



ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

Central Headquarters

Flat No.6, Second Floor, Subiksha Apartment,
10/41, Sowrashtranagar 7th Cross Street, Choolaimedu, Chennai – 600094

Email: gensecaibsnlrea@yahoo.com

President

V. Chinnappiah
(M) 9444003300

General Secretary

R.R.Balasubramanian
(M) 9486100613

Financial Secretary

Awadesh Sharma
(M) 9968630008

No. AIBSNLREA/CHQ/2023/41

Dated 20th April 2023

To
Shri K Rajaraman,
Secretary (Telecom),
Department of Telecommunications,
New Delhi 110001.

Sub: Non-regularisation of the suspension period despite acquittal in a CBI case, in addition to non-payment of Gratuity, Commutation of pension and non-settlement of regular pension case of Shri H S Sutaria, Retd JTO, Gujarat Telecom Circle, BSNL.

Sir,

We are constrained to bring to your kind notice again the injustice being meted out to the above-named retired Executive of Gujarat Telecom Circle of BSNL, who has not been paid his regular pension and other pensionary benefits in spite of his acquittal by Hon'ble District & Sessions Court, Surat in a CBI case on 31.05.2010. His period of suspension has also been not regularised yet.

2. We had already drawn your kind attention to the fact that the CBI appeal pending in this case cannot be the reason for delaying sanction of all his benefits and regularisation of period of suspension with full salary, since DoT vide Letter No.40-18/2019-Pen(T) dated 23rd October 2019 has clarified 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 the Department may take action and issue orders accordingly. Such order may however be subject to the outcome of any Appeal/Revision Petition filed against the acquittal and the position may be reviewed by the Department on the outcome of the Appeal/Revision Petition."

3. Recently, we accessed the status of the appeal and were shocked to see that **the appeal has not been listed for hearing even once after regular admission on 25.02.2011**. Thus Shri Sutaria has been left to suffer for more than 11 years now, although he had been acquitted by the trial court nearly 13 years back. And his sufferings continue more than 3 years after

issue of DoT instructions vide Letter No.40-18/2019-Pen(T) dated 23rd October 2019. We only take solace from the fact that at last his suffering has caught the eyes of the authorities at all levels and the process of granting vigilance clearance is reportedly under progress.

4. In view of the above facts and the DoT Order clarifying that if the pensioner is acquitted by a trial court, notwithstanding the appeal filed against the acquittal, the department may take action and issue orders accordingly, we request that the process of granting vigilance clearance, issue of regular retirement orders etc may please be expedited since Shri H S Sutaria, Retd JTO, BSNL, Gujarat Telecom Circle has already crossed the age of 70 years and justice needs to be delivered to him without further delay.

With kind regards,

Yours sincerely,

Handwritten signature of R.R. Balasubramanian in blue ink, with the date 20/4/23 written below it.

(R.R. Balasubramanian)
General Secretary

Enclosure: As stated.

Copy to:

1. Shri V Srinivas,
Secretary (Pension) DoP&PW,
2. Ms. Shefali Swaroop,
Chief Vigilance Officer, DoT.
3. Shri Uma Shanker Pandey,
Member (Services) DCC, DoT.
4. Ms. Roshni Sohni,
Dy Director General (Estt), DoT.