

No. 40-09/2022-Pen(T)
Government of India
Ministry of Communications
Department of Telecommunications
(Pension Section)

Room No.514, Sanchar Bhawan
20, Ashoka Road, New Delhi-110001
Dated: 30-01-2025

To,

1. CMD, BSNL Corporate office,
H. C. Mathur Lane, Janpath,
New Delhi-110001
2. The CCA MH & Goa Circle,
BSNL Administrative Bldg., 3rd Floor,
C Wing, Santacruz (W), Mumbai-54.

Sub: Release of Pensionary benefits of BSNL retired employees (ST Category) in MH Circle who were retired on VRS or on superannuation - reg.

Sir/Madam,

This is regarding a clarification sought by CCA MH & Goa Circle, regarding release of regular pension and pensionary benefits to the retirees against whom charge sheet have been issued after retirement and vigilance clearance as on date not issued by BSNL.

2. CCA office stated that BSNL MH Circle is asking to release regular pension and other pensionary benefits admissible to the retirees strictly in accordance with DoP&PW OM dated 30.11.2021.
3. The Department of Pension and Pensioners' Welfare vide OM dated 30.11.2021 stated that the Central Civil Services (Pension) Rules 1972 or instructions/guidelines issued by this Department, however, do not provide for withholding of the retirement benefits under any circumstances, including on account of pending verification of caste status of the employee. The Department further advised to ensure the verification of caste certificate of employee is completed expeditiously and in any case, well before the date of their superannuation. Unless there is 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. This OM was also endorsed by DoT vide OM dated 30.12.2021.
4. Though, DoP&PW OM dated 30.11.2021 stipulates that pensionary benefits should not be withheld on ground of pending verification of caste certificates unless there is a judicial/departmental proceedings are instituted against the employee, the fact of conditional Vigilance clearance with remarks that verification

of caste certificate is pending, is leading the pension sanction authority i.e. CCA office in dilemma that whether the pensionary benefits can be settled out-rightly by ignoring that remarks, as, to produce false certificate in order to secure appointment attracts removal or dismissal from service under major penalty as per the DoP&T OM dated 10.01.2013. If such condition is extrapolated on retirees, so with the approval of competent authority show cause notice may be served upon them and if it is found they produced false certificate, their pensionary benefits may be withheld either in full or in part for permanently or a specific period as per the Rule 61 of BSNL CDA Rules, 2006.

5. If at any stage, caste verification of such a pensioner, who has received all the pensionary benefits, is found false, it would hamper the spirit of reservation and aspiration of the deserving genuine people. It is very imperative to ensure the genuineness of the caste certificates of the employees to prevent unscrupulous non SC/ST/OBC persons from securing jobs meant for SCs/STs/OBCs and benefit of reservation and other scheme of concession go only to the rightful people.

6. It has been seen that many employees/pensioners are reluctant to apply before SLSC for verifying their caste certificates, as per the State Government Rules. BSNL authorities have asked them number of times to apply before SLSC and in some cases chargesheet were also issued to these reluctant employees. This has created an element of doubt about their caste certificates. Even after serving chargesheets, these employees are not applying for caste certificate validation thus the genuineness of their caste certificates has become more doubtful.

7. In view of above, it would not be viable for administrative prudence to release pensionary benefits in respect of these employees against whom complaints are received from Tribal Organizations itself and Members of Legislative Assembly representing Schedule Tribe and who are not applying for caste certification verification on the portal despite making several reminders and even after issuing of chargesheets.

8. As BSNL was not having any facility for verification of caste certificates online through the portal, the matter has already been referred by Secretary, DoT, Member (Services), DoT and Hon'ble Minister of Communication and Development of North Eastern Region, Government of India vide D.O No. 60-02/2020-SCT(PL/III) dated 28.02.2022, D.O No. 40-09/2022-Pen(T) dated 20.12.2023 and D.O No. 40-09/2022-Pen(T) dated 22.01.2025 respectively. (Copies enclosed)

9. Keeping in view of the hardship faced by the pensioners and in view of the reluctance and disobedience of such employees and the difficulties being faced by BSNL authorities in the process of caste verification process, Competent Authority has decided following:

(i) Provisional pension may be continued to such employees. BSNL shall issue sanction of Provisional Pension and accordingly CCA shall make the payments.

(ii) Gratuity and Commutation may be withheld till the completion of caste verification.

(iii) BSNL shall take disciplinary action as per BSNL CDA Rules against such employees who are not applying even after several directions in light of DoP&T OM dated 10.01.2013. BSNL shall complete disciplinary cases expeditiously and in a time bound manner.

(iv) CGM MH Circle shall co-ordinate with the State Government of Maharashtra regarding updation of portal or any other facility to be provided to BSNL for uploading of the caste certificates.

Digitally signed by

KULDEEP KUMAR

Date: 30-01-2025

(Kuldeep Kumar)

Under Secretary to Govt. of India

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Copy to :

1. CGOA
2. CGM MH Circle
3. DDG(Pers) DoT HQ
4. DDG (Accounts), DoT HQ