



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/2026/39

Dated: 22nd June 2026

To

Shri Amit Agrawal,
Secretary (Telecom),
Department of Telecommunications,
New Delhi – 110001

Subject: Request to rescind DoT letter dated 30.01.2025 and ensure full compliance with DoP&PW OM dated 30.11.2021 – Reg.

Sir,

We have been time and again requesting rescinding of DoT letter No.40-9/2022-Pen(T) dated 30.01.2025 [**Annexure-E**] on the grounds that the contents of the said letter are in complete violation of DoP&T and DoP&PW instructions on the subject of timely verification of caste status and retirement benefits cannot be withheld on the ground that caste verification is pending. DoT had been maintaining that ***“There is no question to rescind the DoT letter dated 30.01.2025, since it was issued with the approval of competent authority.”***

2. In this context, we respectfully submit that the DoT letter dated 30.01.2025 appears to be an unfortunate departure from the otherwise clear, consistent and legally sound position earlier taken by the DoT through its **OM dated 30.12.2021, letter dated 22.03.2022 and OM dated 04.04.2022**. The said letter dated 30.01.2025 seems to have been issued on two assumptions— first, that the mention of pending caste verification in the vigilance clearance created dilemma among CCAs, and second, that administrative prudence required deviation from the DoP&PW OM dated 30.11.2021. Both assumptions, however, stand contrary to the explicit instructions of DoP&T and DoP&PW and to the DoT’s own earlier clarifications. **Our request to rescind the letter dated 30.01.2025 is therefore not out of insistence, but out of a sincere belief that restoring DoT’s earlier, correct position will bring much-needed relief to the affected BSNL VRS-2019 retirees, who are not at fault.**

3. However, the matter has since been re-examined by DoT *“in view of the severe hardships faced by the pensioners.”* Consequently, DoT has issued a letter of even number dated 09.06.2026 **[Annexure-F]**, partially modifying para 9(ii) of its earlier letter dated 30.01.2025. Under the modified provision, **gratuity and commutation may be released only to those retirees “who have applied for caste verification.”** But all other conditions remain unchanged, including para 9(i), which permits only the drawl of provisional pension. This additional requirement that retirees must apply for caste verification is itself contrary to the specific instructions of both DoP&T and DoP&PW.

4. DoP&PW OM No.38/09(02)/2020-P&PW (A) (6721) dated 30.11.2021 **[Annexure-A]**, was issued as per the directions of the Parliamentary Standing Committee on Welfare of SCs & STs, to sensitise *“the concerned Ministries/ Departments/ organizations about the need for timely completion of verification of caste certificate and also for timely release of pensionary benefits to the employees in respect of whom verification of caste certificate is delayed due to administrative reasons or lapse.”* It categorically says, *“All the Ministries/Departments are, therefore, advised to ensure that the verification of caste certificate of employees is completed expeditiously and, in any case, well before the date, of their superannuation, in accordance with the instructions issued by the Department of Personnel & Training. 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.”*

5. It is important to note that DoT promptly issued an **OM** vide No. 36-03/2019-Pen(T) dated 30.12.2021 **[Annexure-B]**, circulating DoP&PW OM No.38/09(02)/2020-P&PW (A) (6721) dated 30.11.2021 **for information and necessary action by CCAs and BSNL.**

6. Later vide its letter 22.03.2022 **[Annexure-C]** addressed to CMD BSNL, DoT had clarified that *“In this regard it is stated that as far as pensionary / retirement benefits are concerned, it is clear from the DoP&PW OM dated 30.11.2021 that pensionary/ retirement benefits of the retiring employee should not be withheld or delayed on the ground of pendency of verification of caste certificate and the only reason for withholding the said benefits can be pending departmental or judicial proceedings at the time of retirement.”* It had further clarified that *“verification of caste certificate of serving employees, is an administrative matter and as such should be carried out by the appointing authority expeditiously and, in any case well before the date of superannuation as per extant rules by DoP&T on the matter. DoP&T letter No. 41034/4/2020-_st (Res-1) dated 19.03.2021 (copy enclosed) may be referred in this regard.”*

7. In another OM of even number issued on 04.04.2022 **[Annexure-D]** addressed to DoP&T, DoT had stated that **“instructions have been issued to BSNL vide letter of even no. dated 22.03.2022 to take necessary action regarding disbursement of pensionary/ retirement benefits of the retiring employee in light of DoP&PW OM No. 38/09(02)/2020- P&PW (A) dated 30.11.2021.** However, the matter **regarding delay and pendency in verification of caste certificate of serving employees by State Govts. raised by BSNL may kindly be looked into by DoPT.”** This OM made it clear that further pursuance of caste verification was intended only in respect of

serving employees and the matter was finally settled in respect of retiring employees in light of DoP&PW OM dated 30.11.2021.

