

Grant of notional increment (as due on 1st July /1st January) for the pensionary benefits to those employees who have retired/retiring on 30th of June/31st December before drawing the same.

Operative portion of the Supreme Court's interim judgement dated 06.09.2024

“(a) The judgment dated 11.04.2023 will be given effect to in case of third parties from the date of the judgment, that is, the pension by taking into account one increment will be payable on and after 01.05.2023. Enhanced pension for the period prior to 31.04.2023 will not be paid.

(b) For persons who have filed writ petitions and succeeded, the directions given in the said judgment will operate as res judicata, and accordingly, an enhanced pension by taking one increment would have to be paid.

(c) The direction in (b) will not apply, where the judgment has not attained finality, and cases where an appeal has been preferred, or if filed, is entertained by the appellate court.

(d) In case any retired employee has filed any application for intervention/impleadment in Civil Appeal No. 3933/2023 or any other writ petition and a beneficial order has been passed, the enhanced pension by including one increment will be payable from the month in which the application for intervention/ impleadment was filed.”

Final Judgement of the Supreme Court (20.02.2025)

Clauses (a), (b) and (c) of the order dated 06.09.2024 will be treated as final directions.

“(d) In case any retired employee filed an application for intervention/impleadment/writ petition/original application before the Central Administrative Tribunal/High Courts/this Court, the enhanced pension by including one increment will be payable for the period of three years prior to the month in which the application for intervention/ impleadment/ writ petition/ original application was filed.”

Further, **clause (d) will not apply** to the **retired government employee who filed** a writ petition/original application or an application for intervention before the Central Administrative Tribunal/High Courts/this Court **after the judgment** in “Union of India & Anr. v. M. Siddaraj”, as in such cases, clause (a) will apply.

Note

Railway Board already issued compliance order for interim judgement dated 06.09.2024 through its letter dated 03.12.2024 adopting DoPT's O.M dated 14.10.2024 and Board's letter No: PC-VI/2024/Misc./04 dated 23.01.2025.

‘3rd party’ as mentioned refers to those pensioners who are eligible otherwise for grant of notional increment but have not joined as a party to any of the court cases or resorted to any litigation process on the issue of notional increment.

Notional increment will be reckoned **only for the purpose of calculating the pension** admissible and not for the purpose of calculation of other pensionary benefits.

04.03.2025

**K.V.RAMESH
GS/IRTSA**