



# Sanchar Nigam Pensioners' Welfare Association

Reg.No: SOCIETY/WEST/2021/8902564

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No: SNPWA/CHQ/CMD/BSNL/4/2025

Date: 07.07.2025

To

Sh Robert J. Ravi,

CMD/ BSNL, ND.

**Sub: Request for Immediate Implementation of the Hon'ble Supreme Court Judgment, covering all the Officiating JTOs, – Recovery of Emoluments from Officiating JTOs**

Ref:

1. Hon'ble Supreme Court Judgment dated 20.05.2025 in Civil Appeals arising out of SLP (C) Nos. 5943/2021 & 930/2022 – Ashok Kumar K.G. & Others vs. BSNL & Others
2. BSNL Counsel's submission during hearing – re: jurisdictional limitation of relief to Kerala Circle
3. Repeated Orders from various Hon Courts emphasising upon generalization of implementation of Judgments to similarly placed officials.

Sir,

On behalf of the Sanchar Nigam Pensioners' Welfare Association (SNPWA), we trust that, under your guidance, the organization will continue to uphold the principles of justice, fairness, and administrative excellence.

At this juncture, we draw your kind attention to a **landmark ruling of the Hon'ble Supreme Court office India dated 20th May 2025**, which has far-reaching implications for a long-neglected group within BSNL — the officiating JTOs, who served in higher responsibilities under lawful orders and later faced undue recovery of emoluments or denial of accrued benefits.

**Underlying Essence of the Supreme Court Verdict**

The Hon'ble Apex Court has categorically adjudicated that:

*Recovery of emoluments from employees who officiated in higher posts for prolonged periods is impermissible;*

*Any such recovery—particularly after a significant lapse of time—is harsh, inequitable, and violates the principles of natural justice;*

*Employees who were directed to discharge higher duties without fault are entitled to retain the payments made to them during such officiation.*

### **Jurisdictional Clarity and Generalized Implementation**

While the judgment arose from a case pertaining to Kerala Circle, the BSNL counsel's own submission before the Hon'ble Court led to the exclusion of similarly placed applicants from other Circles purely on technical grounds of jurisdiction, not merit. This makes it administratively incumbent upon BSNL to ensure uniform application of the judgment's principles in Kerala Circle and across all Circles—including those similarly placed officials who were not party to the litigation.

### **Past Precedents in BSNL and DoT**

There exists strong precedent within BSNL and DoT for uniform application of judicial decisions, without restricting relief to the original litigants:

Authority / Case	Reference	Key Outcome
State of Punjab v. Rafiq Masih	(2015) 4 SCC 334	Prohibited recovery under various hardship conditions
UOI vs. G.V. Ramanaiah	SC	Uniform relief directed
BSNL CO Letter beyond litigants	No. 250-4/2009-Pers.III dated 20.10.2011	ACP benefits extended
DoT SR Branch uniformly	No. 36-14/2010-SR dated 23.01.2012	Pay protection extended
CAT PB OA 1112/2015	—	Across-the-board relief implemented

*These precedents reflect the sound administrative principle that similarly placed employees must not be forced into repetitive litigation, especially when judicial clarity already exists.*

### **Our fervent Appeal**

In light of the above, we respectfully request your personal intervention and early instructions to:

- 1. Direct Kerala Circle and other Circles to identify officiating JTOs who were subjected to recovery or denied benefit of pay protection despite having served in higher roles;**
- 2. Immediately withdraw all recovery notices issued in such cases and release pending emoluments applying the principles laid down by the Hon'ble Supreme Court;**

**3. Ensure uniform implementation of this judgment in Kerala Circle and across all Circles**  
—without insisting on fresh litigation by affected individuals.

Such a step will not only deliver long-awaited justice to a deserving category of employees but also reflect BSNL's commitment to fair governance and compassionate administration. It will reduce the litigation burden, restore employee trust, and reinforce BSNL's standing as a model public sector employer.

We remain confident that this matter will receive your immediate attention and that necessary action will be initiated in the true spirit of judicial finality and equity.

Regards,

Yours Sincerely



G. L. Jogi

Copy to:

1. Dr Vidya Sagar, Dir/ HR, BSNL, for n/ a pl.
2. Sh.S.P.Singh, PGM/E, for immediate n/ a pl.
3. Sh R SajjKumar, CGM Kerala Circle, for n/ a pl.
4. .MS Roshni Soni, DDG/ E, for inf pl.