8. **There have been no material changes on the issue involved after that, to warrant the issue of letter dated 30.01.2025 by DoT, with the instructions that “*Gratuity and Commutation may be withheld till the completion of caste verification*”, which is diagonally opposite to the instructions contained in DoP&PW OM dated 30.11.2021. Neither the DoP&T OM nor the DoP&PW OM discussed here has been superseded. Neither DoP&T nor DoP&PW was consulted before issue of the letters dated 30.01.2025 and 09.06.2026.**

9. **The DoT’s clarificatory letters dated 30.01.2025 and 09.06.2026 cannot supersede or dilute the substantive provisions laid down in DoT’s own OMs No. 36-03/2019-Pen(T) dated 30.12.2021 and No. 40-09/2022-Pen(T) dated 04.04.2022. Legally, a clarificatory letter from the same department cannot override an earlier OM if it changes the substantive policy or creates discriminatory application. The OM remains the binding framework, and clarifications must be consistent with it.**

10. As per long-standing DoP&T guidelines, the **responsibility for verification of caste status rests entirely with the appointing authority and not with the employee, and certainly not with a retired employee.** The Hon’ble Supreme Court, in SLP (C) No. 24458/2019, has categorically held that caste verification after retirement is “*largely academic*” and that continuing such proceedings “*will not serve any purpose.*” The Court therefore ordered closure of the proceedings. The Hon’ble Madras High Court, in W.P. No. 35035 of 2023, 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. It is therefore not understood as to why the said DoT letter dated 09.06.2026 wants the retirees to apply for caste certificate and makes it a pre-condition for settling the pensionary benefits, that too without regularizing the pension.

11. **DoP&PW OM dated 30.11.2021 is explicit and leaves no room for interpretation.** It states that there is no provision in the CCS (Pension) Rules, 1972 or in any other instructions for withholding retirement benefits on account of pending caste verification, and that unless departmental or judicial proceedings are pending at the time of retirement, pensionary benefits should not be withheld or delayed. DoT itself, in its letter dated 22.03.2022, directed BSNL to take necessary action **in light of clear instructions of DoP&PW** on the matter. Despite this, the DoT letter dated 09.06.2026 retains para 9(i) of the original letter, which mandates continuation of provisional pension. This is wholly inconsistent with DoP&PW’s binding instructions and with DoT’s own earlier clarification. Moreover, allowing commutation of pension while continuing provisional pension is self-contradictory, since commutation is permissible only after regular pension is sanctioned.

12. In view of the above, it is clear that the DoT letter dated 30.01.2025 contradicts DoP&PW OM dated 30.11.2021, contradicts multiple DoP&T instructions issued from 1975 to 2023, contradicts the Supreme Court and High Court judgments, imposes obligations on retirees that the law does not recognise, and continues to cause severe hardship to the pensioners who retired under BSNL VRS-2019.

13. We therefore most respectfully request that the DoT rescind the letter dated 30.01.2025 in its entirety, direct BSNL and all CCAs to strictly adhere to DoP&PW OM dated 30.11.2021 without imposing any additional conditions, and ensure immediate release of all withheld pensionary benefits - including regular pension, gratuity and commutation - to all affected BSNL VRS-2019 retirees.

14. We urge DoT to take an empathetic and humanitarian view, considering that hundreds of retirees have already suffered for more than six years and several of them have passed away without receiving their rightful dues and leaving their families in distress.

With kind regards,

Yours sincerely,



(R.R.Balasubramanian)
General Secretary

Encl: As stated

Copy to: 1. Dr.T.V.Somanathan,
Cabinet Secretary, Gol
2. Smt.Rachna Shaw,
Secretary, Personnel, DoP&T
3. Smt. Nivedita Shukla Verma,
Secretary (Pension), DoP&PW
4. Shri Deb Kumar Chakrabarti,
Member (S), DoT
5. Shri Manish Lodha,
Sr.DDG, Estt., DoT

with a request to ensure that DoP&T and
DoP&PW instructions are strictly adhered to
by DoT