



Sanchar Nigam Pensioners' Welfare Association

Reg.No: SOCIETY/WEST/2021/8902564

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SNPWA/CHQ/M(S)/25Dated: 6th June, 2025

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

Subject: Immediate Implementation of the Hon'ble Supreme Court Judgment on Date of Notional Increment (DNI) – Extension of Benefit to VRS Retirees. Delay in Issuing Orders Is Completely Unwarranted and in Blatant Contempt of the Judgment of the Hon'ble Supreme Court

Respected Sir,

In continuation of our earlier correspondence on the above subject, we write on behalf of thousands of BSNL VRS retirees who continue to be denied the rightful benefit of the **Date of Notional Increment (DNI)** after retirement, despite the *clear, unambiguous, and binding directions of the Hon'ble Supreme Court of India* — directions which specifically include a caution to avoid further litigation on non-existent and frivolous grounds.

At the outset, **we wish to place on record our sincere thanks to your good self for your intervention, which resulted in the issuance of DoT OM dated 26th May 2025**, wherein it has been clearly stated that the case of VRS retirees is being considered separately. This marks a **significant and welcome improvement** over the earlier stand that outrightly denied the benefit to VRS retirees. We sincerely hope that this positive shift will now translate into a timely and just resolution in line with the binding directives of the Hon'ble Supreme Court.

The **underlying and irrefutable premise** of the Hon'ble Supreme Court's judgment is that any employee who has completed 365 days of regular service with good conduct prior to one day before their annual increment is entitled to the next notional increment for the purpose of pensionary benefits.

In its landmark judgment in **Appeal No. 2471/2023**, the Hon'ble Supreme Court conclusively held that an employee who has completed one full year (i.e., 365 days) of regular service prior to retirement, with a satisfactory record, is eligible for the benefit of the next increment for pensionary purposes. Most importantly, the Court categorically clarified that this benefit must be extended not only to the original petitioners but also to **all similarly placed employees, intervenors, and even third parties** — thereby eliminating the need for repetitive litigation and sparing retirees the hardship of seeking judicial relief on a matter already conclusively settled.

Furthermore, the Hon'ble Supreme Court has already **extended this benefit to a VRS retiree**, who was forced to file a contempt petition in the Supreme Court after being denied the benefit by

BSNL/DoT, despite favourable directions from all courts. It must be emphasized that **nowhere in any of the judgments** is there any indication that the benefit is not applicable to VRS retirees. In fact, the Hon'ble CAT, Chandigarh Bench, has **explicitly and unequivocally rejected BSNL's submissions** seeking to exclude VRS retirees, **clearly reaffirming their full eligibility**.

It is also pertinent to recall that BSNL, in its communication dated **23.11.2019**, explicitly stated that **VRS retirees are to be treated at par with other retirees**, and that any distinction between VRS and non-VRS retirees with respect to service-related or pensionary benefits is devoid of merit. This position, communicated in the wake of the Union Cabinet's approval of the final terms and conditions of VRS-2019, leaves **no scope for differential treatment**. Any such attempt by BSNL or DoT to draw a distinction is not only untenable but is also **in gross violation of both Cabinet decisions and the binding directives of the Hon'ble Supreme Court**.

Sir, it is with deep dismay that we learn that certain sections within BSNL and DoT are reportedly exploring ways **to withhold or deny the DNI benefit to VRS retirees** — a move that not only defies judicial authority but may also constitute **wilful contempt** of the Hon'ble Supreme Court's ruling.

We are also aware that the Finance wing of DoT, as in the past, may resort to combing through outdated rules and financial provisions to manufacture grounds for denial. However, we categorically state that **such attempts will invite the wrath of the Hon'ble Apex Court**, both for contemptuous disregard of its judgment and for ignoring its explicit caution that **further litigation must be avoided** — a caution that was accompanied by clear, comprehensive directions that leave **no room for misinterpretation**.

There are **no strings attached, no ifs and buts**, and certainly **no legal standing to deny VRS retirees their legitimate entitlement** to the notional increment. Any such denial would serve no purpose other than to force retirees to return to the Hon'ble Supreme Court with contempt petitions — a step that would only expose the concerned authorities to judicial admonition.

We, therefore, most respectfully and earnestly urge your good self:

- 1. To direct the concerned authorities to issue immediate, unambiguous orders extending the DNI benefit to all VRS retirees who have completed 365 days of regular service with a satisfactory service record prior to retirement.**
- 2. To ensure that no official within BSNL or DoT undertakes any step that undermines the spirit or letter of the Hon'ble Supreme Court's rulings.**
- 3. To recognize that any move to deny this benefit to VRS retirees would be an avoidable provocation that may compel us to seek redress through contempt proceedings before the Hon'ble Supreme Court.**

We are confident that your good self is committed to ensuring full and fair compliance with judicial pronouncements in both letter and spirit, and to delivering long-overdue justice to retirees who have served the department with dedication and distinction.

We look forward to your kind and prompt intervention.

With respectful regards,

Sincerely yours



(G. L. Jogi)

General Secretary

Copy to

1. Sh Manish Sinha, M(F)/ DOT. He is requested to direct concerned officer to comply with the Judgment of Hon Apex Court, and not to find frivolous and untenable ground to deny the benefit.
2. Sh Robert J. Ravi, CMD/ BSNL. Requested to adhere to the commitment made by BSNL that there would be no discrimination between VRS and others in any way whatsoever.
3. Sh Rajiv Kumar, Director(F)/ BSNL, for kind information and n/ a pl.
4. Dr Vidya Sagar, Dir (HR)/ BSNL, for kind information and n/ a pl
5. Sh S. P. Singh, PGM(E)/ BSNL. Requested to immediately rescind totally, Uncalled for, Retrograde, perverse order of BSNL.
6. Respected MS Roshini Soni, DDG(E). Requested not to delay issuing of orders for VRS since they as as much eligible to Notional Increment Benefit as others are, and, as such, no ground or basis to issue separate orders for them.