

Letter No.03-23/2025-SNG dated 04.06.2025

Annexure-A

Sl.No.	Name of Official (Shri/Smt.)	HRMS No.	Date of Legal Notice
1	Prashant Yashwantrao Mahalle	200001666	05.02.2025
2	Paramjit	200011970	11.02.2025
3	Guddan Singh and 02 Ors	--	25.01.2025
4	Guarav S Ganjare	2000100466	05.02.2025
5	Anil Shankar Pund	200101143	05.02.2025
6	Prakashchandra J Patel	200305900	05.03.2025
7	Vijaybahadur S Pal	200103990	05.03.2025
8	Kaushalyaben Gareri	200305899	05.03.2025
9	Mohd Hanif Kuresh	--	31.03.2025
10	Annasaheb Tukaram Kagde	200302332	31.03.2025
11	Satish Chandra Paliwal	200102187	25.03.2025
12	Radhma B Gujari	200100212	25.03.2025
13	V R Bansode	200003160	31.03.2025
14	Philomina J Jerome	200003293	21.04.2025
15	K A Pawar	200100595	21.04.2025
16	V S Sangle	200201777	21.04.2025
17	Sudipta Ghosh	200101786	21.04.2025
18	Kulvinder Singh	200102254	10.04.2025
19	R S Jagtap	200702120	21.04.2025
20	M B Patel	200305932	28.04.2025
21	M S A Ansari	200305939	28.04.2025
22	N H Saiyad	200500844	28.04.2025
23	Rajesh Kumar A Patel	200306340	28.04.2025
24	Kailashkumar I Kokani	200305934	28.04.2025
25	P G Prajapati	200104347	28.04.2025
26	Anit Kumar P Joshi	200103772	28.04.2025
27	Kapildev K Patel	200306338	28.04.2025
28	V H Limbhachiya	200305924	22.04.2025
29	Md S Shaikh	200103781	22.04.2025
30	G Manjula	200000170	07.04.2025
31	G H Parmar	200306011	07.04.2025
32	S Vijaya Lakshmi	200100138	07.04.2025
33	T Subbasankara	200500285	07.04.2025
34	J M Vaghela	200306005	07.04.2025
35	P J Chavda	200306012	07.04.2025
36	K Hari Pratap	200104212	02.04.2025

37	M J Saheb	200101918	02.04.2025
38	B Manohar Lal	200005556	02.04.2025
39	M C Patel	200305938	28.04.2025
40	M M Ansari	200901273	28.04.2025
41	A R Patel	200305845	28.04.2025
42	Y K B Patel	200104348	28.04.2025
43	H N J Kumar	200103972	28.04.2025
44	N G Dhimer	200305936	28.04.2025
45	M M Shaikh	200306335	28.04.2025
46	H K D Rana	200305884	28.04.2025
47	A K Pal	200402710	28.04.2025
48	S L Ansari	200103911	28.04.2025
49	N H Gwalani	200005422	19.03.2025
50	Z Basha	200101710	10.03.2025
51	Md Ismail	200101864	10.03.2025
52	Isar Singh and 05 Ors	--	18.03.2025
53	G Y Naitam	200101310	10.03.2025
54	P P Ramteke	200005021	10.03.2025
55	M C Shingade	200001806	06.03.2025
56	M S Patil	200000042	06.03.2025
56	S Shinde	200002621	27.02.2025
57	Hiren Patel	200103782	22.04.2025
58	M J Barot	200103775	22.04.2025
59	A M Manauwarhusain	200305937	22.04.2025
60	S K B Patel	200305942	22.04.2025
61	N G Sakhia	200103929	22.04.2025
62	H N J Kumar	200103972	22.04.2025
63	Khan Sarfarazahmed	200305986	22.04.2025
64	N D Parikh	200305921	22.04.2025
65	J R Chudasama	200305910	22.04.2025
66	A B Roy	200306347	22.04.2025
67	S M Rathod	200104336	22.04.2025
68	N K R Yadav	200305933	22.04.2025

**Comments/Inputs for disposal of legal notices/representations of BSNL employees seeking pension/GPF in the light of order dated 22.01.2010 in TA No. 35- PB/2009, TA No. 37-PB/2009 & TA No. 38-PB/2009, against which WP/SLP/Review Petition were dismissed- regarding**

(i) GPF Rules, 1960 do not apply to any appointment made by the PSU. The power to relax the GPF rules is vested with the President/Central Government. There is no provision in GPF Rules, 1960, which allow GPF subscription in case of any appointment made by CPSE.

(ii) CCS (Pension) Rules, 1972 including Rule 37A incorporated vide notification dated 30.09.2000 for permanent absorption of Government employees upon corporatization of Central Govt. Department, are applicable to the Permanent/temporary Government employees holding pensionable post in the Government before corporatization. Under such circumstances, the applicant could not cite any rules/provisions, which allow pension under the above-mentioned rules to the appointment made by CPSE.

(iii) Order of BSNL issued during 2003, was *ab initio void* as wards of deceased of DTS/DTO employees were formally appointed in BSNL (which incepted upon corporatization of DTS/DTO) and not in Central Govt Department. BSNL being CPSE lacked legal authority to extend the benefits of GPF to appointments made by them or opening of GPF Accounts under GPF Rules, 1960 in the absence of any delegation of the power by the President. Since the GPF Rules, 1960 and CCS (Pension) Rules which have been formulated under Art. 309 of the Constitution of India, hold the field, any claim for pension/GPF could be made if the employees satisfy the criterion prescribed in the Rules/Scheme. It is undisputed fact that no order giving coverage of CCS (Pension) Rules to wards of DoT employees, who were formally appointed in BSNL, have been passed by the Government of India/DoT.

(iv) BSNL appointees are governed by the provisions of EPF Act, 1952 along with provisions of EPS 1995 since their appointment in BSNL.

(vi) Besides above, Shri Raj Kumar and Ors, got the benefits of GPF at the first instance during 2003, which continued till 2007. When they were brought under EPF Scheme without giving any reasons, they approached the Tribunal immediately and got favourable orders. Unlike case of Shri Raj Kumar, the aggrieved employee did not raise any dispute before Ld. Tribunal within reasonable time (One year from the date of cause of action, when the applicant was brought to the EPF Scheme). Therefore, the facts and circumstances of the Raj Kumar case are entirely different from the instant case. The decision in case of Raj Kumar may not be applied in the case of the applicant as the unlike could not be treated alike.

(vii) **Delay and latches:** By placing reliance upon the orders of Ld. Tribunal in Raj Kumar case, various similarly situated wards of DoT employees approached the Courts/Tribunal for extension of the similar relief in their favour, which are otherwise barred by Section 21 of the Administrative Tribunals Act, 1985 or suffers from undue delay and latches and consequently