

**COMMONWEALTH OF MASSACHUSETTS**

**Middlesex, ss.**

**Division of Administrative Law Appeals**

**Mamta Singh Bhadouria,**  
Petitioner,

Docket No.: CR-25-0485

v.

**State Board of Retirement,**  
Respondent.

**ORDER OF DISMISSAL**

Petitioner Mamta Singh Bhadouria appeals from a decision of respondent the State Board of Retirement (board) denying her application to purchase retirement credit for pre-membership “contract” service. Apparently, the petitioner was paid during the pertinent period by a corporation, Eliassen Group, Inc.

An applicable statute allows some state employees to purchase credit for earlier work as “contract employees.” See G.L. c. 32, § 4(1)(s). The board has defined the term “contract employees” in a regulation. Under today’s version of it, work for a “vendor” is purchasable if the vendor either was “established and operated by” the Commonwealth or “function[ed] as an instrumentality of” the Commonwealth. 941 C.M.R. § 2.09(3)(c). See, e.g., *Abebe v. State Bd. of Ret.*, No. CR-25-110, 2025 WL 1835965 (Div. Admin. Law App. June 27, 2025).<sup>1</sup>

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<sup>1</sup> The board’s decision letter to the petitioner said flatly: “As an employee of a vendor, you were not a ‘contract employee’ of the Commonwealth . . . .” That statement was inaccurate, and should not be repeated in the board’s decisions, to the extent that the board’s own regulation continues to provide that *some* employees of vendors *do* qualify for purchases under G.L. c. 32, § 4(1)(s).

The petitioner asserted in her notice of appeal that her application was allowed at one point before later being denied. The notice of appeal included no details or supporting documentation. Regardless, as part of the boards' obligation to implement the law correctly, they must correct any mistakes that they may originally have made. *See Hunter v. Contributory Ret. Appeal Bd.*, 80 Mass. App. Ct. 257, 263 (2011); *Clothier v. Teachers' Ret. Bd.*, 78 Mass. App. Ct. 143, 146 (2010).

The key element missing from the notice of appeal was any reason to believe that Eliassen Group, Inc. was "established and operated by" the Commonwealth or "functioned as an instrumentality of" it. 941 C.M.R. § 2.09(3)(c). A prior order therefore required the petitioner to show cause why her appeal should not be dismissed for failure to state a claim.

The petitioner's filing deadline has expired. She has filed nothing further. Accordingly, it is hereby ORDERED that this appeal is DISMISSED.

Dated: November 14, 2025

/s/ Yakov Malkiel  
Yakov Malkiel  
Administrative Magistrate  
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