



# BHARAT PENSIONERS' SAMAJ

ESTABLISHED IN : 1955

(All India Federation of Pensioners' Associations)  
(Registered No. 2023 of 1962-63)

Member International Federation on Ageing. Montreal (Canada)

2/13-A - LGF Backside, Jangpura - 'A', New Delhi - 110 014

Mobile : 09868488199 | Telephone : 011-24376642

E-mail : bharatpensioner@gmail.com | Website : www.bharatpensioner.org

Correspondence Address : D.D. Mistry, Secretary : BSNL/PSUs, C-11, Suvamdharm, Avenue, Opp. Sundarvan Flats, Ranip, Ahmedabad-382480.

Phone (O) 079-25500800 | Cell: 09879090682 | E-mail: didimistry@gmail.com | Web : www.bdpa.in

No: BPS/BDPA(I)/TN/SC-ST/2020

Dated 1<sup>st</sup> June, 2020

**EMAIL**

To:

Hon'ble Shri Ravi Shankar Prasad,  
Minister of Communications,  
Sanchar Bhawan, New Delhi 110001

Sub: Alleged Harassment to SC/ST Employees – VRS 2019 Optees – by the  
C.G.M. Tamilnadu Circle, in delaying the pensionery benefits.

Hon'ble Sir,

1. We are aware of the fact that we are passing through very crucial period facing endemic of CORONA-19 and your continued sympathy and appreciation has provided them enthusiasm to cope up with situation.
2. Even in Lock Down period Corporate Office, DoT Office and all CGMs are working nicely despite limitations and the work of employees, Pensioners and VRS-2019 Optees is also attended to. Majority of VRS-2019 Optees are receiving their Pensionery benefits.
3. Sir, we regret to write that we are happy that majority of our issues are look into by the Administration, but there are some few cases which creates agonies in the Pensioners Community. Respecting to call of time, more than 78000 employees took VRS-2019 scheme's advantage lessening fiscal burden of the company.
4. We seek your kind permission to place before you one case of harassment to SC ST employees of Tamilnadu Circle, who have opted for VRS-2019 Scheme. Despite clear instructions and clarifications available, the CGM Tamilnadu has adopted negative attitude aiming to harassment the employees who have given remarkable contribution to company during their service period.
5. It is surprising that he has opted to sleep for more than thirty years ignoring to ensure that his services were appointed with due procedure. Now, when all have worked and opted to retire, he has issued order to verify the correctness of their caste certificate. We need write to state that

there are enough provisions available in rules to take any action even an employee is retired and getting pension, if his any fault is established.

6. We have made numerous submissions before CGM TN Circle and also have addressed the CMD BSNL, DIR (HR) BSNL and Secretary DoT New Delhi, but unfortunately we could not get justice. So we are presenting the case before you as under;
  - a) We have provided an extract of Supreme Court's judgement / observation dated 20.08.2013 regarding withholding of pension or terminal benefits due to pending proceedings. The contents are self-explanatory, and needs no further elaboration. There are several other judgements also from the Apex court on this subject and the same is not denying the terminal benefits just because of the pending proceedings.
  - b) In the case of our circle with regard to the settlement of terminal benefits of ST community employees who were relieved on 31.01.2020, there are no pending disciplinary or judicial proceedings to withhold the terminal benefits.
  - c) In fact the disciplinary proceedings should be initiated against those appointing authorities who have failed to verify the genuineness of the community certificate before appointment or immediately after appointment even if they are already retired under Rule 9 of CCS (Pension) Rules 1972.
  - d) Further regarding payment of leave encashment also the judgement and the GOI decision (5) 2 (f) below Rule 68 of CCS (Pension) Rules 1972 is very clear that the same is not a pensionary benefit, but the benefit under CCS(leave) Rules and therefore it cannot be denied as pensionary benefits. There is no place for any personal opinions or views of the powers that be in Govt. service to deny these benefits to such employees.
  - e) We therefore, request you to kindly have a fresh look at the issue in view of the DOT's orders dated 05.12.2018 and 29.03.2019 and to release all terminal benefits, which are withheld for want of verification reports from the State Government on the genuineness of the community certificates of the retired on superannuation and VRS-2019 Optees without any delay.
  - f) At the same time we would also like to bring it to the notice failure of the CGM, BSNL, Tamilnadu circle that no verification of the genuineness of the community certificates is done for SC community officials either at the time of initial appointment or at every stage of upgradation in their careers is done and all benefits including terminal benefits are given like any other retirees of the communities other than SC/STs.
  - g) We had made requests to the CGM to kindly cause withdrawal of the letter issued in the year 2014 to all SSAs by the Liaison officer of SCT

Cell, Tamilnadu circle, based on the news item appeared in a Tamil Daily (Dinathanthi). We hope that the CGM will look into the cases dispassionately and order grant of terminal benefits to the retired employees of ST community as per the instructions of the DOT and also the DOPT.

- h) Their VRS Options have been accepted but deprived of all pensionery benefits and as such this submission.

Sir, having failed on all counts to get justice, we have only hope and aspiration in you that with your sympathetic consideration and your spirit to always help the employees/pensioners, we will be able to get justice.

We are eagerly waiting for your blessings awarding justice to the aggrieved pensioners. Knowing futility of conducting any inquiry to fix responsibility on any individual, we say that we are not interested in that exercise because it will further delay the process of finalizing the cases placing aside the real issue.

Expecting your judicious and sympathetic decision,

With Regards,

Yours Sincerely,



(D.D. MISTRY)

Secretary BSNL/PSU

Bhart Pensioner Samaj.

Copy to:

1. Shri Jitendra Prasad, MOS, PM House, New Delhi.
2. The Secretary, DOPPW, New Delhi.
3. The CMD BSNL New Delhi.
4. The SG Bharat Pensioner Samaj, New Delhi.