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BHARAT PENSIONERS' SAMAJ

(All India Federation of Pensioners' Associations)
(Registered No. 2023 of 1962-63)

ESTABLISHED IN : 1955

Member International Federation on Ageing, Montreal (Canada)

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No. BPS/BDPA(I)/VRS-NOTIONAL-INCMT

dated 19th February, 2026

To

Hon'ble Shri Jyotiraditya Scindia,
Minister for Communications,
Sanchar Bhawan, Ashoka Road,
New Delhi 110001

Subject: Humble prayer to examine and issue necessary clarification for extending the benefit of notional benefit of notional increment to BSNL-2019-Retirees in view of Delhi High Court judgment dated 09.02.2026.

Honoured Sir,

1. We are approaching your august office with having deepest trust in your august office; which is aware of the fact that in BSNL VRS-2019 Scheme was introduced for bringing the Company from loss making 100% Govt. owned PSU towards offering competitive and citizen friendly Company and as such those who opted for VRS-2019 has no option to decide the date of their VRS and has to fall in line irrespective of their next date of increment.
2. In light of above factual position, DoT O.M. No. 40-24/2025-Pen(T) dated **28.01.2026** should have been made applicable instead of mentioning that the matter regarding grant of *notional increment* to BSNL/MTNL employees who retired under the VRS-2019 scheme was *sub-judice* before the Hon'ble High Court of Delhi and that the issue would be examined after the outcome of the Court's judgment.
3. The Hon'ble Delhi High Court has delivered its judgment on **09.02.2026** in **W.P.(C) 1802/2026, CM 8715/2026 and CM APPL. 8716/2026**, dismissing the writ petition filed by the Union of India against the order of the Hon'ble Principal Bench, CAT dated 03.07.2025.
4. The High Court has categorically held that, "*In the considered opinion of this Court, this issue is squarely covered by the judgement passed by the Hon'ble Supreme Court in The Director (Admn. And HR) KPTCL & Ors. (supra) and we see no reason why the benefit of the said judgement should not be given to the Respondents.*" "*It is not disputed that the Respondents completed 365 days of satisfactory work and earned the increment. The Department cannot deny the benefit which has already been earned by the employee, though payable on a subsequent date due to the administrative rules.*"
5. Sir, as a result of the dismissal of the writ petition, the very ground on which the Department had deferred its decision—*pendency before the High Court*—no longer exists.

6. Now, on date legal position stands fully aligned with the binding principles laid down by the Hon'ble Supreme Court in KPTCL & Ors, as reaffirmed by the Hon'ble Delhi High Court.

IN LIGHT OF ABOVE FACTUAL POSITION
NOW
WE PRAY BEFORE YOUR AUGUST OFFICE
AS UNDER

Sir, since now the legal position is made clear, we request your office to kindly extend your valued and sympathetic help for VRS-2019 BSNL/MTNL Retirees to issue necessary instruction by the DoT by issuing the instructions to extend the benefit of notional increment to them; as they retired under BSNL VRS-2019 Scheme.

The benefit of notional increment has already been extended to BSNL Pensioners and the BSNL-VRS-2019 Pensioners are deprived of the their legitimate right have now by legal verdict delivered by judiciaries are eligible for the same benefit for which they have painfully waited since long and now the jurisprudence on the subject is now settled beyond ambiguity.

Sir, we hope that you will also agree that now an only further negative steps to pursue litigation before the Hon'ble Supreme Court would only prolong uncertainty for these pensioners and avoidable burden the judicial system.

We therefore request your kind intervention and hope that the Department issues the necessary clarification at the earliest,

With kind regards,

Yours sincerely,



(D.D.MISTRY)

Secretary BSNL.PSU
Bharat Pensioner Samaj,

Copy to:

1. Shri Amit Agarwal. IAS, Secretary, Department of Telecommunications, Sanchar Bhawan, Ashoka Road, NEW DELHI 110 001.
2. Shri Avinash Rajput, SG Bharat Pensioner Samaj, New Delhi