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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.: MEACHQ/CMD/pensionary benefits

To
The CMD, MTNL
Corporate Office, CGO
New Delhi

B
31-7-2020

DATE: 17-07-2020
म. एच. प. बि. क्र. नियम संस्था/पर्सनल
मुख्यालय नियम संस्था/MTNL Corporate Office
कृष्ण महानगर, महानगर दुर्गापात्र भवन
5th Floor, Mahanagar Durga Sanchay Bhawan
9, राजीव चक्रवर्ती, लक्ष्मी नगर इलेक्ट्रो-110003
G, C.G.O. Complex, Lodhi Road, New Delhi-110003

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

Sir

It is brought to your kind notice that pensionery 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, pensionery benefits should not be withheld.

1. Now, it has been clarified vide DOT letter No-36-9/2002-pen(T)pt dated 5th June 2020 that pensionery 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 pensionery 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 pensionery 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
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