



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/2026/32

Dated: 11th May 2026

To

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

Subject: Persistent violation of Rule 65(5)(c) of CCS (Pension) Rules, 2021 by BSNL and non-intervention by DoT – Request for immediate directions to ensure compliance in the cases of Shri S.B. Mohare, Shri B.M. Kolki and Shri Prem Shankar Prasad – reg.

Madam,

We wish to bring to your urgent attention a continuing and serious violation of the CCS (Pension) Rules, 2021 by various BSNL units, and the reluctance of the Department of Telecommunications (DoT) to intervene despite our detailed representation dated 09.09.2025. Three pensioners—Shri S.B. Mohare of Karnataka Circle, Shri B.M. Kolki of Maharashtra Circle and Shri Prem Shankar Prasad of Jharkhand Circle—have been denied interest on delayed payment of gratuity even though each of them was fully exonerated and the delay in settlement was entirely administrative. The denial of interest is in direct contravention of Rule 65(5)(c) of the CCS (Pension) Rules, 2021, which is mandatory in nature and leaves no discretion to the administrative authority.

2. Rule 65(5)(c) of the CCS (Pension) Rules, 2021 clearly states: *“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.” This provision is categorical. It mandates payment of interest whenever the pensioner is exonerated of all charges.

3. In the case of Shri S.B. Mohare, the Karnataka CCA has stated that vigilance clearance was received only on 19.10.2020 and gratuity was paid on 22.10.2020, asserting that “*no delay has occurred*” because payment was made immediately after VC was received. This reasoning is fundamentally flawed. Shri Mohare retired on 31.08.2016 and gratuity was paid more than four years later. The delay arose solely because vigilance clearance was not issued for two years after his acquittal on 25.10.2018, an entirely administrative lapse. The CCA’s position that “no delay occurred” because payment was promptly made after receipt of VC is legally untenable; the rule concerns delay beyond the due date, not delay after VC.

4. In the case of Shri B.M. Kolki, BSNL Maharashtra Circle has declined interest on the ground that the case was “*intricate with criminal charges and court orders.*” Shri Kolki retired on 31.07.2021, and Presidential Orders were issued on 11.04.2022, after which gratuity was released. The reply by BSNL does not reveal why there was a delay of five years for issue of Presidential Orders, when the judicial proceedings ended in acquittal on 22.05.2015 and the final orders in the disciplinary proceedings had been issued on 29.03.2017. The process for issuance of Presidential Order should have commenced immediately after 29.03.2017. The complexity of a case is not an exception under Rule 65. Once the pensioner is exonerated, interest becomes mandatory from three months after retirement. The delay was entirely administrative—processing of Presidential Orders and internal movement of files—and not attributable to the pensioner. Denial of interest is therefore in direct violation of Rule 65(5)(c).

5. In the case of Shri Prem Shankar Prasad, BSNL Dhanbad has rejected payment of interest without giving any specific reason. Shri Prasad retired on 31.01.2020, was acquitted on 28.09.2024, and final retirement orders were issued only in March 2025. Payment was thus delayed by five years, entirely due to pending judicial proceedings and subsequent processing of retirement orders. The pensioner had no role in the delay. Denial of interest is therefore a clear violation of Rule 65(5)(c).

6. In all three cases, there has been administrative delays too, over and above the delay due to judicial proceedings. The replies given by BSNL office/CCA office concerned are enclosed as Annexure. DoP&PW, as the custodian of pension policy and the authority responsible for ensuring uniform implementation of the CCS (Pension) Rules across all Ministries and Departments, cannot remain silent when a major department and its public sector unit openly disregard mandatory pension provisions. Silence in such circumstances not only perpetuates injustice to the affected pensioners but also sets a dangerous precedent that statutory pension rules may be ignored at will. The integrity of the pension system depends on strict adherence to

the rules, and any deviation undermines the confidence of lakhs of pensioners who rely on these protections.

7. We therefore request that DoP&PW call for the complete records of all three cases from BSNL and DoT, examine the violations of Rule 65(5)(c), and issue specific instructions in these cases to DoT to ensure strict compliance with the CCS (Pension) Rules, 2021. We further request that DoP&PW direct immediate sanction of interest on delayed gratuity in all three cases.

With kind regards,

Yours sincerely,



11/5/26

(R.R. Balasubramanian)

General Secretary

Encl: As stated

- Copy to: 1. Shri Amit Agrawal,
Secretary, DoT
2. Shri A Robert J Ravi,
CMD BSNL
3. Shri Dhruvajyoti Sengupta,
Joint Secretary (Pension), DoP&PW