



भारत सरकार/Government of India
परमाणु ऊर्जा विभाग/Department of Atomic Energy
सचिवालय समन्वय अनुभाग/Secretariat Coordination Section

अणुशक्ति भवन/Anushakti Bhavan,
छत्रपति शिवाजी महाराज मार्ग/C.S.M Marg,
मुंबई/Mumbai - 400 001.
(☎022- 22862661)
e-mail: sectcord@dae.gov.in

No. 19/8/2019-SCS/10935

Date: July 19, 2024

OFFICE MEMORANDUM

Subject: Grant of Notional Increment to the employees who retired on 30th June/31st December. - Regarding.

Several representations from retired employees and Advocates notices on behalf of retired employees regarding extending grant of notional increment on 1st July / 1st January to the employees retired a day before it became due i.e. on 30th June / 31st December, are being received in the Department citing, Hon'ble Supreme Court Order dated 11.04.2023 in Civil Appeal No. 2471 of 2023 in the matter between the Director (Admn. and HR) KPTCL & Ors. Vs. C.P. Mundinamani & Ors. and other cases including departmental employees.

2. DoPT vide OM No. 19/2/2018-Estt(pay-I) dated 03.02.2021 and OM No. 1453545/2021-Estt(Pay-I) dated 24.06.2021, had directed to defend such cases where cases had been filed for extension of such benefits. In fact, subsequent to the above Hon'ble Supreme Court Order dated 11.04.2023, no instructions have been issued as on date by DoPT or DoE on the issue.

3. In the similarly placed case of one of the Constituent Unit, based on the advise rendered by DoPT, DoLA and DoE, an administrative decision was taken by the Competent Authority in the Department to implement the Court Orders in r/o concerned applicants. Thereafter, wherever clear decision on the subject matter have been received from Hon'ble Tribunals or High Courts, the decision have been implemented.

4. Since, then several more representations are being received from similarly placed retired employees seeking extension of similar benefits in their cases. However, the Department in the absence of any clear orders from the nodal Ministries (i.e. DoPT or DoE) cannot implement the same across the board unless there is a decision on the same from Hon'ble CAT or High Court.

5. In view of the above, all the constituent units, are hereby directed;
- (i) to take necessary action w.r.t compliance of the Orders of the Hon'ble Tribunals / Courts i.r.o. concerned retired employees subject to fulfilment of the other conditions. Such cases may be referred to the nodal sections in DAE before necessary implementation.
 - (ii) Not to extend benefits on individual representations of the employees (who have not moved any court of law) or Notices of Advocates, and inform such individuals that the request cannot be considered in absence of any Orders from Nodal Ministries concerned.
 - (iii) As, no further orders have been received from DoPT, such new filed cases have to be defended in the court of law as per DoPT OM dated 03.02.2021 and 24.06.2021.
6. This issues with the approval of Competent Authority.



(Bipin Kurup)
Under Secretary(SCS)

1. Chairman, AERB
2. All Head & Administrative Heads of Constituent Units of DAE.

Copy to:

- (i) All Officers and Sections in DAE through DARPAN portal.
- (ii) Secretary, Staff side, DAE Departmental Council.
- (iii) Guard File 107.

