



# SANCHAR NIGAM EXECUTIVES' ASSOCIATION

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To,

**Shri Deb Kumar Chakrabarty ji.**

**Member Services,**

**Department of Telecommunications,**

**Sanchar Bhawan, Ashoka Road, New Delhi 110001**

**No. SNEA/Corr/DoT/ 2025-28/OPS**

**Dated 4<sup>th</sup> September 2025.**

**Subject: Request for Extension of CCS/ Old Pension Scheme to Telecom Technical Assistants TTAs and other Executives/Employees recruited through DoT Notifications.**

**Reference:**

1. Our request letter No. SNEA/Corr/DoT Corr/2023-24 Dated 10/07/2023.
2. DoP&PW OPS OM No. 57/04/2019-DoP&PW(B) Dated 17/02/2020.
3. BSNL CO Letter No. 48-2/2023/ Pen (B) Dated 12/06/2023.
4. TTA Recruitment Advertisement Dated 20/05/2000.
5. DOP&PW OPS OM No. 57/05/2021-P&PW (B) Dated 03/03/2023.
6. DoT endrs Letter No.36-03/2019 Pen (T) Dated 17/04/2023
7. Hon'ble SCI in BSNL V/S Raj Kumar and others CGA employees in Civil Appeal 1971/2012 Dated 26/07/2023.
8. DoT Letter No. 03-35/2023-SNG Dated 22/02/2024.
9. Hon'ble Supreme Court Judgment Dated 09/12/2024 in LT COL. Suprita Chandel V/S Union of India 2024 INSC 942.
10. Hon'ble CAT Lucknow Bench Judgment TA No. 332/00002/2016 – Pradeep Kumar & Ors. vs. UoI & Ors Dated 12 Sep 24.
11. Hon'ble Supreme Court Judgment (Y.V. Rangaiah v. J. Sreenivasa Rao (AIR 1983 SC 852)
12. Hon'ble Delhi High Court Judgment (Pawan Kumar & Anr. v/s UOI (2023)
13. Hon'ble CAT Chandigarh Bench order in OA No. 1089/2017 & OA No. 856/2021 Dated 08/08/2025.
14. Letter No. Staff/E -190/Legal Notice/30 Dated 03/07/2017.
15. TTA Recruitment Rule 99 No. RET/301-10/2000 Dated 01/11/1999.

**Respected Sir,**

At the outset, on your assumption of charge of high office of Member (Services), Department Of Telecommunications, on my personal behalf and on behalf of the Sanchar Nigam Executives' Association (SNEA), the only recognized Majority Representative Association representing thousands of Executives in BSNL, I extend my heartfelt congratulations and best wishes for your grand success in this New and enlightened Assignment.



Your instrumental role in addressing various issues within BSNL and DoT in the past gives us great confidence that your leadership in this position will bring significant support and relief to BSNL and its executives.

We wish to bring to your kind attention a long-standing issue regarding the applicability of the Old Pension Scheme (CCS Pension Rules) to BSNL executives and employees, including Telecom Technical Assistants (TTAs), who were recruited through DoT notifications prior to the formation of BSNL. This matter has been consistently pursued by SNEA for the past several years (**Reference 1**), and also highlighted in our previous communications dated 13/03/2023, 18/06/2021, and 11/08/2020.

We humbly request your kind and sympathetic consideration of this issue in the interest of justice for the affected executives and employees of BSNL. While the matter is already well known to your esteemed office, we have enclosed a brief note summarizing the background and facts of the case as **Annexure-A** for your ready reference.

The Department of Pension & Pensioners' Welfare (DoP&PW), vide its OM No. 57/04/2019-DoP&PW (B) dated 17/02/2020 (**Reference 2**), has clearly provided a **one-time option** for all employees recruited against **Government vacancies**, allowing them to opt for the Old Pension Scheme. The order was issued in consultation with the DoPT, Department of Public Enterprises, and the Department of Legal Affairs. Notably, no restrictions were imposed regarding subsequent joining in PSUs like BSNL — unlike the interpretation being followed by DoT in this matter.

This OM was also endorsed by DoT to BSNL, and in response, BSNL vide Letter No. 48-2/2023/Pen(B) dated 12/06/2023 (**Reference 3**), has forwarded all individual representations from such employees to DoT, recommending issuance of Presidential Orders to extend the benefits of the Old Pension Scheme to these employees, particularly those recruited through **DoT Advertisement** No. RET/301-10/2000 dated 29/05/2000. (**Reference 4**).

It is important to note that these executives and employees, including TTAs, had applied for **Government service** positions and were later transferred to BSNL a PSU **without their prior consent or information**, at the time of BSNL's formation.

The same benefit of Old Pension has already been extended to similarly recruited officers and employees who continue to serve in DoT. However, identical requests from DoT recruited employees now serving in BSNL have been rejected, with the reason cited being that **EPF was implemented in BSNL instead of NPS**.

