



**P. Abhimanyu**  
General Secretary

# BSNL EMPLOYEES UNION

Central Head Quarters

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Main Recognised Representative Union.  
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BSNLEU/ 318 (MH)

10.07.2025

To,

Shri A. Robert J. Ravi,  
CMD BSNL,  
Bharat Sanchar Bhawan,  
H.C. Mathur Lane,  
Janpath, New Delhi – 110 001

Sub: - Non-payment of pensionary / retirement benefits of retiring ST employees of Maharashtra circle – requesting for immediate implementation of the Hon'ble CAT order - req.

Ref: - Order of the Hon'ble CAT, Mumbai Bench in the OA No.223/2022 reserved on 25.04.2025 and pronounced on 19.06.2025.

Sir,

With reference to the order of the Hon'ble CAT, Mumbai Bench, cited under reference, we wish to urgently invite your kind attention to the following, for favour of necessary action.

In Maharashtra circle, pension and ex-gratia payment of the retired ST officials have not been settled, on the plea that they have not completed validation of their caste certificates. BSNLEU has repeatedly written to the Management and has pointed out that withholding of pension and other retirement benefits of the retired ST officials has been done in violation of the rules.

The DoT, vide letter no.40-09/2022-Pen(T) dated 22<sup>nd</sup> March, 2022, has written to the CMD BSNL, quoting from the DoP&PW OM dated 30.11.2021, wherein it is categorically stated that **pensionary / retirement benefits of the retiring employees should not be withheld or delayed on the ground of pendency of verification of caste certificate.** The DoT has further stated that the only reason for withholding pensionary / retirement benefits can be pending departmental or judicial proceedings at the time of retirement.

Under the aforementioned circumstances, the Hon'ble CAT, Mumbai Bench, in Adesh Narayan Bhoi V/s. The Bharat Sanchar Nigam Ltd. and others (in the OA No.223/2022 reserved on 25.04.2025 and pronounced on 19.06.2025) has categorically stated that, withholding of pension, under the pretext of non-completion of the validity of the caste certificate is not permissible.

Once again, Hon'ble CAT, Mumbai Bench, has emphasised that pensionary benefits can be withheld only when disciplinary or judicial proceedings are pending at the time of retirement of an employee.

The Hon'ble CAT, Mumbai Bench, has directed the respondents to release the pensionary benefits and ex-gratia payment to Shri Adesh Narayan Bhoi within three months from the date of receipt of the order.



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From the aforementioned order of the Hon'ble CAT, Mumbai Bench, it has been amply proved that non-settlement of pension and ex-gratia payment of the retired ST officials of Maharashtra circle, on the plea that they have not completed validation of their caste certificate is completely illegal.

In view of this, we earnestly urge upon you sir to kindly take necessary action to settle all the pending pension and ex-gratia payments of the retired ST officials of Maharashtra circle. A copy of the aforementioned order of the Hon'ble CAT, Mumbai Bench, is enclosed for your kind perusal.

Thanking you,

Yours sincerely,

**[P. Abhimanyu]**  
General Secretary

Encl: *Order of the Hon'ble CAT, Mumbai Bench in the OA No.223/2022 reserved on 25.04.2025 and pronounced on 19.06.2025.*

Copy to: Dr. Kalyan Sagar Nippani, Director (HR), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi - 110001



**Central Administrative Tribunal  
Mumbai Bench: Mumbai**

**OA No.223/2022**

**Reserved on: 25.04.2025**

**Pronounced on: 19.06.2025**

**CORAM: Hon'ble Shri Justice M.G. Sewlikar, Member (J)**

Adesh Narayan Bhoi

Age: 54 yrs, Occ; Retired

R/o: A-201, Shivsambhu Apartment,

Vispute College Road, Vichumbe, Post ONGC,

Tq. Panvel, Dist. Raigad-410221

Email: [bhoiadesh@gmail.com](mailto:bhoiadesh@gmail.com)

**-Applicant**

**(By Advocate Mr. Mohsin Khan a/w Mr. R.T.  
Diwate)**

**Versus**

1. The Bharat Sanchar Nigam Ltd.,  
Through its Chief Managing Director and another,  
Bharat Sanchar Bhawan,  
H.C. Mathur Lane, New Delhi-110001
2. The General Manager Telecom,  
BSNL, Plot no. 11, Sector 13,  
New Postal Colony,  
New Panvel-410206,  
Dist. Raigad.
3. The Chief General Manager,  
Telecom Maharashtra Circle,  
BSNL Bhavan, Juhu Road, Santacruz West,  
Bombay-400054.



4. Chief Control of Communication  
Accounts Maharashtra & Goa Circle  
3<sup>rd</sup> Floor, BSNL Complex, Santacruz  
West, Bombay- 400054.

**- Respondents**

**(By Advocate Dr V.S. Masurkar and Mr. P.Khosla)**

**ORDER**

This is an application under Section 19 of the Administrative Tribunals Act seeking the relief of setting aside the order dated 30<sup>th</sup> January, 2020 to the extent of para 3 and release of retirement benefits including ex-gratia payment.

2. The case of the applicant in brief is that he approached the Department of Telecommunications. The applicant was given the letter of offer of appointment. The applicant joined the service on 24<sup>th</sup> January, 1990 as Telephone Operator on purely temporary basis. After completing two years' probation period, the applicant was appointed and he was made permanent on 16<sup>th</sup> January, 1992.

3. Applicant came to be absorbed in Bharat Sanchar Nigam Limited (BSNL) vide absorption order (Annexure A-2).



28. Even if it is assumed for the sake of arguments that the appointment of the applicant was against reserved post or he had gained promotion on the strength of caste, the respondents do not stand to gain. As held in the case of **Namdeo s/o Dashrath Nikhare** (supra) and in terms of Rule 69(2) of CCS (Pension) Rules, 1972, pensionary benefits can be withheld only when disciplinary or judicial proceedings are pending at the time of retirement of an employee. As indicated earlier, no judicial or departmental proceeding was pending against the applicant and, therefore, the respondents were not right in withholding the pension of the applicant.

29. Having regard to the discussions made above, the only logical inference that can be drawn is that the action of the respondents in withholding the pensionary benefits was not legal and proper. Hence, following order is passed:-

- (i) Application is allowed.



- (ii) Condition of withholding pension subject to production of caste validity certificate in order dated 31st January, 2020 (Annexure- A-3 colly.) to the extent of para 3 stands set aside.
- (iii) The respondents shall release pensionary benefits and ex-gratia payment to the applicant in terms of the VRS Scheme within three months from the date the respondents receive certified copy of this order.
- (iv) Pending MAs, if any, stand closed. No costs.

**(Justice M.G. Sewlikar)**  
**Member (J)**

nk.

Nicky  
Kumari 