

No: BDPA(INDIA)/Appeal/GS/PM/2025

Dated 4th April, 2025.

To:

Shri Narendra Modi ji,
The Honorable Prime Minister of India,
Prime Minister's Office,
South Block, Raisina Hill,
New Delhi, India - 110011

Subject: [Urgent Appeal for Review and Amendment of Finance Act 2025, Part IV – Potential Violation of Constitutional Rights of Pensioners.](#)

Respected Prime Minister,

I am writing to you on behalf of BSNL & DOT PENSIONERS ASSOCIATION (INDIA), (affiliate of **Bharat Pensioner Samaj, New Delhi**) having its office in Ahmedabad City representing a significant number of retired DoT & BSNL Pensioners of the nation who have served the nation with dedication and integrity providing value added services to remove part of the nation. We are compelled to bring to your immediate attention our concerns regarding the Finance Act 2025, Part IV, which we believe may infringe upon the constitutional rights granted to pensioners.

1. Pension as a Property Right: The Supreme Court, in its landmark judgment of **D.S. Nakara vs. Union of India (1982)**, affirmed that pension is not merely a statutory benefit but a fundamental right derived from the service rendered by an employee. It was categorized as a form of social security essential for ensuring a dignified life for retired employees.

2. Article 21 - Right to Life: Article 21 of the Constitution of India protects the right to life and personal liberty, which the Supreme Court has expansively interpreted to include the right to a dignified existence, encompassing adequate financial means through pension.

3. Concerns with Finance Act 2025, Part IV: It has come to our notice that the provisions outlined in the Finance Act 2025 concerning the management of pension funds from the Consolidated Fund of India may potentially impose arbitrary restrictions or discriminatory practices against pensioners. Such measures if proven true, would contravene the protections guaranteed by the Supreme Court under the **D.S. Nakara** judgment and could undermine the financial security and dignity of **countless retired personnel & will infringe the Article 21 & 14 of the constitution of India.**

4. Potential Constitutional Violations: Should the Finance Bill indeed impose unreasonable limitations on pension rights, it would not only be in violation of Article 21 but also Article 14, which ensures the right to equality before the law. Any alteration to pension rights must be justified as rational, necessary, and serving a legitimate public interest, as per the dictates of our Constitution.

Appeal for Your Intervention:

Comprehensive Review: We respectfully urge your esteemed office to initiate a thorough review of the Finance Act 2025, Part IV, to ensure all provisions are in harmony with the Constitution and the judgments of the Supreme Court concerning pension rights.


Ensuring Transparency and Justice: We seek assurance that any changes to pension policies are made transparently and justly, respecting the contributions of retired government employees, Supreme Court judgement in D,S Nakra vs GOI and maintaining the trust placed in our democratic institutions.

We trust in your leadership and commitment to justice, and we look forward to your support in upholding the rights and dignity of pensioners across the nation.

Thank you for considering our appeal.

With highest regards,

Yours Faithfully,


(D.D. MISTRY)
General Secretary

Copy to:

- (1) The Hon'ble Dr Jitendra Singh MOS (PP) with request to help the Pensioners in getting a clarification in the matter.
- (2) Shri V. Srinivas, IAS the Secretary GOI- DOPPW for n/a please.
- (3) Shri S .C. Maheshwari, Secretary General Bharat Pensioners Samaj (BPS)