



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/2025/81

Dated 3rd December 2025

To

Ms.Roshni Sohni,
Sr.DDG (Estt),
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

Ref: Our letter No.AIBSNLREA/CHQ/2025/66 dated 30.09.2025

Madam,

This is in continuation of our letter cited above, addressed to the Secretary, DoT and copy of which was marked to you. Our AGS had also met you twice on the issue.

2. We trust that you will appreciate the difficult circumstances faced by Shri H.S.Sutaria, who has been deprived of regular pension and other pensionary benefits for over 15 years, despite being acquitted by the Hon'ble District & Sessions Court, Surat in the ACB Gujarat case on 31.05.2010. Although an appeal by ACB Gujarat is pending, it is important to note that the lower court's acquittal order has not been stayed.

3. Citing precedents to the case, we had produced copies of DoT letters conveying approval for absorption in BSNL in exactly similar situation, after obtaining an undertaking. We had requested similar treatment in the case of Shri H S Sutaria, without discrimination.

We brought these to the notice of the then Member (S), DoT in writing and later in person more than once, requesting his intervention.

4. At the instance of the then Member (S), DoT, a letter 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.

5. Later we learnt 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**. The Mumbai High Court judgment pointed out in this regard pertains to a Maharashtra State Government employee governed by the Maharashtra Civil Services (Pension) Rules, 1982, and is entirely irrelevant to the present issue. The earlier judgments from various courts referenced in that judgment are also inapplicable, as they address unrelated matters such as suspension. It is really surprising that, while DoT does not implement even the judgments in which it is a party, there is an attempt to introduce unrelated judgments out of context.

6. It is to be emphasized that **DoT had itself issued instructions to BSNL vide No.40-18/2019-Pen(T) dated 23.10.2019, based on specific advice by DoP&PW. Under Para 2 of the said letter, it has been categorically stated that "It has been decided that unless there is a stay on the orders of acquittal, a pensioner should not be put to disadvantage. Accordingly it has been decided to go by the advice rendered by Department of Pension and Pensioners' Welfare wherein it has 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"**. We have also submitted definite precedents where Presidential Orders were issued subject to final outcome of appeals, after getting an undertaking from the pensioners.

7. 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.**

8. 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,

A handwritten signature in blue ink, appearing to read 'R.R. Balasubramanian', with the date '3/12/25' written below it.

(R.R. Balasubramanian)

General Secretary

Enclosure: As stated

Copy to:

1. Ms. Rachna Shaw,
Secretary (Pension) DoP&PW
2. Shri Deb Kumar Chakrabarti,
Member (S), DoT