



Sanchar Nigam Pensioners' Welfare Association

Reg. No: SOCIETY/WEST/2021/8902564

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SNPWA/CHQ/M(S)/DOT/4/25 Dated: 28th May, 2025

To
Shri Anand Khare
Member (Services), DoT
New Delhi

Subject: Implementation of Final Judgment of Hon'ble Supreme Court dated 20th February 2025 — Extension of Benefit of Notional Increment to VRS Retirees

Reference:

1. Modification of Clause (d) in the interim order of Hon'ble Supreme Court dated 06.09.2024
2. Order dated 02.02.2024 of Hon'ble CAT, Chandigarh in OA No. 443/2020, extending the benefit to VRS retirees
3. DoT Order No. 38-45/2024-Pen(T) dated 20.06.2024 granting the said benefit to a VRS retiree

Respected Sir,

At the outset, we extend our sincere gratitude for your personal intervention in offsetting a prevailing misconceived, counterproductive and widespread opinion that VRS employees are not eligible to the benefit of Notional Increment, despite unambiguous Judgment of the Hon Apex Court, and bringing them within the ambit of consideration for extending the benefit.

We are confident that you represent a class of officers who uphold justice and equity by interpreting matters objectively and ensuring fair decisions, and, in the process, we are nostalgically reminded of stalwarts like Respected Sh Waghle Sir, Late Sh B.R. Nair sir, Sh Kulkarni Sir, Sh M.G. Joshi Sir, Late Sh Saran Sir etc etc, who once occupied this high and prestigious seat and treated us without prejudice or discrimination, and with extraordinary compassion, going out of the way, and, in the process, ensured our steady and uninterrupted career growth.

Coming to the subject matter, the Hon'ble Supreme Court, in its interim order dated 06.09.2024, passed a comprehensive directive to *avoid further litigation*. We reproduce below two significant clauses for your kind attention:

Clause (a):

*“The judgment dated 11.04.2023 shall be given effect to in case of **third parties (i.e., those who have not approached the court)**, emphasis supplied. Pension shall be payable on and after 01.05.2023. Enhanced pension for the period prior to 30.04.2023 shall not be paid.”*

Clause (d):

“In case any retired employee has filed an application for intervention/impleadment in Civil Appeal No. 3933/2023 or any other writ petition and a beneficial order has been passed, enhanced pension including the benefit of one notional increment shall be payable from the month in which the application was filed.”

However, **Clause (d)** was appropriately and significantly **modified** by the Hon'ble Supreme Court in its **final order dated 20th February 2025**, and now reads as follows :

“In case any retired employee filed an application for intervention/impleadment/writ petition/original application before the Central Administrative Tribunal/High Courts/this Court, the enhanced pension shall be payable for the period of three years prior to the month in which the application was filed.”

The **striking distinction** between the interim and final versions of Clause (d) lies in the removal of the condition that a “**beneficial order**” must have been passed. The **mere filing of an OA, writ petition, or intervention/impleadment application** is now *sufficient to claim the benefit.*

Pertinent Issue: Applicability to VRS Retirees

Despite the above, the Department of Telecommunications appears to be hesitant on the issue of whether the Notional Increment is extendable to VRS retirees.

This **hesitation** stands clearly *negated by the Hon'ble CAT, Chandigarh*, which, in its ***order dated 02.02.2024 in OA No. 443/2020, extended the benefit to 68 BSNL retirees, many of whom are VRS retirees**

“The issue of eligibility for the above increment for employees retired under VRS was specifically considered and allowed by the Hon'ble Central Administrative Tribunal, Chandigarh Bench in OA No. 443/2020, vide order dated 2nd February

2024, thereby extending the judgment of the Hon'ble Supreme Court in the case of The Director (Admin & HR), KPTCL & Ors. vs. C.P. Mundinamani & Ors.”

The Tribunal unequivocally held that denial of the benefit to VRS retirees on the basis of completion of 365 days as on 31.01.2020 was untenable and unsustainable, categorically rejecting BSNL's stance as frivolous and unsubstantiated.

DoT's Own Precedent

Furthermore, **vide DoT Order No. 38-45/2024-Pen(T) dated 20.06.2024**, the notional increment was granted to **Shri Rajendrakumar Sharma**, Accounts Officer, **who retired under VRS on 31.01.2020**, after the case was examined in consultation with **DoPT and Department of Expenditure**.

This order explicitly discredits BSNL's earlier arguments and underscores the validity of **extending the benefit to VRS retirees in as much as it is extended to others**

In this specific case, despite already having filed an OA in PB CAT, New Delhi (later closed due to the pending SLP in Supreme Court), the VRS retiree was compelled to file an intervention application in **Civil Appeal No. 3933/2023 (UOI vs. M. Siddaraj)**, which was allowed by the **Hon'ble Supreme Court**. The relief was granted, as also reflected in **Civil Appeal No. 2471/2023 dated 19.05.2023**.

Our Humble Submission

When the **Hon'ble Supreme Court*** itself has granted the benefit of notional increment to a **VRS retiree**, the **extension of the same benefit to all similarly placed third-party VRS retirees follows automatically and unquestionably under Clause (a) of the final order dated 20th February 2025**.

Therefore, the question of issuing a separate order exclusively for VRS retirees does not arise. The distinction being attempted to be drawn between VRS and other retirees is arbitrary, unjustified, and has already been invalidated **by both the Hon'ble CAT and the Hon'ble Supreme Court**.

In Conclusion

The judgments of:

Hon'ble Supreme Court in Civil Appeal No. 2471/2023 dated 11.04.2023,

Final Order of the Hon'ble Supreme Court dated 20th Feb, 2025

Hon'ble CAT, Chandigarh Bench in OA No. 443/2020 dated 02.02.2024, and

DoT Order No. 38-45/2024-Pen(T) dated 20.06.2024, unequivocally support the extension of notional increment to VRS retirees.

We therefore respectfully urge your kind self to ensure uniform and just implementation of the Hon'ble Supreme Court judgment by immediately issuing **directions to extend the benefit of notional increment to all eligible VRS retirees without further delay or discrimination.**

With kind regards,
Yours sincerely,



G. L. Jogi
General Secretary
Sanchar Nigam Pensioners' Welfare Association (SNPWA)

Encl:
Copy of DoT Letter No. 38-45/2024-Pen(T) dated 20.06.2024

Copy to

1. Sh Manish Sinha, M(F), for n/ a please.
2. Sh Robert J. Ravi, CMD/ BSNL. He is requested to direct the concerned officers to retract Perverse and Retrograde issued by BSNL, denying extending the benefit to VRS employees
3. Dr Vidya Sagar, Director (HR)/ BSNL for immediate n/ a to rescind arbitrary order of BSNL.
4. Respected MS Roshini Soni, DDG(E)/ DOT for immediate n//a pl
5. Sh S.P Singh, PGM(E)/ BSNL for initiating immediate appropriate action for withdrawal of Retrograde and Unwarranted Order issued by the Establishment Section.