



# Sanchar Nigam Pensioners' Welfare Association

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CHQ: B-11/1, Ramesh Nagar, New Delhi-110015, India

🌐 [snpwachq.com](http://snpwachq.com)

✉ [snpwachq@gmail.com](mailto:snpwachq@gmail.com)

**K.D Sebastian**  
CHQ President  
+91 9447144100

**G.L.Jogi**  
General Secretary  
+91 9868217799

**S.S. Rajput**  
Treasurer  
+91 9413394204

**SNPWA/CHQ/Cabinet Secy & Secys. Justice/2/26 dated: 12th June, 2026**

**To**

- 1. Shri T. V. Somanathan, Cabinet Secretary, Government of India**
- 2. Shri Niraj Verma, Secretary, Department of Justice**
- 3. Ms. Anju Rathi Rana, Secretary, Department of Legal Affairs**

**Subject:** Urgent Need for Intervention to Curb Needless Government Litigation, Prevent Wasteful Expenditure of Public Funds, and Ensure Timely Justice to Citizens.

**Respected Sirs/Madam,**

We submit this representation with deep anguish and growing concern regarding a matter that has increasingly become a blot on public administration—the alarming tendency of Government departments and authorities to pursue avoidable and prolonged litigation, even in cases where the legal position stands settled beyond any reasonable doubt.

It is now widely acknowledged, including by the Government itself, that the Government is the single largest litigant in the country, accounting for a substantial proportion of cases pending before courts and tribunals. This unfortunate reality not only contributes significantly to judicial backlog but also imposes a massive and avoidable burden on the public exchequer. More tragically, it inflicts immense hardship upon ordinary citizens, pensioners, employees, widows, senior citizens, and other vulnerable sections of society, who are compelled to engage in exhausting legal battles merely to secure what is lawfully and legitimately theirs.

In countless instances, authorities continue to file appeals and petitions—even after clear and repeated judicial pronouncements—almost as a matter of routine, without adequate regard to the settled legal position, humanitarian implications, or the wasteful expenditure of public funds involved.

A glaring example is the issue of Notional Increment, which now stands conclusively settled by the Hon'ble Supreme Court through a series of authoritative judgments. While granting relief, the Apex Court has unequivocally observed that eligible employees and pensioners should not be compelled to approach courts repeatedly for benefits that have already been recognized by judicial pronouncements.

The Hon'ble Supreme Court has expressly exhorted Ministries, Departments, and public authorities not to force similarly situated persons to seek identical relief through fresh litigation where the legal issue has already attained finality. The Court's intent was clear—that the benefit should be extended uniformly to all eligible persons satisfying the stipulated conditions.

Yet, despite these categorical observations, several Government departments continue to resist implementation. Pensioners and retirees—many in advanced age and suffering from serious health issues—are being compelled to

undertake expensive, time-consuming, and emotionally draining litigation merely to secure benefits to which they are unquestionably entitled.

It is particularly distressing that the Legal Cell of the Department of Telecommunications appears to be acting in disregard of this settled legal position by continuing to contest such matters instead of extending the benefit uniformly to all eligible pensioners. Such conduct not only undermines judicial authority but also erodes public confidence in governance and the rule of law.

Another distressing and deeply troubling example is the case of Shri M. G. Prabhakara Panickar, a physically challenged retired BSNL officer, whose prolonged ordeal epitomizes the suffering caused by administrative obstinacy.

Despite being lawfully entitled to promotions due to him, he was denied those benefits, compelling him to seek justice before the Central Administrative Tribunal, the High Court, and ultimately the Hon'ble Supreme Court. At every stage, the judicial forums unequivocally ruled in his favour.

Yet, instead of implementing these judgments in both letter and spirit, the authorities resorted to technical interpretations and procedural manoeuvres that effectively deprived him of the benefits granted by the courts. Even after he was constrained to initiate contempt proceedings, and despite explicit directions of the High Court prescribing the correct dates and manner of fixation, the authorities refused to relent.

Astonishingly, the matter has now once again been carried to the Hon'ble Supreme Court, notwithstanding the apparent absence of any sustainable legal ground.

One is compelled to ask: How long can a physically challenged citizen be subjected to relentless institutional harassment merely to secure promotions that became due as far back as 1996?

Unfortunately, this is not an isolated instance. Similar cases abound across Ministries and Departments. In many such matters involving pensioners, widows, senior citizens, family pensioners, and ordinary employees, the affected individuals lack the financial means, logistical support, or physical endurance required to pursue prolonged litigation. Many abandon their rightful claims. Some, tragically, pass away before justice reaches them.

Justice delayed is indeed justice denied; but justice resisted through needless Government litigation is injustice institutionalized.

We do not wish to speculate on whether this culture of indiscriminate litigation is sustained by institutional convenience or by vested interests that benefit from prolonged legal proceedings at public expense. Nevertheless, it cannot be denied that such perceptions are increasingly gaining ground among the public, thereby causing serious damage to institutional credibility and public trust.

This urgent situation calls for decisive and systemic intervention.

