



ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

Central Headquarters

Registered under Societies Registration Act XXI of 1860 vide Govt. of NCT Delhi No. S/RS/SW/1161/2014
[Registered under Pensioners Portal vide DoP&PW letter No. 4(4)/2021-P&PW(H)7311 dated 04.01.2024]
Flat No.6, Second Floor, 10/41, Sowrashtanagar 7th Cross Street, Choolaimedu, Chennai – 600094

Email: gensecaibsnlrea@yahoo.com

Website: <https://www.aibsnlrea.org>

President

V. Chinnappiah
(M) 9444003300

General Secretary

R.R.Balasubramanian
(M) 9486100613

Financial Secretary

Awadesh Sharma
(M) 9968630008

No.AIBSNLREA/CHQ/2026/56

Dated: 8th October 2026

To

Ms. Deepa Chawla,
Chief Vigilance Officer,
BSNL Corporate Office,
New Delhi

Subject: Request to declare chargesheets issued to retired BSNL employees without sanction of CMD BSNL as null and void

Madam,

We wish to draw your kind attention to a serious procedural lapse in the disciplinary proceedings initiated by Maharashtra Telecom Circle and CNTx-West Circle against BSNL pensioners who retired under BSNL VRS-2019.

2. We had drawn the attention of CMD BSNL vide our letter dated 8th September 2025 to the lack of jurisdiction and maintainability of these charge sheets, pointing out that sanction of CMD BSNL as required by Rule 61(4)(2)(b)(i) of BSNL CDA Rules, case by case was not obtained. Copy of our letter was marked to the Central Vigilance Commission, which promptly registered our representation as a complaint vide No. **27376/2025** and forwarded it to CVO BSNL for necessary action. CVO BSNL had forwarded it to CGMT Maharashtra, seeking a report.

3. As we did not hear anything further over the matter, we submitted a representation to CVC on 9th June 2026, requesting to take up the matter once again with CVO BSNL. On 09.07.2026, we received an email from CVC intimating that "*Your complaint No. **156463/2026** has been duly examined by CVO, BHARAT SANCHAR NIGAM LIMITED and having regards to the issues raised therein, it is being sent to the concerned administrative authority (CGMT, CNTx-W and MH Telecom Circle, BSNL, 02226616999, cgm_cntxw@bsnl.co.in) for necessary action and CLOSED at CVO level.*"

4. We obtained the action taken report from CGMT Maharashtra Circle through an RTI request. The report states that *"the charge sheet has been issued as per guidelines issued by Corporate Office vide letter dated 12.12.2017 and sanction from Corporate Office vide ref (iii)."* It is submitted that the BSNL Corporate Office letter dated **12.12.2017** is only a *general circular* prescribing the procedure for initiating disciplinary action **in cases where the Scrutiny Committee has already declared an employee's caste certificate as false**. This circular has **no applicability whatsoever** to BSNL VRS-2019 retirees whose caste certificates have **never been declared false by any competent authority** at any point in time.

5. Regarding the so-called "sanction" for initiating disciplinary proceedings, the Corporate Office letter dated **06.08.2021** merely records that *"CMD BSNL has agreed for initiation of disciplinary proceedings against remaining employees who are defying BSNL's orders to get their caste certificate validated through the State Government's established procedure."* **Treating this administrative communication as a formal "sanction" for launching major penalty proceedings against retirees is wholly untenable.** Ordering a retired employee, after nearly four decades of service, to apply on his own for caste certificate revalidation, despite the certificate having been accepted at the time of initial appointment, is itself in **direct contravention of DoP&T letter dated 19.03.2021**. To further rely on the letter dated 06.08.2021 as a "sanction" for issuing post-retirement charge sheets to hundreds of retirees is a **complete distortion of CVC guidelines and a clear violation of BSNL CDA Rules**.

6. As per Rule 61(4)(2)(b)(i) of the BSNL CDA Rules, disciplinary proceedings after retirement: *"shall not be instituted save with sanction of the Chairman/Managing Director."* **This rule mandates individual, case-specific sanction issued under the signature of CMD BSNL, and not a general approval or a consolidated list conveyed by any subordinate officer.** The requirement of specific sanction is not merely procedural. It is a legal precondition upheld repeatedly by courts. According to various court verdicts, "Sanction must be a conscious, case-specific decision... A general or omnibus approval does not satisfy the requirement of law." "Sanction is not an idle formality. It must demonstrate application of mind to the facts of the particular case." **The courts have held that absence of proper sanction vitiates the entire disciplinary proceeding, rendering the chargesheet non est in the eyes of law.**

7. In the present case, the chargesheets issued to BSNL pensioners, years after retirement, are already procedurally unsustainable for multiple reasons recorded in our letters dated 08.09.2025 and 09.06.2026, which include - **Instructions issued after retirement have no binding force. Verification of caste certificate is the employer's responsibility, not the employee's. And the absence of individual CMD sanction is a fatal defect that alone renders the charge sheets void.** There is no record to show that the CMD considered individual allegations, evidence, role and circumstances of the retiree and that **CMD applied his mind** and issued sanction in each case.

8. As per Para 4.11 of CVC Master Circular No.02/MC/2026 dated 27.07.2026, *"It is the responsibility of the CVO to ensure that the guidelines, timelines and the advice tendered by the Commission are brought to the notice of the authorities concerned. The CVO should also ensure implementation of the same in letter and spirit."* The CVO cannot remain a silent

spectator of the procedural violations happening right before him/her, which has led to untold harassment of hundreds of retired employees.

9. In view of the above, we earnestly request that:

(i) the matter may be examined afresh and ascertained whether individual, case-specific sanction orders signed by CMD BSNL exist for each retiree.

(ii) If such sanction is not available, the chargesheets may be declared null and void *ab initio*, in accordance with Rule 61 and the above judicial observations.

(iii) Directions may be issued to Maharashtra Circle and CNTx-West Circle to immediately withdraw the invalid chargesheets.

10. We remain confident that your office will appreciate the seriousness of the issue, which involves violation of statutory rules, authoritative Government instructions, and binding judicial principles, resulting in prolonged hardship to the affected pensioners.

With kind regards,

Yours sincerely,



(R.R. Balasubramanian)
General Secretary

Copy to: 1. Shri P.K. Srivastava,
Central Vigilance Commissioner, CVC
2. Shri Amit Agrawal,
Secretary, DoT
3. Smt. Nivedita Shukla Verma,
Secretary (Pension), DoP&PW
4. Shri A Robert J Ravi,
CMD BSNL