



भारतीय प्रतिरक्षा मजदूर संघ Bharatiya Pratiraksha Mazdoor Sangh

(AN ALL INDIA FEDERATION OF DEFENCE WORKERS)

(AN INDUSTRIAL UNIT OF B.M.S.)

(RECOGNISED BY MINISTRY OF DEFENCE, GOVT. OF INDIA)

CENTRAL OFFICE : 2-A, NAVIN MARKET, KANPUR-1 • PH.: (0512) 2332222 • FAX : (0512) 2296229
Mob. : 09335621629, 09415726924, 09415733686 • E-mail : gensecbpms@yahoo.co.in, cecbpms@yahoo.in

REF: BPMS/ DoPT / Increment / 58 (7/3/L)

Dated: 21.01.2024

To,

REMINDER-2

Ms. S Radha Chauhan, IAS,
Secretary, DoPT,
Min of Pers, PG & Pensions,
North Block, New Delhi – 110001
{secy_mop@nic.in}

Subject: Granting of Annual Increment on retirement: Notional Extension of Supreme Court verdict in favour of similarly placed Non-petitioner employees.

Reference: This federation's letter of even number, dated 18.04.2023 & 30.11.2023

Madam,

I am writing on behalf of BPMS Federation, referring to our previous letters dated 18.04.2023 and 30.11.2023 addressed to your goodself. These letters drew attention to the recent judgment of the Hon'ble Supreme Court in the cases of The Director (Admn and HR) KPTCL & Ors Vs. C. P. Mundinamani & Ors (Civil Appeal No. 2471 of 2023, decided on 11.04.2023) and P. Ayyamperumal Vs. The Registrar and Ors. (W.P. No. 15732/2017, decided on 15.09.2017), highlighting the denial of annual increment benefits to similarly placed non-petitioner employees upon retirement.

We appreciate the positive development brought to our attention through Circular No. 02 Staff Wing/2024 dated 18.01.2024 (copy enclosed), issued by the Office of the Comptroller & Auditor General of India. The circular, as outlined, extends the benefit of one annual increment with monetary benefits to all employees retiring on 30th June/31st December, after completing one year of qualifying service for pension and pensionary benefits. This decision is a significant step towards rectifying the injustice faced by retiring government employees.

However, we would like to draw your attention to the fact that the circular applies only to officials retiring on and from 30th June 2023 onwards. While we acknowledge the complexity of administrative considerations influencing the decision for prospective application, we respectfully express our earnest request for the retrospective application of this benefit, effective from 30.06.2006 onwards.

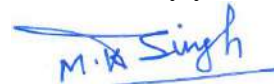
Our rationale for this request is rooted in the principle that the petitioners in the case mentioned hereinabove, were granted the benefit of one increment from the date of their superannuation (30.06.2006 onwards) rather than from the date of the Supreme Court judgment on 11.04.2023. We believe that extending the benefit retrospectively will not only avoid further litigations but also serve the best interests of employees, departments, and the overburdened judicial system.

We acknowledge the complexities involved in policy decisions and administrative processes. However, considering the spirit of justice, fairness, and equality, we earnestly request your kind consideration and support in granting the benefit retrospectively, aligning it with the effective date of the Supreme Court judgment.

We believe that such a decision will bring about much-needed relief to retired employees who have been denied their rightful dues for an extended period. Moreover, it will reinforce the commitment of the government to uphold the principles of justice and equality.

Thank you for your attention to this matter. We look forward to a positive response that reflects the government's commitment to the welfare of its retired employees.

Sincerely yours



(MUKESH SINGH)

General Secretary/BPMS &
Member, National Council (JCM)

Copy to: The Secretary (Pension),
Deptt of Pension & Pensioners' Welfare,
Min of Pers, PG & Pension,
North Block, New Delhi – 110001
secy-arp@nic.in

- Sir, you are requested to take similar action on this matter.