



Sanchar Nigam Pensioners' Welfare Association

Reg. No: SOCIETY/WEST/2021/8902564

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SNPW/ CHQ/CGCA/2/25

Dated 9th April, 25

To

Sh Manish Sinha,
M(F)/ CGCA,
Sanchar Bhawan,
New Delhi

Subject: Implementation of Supreme Court Judgment and Orders of DOP&T on Notional Increment – Unwarranted and unfounded Queries from CCAs, Causing Harassment to Pensioners- Regarding

Reference:

1. Hon'ble Supreme Court Judgment dated 11.04.2023 in C.A. No. 2471/202
2. Order of DOP&T 19/116/2024-pers. Pol(pay)(pt) Dated 14th Oct, 2024.
3. DOT order 38-45/2024-Pen(T)(part 1) Dated 22-1-2025

Respected Sir

Elucidating the subject for your kind understanding pl.

Eligibility: Who is eligible to get the benefit

Hon Apex Court has adjudicated explicitly, vide Judgment at Ref 1, that,

Every official who has Retired/ are retiring a day before increment became due in any month of the year shall get Notional Increment for the purpose of calculating Pension Admissible

After adjudication of this Judgment where, and on what basis, does the scope of seeking clarification as to who is eligible and who is not to get the said benefit arise?

Applicability of the Date of effect

Hon Supreme Court in its interim order 06.09.2024,

in order to prevent further litigation and confusion, has laid down the date of effect of implementation of the Said Judgment which inter- alia says

A) The Judgment dated 11.04.23 will be given effect to in case of third parties from the date of the Judgment, i.e, the Pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced Pension for the period prior to 30-04-2023 (erroneously mentioned as 31-04-2023 in the order) will not be paid.

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

C) The directions(B), in will not apply, where the Judgment 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 employees 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 enhance Pension by including one increment will be payable from the month in which the application for Intervention/ impleadment was filed.

After above distinct and unambiguous Order of the Apex Court where, yet again, and on what basis, does the question of when the benefit has to be extended arise

DOP& T has also issued orders, vide Ref 2, based on the Judgment 11.04.2023 and Interim Orders 06.09.2024 of the Hon Apex Court.

DOT has also issued orders vide Ref 3.

Sir Pr CCAs/ CCAs cannot be expected to be Naive to the extent that they are unable to decipher, interpret and understand the distinct and succinct Judgment and the Interim orders of the Apex Court.

The only obvious and inescapable inference that can be drawn by seeking above stated unwarranted clarifications by Pr CCAs/ CCAs is that it is a deliberate move to delay implementation of the Judgment, Interim Orders of the Apex Court and the orders of DOP& T which is highly regrettable and quite unfortunate.

your personal intervention is, therefore, solicited to direct Pr CCAs/ CCAs to forthwith get down to the task of implementation of discreet and meticulously defined Orders of the Hon Apex Court since there is absolutely no ground for seeking frivolous and uncalled for clarifications.

Expeditious actions shall be highly appreciated since implementation of the Orders is already inordinately delayed.

Warm Regards

Sincerely yours



(G. L. Jogi)

Copy to

1. Respected Sh Anand Khare, M(S), for kind information pl
2. Respected MS Vandana Gupta, Addl CGCA. Madam is requested to kindly take urgent cognizance of the issue and ensure expeditious implementation of the Orders of the Hon Apex Court & DOP&T.
3. Respected MS Roshni Soni, DDG(E), for kind information pl