



# ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

## Central Headquarters

Registered under Societies Registration Act XXI of 1860 vide Govt. of NCT Delhi No. S/RS/SW/1161/2014

[Registered under Pensioners Portal vide DoP&PW letter No. 4(4)/2021-P&PW(H)7311 dated 04.01.2024]

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No. AIBSNLREA/CHQ/2025/28

Dated 24<sup>th</sup> March 2025

To

Ms. Rachna Shah,  
Secretary (Personnel),  
Dept of Personnel & Training,  
New Delhi 110001.

**Sub: Request for issue of modified O.M on Grant of one notional increment for calculating pensionary benefits to those employees whose increment falls due on the day following retirement**

**Ref: DoP&T OM vide No.19/116/2024-Pers.Pol.(Pay)(Pt) dated 14.10.2024**

Madam,

We would like to draw your kind attention to the Office Memorandum issued by DoP&T cited under reference, wherein it had been advised that in pursuance of the interim order of Hon'ble Supreme Court of India on 06.09.2024 action may be taken to allow the increment to the Central Government employees who retired/are retiring a day before it became due and have rendered the requisite qualifying service as on the date of superannuation with satisfactory work and good conduct for calculating the pension admissible to them. It had been added that the action taken shall be subject to the final outcome of the Review Petition (Dy.No.36418/2024) pending before the Hon'ble Supreme Court.

2. The said Review Petition (Dy.No.36418/2024) has been dismissed on 18.12.2024, requiring modification in the DoP&T order under reference by removing the text "subject to the final outcome of the Review Petition", as many Pay/Pension Drawing Authorities are still insisting a declaration from the pensioners on this account.

3. Subsequently, on 20.02.2025, Hon'ble Supreme Court while disposing a batch of Miscellaneous Applications in CA 3933 of 2023, has directed that clauses (a), (b) and (c) of its

order dated 06.09.2024 will be treated as final directions, while modifying clause (d) and making it clear that clause (d) will not apply to those who filed writ petition/original application or an application for intervention before the Central Administrative Tribunal/High Courts/this court after the judgment in UOI & Anr vs M.Siddaraj and that in such cases clause (a) will apply. This will require further modifications in the DoP&T OM dated 14.10.2024.

4. While issuing modified O.M., it is requested that it may be categorically stated that **"one annual increment be granted to the pensioners which they earned on the last day of their service for rendering their services preceding one year from the date of retirement with good behaviour and efficiently," reflecting the exact direction under Para 7 of the Hon'ble Supreme Court of India judgment in Civil Appeal No.2471 of 2023**, between The Director (Admn. and HR), KPTCL & Ors vs C.P.Mundinamani, delivered on 11.04.2023, which is the basis of its interim orders on 06.09.2024 and final orders on 20.02.2025. The use of 'Government employees', '1st July/1st January', '30th June/31st December' and 'date of their superannuation' as in DoP&T OM under reference may please be done away with, so that there is no scope for different interpretation by different authorities as the petitioners before different courts belonged to different organisations and different categories.

5. Most importantly, the DoP&T OM dated 14.10.2024 specifies that *"As specifically mentioned in the Orders of the Hon'ble Supreme Court, grant of the notional increment on 1st January/1st July shall be reckoned only for the purpose of calculating the pension admissible and not for the purpose of calculation of other pensionary benefits"*. Neither the interim order dated 06.09.2024 nor does the final order dated 20.02.2025 of Hon'ble Supreme Court mention so either specifically or even implicitly. DoP&T's attempt to deny the consequent pensionary benefits of the notional increment amounts to undoing all the labour and legal struggle by the affected pensioners for nearly 10 years. This issue may be re-examined, and justice be rendered to the pensioners.

6. We shall be thankful for thorough consideration of the above, before modifying the O.M. under reference and also for early issue of modified O.M.

With kind regards,

Yours sincerely,



(R.R. Balasubramanian)  
General Secretary

Copy to: 1. Shri V Srinivas,  
Secretary (Pension), DoP&PW  
2. Dr. Manoj Govil,  
Secretary (Expenditure), DoE