

# ALL INDIA BSNL DOT PENSIONERS ASSOCIATION

[Registered No. S/68836/2010]

## Central Head Quarters

T-18/C, Atul Grove Road, New Delhi – 110 001



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AIBDPA/BSNL-PEN/2017

21<sup>st</sup> June, 2017

To,

Ms. Madhu Arora,  
PGM (Estt.), BSNL C.O.,  
Bharat Sanchar Bhawan,  
Janpath, New Delhi – 110 001

Madam,

Sub: - **Sheer cruelty meted out to the family of a missing Phone Mechanic at Kolhapur SSA, Maharashtra in violation of all the prevalent rules– req.**

I am very much constrained to bring to your kind notice a very pitiable and rather surprising case brought to us.

One Krishnappa Balappa Kumbhar while working as a Phone Mechanic at Jaisingpur, Kolhapur SSA in Maharashtra went missing suddenly on 05.10.2002. As his whereabouts were not known even after 10 days, a police complaint was lodged by his wife. The enquiry by the police also yielded no result. All these developments were reported to the BSNL authorities by his wife. The sudden disappearance of the only earning member of the poor family put his wife and two children in complete distress.

In such a situation, what is to be done by the BSNL authorities are clearly laid down in the CCS (Pension) Rules 1972.

Rule 9 (2) (i) “when an employee disappears leaving his family, the family can be paid in the first instance the amount of salary due, leave encashment due and the amount of GPF having regard to the nomination made by the employee,

(ii) After the lapse of a period of one year, other benefits like retirement or death gratuity / family pension may also be granted to the family subject to the fulfilment of conditions prescribed in the succeeding paragraphs.

(3) The above benefits may be sanctioned by the Administrative Ministry / Department after observing the following formalities:-

(i) The family must lodge a report with the concerned Police Station and obtain a report that the employee has not been traced after all efforts had been made by the police.

(5) The family can apply to the Head of the Office of the Government servant for grant of family pension and death / retirement gratuity, **after one year from the date of disappearance of the government servant** in accordance with the prescribed procedure for sanction of family pension and death / retirement gratuity. **In case the disbursement of death / retirement gratuity is not effected within three month of the date of application, the interest shall be paid at the rates applicable and responsibility for the delay fixed.**

Madam, instead of helping the family in distress, according to the rules mentioned above, you will be surprised to know that the BSNL administration, Kolhapur hurriedly issued a charge sheet under Rule 14 of CCS (CCA) Rules, 1964 for alleged ‘absconding from duty’ against the missing (virtually dead) official, conducted the enquiry exparte and inflicted the punishment of dismissal.....!

When the hapless wife of the missing official, Smt. Shanta Krihnappa Kumbhar approached the BSNL Kolhapur SSA for family pension, she was advised to apply after 7 years. You can just imagine the plight of the poor, half illiterate poor lady, not versed with the departmental rules and she believed them blindly. After seven years, when the application was given she was asked to produce a court order. With much difficulty, she managed to

get the court order and was submitted. Then they told her that they are seeking some clarification from the CCA, Mumbai in this regard. Again after some three months she was intimated that they have not received any clarification from the CCA and presumed that she is not eligible for family pension!

On the advise of some well wishers, the poor widow preferred application against the unjust and inhuman attitude of BSNL, Kolhapur to Grievance Cells of Department of Telecom and Department of Pension and Pensioners' Welfare. But astonishingly, even without going through the representation, both these departments closed it, reiterating the highhanded and unlawful action of the Kolhapur administration.

Madam,

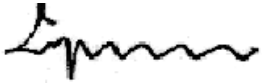
The family of a BSNL employee who had an unblemished service until his missing, is thrown to complete distress and hardships for the last 14 years because of the wrong and cruel action of BSNL Kolhapur administration.

Therefore, I request your goodself to cause necessary action to

- (1) quash the dismissal order issued by the DE, Ichalkaranji based on the charge sheet issued without any justification.
- (2) Pay all the eligible pensionary benefits.
- (3) Grant family pension to Smt. Shanta Krishnappa Kumbhar, Flat No.301, 3<sup>rd</sup> Floor, A-Wing, Kamalraj Shivdarshan, Opp. Maniata Sweet Corner, Sambhaji Chowk, Pune – 411 015.
- (4) Take necessary action against those involved in meting out such cruelties to the missing official in violation of all the rules and procedures, so that no other family is put to such inhuman miseries in future.

Thanking you,

*Yours faithfully,*



**K G Jayaraj**  
**General Secretary**

- Encl: (1) Copy of order of Divisional Engineer, Ichalkaranji vide no.XI/IT/KR/STAFF/05-06 dated 09.11.2005 inflicting the punishment of dismissal on the missing (virtually Dead) Phone Mechanic Shri Krishnappa Balappa Kumbhar.
- (2) Copy of letter of AGM(A), O/o GMT BSNL, Kolhapur No.uk-282/75 dated 06.02.2014.
  - (3) Copy of letter of AGM(Ad.), O/o GMT BSNL, Kolhapur No.QK-282/87 dated 19.01.2016.
  - (4) Copy of Representation to Director, Pension Grievance Cell, Department of Pension & Pensioners Welfare, New Delhi dated 05.12.2016 by Smt. Shanta Krishnappa Keemtar.
  - (5) Copy of letter AGM (Admn.), O/o GMT, BSNL, Kolhapur No.KTD/Staff/PG Case/Con/128 dated 02.11.2016.

- Copy to: (1) Smt. Shanta Krishnappa Kumbhar, Flat No.301, 3<sup>rd</sup> Floor, A-Wing, Kamalraj Shivdarshan, Opp. Maniata Sweet Corner, Sambhaji Chowk, Pune – 411 015, Maharashtra.
- (2) Com. A.N. Patil, Circle Secretary, AIBDPA, Maharashtra Circle.