



Sanchar Nigam Pensioners' Welfare Association

Reg.No: SOCIETY/WEST/2021/8902564

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SNPWA/CHQ/Hon PM/2/25

Dated: 23rd September, 2025

To

Respected Shri Narendra Modi Ji,

Hon'ble Prime Minister of India,

New Delhi

Subject: Humble appeal to prevent amendment of the CAT Act permitting Administrative Members to head Benches — a move that will infringe upon the legitimate rights of Central Government Pensioners and inevitably lead to obstruction of justice

Respected Prime Minister, Sir,

We write to you with deep concern and earnest protest against the reported move of the Government, as indicated by Hon'ble Minister Shri Jitendra Singh, to allow Administrative Members of the Central Administrative Tribunal (CAT) to be appointed as Heads of Benches.

This measure, if implemented, would eclipse the very purpose of CAT, which is to secure justice for employees and pensioners in accordance with the laws of the land. Judicial institutions are built upon well-established mechanisms that ensure fairness and impartiality. By contrast, this amendment would destroy that framework and lead to obstruction of justice.

Such a step would **erode, infringe upon, and trample the very principles of our Constitution**— principles that safeguard judicial independence and the rule of law.

We most respectfully submit the following for your kind and urgent consideration:

1. Nature and Purpose of CAT

The CAT was established as the *primary judicial forum* for Central Government employees and pensioners, whose grievances often arise from arbitrary administrative decisions or denial of

rightful benefits. By its very design, CAT serves as a bridge of justice between the government administration and its employees/pensioners.

If Administrative Members are allowed to preside, CAT will inevitably become an extension of the very bureaucracy that is often the cause of injustice.

2. Judicial Members vs. Administrative Members

* Administrative Members are generally retired senior officers of the Government. While experienced in **administration**, they **lack judicial training, background, and expertise in interpreting laws and principles of justice**. Their long administrative careers may incline them to defend official decisions, consciously or unconsciously.

* Judicial Members, on the other hand, **possess sound legal backgrounds and extensive experience in interpreting statutes and delivering impartial judgments**. Their presence ensures fairness and neutrality, which is the bedrock of any judicial forum.

3. Threat to Judicial Balance and Fairness

The Hon'ble Chief Justice of India has already cautioned that such a move will *tilt the balance of jurisprudence heavily in favour of the administration*. This violates the cardinal principle of *nemo iudex in causa sua* — that no one can be a judge in their own cause.

4. Erosion of Confidence in Tribunals

Justice must not only be delivered but also be seen to be delivered. If employees and pensioners perceive CAT as biased towards the Government, the very credibility of the institution will collapse. This will lead to an avalanche of appeals in higher courts, defeating the original purpose of CAT.

5. Constitutional Principles and Judicial Independence

India's democracy *rests upon the separation of powers and independence of the judiciary*. Allowing executive officers to preside over judicial forums blurs this sacred distinction, undermines the rule of law, and weakens public faith in our constitutional framework.

6. Comparative Experience

Globally, administrative tribunals are headed by judicially trained persons to guarantee impartiality. Even in India, quasi-judicial bodies such as the National Green Tribunal, the Income Tax Appellate Tribunal, and the Armed Forces Tribunal are led by judicial members. Diluting this principle in CAT will set a dangerous precedent for all tribunals.

Our Humble Prayer

In the larger interest of justice and fair play, we most humbly urge the Government to:

* **Reconsider any proposal** to permit Administrative Members to be appointed as Presiding Officers/Heads of CAT or similar tribunals.

* **Uphold judicial independence** by ensuring that the leadership of such forums rests **only with Judicial Members**.

The argument advanced by Shri Jitendra Singh—that retired Judges are unwilling to serve in CATs because of inadequate remuneration—is wholly untenable. It reflects a poor understanding of the fundamental principle that *administration of justice in a democracy is non-negotiable and uncompromising*. It cannot be bartered away for financial convenience.

Respected Sir,

We sincerely hope that the Government will heed the concerns raised not only by employees' and pensioners' associations but also by the **Hon'ble Chief Justice of India**, and preserve the impartial and judicial character of CAT.

With respectful regards,

Yours sincerely,



G. L. Jogi

Copy to:

1. Hon'ble Minister for Law & Justice, Shri Kiren Rijiju — with request not to support this move, which will gravely destabilize and jeopardise the administration of justice.
2. Hon'ble Shri Jitendra Singh, MoS (Personnel & Training).
3. Shri T. V. Somanathan, Cabinet Secretary, for kind information.
4. Shri Neeraj Mittal, Secretary, DoT.
5. Sh Deb Kumar Chkrabarti, Member (Services), DoT.