



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]

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No. AIBSNLREA/CHQ/2024/13

Dated 19th February 2024

To

Dr. Kalyan Sagar N,
Director (HR),
Bharat Sanchar Nigam Limited,
New Delhi 110001.

Sub: Sanction for interest on late payment of gratuity in respect of Shri S B Mohare, Retd Accounts Officer (PPO Number 562016081219964), Karnataka Circle, BSNL.

Sir,

We hereby draw your kind attention to the matter of payment of interest on late payment of gratuity in respect of Shri S B Mohare, Retd Accounts Officer (PPO Number 562016081219964), Karnataka Circle, BSNL, which has been pending for a long time, despite several representations from the aggrieved pensioner.

2. Shri S B Mohare, Retd Accounts Officer, Gulbarga Telecom District of BSNL Karnataka Circle retired from service on 31.08.2016 and was sanctioned provisional pension since a CBI case was pending against him and others in the Court of District & Sessions Judge with Case No. Spl. CBI CC 11/2013. He was acquitted vide the judgment delivered by the court on 25.10.2018. His retirement benefits were being denied on the plea that CBI had filed an appeal against the acquittal. After, we continuously took up the matter with all concerned, pointing out the advice from DoP&PW, which had been quoted by DoT in a letter to BSNL, that "if a pensioner is acquitted by a Trial Court, notwithstanding the appeal filed against this acquittal, the fact remains that with the acquittal, the judicial proceedings should be considered to be concluded in accordance with the rules ibid and Department may take action and issue orders accordingly", his final retirement orders were issued on 21.07.2020 and his retirement benefits including DCRG were released. The DCRG payment was made on 22.10.2020.

3. In accordance with Rule 65 (5)(c) of CCS (Pension) Rules, 2021, "In the case of a Government servant to whom provisional pension was paid and retirement gratuity was not paid on retirement in accordance with clause (c) of sub-rule (4) of rule 8 on account of departmental or judicial proceedings pending against him on the date of retirement and who is exonerated of all charges on conclusion of such departmental or judicial proceedings, **interest shall be payable on retirement gratuity and arrears of pension, if any, from the date following the date of expiry of a period of three months from the date of retirement up to the date of payment of arrears of pension and gratuity.**" And this "interest shall be paid on arrears of pension or family pension or gratuity at the rate and in the manner as applicable to General Provident Fund amount in accordance with the instructions issued from time to time", as per Rule 65 (1) of CCS (Pension) Rules, 2021.

4. Although Shri S B Mohare has represented for the payment of interest on delayed payment of DCRG and has followed it up with several requests through email, no action has been taken till date on the matter, resulting in continuation of his suffering and mental pain. It is not fair to subject a pensioner to unending suffering, particularly after all the adverse weather he has faced since retirement in 2016.

5. When this Association took up the matter with Department of Telecom, DoT has replied that **"The Vigilance Clearance of Shri S B Mohare was received on 19.10.2020 and gratuity was paid on 22.10.2020. As such no delay has occurred from O/o CCA Karnataka Circle, Bangalore"**, implying that the delay was on the part of BSNL.

6. We also find that CGMT Karnataka has not initiated any action till date for issuing sanction for payment of interest on the delayed payment of gratuity, in accordance with Rule 65 of CCS (Pension) Rules, 2021, cited in an earlier paragraph.

7. In view of the above, we request you to kindly bestow your personal attention to the issue and cause issue of sanction by CGMT Karnataka for payment of interest on delayed payment of gratuity to Shri S B Mohare, Retd Accounts Officer, Gulbarga Telecom District of BSNL Karnataka Circle.

With kind regards,

Yours sincerely,



(R.R. Balasubramanian)
General Secretary

Copy to:

Shri Devesh Kumar,
CGMT, Karnataka Circle