



# MTNL EXECUTIVES' ASSOCIATION

## Central Headquarters, New Delhi

(Registered under the Trade Union Act 1926, reg no-ALC/Karyasan-17/9715)  
[Affiliated to National Confederation of Officers' Associations (NCOA)]

**P.N.VASANE**  
President

website-www.meachq.in

**V.K.TOMAR**  
General Secretary  
National President, NCOA

Ref. No.: MEA/CHQ/CMD/pensionary benefits

DATE: 17-07-2020

To  
The CMD, MTNL  
Corporate Office, CGO  
New Delhi

31-7-20  
म. एच. अ. वि. अ. फिजी इन्वियु/प. ए. इ. ग. वि.  
महानगर निगम कार्यालय/MTNL Corporate Office  
5वीं मंजिला, महानगर दूरसंचार सदन  
5th Floor, Mahanagar Doorsanchar Sedan  
ए. सी. जी. ए. कॉम्प्लेक्स, लोधी रोड, नई दिल्ली-110003  
E. C.G.O. Complex, Lodhi Road, New Delhi-110003

**Subject:** Release of pensionary benefits to employees whose court cases are pending

Sir

It is brought to your kind notice that pensionary benefits of some of VRS optee officers/employees have been withheld on the ground of pending court cases in spite of our argument that in the cases where there is no possibility of recovery from the employees after the outcome of court case, pensionary benefits should not be withheld.

1. Now, it has been clarified vide DOT letter No-36-9/2002-pen(T)pt dated 5<sup>th</sup> June 2020 that pensionary benefits can only be withheld in cases where the judicial proceedings for any act during service which could be termed as misconduct under the provision of CCS (Conduct) rules, which has been further clarified by BSNL letter No No-38-17/2019-pen(B) dated 09-07-2020 that the main purpose of withholding pensionary benefits is for recovering pecuniary loss caused to the Govt/company hence terminal benefits should be withheld judiciously and as per the provisions of the rules only and not as a matter of routine.
2. In MTNL, there are two types of cases, one who have filed court cases for revision of their seniority /promotion etc and second against whom somebody has made false complaint/court case.
3. None of these cases come under misconduct or recovery of loss to MTNL. Therefore in view of above we request to release all the pensionary benefits to such officers/employees

With regards

Yours sincerely

(V K Tomar)

Copy to:

1. Director (HR) for n/a pl
  2. Director (Fin) for n/a pl
  3. Director (Tech) for n/a pl
  4. PGM(HR) for n/a pl
  5. ED, Delhi & ED, Mumbai for n/a pl
- (Handwritten initials and date 31-07-2020)*