



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)

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Dated: 18.04.2023

To,

Ms. S Radha Chauhan, IAS,
Secretary, DoPT,
Min of Pers, PG & Pensions,
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Smt. Annie G Mathew, IAS,
Special Secretary,
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Subject: Granting of Annual Increment on retirement: Notional Extension of Supreme Court verdict in favour of similarly placed Non-petitioner employees.

Madam,

I am writing this letter to bring to your attention a recent judgment passed by the Hon'ble Supreme Court of India in the case 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). The Supreme Court has held that concerned employees who have earned annual increments for rendering one year of service prior to their retirement cannot be denied the benefit of the annual increment which they have actually earned solely on the ground that they retired on attaining the age of superannuation on the very next day.

As you are aware, this is a landmark judgment that will benefit numerous retiring government employees who have been denied their rightful dues. However, it has come to my notice that many similarly placed non-petitioner employees are not receiving this benefit. I believe that this is a violation of their fundamental right to equality and justice.

Therefore, I humbly request you to extend the benefits of this judgment to all similarly placed non-petitioner employees who have retired in the past and were denied the benefit of annual increment on the ground of their retirement. It is the duty of the government to ensure that all its employees are treated equally and fairly, and this decision will go a long way in achieving that goal.

I hope that you will take immediate steps in this regard and provide relief to the affected employees.

Thanking you.

Sincerely yours



(MUKESH SINGH)

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