



# ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

## Central Headquarters

111, New Ashiana Apartments, Plot-10, Sector-6, Dwarka  
New Delhi-110 075

E-mail : gensecaibsnlrea@yahoo.com

*President V Chinnappaiah*

Ph: 044-22603300

(M) 09444003300

*General Secretary : S. Basu*

Ph.: 011-25073969

(M) 09868092995

*Financial Secretary : Hari Ram*

Ph.: 011-25075541

(M) 09868538189

No. AIBSNLREA/CHQ/2020/04

Dated: 08.01.2020

To

Shri Narendra Modi,  
Prime Minister of India,  
South Block,  
New Delhi 110011.

**Sub: Allowing colossal wastage of public money by attempting to defend an undefendable case in various Courts by Deptt of Personnel & Training – Case for grant of notional increment to the retired/retiring employees whose date of next increment falls on the following day of their retirement for the purpose of pensionary benefits.**

Sir,

We are constrained to draw your kind attention to a case in which Department of Personnel & Training (DoP&T) is allowing various Government Departments to go for colossal wastage of public money by attempting to defend an undefendable case in various Courts by not taking a positive decision on the matter which concerns the pensioners.

2. The issue is question is regarding grant of notional increment to the retired/retiring employees whose date of next increment falls on the following day of their retirement for the purpose of pensionary benefits. The Hon'ble Supreme Court has already dismissed a Review Petition filed by Central Board of Direct Taxes (CBDT) against its earlier Order dated 23.07.2018 in Special Leave Petition (Civil) Diary No. 22283/2018 declining to interfere with the judgment dated 15.09.2017 of Madras High Court in WP No. 15732 of 2017 wherein the Petitioner, who after completing full years' service retired on the last day of his service and not allowed to draw next increment since it fell on the next date of his retirement, was ordered to be extended the benefit of notional increment for the purpose of payment of pensionary benefits. Despite this and even after receiving many representations on the issue, Department of Personnel & Training has taken no decision to extend the benefit to all other similarly placed pensioners which is forcing them to move courts and the judgments are also being delivered in favour the petitioners. Only on 3<sup>rd</sup> December, 2019, while simultaneously hearing as many as 14 Original Applications, CAT Ernakulam alone passed orders to extend the same benefit to all the petitioners.


3. We fail to understand that when Hon'ble Supreme Court has already taken a firm view on the issue and different courts are also passing similar orders in favour of the Petitioner-pensioners, why DoP&T is not taking a positive decision to issue Orders allowing extension of the same benefit to all similarly placed retiring/retired employees. It is really surprising that concerned Officers in Department of Personnel & Training is thus allowing colossal wastage of public money by engaging legal counsels and involving the Government machinery to defend

an undefendable case in different courts all over the country. It is left to the Government to decide whether such wastage of tax payers money is justified. But this exposes how the bureaucracy is even now indecisive and unconcerned.

4. In view of the above, we earnestly appeal to your kind self to intervene in the matter and advise DoP&T to take an immediate decision granting notional increment to the all retired/retiring employees whose date of next increment falls on the following day of their retirement for the purpose of pensionary benefits.

With kind regards,

Yours sincerely,

  
(S. Basu) 8.1.2020  
General Secretary

Copy to:

1. Shri Thawar Chand Gehlot,  
Minister of Social Justice & Empowerment,  
New Delhi.
2. Dr. Jitendra Singh,  
Minister of State for (PP),  
New Delhi.