



Sanchar Nigam Pensioners' Welfare Association

Reg. No: SOCIETY/WEST/2021/8902564

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SNPWA/ CHQ/ CMD/ BSNL/1/25

Dated 15th May, 25

To

Sh Robert J. Ravi,

CMD/ BSNL, SNPWA/ CHQ/ CMD/ BSNL/1/25

New Delhi.

Sub Unequivocal Applicability of Notional Increment Judgment to VRS Retirees – Inference of BSNL purely subjective and arbitrary, devoid of any merit whatsoever

Ref

1. BSNL Corporate Office relevant, binding and specific Communication dated 23.11.2019

2. Unwarranted and Arbitrary order issued by BSNL Co BSNLCo-A/12(17)7/3/2021-EST Dated 10.03.25, in complete defiance of BSNL Communication at Ref 1, and in batant violation of Decision of the Union Cabinet.

Sir,

We write to you on behalf of thousands of BSNL pensioners with a deep sense of concern and disappointment over the manner in which the implementation of the Hon'ble Supreme Court judgment dated 11.04.2023 in C.A. No. 2471/2023 is being perversely interpreted by your office, especially with regard to the issue of extending notional increment for pensionary benefits to VRS Retirees(2019).

It is extremely pertinent to draw your kind attention to the **BSNL Corporate Office communication dated 23.11.2019, issued by the then Director(HR), which verbatim states**

Some doubts have been expressed by some quarters of employees that VRS group will be treated as a separate group and will be dealt distinctively. Here, it is clarified that for BSNL Employees, retirement on VRS (VRS 2019) is neither a distinct nor a separate group but will be at par with Retirement on Superannuation.

Therefore, any such doubts are devoid of any merit

VRS(2019) scheme has been approved by the Union Cabinet, and, therefore, any clarification issued by BSNL Co pursuant to the decision of the Union Cabinet has the approval of the Government. Further, BSNL Co has adequately clarified that VRS 2019 retirees will be covered by the provisions of Rule 37A in all respects

The said communication unambiguously and unequivocally, stated that there is absolutely no difference between employees retiring voluntarily and those retiring on superannuation, especially with respect to post-retirement benefits. It is also important to underscore that this communication carries the approval of the Establishment, Finance and also concurrence of the then CMD of BSNL, who, significantly, is a Finance Person, and without whose approval nothing would move in BSNL in 2019. Board Directors had no functional independence.

It is therefore perplexing and deeply disheartening that the same organization which once used this communication to reassure and persuade employees to opt for VRS is now entertaining or raising questions that cast doubt on the applicability of the Supreme Court verdict to VRS retirees. If messages with the explicit approval of the CMD and finance wing are now being undermined or second-guessed by subordinate offices or functionaries, it only adversely and irreversibly dents the credibility of the BSNL Management

The Hon'ble Supreme Court has made it abundantly clear that the **benefit of notional increment is to be extended to all government servants who have completed one year of service before Retirement with good conduct, without drawing any distinction between the mode of Retirement** . The Apex Court has also unequivocally stated that its judgment shall be applicable to all third parties and intervenors.

Further, **DoT order dated 22.01.2025** , as well as subsequent **clarifications issued by DoP&PW**, leave no room for ambiguity—the benefit is to be extended to all eligible retirees.

Furthermore, the Supreme Court has also cautioned against compelling individuals to go through prolonged and unnecessary litigation once a clear judgment has been delivered.

The inadvertent use of the term “superannuation” in one place of the DOP& T orders, among several others, where 'Retirees' is used, cannot and must not be weaponized to dilute or defeat the very spirit of a judicial pronouncement that repeatedly refers to “Retirees” in broad and inclusive terms. Such cherry-picking to deny justice is not only contrary to law but also deeply unjust to those who served the organization faithfully.

We completely fail to understand from where, and on what basis, BSNL has picked up the thread to differentiate VRS Retirees from other Retirees. This baseless classification issued, with temerity, is not only intriguing and distraughtful, but badly erodes the credentials and integrity of top BSNL Management..

In view of the above, we urge you to:

1. Issue clear and binding instructions to all administrative units to implement the Supreme Court judgment in letter and spirit, including all eligible VRS retirees, without raising unwarranted objections or seeking fresh clarifications.

2 . Treat the BSNL communication, dated 23.11.2019, as binding, as it formed the core, moral and administrative basis for a major policy decision affecting thousands of careers and lives.

3. Ensure that no further delays are caused, and that all cases are processed with fairness, uniformity, and regard for binding legal principles.

It is high time BSNL sets high stands of professionalism and sets an example by standing by its concrete commitments made to its employees, and by upholding the sanctity of both its internal communications and the orders of the highest court of the land

With regards,



(G. L. Jogi)

Copy to:

1. Respected Sh Anand Khare, M(S)/ DOT. His kind intervention is solicited to direct BSNL Co to strictly adhere to the decision of the Union Cabinet and the Judgment of the Apex Court.

2. Dr Vidya Sagar, Dir(HR)/ BSNL. The clarification issued by BSNL is in total contravention of the communication issued by your office and, therefore, should be set aside

3. Respected Sh Rajiv Kumar, Director/ Finance, for n/a pl

4. Respected MS Roshini Soni, DDG(E), for n/ a pl

4. Respected sh S.P.Singh, PGM(E)/ BSNL. He is requested to immediately initiate appropriate action to rescind the Retrograde Order, dated 10 03.25.