Further, the DoP&PW OM No. 57/05/2021-P&PW (B) dated 03/03/2023 (**Reference 5**), for applicability of old Pension to Persons recruited under Government Vacancies before 22/12/2003 has been endorsed by DoT through Letter No. 36-03/2019-Pen(T) dated 17/04/2023 (**Reference 6**), with a copy marked to CMD, BSNL. This order explicitly allows the **extension of CCS Pension to employees recruited against vacancies advertised on or before 22/12/2003, regardless of their actual date of joining** and same needs to be respected and adhered by DoT

In the said letter, it has been categorically stated that Central Government civil employees appointed against vacancies notified prior to the introduction of the National Pension Scheme (22/12/2003) are entitled for coverage under the Old Pension Scheme (OPS) and should be granted a one-time option to switch over to OPS.



The choice of NPS or EPF was never a voluntary decision of the Executives and Employees who had applied for posts in the DoT. They were compelled to join BSNL without being given any option regarding EPF or NPS. The applicability of EPF to those who joined BSNL was solely a decision of DoT, which exercises full control over BSNL. Therefore, the affected Executives and Employees cannot be held responsible, and this cannot be a ground to deny them OPS benefits that would have otherwise been available had they directly joined DoT against the same notification.

The differentiation between NPS/EPF and OPS could only be justified if DoT had provided these candidates with an option to either join DoT or BSNL. In such a case, had they willingly chosen BSNL, denial of OPS could have been acceptable. However, since no such option was ever extended and all were compulsorily absorbed into BSNL without their consent, there is a clear need for DoT to review this stance. Dual treatment of similarly placed employees amounts to deliberate injustice to nearly 2,000 Executives and Employees of BSNL.

At the time of joining of these employees, there was no clarity among BSNL officials regarding the Provident Fund provisions for new recruits. As a result, neither GPF nor EPF was initially deducted from their salaries. In some circles, even Presidential Orders were issued to new recruits. Eventually, EPF contributions were recovered retrospectively from the date of joining. By that time, the new recruits were already bound by the BSNL bond and had submitted their security deposits, making it difficult for them to leave the organization. Meanwhile, the National Pension System (NPS) was notified, and these employees lost the opportunity to join other government services under the Old Pension Scheme.

The Department of Telecommunications has not only extended such benefits to its own Executives and Employees, but also to certain BSNL Executives and Employees who were recruited through DoT notifications and later sought justice before the Hon'ble Courts. After prolonged legal struggle, the Hon'ble Supreme Court of India, in *BSNL vs. Raj Kumar & Others* (Civil Appeal No. 1971/2012, dated 26/07/2023) (**Reference 7**), delivered a landmark judgment in favor of such employees appointed on compassionate grounds. DoT has principally accepted this judgment and implemented it through DoT Letter No. 03-35/2023-SNG dated 22/02/2024 (**Reference 8**).

Further, in its judgment dated 09/12/2024 in *Lt. Con. Suprita Chandel vs. Union of India* (2024 INSC 942) (**Reference 9**), the Hon'ble Supreme Court clarified that justice must be extended equally to all similarly affected persons based on identical facts, and that every individual need not approach the Court separately to claim the same relief. Importantly, **the determining factor for OPS eligibility has now been established as the notification date and not the appointment date.**

In line with this principle, the Hon'ble CAT, Lucknow, in its judgment dated 21/11/2024 (**Reference 10**), held that stenographers recruited through DoT advertisements prior to corporatization must be treated at par with absorbed DoT employees for pensionary benefits. Since DoT had submitted requisitions to SSC for recruitment of stenographers and corresponding advertisements were issued, such stenographers, including those appointed in BSNL in October 2002 under a 1998 DoT notification, are also entitled to OPS benefits.

This interpretation is further supported by the Hon'ble Supreme Court's ruling in *Y.V. Rangaiah vs. J. Sreenivasa Rao* (AIR 1983 SC 852) (**Reference 11**), which categorically held that vacancies arising prior to amendment or restructuring must be filled in accordance with the rules prevailing at the time such vacancies arose.



Similarly, the Hon'ble Delhi High Court has held (**Reference 12**) that appointments must strictly conform to the terms stipulated in the advertisement, and any deviation would vitiate the entire selection process.

We have repeatedly submitted these concerns before your esteemed office and other concerned authorities, and while BSNL has extended consistent support, the much-needed initiative and concrete action from DoT is still awaited. Despite this issue being pursued with DoT for several years, it remains unresolved, leaving nearly 2,000 BSNL Executives adversely affected by the continued inaction and non-response. These officers are still awaiting justice and relief from DoT.

