



# 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/2026/25

Dated: 27<sup>th</sup> April 2026

### To

Smt. Nivedita Shukla Verma,  
Secretary (Pension),  
Department of Pension & Pensioners' Welfare,  
Government of India,  
New Delhi

**Subject: Non-compliance with DoP&PW OM dated 30.11.2021 - Pensionary benefits withheld for BSNL VRS-2019 retirees – Request to ensure compliance by DoT and BSNL**

Madam,

We hereby draw your kind attention to a serious and continuing violation of the instructions issued by the DoP&PW regarding the release of pensionary benefits to retired employees. The matter concerns the withholding of pensionary benefits and ex-gratia of a large number of BSNL VRS-2019 retirees on the ground of pending caste verification, despite the clear and binding instructions issued by DoP&PW vide OM No. 38/09020.00-P&PW(A)(6721) dated 30.11.2021.

2. We had earlier addressed a detailed representation to the Secretary, Department of Telecommunications vide our letter AIBSNLREA/CHQ/2026/6 dated 27.01.2026 [Annexure – II], requesting rescinding of DoT OM dated 30.01.2025 [Annexure – I] which had been issued in violation of DoP&PW instructions dated 30.11.2021. In response, DoT had initially stated that *“There is no question to rescind DoT OM dated 30.01.2025 since it was issued with the approval of the competent authority”*. [Annexure – III]

3. Since this reply did not address the substantive issues raised, we filed an appeal pointing out that *“the fact that the DoT OM dated 30.01.2025 was issued with the approval of the competent authority does not, by itself, preclude review or modification. Any administrative*

*order, irrespective of the level at which it was approved, can and ought to be reconsidered when subsequent representations bring out substantive legal, factual, or logical concerns. The clear mandate of DoPPW OM dated 30.11.2021 that pensionary benefits cannot be withheld merely on the ground of caste verification in the absence of departmental or judicial proceedings, and the categorical judgment of the Honourable Supreme Court holding that caste verification after retirement is largely academic and that such actions only result in undue harassment of retired persons. We therefore once again request that the matter be reviewed in light of the above facts and that appropriate corrective action be taken.”*

4. While disposing of the appeal, DoT has now stated that **“Consideration of DoPPW OM dated 30.11.2021 was duly taken while issuing DoT OM dated 30.01.2025 and it is also mentioned in DoT OM dated 30.01.2025 itself. So, the fact that Department did not consider DoPPW OM dated 30.11.2021 is baseless.”** [Annexure –IV]

5. It is indeed anomalous that DoT claims to have “considered” the DoP&PW OM dated 30.11.2021, yet chose to issue an order that is **directly contrary** to the instructions contained in it. DoT is not competent to take a decision that overrides, dilutes, or contradicts the policy instructions issued by **DoP&PW, which is the nodal department for formulating policies relating to pension and other retirement benefits of those covered** under the CCS (Pension) Rules, 1972.

6. It may kindly be recalled that DoP&PW OM dated 30.11.2021 was issued only after DoP&T forwarded a communication from **Dr. Kriti P. Solanki, Chairman, Parliamentary Committee on Welfare of SC & ST**, enclosing a representation from Akhil Bhartiya Adiwasi Vikas Parishad (**ABAVP**). ABAVP had specifically referred to DoP&PW letter No. 38/05(32)/2020-P&PW(A) dated 10.08.2020, wherein it was clarified that pension can be withheld only in cases of grave misconduct or negligence during service (including re-employment) and **cannot be withheld merely due to pendency of caste verification**. ABAVP had also cited several Supreme Court and High Court judgments prohibiting such withholding.

7. In this regard, DoP&T vide OM no. 230/08/2005-ADV.II dated 25.05.2005 had stated **that instruction may be issued to the Government authorities that the pensionary benefits and emoluments of SC/ST employees who were appointed before 1995 should not be withheld in case their caste certificates have not been verified** and in case of delay, accountability may be fixed. DoPT had forwarded the matter to DoP&PW for issue of instructions in so far as pensionary benefits are concerned.

8. While examining the matter, DoP&PW had clearly recorded that **“There is no provision either in the Central Civil Services (Pension) Rules, 1972 or in any other instructions/guidelines issued by the Department of Pension & Pensioners Welfare for withholding of the retirement benefits on account of pending verification of caste status of Scheduled Caste, Scheduled Tribe and Other Backward Class employees. This Department has also not issued any instruction/direction or otherwise for withholding of pension of the retired Central Government**

**employees for pending verification of community / caste certificates.”** The OM dated 30.11.2021 was issued only after considering all facts and based on this position earlier conveyed orally to the Parliamentary Committee.

9. In our letter dated 27.01.2026, we had also drawn the attention of the Secretary, DoT to a recent and categorical judgment of the Hon’ble Supreme Court of India (**Annexure-V**) wherein the Court had observed that **caste verification after retirement would be “largely academic” and “will not serve any purpose.”** This judicial pronouncement exposes the irrationality and injustice inherent in DoT’s current approach. The essence of DoP&PW OM dated 30.11.2021—that pensionary benefits cannot be withheld on the ground of caste verification in the absence of departmental/judicial proceedings—has thus been effectively upheld by the Hon’ble Supreme Court.

10. We had also drawn attention to the judgment of the Hon’ble High Court of Madras in W.P. No. 35035 of 2023 (**Annexure-VI**) filed by Shri N. Chandrasekaran, a BSNL VRS-2019 retiree. The Court, relying on the above Supreme Court judgment, held that post-retirement caste verification is a **“wasteful exercise”** and **“purely academic,”** and accordingly set aside the impugned order of the Secretary, Adi-Dravidar and Tribal Welfare Department, Tamil Nadu.

11. It is significant that BSNL has complied with the orders of the Hon’ble High Court of Madras by settling the retirement benefits of Shri N. Chandrasekaran (**Annexure-VII**). This establishes a clear precedent. It is therefore imperative that all similarly placed BSNL VRS-2019 retirees are accorded equal treatment and not subjected to discriminatory denial of their rightful benefits.

12. In spite of the above, DoT and BSNL continue to ignore the binding instructions of DoP&PW. As a result, hundreds of BSNL VRS-2019 retirees have been denied their rightful pensionary benefits for more than five years. **Shockingly, around two dozen retirees have passed away during this period, leaving their families in distress and without the benefits legally due to them.** The DoT officials handling the matter have least empathy towards the sufferings of these pensioners and their families.

13. DoP&PW, being the nodal authority for pension policy, **cannot remain a silent spectator** when its clear and unambiguous instructions are being openly flouted by another Department, causing prolonged hardship for the pensioners who were allowed to retire under BSNL VRS 2019, without any disciplinary/judicial proceedings pending against them on the date of retirement.

14. In view of the above, this Association most respectfully requests that DoP&PW **direct DoT to rescind its OM dated 30.01.2025**, which is contrary to the instructions of DoP&PW and the legal position affirmed by the Hon’ble Supreme Court and **instruct DoT/BSNL to immediately release all withheld pensionary benefits** to all the affected BSNL VRS-2019 retirees without any further delay.

15. We trust that DoP&PW will uphold its authority and ensure that the rights of pensioners are protected in accordance with law and established policy.

With kind regards,

Yours sincerely,

Handwritten signature in blue ink, appearing to read 'R.R. Balasubramanian', with a horizontal line underneath. To the right of the signature, the date '27/4/26' is written.

(R.R. Balasubramanian)  
General Secretary

Encl: As stated

Copy to: 1. Shri Amit Agarwal,  
Secretary, DoT  
2. Shri Dhruvajyoti Sengupta,  
Joint Secretary (Pension), DoP&PW