



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/2025/13

Date: 17th February 2025

To

Shri V. Srinivas,
Secretary (Pension),
Department of Pension & Pensioners' Welfare,
New Delhi 110003.

Sub: Non-compliance by Department of Telecommunications, of DoP&PW instructions regarding non-payment/Delay in payment of retirement benefits on account of delay in verification of caste certificate in respect of retiring employees

Ref: 1. DoP&PW OM No. 38/09020.00-P&PW (A) (6721) dated 30.11.2021

2. DoT letter No.40-09/2022-Pen(T) dated 30.01.2025

Sir,

We are constrained to draw your kind attention to the violation of DoP&PW instructions regarding non-payment / Delay in payment of retirement benefits on account of delay in verification of caste certificate in respect of retiring employee, by the Department of Telecommunications, while refusing to pay the deferred gratuity on account of opting to retire under BSNL VRS 2019 in respect of Shri Prakash Khade, former SE (Electrical) Nagpur.

2. In spite of endorsing the DoP&PW OM dated 30.11.2021 referred to under Ref. 1 above, which stipulates that "***Unless departmental or judicial proceedings are pending against a retiring employee, the pensionary/ retirement benefits of the retiring employee should not be withheld or delayed on the ground of pendency of verification of caste certificate***", DoT vide its letter cited under Ref. 2 above [Annexure-I], has instructed BSNL to continue to sanction

provisional pension and withhold Gratuity and Commutation till the completion of caste verification. This is in complete contravention of the DoP&PW instructions, as **no disciplinary/judicial proceeding was pending on the date of retirement of Shri Prakash Khade.** **Neither was caste verification pending on the date of retirement.** Notice, to apply for validation of caste certificate which had been submitted at the time of initial appointment issued by the competent authority, was issued nearly a year after retirement.

3. A chronology of events of the whole case is furnished below:
 1. Shri Prakash Khade joined the Posts & Telecom Department as Junior Engineer (Electrical) on **08.04.1985** after successfully passing an All-India Examination in which he ranked 4 among the only 19 successful candidates.
 2. He had duly submitted the copy of the caste certificate issued by the Executive Magistrate, Nagpur on 24.08.1981, who was competent to issue the certificate at that time and was accepted by the department.
 3. He opted for retirement under BSNL Voluntary Retirement Scheme - 2019, his option was accepted and was allowed to retire on **31.01.2019** with necessary vigilance clearance, the date fixed in the scheme.
 4. Regular PPO vide No.402020012209270 was approved and issued on **01.07.2020** after due verification of documents as required, by CCA Maharashtra & Goa. Shri Prakash Khade is not aware at what point of time his regular pension was decided to be treated as provisional pension.
 5. Chief Engineer (Electrical), BSNL, Nagpur sent him a letter on **26.12.2020** [Annexure – A] directing him to submit or Apply/Register online for obtaining Validity of Tribe Case Certificate from concerned Tribal Welfare Department.
 6. As per the terms and conditions of BSNL VRS 2019, on his attaining the age of superannuation a payment order for deferred retirement gratuity along with interest was issued on **31.07.2022** by CCA Maharashtra & Goa for an amount of Rs.23,57,667/-, but payment has not been made till date.
 7. On attaining the superannuation age on **31.07.2022**, Shri Prakash Khade has become eligible to opt for commutation of pension and has duly submitted a request in the prescribed Form-1A. This also remains unconsidered.
 8. Replying to a representation from Shri Prakash Khade, CCA Maharashtra & Goa had on **21.09.2022** had informed him that "your due pensionary benefits will be released after receipt of communication from CGMT BSNL".
 9. CGMT BSNL Maharashtra Circle sent him a chargesheet dated **10.10.2023** under Rule 36 (read with Rule 61) of BSNL CDA Rules alleging non-compliance of the direction of CE (E) Nagpur.

10. On **22.11.2024**, CGMT Maharashtra Circle had informed CCA Maharashtra & Goa that "***the pensionary benefits (pension, gratuity and commutation) of all retired employees against whom fake/false caste certificate complaint is pending, whose VC was clear on the date of their retirement may be released. Similar action may be taken in all similarly placed cases***". This letter was based on the provisions of DoP&PW OM No.38/09(02)/2020-P&PW(A) (6721) dated 30.11.2021 duly endorsed by DoT vide OM dated 30.12.2021, as referred to in Para 2 of the same letter.
 11. On a clarification sought by Pr.CCA Maharashtra & Goa, the PDA in the case of Shri Prakash Khade, DoT vide its letter dated **30.01.2025** has instructed BSNL to continue to sanction only provisional pension and withhold Gratuity and Commutation till the completion of caste verification.
4. Salient points for consideration are:
1. Shri Prakash Khade had submitted at the time of initial appointment, caste certificate from the Executive Magistrate, Nagpur issued on 24.08.1981, who was duly authorized to issue caste certificate at that point of time.
 2. Since then, till his retirement on a BSNL offered Voluntary Retirement Scheme, he was never asked to get the caste certificate validated.
 3. He was allowed to retire on the basis of clear vigilance status.
 4. Regular pension was sanctioned with issue of PPO under SAMPANN.
 5. As per the provisions of BSNL VRS 2019, on his attaining the age of superannuation a payment order for deferred retirement gratuity along with interest was issued on 31.07.2022 by CCA Maharashtra & Goa for an amount of Rs.23,57,667/-. But payment was not made.
 6. A letter directing him to get the caste certificate validated was sent to him nearly a year after the date of retirement.
 7. Chargesheet was issued on 10.10.2023 nearly four years after retirement and after the instructions of DoP&PW were issued on 30.11.2021.
 8. His caste certificate has never been proved to be false, to justify initiation of disciplinary proceedings.
 9. BSNL would have refused to accept his option for BSNL VRS 2019, if it had any doubt about the validity of the caste certificate.
 10. DoT has mistaken that its 'administrative prudence' [quoted in its letter] is superior to the well-established provisions of CCS (Pension) Rules, 1972 and the instructions of DoP&PW conveyed after due examination in the department.
 11. DoT has no authority to overrule the instructions of DoP&PW which is the nodal authority on pension matters.

5. **We would therefore request you to kindly direct the DoT authorities to strictly follow the instructions issued by DoP&PW vide its OM dated 30.11.2021 referred to above and to release the retiral benefits of Shri Prakash Khade without further delay.** This will give relief to other similarly placed pensioners too in BSNL Maharashtra Telecom Circle. A copy of our letter addressed to Secretary, DoT, days before we came to know about DoT letter dated 30.01.2025, is also enclosed along with relevant attachments **[Annexure-II]**.

With kind regards,

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'R.R. Balasubramanian', with the date '17/2/25' written below it.

(R.R.Balasubramanian)
General Secretary

Copy to: 1. Shri Faggan Singh Kulaste,
Chairman, Parliamentary Committee on Welfare of SCs and STs
2. Dr. Neeraj Mittal,
Secretary, DoT
3. Shri Ravi A Robert Jerard,
CMD, BSNL