In recent developments, in wait of justice from DoT, a group of 251 aggrieved Executives erstwhile TTAs/JEs have filed the case in Hon'ble CAT Chandigarh and case is decided on 08/08/2025, giving relief to the affected Executives vide order in OA No. 1089/2017 & OA No. 856/2021 Dated 08/08/2025. (**Reference 13**)

It is important that Hon'ble Court has quashed the Speaking Order No. Staff/E-190/Legal Notice/30 Dated 03/07/2017 (**Reference 14**) issued by BSNL Punjab Circle and kept aside and as one of the respondents DoT is directed to extend to the applicants the same status, benefits and service conditions, including GPF, old pension scheme, family pension, gratuity, LTC, leave encashment, medical facilities and promotional avenues, as are applicable to DoT employees absorbed in BSNL after 01/10/2000 **within period of three months**.

The relevant paragraph of the judgement is reproduced as hereunder.

We hold that the applicants in both the Original Applications herein are **entitled to be treated as employees of DoT for all service matters**, notwithstanding their subsequent working in BSNL. Accordingly, the impugned order dated 03/07/2017 is quashed and set aside. The respondents are directed to extend to the applicants the same status, benefits and service conditions, including GPF, old pension scheme, family pension, gratuity, LTC, leave encashment, medical facilities and promotional avenues, as are applicable to DoT employees absorbed in BSNL after 01/10/2000. The relevant exercise be carried out within three months of date of receipt of a certified copy of this order”.

As such, this is crystal clear that DoT Status and CSS Pension needs to be extended to all Executives and Employees who are recruited as per DoT Notification for TTA Recruitment No. RET/301-10/2000 Dated 29/05/2000 (**Reference 15**) and TTA Recruitment Advertisement Dated 20/05/2000 (**Reference 4**) and it seems that justice is being denied to the affected Executives and Employees who were recruited by DoT but DoT has compelled them to join BSNL.

Over the period many Officers and employees recruited by DoT and joined in BSNL are retired and now only 5 to 6 thousand DoT Recruited Executives and Employees are serving in BSNL. As such, there will not be any burden on BSNL if these TTAs/JEs are given option of Old Pension. Rather, by giving option of old Pension BSNL will be saved from the EPF contribution being paid in respect of all the executives /employees who are recruited by DoT , but were compelled to join BSNL and will have to comparatively pay less amount against pension Contribution under CCS/Old Pension Scheme.

Moreover, the action of DoT in granting OPS to these executives would directly support the Hon'ble Prime Minister's vision of making BSNL a profit-making enterprise by 2026. This issue can be conclusively resolved through the issuance of



a Presidential Order covering all affected Executives and Employees, including TTAs/JEs, thereby ensuring uniformity and avoiding discrimination.

Such a step would also benefit DoT, as pension contributions of these Executives and Employees would accrue to DoT, and given their relatively younger age profile, there will be no immediate pension outflow. Instead, DoT would receive a substantial amount in pension contributions over the years. Additionally, this decision would put an end to prolonged litigation on the matter, saving considerable financial and administrative resources of both BSNL and DoT that are currently being expended on court cases.

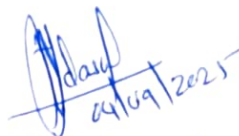
In light of the above submissions, and keeping in view the recent judgment of the Hon'ble CAT, Chandigarh, we earnestly request your esteemed office to grant OPS to all BSNL Executives and Employees recruited under DoT notifications, including TTAs/JEs, by issuing the necessary Presidential Order.

We will highly appreciate early action and timely justice to these affected executives and save money of BSNL and DoT on the multiple court cases related to this issue.

With Warm Regards,

Sincerely Yours,

**Encl: AA**



**M. S. Adasul**  
**General Secretary**  
**SNEA CHQ**

**Copy to:**

1. **Respected Dr. Pemmasani Chandra Sekhar ji**, Hon'ble Minister of State Communications and Rural Development Govt of India, 301, Dak Bhavan, Sansad Marg, New Delhi for kind information and with humble request for kind intervention please.
2. **Dr. Neeraj Mittal ji**, Secretary DoT and Chairman DCC DoT, Sanchar Bhavan, Ashoka Road, New Delhi 110001 for kind information and intervention to decide this issue positively.
3. **Shri. V. Srinivas ji**, Secretary DoP & PW, Janpath Bhavan, B wing, 8<sup>th</sup> Floor, New Delhi 110001 for kind information and intervention to decide this issue positively.
4. **Shri Vumlunmang Vualnam ji**, Secretary DPE for kind information and with request for issuing guidelines for applicability of CCS Pension to PSU Executives and Employees as desired by DoT.
5. **Shri. A Robert J Ravi ji**, CMD BSNL for kind information and with request to once again take up this issue with DoT for early resolution of this old Pension issue and justice to these Executives which will in turn reduce financial burden of BSNL.