month. The respondents are directed to ensure that every incumbent should get the pension from the Bank in first week of every month. As and when there is a revision of dearness allowance and revision of pay scales then the effect of that revision should be ensured promptly and the fixation should be released as far as possible within two months of the so called revision but that revision shall not suspend the payment of pension at

...2/-



the old rate till it is finalised. As and when the fixation is done, the arrears should be released to the incumbent promptly within a period of two weeks.

With the above observations, the writ petition is disposed of.

.....J.  
(A.K.MATHUR)

.....J.  
(P. SATHASIVAM)

New Delhi,  
July 30, 2008