


BSNL & DOT PENSIONERS ASSOCIATION (INDIA)



CENTRAL HEAD QUARTER, AHMEDABAD - 380 001.
(Registered under Indian Trade Union Act 1926. Regn No.G-6456)
(Affiliated to Bharat Pensioners Samaj, New Delhi)

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Thomas John K
All India President

Dinesh D. Mistry
General Secretary

No:BDPA(I)/F.B./2025

dated 15th March , 2025

To

The Hon'ble Chief Justice of India,
Supreme Court of India,
Tilak Marg, New Delhi – 110001

Subject: Humble and Urgent Appeal by BSNL & DOT PENSIONERS ASSOCIATION (INDIA) for Suo Motu Intervention by CJI Against Constitutionally Infirm Pension Amendments Introduced via Finance Act 2025.

Respected My Lord,

"If the President and Governors do not have unbridled powers under the Constitution—can Parliament be permitted to assume them unchecked?"

With folded hands and deep faith in the majesty of this Hon'ble Court, BSNL & DOT PENSIONERS ASSOCIATION (INDIA) —the oldest DoT & BSNL pensioners in India, representing over 12000 Pensioners across nation —bows before Your Lordship with a heavy heart and an urgent plea.

We write not as litigants but as citizens at the edge of life, whose hopes now rest only in the conscience of this Hon'ble Court.

The Finance Act 2025, through a backdoor insertion, seeks to retroactively amend statutory pension rules from 6th June 1972, effectively nullifying the Supreme Court's own binding verdicts, most notably:

- D.S. Nakara v. Union of India (1983): Where this very Court declared all pensioners to be a single class entitled to equal treatment.
- Keshavananda Bharati v. State of Kerala (1973): That reaffirmed Parliament's inability to alter the Basic Structure of the Constitution, particularly Articles 14 and 21—which protect equality, dignity, and the right to life.

This amendment does not merely rewrite policy—it undermines the Rule of Law, attacks judicial supremacy, and insults the finality of justice. It empowers the Executive and Legislature to override settled constitutional rights with retrospective force, leaving lakhs of retired government servants defenceless.

My Lord, if this is allowed, what remains of justice?

The Finance Bill route was used deliberately to evade parliamentary scrutiny, bypassing the transparent processes required under delegated legislation. This is not legislative efficiency—it is constitutional subversion.

What is more painful is that this assault is not on the wealthy or powerful—but on the elderly, the infirm, the forgotten soldiers of public service. People who gave the best years of their lives to the Republic now find their modest pensions stripped of dignity, with no time, no strength, and no money to fight long court battles.

They do not seek privilege. They seek justice.

We respectfully remind Your Lordship of the solemn declarations in *Minerva Mills* (1980) and *Indira Nehru Gandhi v. Raj Narain* (1975), where this Hon'ble Court stood firm as the bulwark against constitutional overreach.

Today, BSNL & DOT PENSIONERS ASSOCIATION (INDIA) begs this Hon'ble Court to once again rise as the protector of the Constitution and the last refuge of justice.

We are running out of time. Our people are running out of life. The system has failed them—only Your Lordship can still hear their voice.

In this twilight hour, we humbly beseech Your Lordship to take *Suomotu* cognizance of this grave constitutional violation. We plead for your protection of judicial independence, equality before law, and the right to a dignified life for those who served this country in silence.

With utmost humility and hope,

(Through: General Secretary)



(D.D. MISTRY)
General Secretary.