It is noteworthy that the Department of Pension and Pensioners' Welfare (DoP&PW) has, on several occasions, advised Ministries and Departments to exercise utmost restraint before initiating litigation and to carefully examine whether appeals are warranted in matters where the legal position has already attained finality. Unfortunately, these well-intentioned instructions are frequently ignored, resulting in a proliferation of avoidable litigation across Government departments

**In the larger public interest, we respectfully urge the Government to consider the following corrective measures:**

**1. Establish a High-Level Litigation Review Mechanism in every Ministry and Department to scrutinize proposed appeals before filing, particularly in matters already settled by higher judicial forums.**

2. Prohibit repetitive litigation on issues conclusively decided by the Hon'ble Supreme Court or Constitution Benches, except where genuinely distinguishable facts exist.
3. Fix accountability on officers who authorize unnecessary litigation or fail to implement judicial orders in their true spirit.
4. Mandate a cost-benefit analysis before public funds are expended on litigation, particularly where legal merit is weak, doubtful, or non-existent.
5. Ensure compassionate and time-bound compliance in matters concerning pensioners, senior citizens, physically challenged persons, widows, and family pensioners.
6. Institute periodic audits of Government litigation expenditure and place the findings in the public domain to promote transparency, accountability, and responsible governance.
7. Formulate and implement a National Policy on Responsible Government Litigation under the guidance of the Cabinet Secretariat, incorporating measurable targets for reducing avoidable litigation, mandatory compliance with settled judicial pronouncements, accountability for unwarranted appeals, and annual monitoring of litigation performance by Ministries and Departments. Such a policy should aim to transform the Government from the largest litigant in the country into a model litigant committed to fairness, efficiency, compassion, and respect for the rule of law.

The Government must never become an adversary of its own citizens. Litigation should remain the last resort—not an administrative strategy for delaying justice.

A governance framework founded upon fairness, accountability, compassion, and respect for judicial pronouncements must replace the prevailing culture of needless contestation. Public funds should be utilized to serve citizens, not to wage avoidable legal battles against them.

The time has come for a paradigm shift in the Government's approach to litigation. A comprehensive National Policy on Responsible Government Litigation, backed by accountability, transparency, and measurable outcomes, would constitute a landmark reform in the administration of justice. Such a policy would significantly reduce the burden on courts, spare citizens needless suffering, prevent wasteful expenditure of public funds, and strengthen public confidence in the fairness of governance.

We therefore earnestly appeal to your good offices to intervene urgently and initiate appropriate policy measures to curb unnecessary Government litigation, reduce the burden on the judiciary, prevent wasteful expenditure of public resources, and restore public faith in the justice delivery system.

The Government's credibility is enhanced not when it wins cases against its citizens, but when it demonstrates fairness by implementing settled law without compelling citizens to seek repeated judicial intervention.

With respectful regards,

**Yours Sincerely**



**(G. L. Jogi)**

**Copy to:**

**1. Ms. Rachna Shah, Secretary, Department of Personnel & Training (DoP&T)**

Intervention is solicited to ensure that Ministries and Departments do not resort to litigation merely to avoid taking responsibility for important administrative decisions, including the crucial question of whether a petition should be filed at all.

The Hon'ble Supreme Court has repeatedly observed that the Government of India continues to be the largest source of avoidable and fruitless litigation in the country. The primary responsibility for addressing this concern unquestionably rests with the nodal Ministry, namely DoP&T.

Ironically, while the Department of Pension & Pensioners' Welfare (DoP&PW) continues to advise Ministries and Departments to exercise restraint and avoid unnecessary litigation, no visible or effective action appears to have been taken by DoP&T to curb the unhealthy practice of indiscriminate filing of petitions and appeals.

**2. Ms. Nivedita Shukla Verma, Secretary, Department of Pension & Pensioners' Welfare (DoP&PW)**

Respected Madam,

It is highly appreciated that DoP&PW regularly conducts interactions with representatives of various Ministries and Departments and consistently urges them to exercise due discretion and restraint before initiating litigation, particularly in matters affecting pensioners.

Regrettably, there appears to be little compliance with these well-intentioned advisories. Court cases continue to be filed without adequate application of mind by senior officers who often choose the safer course of mechanically accepting the advice tendered by Government Counsel.

This is one of the principal reasons why the Hon'ble Supreme Court has repeatedly observed that the Government remains the largest litigant in the country. Such indiscriminate litigation has contributed enormously to the mounting pendency of cases before courts, besides resulting in substantial and avoidable expenditure from the public exchequer by way of legal fees and related costs.

What is particularly lacking is an independent and objective examination by the higher administrative establishment on the fundamental question of whether a petition ought to be filed at all.

**3. Shri Amit Agrawal, Secretary, Department of Telecommunications (DoT)**

This unfortunately appears to be the prevailing practice in the Department of Telecommunications as well, where the higher administrative establishment generally falls in line with legal advice received and seldom undertakes an independent examination of the merits of a case before deciding whether litigation should be pursued.

**4. Shri Deb Kumar Chakrabarti, Member (Services), DoT** - For information and necessary action, please.

**5. Shri Robert J. Ravi, Chairman & Managing Director, BSNL** - For information and necessary action, please.