BSNL Corporate Office
Pension Section
5th Floor, Bharat Sanchar Bhawan
H. C. Mathur Lane
New Delhi – 110001.

File No.: BSNLCO-A/12(17)/3/2021-ESTAB

Date:16.02.2026

To

All Heads of Circles / Units,
Bharat Sanchar Nigam Limited.

Subject: Grant of notional increment to absorbed employees of BSNL for the purpose of calculating pension – clarification issued by DoT – reg.

Sir/Madam,

In continuation of this office letter of even number dated 05.06.2025 on the subject cited above I am directed to state that the Department of Telecommunications (DoT) vide OM No. 40-24/2025-Pen(T) dated 28.01.2026 (copy enclosed) has issued clarification regarding grant of notional increment for the purpose of pension. Earlier, in compliance with the order dated 20.02.2025 of the Hon'ble Supreme Court in MA No.2400/2024 in CA NO.3933/2023, DoT vide OM No.38-66/2024-Pen (T) dated 26.05.2025 had issued instructions for grant of notional increment for the purpose of pension to absorbed employees of BSNL retiring/retired on superannuation w.e.f. 01.01.2006, subject to fulfillment of prescribed conditions. The said OM was circulated to all Circles/Units vide this office letter dated 05.06.2025.

2. DoT has now clarified the applicability of various clauses of the order dated 20.02.2025 of Hon'ble Supreme Court with reference to treatment of res judicata cases, third-party cases, and cases involving intervention/ impleadment/writ petition/original application, including the period for which enhanced pension is admissible. DoT has further clarified that the position applies equally to Central Government employees as well as BSNL/MTNL absorbed employees.

3. All Circles/Units are requested to take up the notional increment cases for pensionary benefits in respect of eligible absorbed BSNL employees with the concerned Pr. CCA/CCA in accordance with the above-mentioned DoT OM dated 28.01.2026 read with DoT OM dated 26.05.2025 and BSNL Corporate Office letter dated 05.06.2025.

4. This issues with the approval of the Competent Authority.

Yours faithfully,

16/02/2026

(Sanjeev Kumar)
Asstt. General Manager (Estt.I)
Tele. No. 011-23037477

Enclosure: As above.

Copy to:

1. PPS/PS to CMD / All Directors, BSNL Board
2. DDG (Estt.), DoT
3. All PGMs / Sr. GMs / GMs (HR) in BSNL CO
4. Intranet Portal
5. Guard File

No. 40-24/2025-Pen(T)
Government Of India
Ministry of Communications
Department of Telecommunications
(Pension Section)
Room No. 514, Sanchar Bhawan,
20, Ashoka Road, New Delhi-110001
Date: 28-01-2026

OFFICE MEMORANDUM

Subject: Representations from pensioners regarding grant of notional increment – reg.

The undersigned is directed to refer to subject cited above and to say that this department is in receipt of following representations received from pensioners regarding grant of notional increment from Date of Next Increment (DNI) as per para-b of Hon'ble Supreme Court Judgement dated 06.09.2024 and 20.02.2025 along with payment of arrears referring to their favourable CAT Orders:

S.No.	Name of Pensioner	HR/PPO NO.	CAT	OA NO.	Judgement Date	Concerned CCA
1.	Sh. L. Natarajan	602012121231322	Madras Bench	372/2021	13.02.2024	Pr. CCA Tamilnadu
2.	Sh. T. Karuppiah	602012091230887	Madras Bench	282/2021	13.02.2024	Pr. CCA Tamilnadu
3.	Sh. R. Sivaramakrishnan	210027413/ 602011011227413	Madras Bench	285/2021	25.04.2023	Pr. CCA Tamilnadu
4.	S. Venkatramani	----	Hyderabad Bench	/021/0039/2021	22.11.2023	Pr. CCA Telangana
5.	M. Asokan	197901528	Ernakulam Bench	162/2020	14.08.2024	CCA Kerala
6.	Jhon varghese	197412351	Ernakulam Bench	162/2020	14.08.2024	CCA Kerala

2. The cases have been examined in DoT with reference to the Supreme Court judgment dated 20.02.2025 and the DoPT OM dated 20.05.2025 in consultation with Ministry of Law.

3. The Hon'ble Supreme Court of India vide Judgement dated 11.04.2023 in Civil Appeal No. 2471/2023 titled " Director (Admn. and HR) KPTCL and Others Vs. C. P. Mundinamani and Others granted the benefit of one annual increment to the respondents which the respondents earned on the last date of their retirement though benefit of which accrues from the next date of retirement.

4. Thereafter, Government filed Miscellaneous Application Diary No. 2400/2024 before Hon'ble Supreme Court of India regarding date of applicability of judgement dated 11.04.2023 to third parties.

5. Wherein, Hon'ble Supreme Court of India to prevent any further litigation and confusion by way of interim Order dated 06.09.2024 directed as under :

(a) The judgement dated 11.04.2023 will be given effect to in case of third

parties from the date of the judgement, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 31.04.2023 will not be paid.

(b) For persons who have filed writ petitions and succeeded, the directions given in the said judgement will operate as res judicata, and accordingly, an enhanced pension by taking on increment would have to be paid.

(c) The direction in (b) will not apply, where the judgement has not attained finality, and cases where an appeal has been preferred, or if filed, is entertained by the appellate court.

(d) In case any retired employee has filed any application for intervention/ impleadment in Civil Appeal No. 3933/2023 or any other Writ petition and a beneficial order has been passed, the enhanced pension by including one increment will be payable from the month in which the application for intervention / impleadment was filed.

