



# 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, Sowrashtranagar 7<sup>th</sup> Cross Street, Choolaimedu, Chennai – 600094

Email: [gensecaibsnlrea@yahoo.com](mailto: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/2024/7

Dated 31<sup>st</sup> January 2024

To

Dr. Kalyan Sagar N,  
Director (HR),  
Bharat Sanchar Nigam Limited,  
New Delhi

**Sub: Request for payment of interest on delayed payment of Gratuity – case of Shri B.M. Kolki, Retd SDE Kolhapur**

Sir,

We hereby bring to your kind attention the delayed payment of Gratuity to Shri B.M.Kolki, Retd. SDE, Kolhapur, although there was no disciplinary/judicial proceeding pending against him on the date of his retirement on 31.07.2021.

2. Shri B.M.Kolki, Retd SDE, Kolhapur was facing judicial proceedings while in service, which ended in his acquittal on 22.05.2015. In a simultaneous disciplinary proceedings on the same charges, a penalty of reduction of pay by three stages for three years was imposed on him vide punishment order dated 29.03.2017 and the penalty was over on 29.03.2020. He retired on superannuation on 31.07.2021. **No disciplinary/judicial proceedings was pending on the date of his retirement.** However, Payment of gratuity and other retiral benefits were delayed, on the plea of pending issue of Presidential Orders for absorption in BSNL for which he had opted for, but had not been considered then due to pending judicial and disciplinary proceedings. **BSNL authorities failed to initiate the process for issue of Presidential Orders immediately after issue of final penalty orders on 29.03.2017**, as the disciplinary proceedings had not led to his dismissal or removal from service. But it took five years for issue of Presidential Orders for his absorption in BSNL, on 11.04.2022. It is not known when actually the process was initiated. And his gratuity was paid only on 25.10.2022 along with the CVP and leave encashment for BSNL period, 18 months after his retirement.

3. When Shri B.M.Kolki represented for payment of interest on late payment of gratuity, CGMT, Maharashtra Circle has replied that "*Subsequently and pursuant to the DoT letter dated 16.03.2022 and BSNL Corporate office dated 21.03.2022, the presidential order of Sh. B M Kolki (retd. SDE) Was issued on 11.04.2022, following which the retirement benefits were released. Further, the case was intricate with criminal charges and court orders as opposed to a regular superannuation case. Therefore, in view of the above, the request for interest of the payment of gratuity by the applicant is hereby declined*" [Copy enclosed]. The reply does not reveal why there was a delay of five years for issue of Presidential Orders, when the judicial proceedings had ended in acquittal on 22.05.2015 and the final orders in the disciplinary proceedings had been issued on 29.03.2017. There is no justification for this five years' delay and Shri B.M.Kolki cannot be penalised for the delay on the part of the administration.

4. Also, no effort has been taken by the administration **to sanction provisional gratuity where the amount of pension and gratuity cannot be determined for reasons other than the departmental or judicial proceedings as provided under Rule 62 of CCS (Pension) Rules, 2021.** As a result, the pensioner has lost reasonable bank interest on Rs.16,21,483/= for a period of 18 months, for no fault on his part.

5. It is therefore requested that, Maharashtra Telecom Circle may please be advised to re-visit the issue and cause sanction of interest on delayed payment of gratuity and payment without further delay. We would like to reiterate that undue delay on the part of the administration in processing and issuing of Presidential Orders cannot be a valid reason for late payment of gratuity and the pensioner should not be penalised for the administrative delay.

With kind regards,

Yours sincerely,



(R.R. Balasubramanian)  
General Secretary

Encl: As stated

Copy to: 1. Dr. Neeraj Mittal,  
Secretary (Telecom), DoT  
2. Shri Ramakant Sharma,  
CGMT, Maharashtra Circle, BSNL

प्रधान महाप्रबंधक दूरसंचार कार्यालय,  
प्रशासन विभाग, दुसरी मंजिल,  
टेलिफोन भवन, ताराबाई पार्क,  
कोल्हापुर - 416003  
दुरध्वनी - 2656344 फॅक्स 2657272 -



भारत संचार निगम लिमिटेड  
भारत संचार निगम लिमिटेड  
BHARAT SANCHAR NIGAM LIMITED  
A Govt. of India Enterprise

No-QK-230/Shri B.M.Kolki/2023-24/ 397

Dated 20.09.2023.

✓ To  
Shri Basavaraj.M.Kolki  
A\T -Shri Mahalaxmi RS No-12 plot no-37  
Tirupati park Morewadi  
Kolhapur-416013.

Subject-Regarding issuing of interest on delay payment of gratuity.


Ref- 1) MHCO-STFb/66(11)/1/2021-% GM HR-Admin/94 Dated 11.09.2023.

With reference to above cited subject and letter under reference it is to intimate that your request regarding issuing of interest on delay payment of gratuity is **DECLINED** by circle office Mumbai as per letter at ref-1 (copy enclosed).

This is for information please.

This is issued with the approval of competent authority.

Enclosed-A\A

  
सहायक महाप्रबंधक (प्रशासन)  
प्रधान महाप्रबंधक का कार्यालय  
कोल्हापुर-416003

महाराष्ट्र दूरसंचार परिमंडल  
बी एस एन एल कॉम्प्लेक्स, प्रशासनिक भवन  
चौथी मंजिल, ए-विंग, स्टाफ अनुभाग, जुहू रोड, सांताक्रुज (प)  
मुंबई-५४ टेलीफोन नं. ०२२-४९७८०१४२

Maharashtra Telecom Circle,  
BSNL Complex Administrative Building,  
4<sup>th</sup> Floor, 'A' Wing, Staff Section, Juhu Road, San-  
ta Cruz (W), Mumbai- 54  
Email: aqmstaffcomh@gmail.com



भारत संचार निगम लिमिटेड  
(भारत सरकार का उपक्रम)  
BHARAT SANCHAR NIGAM LIMITED  
A Govt. of India Enterprise

MHCO-STFb/66(11)/1/2021-O/o GM HR-Admin/94

Dated at Mumbai: 08.09.2023

To,  
The BA Head  
Kolhapur  
MH Circle, BSNL

Subject: Regarding issuing of interest on delay payment of gratuity i/r/o Sh. Basavaraj Mahalingappa  
Kolki (retired SDE) HRMS – 198700736 Kolhapur  
Ref: QK-230/B.M.Kolki/2023-24/390 dated 11.05.2023

With regards to the above cited subject and in reply to the letter under reference, it is observed that as per the history of the case enumerated vide ref., the retirement of Sh. B M Kolki (HRMS 198700736) was permitted on provisional basis withholding of CVP, DCRG and leave encashment dated 31.07.2021.

Subsequently and pursuant to the DoT letter dated 16.03.2022 and BSNL Corporate office dated 21.03.2022, the presidential order of Sh. B M Kolki (retd. SDE) was issued on 11.04.2022, following which the retirement benefits were released.

Further, the case was intricate with criminal charges and court orders as opposed to a regular superannuation case. Therefore, in view of the above, the request for interest of the payment of gratuity by the applicant is hereby declined.

This is with the approval of the competent authority.

*S. V. Jere*  
(S V Jere)  
Asst. General Manager (Staff-ESTAB)  
11/9/2023

Copy to:

1. Sh. B. M. Kolki (retired SDE) through Kolhapur BA/unit