



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 7th Cross Street, Choolaimedu, Chennai – 600094

Email: 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/2025/66

Dated 30th September 2025

To

Dr. Neeraj Mittal,
Secretary (Telecom),
Department of Telecommunications,
New Delhi 110001.

Sub: Inordinate delay in approval for permanent absorption in BSNL - case of Shri H S Sutaria, Retd JTO, Gujarat Telecom Circle, BSNL, suffering for more than 15 years after his acquittal

Sir,

We seek your kind attention to the pathetic situation a BSNL pensioner is in for more than 15 years without getting his regular pension and other pensionary benefits in spite of his acquittal by Hon'ble District & Sessions Court, Surat in a ACB Gujarat case on 31.05.2010, as an appeal filed by ACB Gujarat is pending, although the lower court order acquitting him has not been stayed.

2. Shri H.S.Sutaria, facing trial in a case filed by ACB Gujarat in Hon'ble District & Sessions Court, Surat was acquitted by the court vide its order dated 31.05.2010. ACB Gujarat then filed an appeal in Gujarat High Court. Shri H S Sutaria was permitted to retire on superannuation w.e.f. 31.12.2011. He was allowed to draw provisional pension under CDA pay scale as his option for absorption was kept pending because of the judicial proceedings.

3. In a subsequent development, DoT vide Letter No.40-18/2019-Pen(T) dated 23rd October 2019 had conveyed to BSNL, the advice from DoP&PW wherein it had been stated 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."

4. On representations from Shri H.S.Sutaria and this association, DoT Vigilance Wing examined his case and issued vigilance clearance vide its No. I-22-II/2019/VC2/Retirement Settlement dated 20.06.2019 for the 'Purpose of release of his final Retirement benefits'. But it refused to clear his VC for the purpose of "issue of Presidential Order for absorption in BSNL." As a consequence, the VC granted for release of final retirement benefits could not be acted upon.

5. Citing precedents to the case, we had produced copies of DoT letters conveying approval for absorption in BSNL in exactly similar cases after obtaining an undertaking. We had requested similar treatment in the case of Shri H S Sutaria, without discrimination. We then brought these to the notice of the then Member (S), DoT in writing and later in person more than once on this issue requesting his intervention.

6. At the instance of the then Member (S), DoT, was addressed to DoT Vigilance by SNG section, for taking necessary further action so that Presidential Order for absorption in BSNL can be issued after release of Vigilance Clearance. Since then the case for vigilance clearance was shuttling between DoT, BSNL CO and Gujarat Circle several times and finally we learnt that the process was completed and VC request had been submitted to DoT Vigilance on 06.12.2024 for the purpose of absorption in BSNL and issue of Presidential Orders.

7. More than 9 months after that the issue still remains pending despite our taking up the issue with Member (S), DoT in February 2025. Now, it is shocking to learn that the case has not progressed further on the specious plea that high courts, nowadays are not giving relief to the pensioners, **implying that the decision in the appeal may go against the pensioner.**

8. It is deeply disheartening and wholly unacceptable that the Pension Section of DoT has chosen to keep the case of Shri H.S. Sutaria pending based on an unsubstantiated and speculative assertion that "high courts, nowadays are not giving relief to the pensioners." **This offhanded remark, made without citing a single judicial precedent or legal basis, undermines years of diligent effort, DoT's own instructions to BSNL based on specific advice by DoP&PW and definite precedents where Presidential Orders were issued subject to final outcome of appeals, after getting an undertaking from the pensioners.**

9. We express our grave concern and strong objection to this inconsiderate approach, which reduces a matter of legal and procedural significance to mere conjecture. **It is**

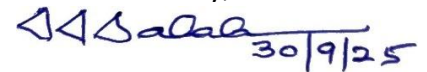
imperative that the case be processed on extant instructions and precedent, not on imagined outcomes or personal opinions of officials and that justice not be denied by apathy or indifference.

10. We need not overemphasize the sufferings and mental pain which Shri H S Sutaria has been undergoing for more than 14 years after his retirement, unaware as to when all this agony will end, despite having been acquitted by the trial court 15 years ago, despite existence of DoT instructions since 2019 requiring favourable treatment and despite exactly similar cases being resolved after an undertaking.

11. We therefore request you to bestow your personal attention to the issue so that approval for permanent absorption in BSNL is issued without further delay based on the two cases [copy enclosed] we have produced to show as precedents, thereby cause issue of Presidential Order for his absorption in BSNL and consequent release of all pensionary benefits & regularisation of his suspension period so as to give relief to the hapless pensioner.

With kind regards,

Yours sincerely,

Handwritten signature in blue ink, appearing to read 'R.R. Balasubramanian', with the date '30/9/25' written below it.

(R.R. Balasubramanian)

General Secretary

Enclosure: As stated

Copy to:

1. Shri V Srinivas,
Secretary (Pension) DoP&PW
2. Shri Deb Kumar Chakrabarti,
Member (S), DoT
3. Ms. Roshni Sohni,
Sr.DDG (Estt), DoT