



# Sanchar Nigam Pensioners' Welfare Association

Reg.No: SOCIETY/WEST/2021/8902564

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**SNPWA/CHQ/M( S)/3/25**

**Dated 11th April, 25**

To

Sh Anand Khare,

M( S)/DOT, Sanchar Bhawan, New Delhi

**Subject: Grant of Notional Increment to Eligible Retirees- Unwarranted and Arbitrary rider imposed**

Reference:

1. Hon'ble Supreme Court Judgment dated 11.04.2023 in C.A. No. 2471/2023
2. Department of Telecommunications Order dated 26.10.2024 on the subject "Grant of Notional Increment to Retired/Retiring Officials"
3. BSNL Corporate Office Director (HR) Communication dated 23.11.2019
4. CAT Chandigarh Judgment in OA No. 443/2020 dated 02.02.2024
5. BSNL Letter dated 10.03.2025 on the same subject

Respected Sir

We solicit your immediate intervention in a matter relating to subject mentioned where an unwarranted and Arbitrary rider has been imposed, thus raising serious concern among VRS Retirees.

At the very outset, we completely fail to understand why and, on what basis, are VRS Retirees distinguished from Normal Retirees.

The provisions of Rule 37( A) are applicable to VRS Retirees in as much as they are for Normal Retirees and this has been abundantly cleared by both DOT and BSNL in 2019 at the time of VRS.

The Hon'ble Supreme Court, in its landmark judgment dated 11.04.2023 in C.A. No. 2471/2023 (Ref. 1), has categorically held—particularly in paragraphs 6 and 7—that every employee who retires after completing 12 months of qualifying service with good conduct is entitled to one notional increment, along with all consequential benefits. The judgment explicitly states that this benefit applies to all retirees, without excluding those who have taken Voluntary Retirement (VRS). **Notably, there is no mention or restriction that limits this benefit to only superannuated retirees.**

Both the original and revised Financial Rules (FRs), framed in accordance with the Supreme Court's judgment, consistently use the inclusive term "Retirees". Likewise, the CAT Chandigarh, in its judgment dated 02.02.2024 in OA No. 443/2020 (Ref. 4), has clearly reiterated that VRS retirees are to be treated at par with those who retired upon superannuation.

Furthermore, the Department of Telecommunications (DoT) Order dated 26.10.2024 (Ref. 2), in both its subject line and operative text, refers to "retired/retiring officials," which by definition includes all categories of retirees. However, an inadvertent mention of the word "superannuation" in paragraph 2 of the same order appears to have led to a misinterpretation by BSNL in its subsequent communication dated 10.03.2025 (Ref. 5), implying that VRS retirees are not eligible for the notional increment. This interpretation stands in direct conflict with the Supreme Court judgment, Financial Rules, and binding Administrative Instructions.

It is also worth highlighting that the BSNL CO Director (HR) Communication dated 23.11.2019 (Ref. 3) had already clarified that VRS retirees are to be treated at par with all other retirees for Administrative and Pensionary purposes.

**It is deeply concerning to note a pattern in recent orders which suggest that some officers in the Department of Telecommunications and BSNL may be inclined—deliberately or otherwise—to exhibit a degree of hostility towards BSNL retirees.** These actions, whether due to oversight or intent, are resulting in the denial of legitimate benefits to a segment of pensioners who have served the nation with dedication. Such behavior not only undermines the spirit of justice upheld by the Hon'ble Supreme Court but also tarnishes the integrity of public administration.

In view of the foregoing, we respectfully request your office to:

- 1 . Issue clarificatory instructions affirming the eligibility of all retirees—including VRS retirees—for the notional increment, in strict compliance with the Supreme Court judgment, Financial Rules, and BSNL CO communication dated 23.11.2019.

2. **Amend or revoke the conflicting BSNL orders that have erroneously relied on the term** “superannuation,” thereby denying eligible retirees their rightful dues

3. **Examine and initiate accountability measures** against those responsible for repeated misinterpretations and unjust decisions, particularly those suggestive of discriminatory treatment against BSNL retirees.

We trust that your office will act promptly and decisively to uphold the rule of law, ensure equity, and protect the rightful entitlements of all affected retirees.

Warm Regards



( G.L.Jogi)

Copy to

1. DR Vidya Sagar, Director ( HR), BSNL. He is requested to investigate what is the basis of Discrimination between VRS and Normal Retirees and from where and on what basis does this Arbitrary and Uncalled for distinction by BSNL emanate.

2. Respected Madam Roshini Soni, DDG( E)/ DOT, for n/ a please.