6. In compliance of Hon'ble Supreme Court interim Order dated 06.09.2024, DoP&T issued instructions to grant notional increment in Pension vide DoP&T OM No. 19/116/2024-Pers.Pol.(Pay) (Pt) dated 14.10.2024. On outcome of Hon'ble Supreme Court interim order dated 06.09.2024 and DoP&T OM No. 19/116/2024-Pers.Pol.(Pay) (Pt) dated 14.10.2024, DoT also issued OM No. 36-03/2019-Pen(T) dated 18.10.2024 regarding grant of notional increment in pension to Central Government Employees. Later, DoT vide OM No. 38-45/2024-Pen(T) (Part-I) dated 22.01.2025 issued instructions regarding grant of Notional increment in pension to BSNL/MTNL absorbed employees also, who are receiving pension from Government in terms of Rule 37 of CCS(Pension) Rules, 2021.

7. Hon'ble Supreme Court vide Order dated 20.02.2025, while disposing the MA Diary No. 2400/2024 in Civil Appeal No. 3933/2023 titled Union of India Vs. M. Siddaraj, directed as under :

" We are inclined to dispose of the present miscellaneous applications directing that clauses (a), (b) and (c) of the order dated 06.09.2024 will be treated as final directions. We are, however, of the opinion that clause (d) of the order dated 06.09.2024 requires modification which shall now read as under :

" (d) 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 by including one increment will be payable for the period of three years prior to the month in which the application for intervention / impleadment / Writ petition/ original application was filed."

Further, clause (d) will not apply to the retired government employee who filed a writ petition/ original application or an application for intervention before the Central Administrative Tribunal/ High Courts/ this court after the judgement in " Union of India & Anr. V. M. Siddaraj" [1], as in such cases, clause (a) will apply.

Recording the aforesaid, the miscellaneous applications are disposed of.

We, further, clarify that in case any excess payment has already been made, including arrears, such amount paid will not be recovered."

8. In the footnote of Hon'ble Supreme Court Judgement dated 20.02.2025 "1" referred in Union of India & Anr V. M. Siddaraj[1] is implied for Judgement dated 19.05.2023 in Civil Appeal No. 3933/2023 titiled " Union of India & Anr. Vs. M. Siddaraj" and connected matters.

9. On outcome of Hon'ble Supreme Court judgement dated 20.02.2025, DoP&T issued detailed directions vide OM No. 19/116/2024-Pers.Pol.(Pay) (Pt) dated 20.05.2025. Thereafter, DoT also issued directions to grant of notional increment in pension to Central Government employees and BSNL/MTNL absorbed employees vide OM No. 38-66/2024-Pen(T) dated 26.05.2025 and OM No. 38-66/2024-Pen(T) (I) dated 26.05.2025 respectively.

10. A confusion has arisen among various pensioners and field offices as well, on the grant of notional increment w.r.t clause (b) and clause(d) of Hon'ble Supreme Court judgement dated 20.02.2025 and para 4(b) and 4(d) of DoT OM dated 26.05.2025.

11. It is clarified that MA No. 2400/2024 was filed by Government in Civil Appeal No. 3933/2023 regarding date of applicability of judgement dated 11.04.2023 in Civil Appeal No. 2471/2023 titled “Director (Admn. and HR) KPTCL and Others v. C.P. Mundinamani and Others”. Wherein Hon'ble Supreme Court vide interim order dated 06.09.2024 issued first time clauses (a) (b) (c) and (d). In clause (b), following is mentioned :

"For persons who have filed writ petitions and succeeded, the directions given in the said judgment will operate as res judicata, and accordingly, an enhanced pension by taking one increment would have to be paid."

Therefore, only for those retired government servants who had filed writ petitions and succeeded before 11.04.2023, the directions given therein will operate as res judicata.

12. The modified clause (d) vide judgement dated 20.02.2025 states as under :

" (d) 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 by including one increment will be payable for the period of three years prior to the month in which the application for intervention / impleadment/ Writ petition / original application was filed."

13. The Hon'ble Supreme Court vide judgement dated 20.02.2025 also emphasized that clause (d) will not apply to the retired government employee who filed a writ petition/ original application or an application for intervention before the Central Administrative Tribunal/ High Courts / this court after the judgement in " Union of India & Anr. V. M. Siddaraj" [1], as in such cases, clause (a) will apply.

14. **Therefore, retired Government servants who have filed original applications before 19.05.2023 will be given benefits as per clause (d) and the persons who have filed original applications after 19.05.2023 will be given benefits as per clause (a) by treating them as third party. The clause (b) is applicable only for the persons who have filed writ petitions and succeeded before 11.4.2023 with no appeal filed on the date.**

15. In view of above, all the Pr. CCAs/ CCAs offices are requested to handle the cases of notional increment as per the directions as stated above.

16. The cases mentioned in Table at Para-1 above, may be disposed as below:

a. They have filed OAs in CATs and not WP, hence they are not eligible for 'res judicata' implementation and thus does not fall under clause "b".
b. The OAs were not filed after 19.5.2023, but filed in 2020, 2021 as seen from OA numbers. Hence, they will not be treated as 'Third Party". These cases may be examined and settled in accordance with clause "d"

17. **Further, the matter of notional increment to the BSNL/MTNL employees who retired under VRS scheme is currently sub-judice before Hon'ble High Court of Delhi and shall be examined on outcome of Court judgements.**

18. This issues with the approval of the Competent Authority.

Digitally signed by
KULDEEP KUMAR
Date: 28-01-2026
11:55:41

(Kuldeep Kumar)
Under Secretary to Govt. of India
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Copy to:

1. CGCA/All CCA/Pr. CCA Offices
2. CMD BSNL
3. CMD MTNL
4. Sr. DDG(Pers.)/ DDG (PM)