



Regd No T1833/09

ALL INDIA BSNL PENSIONERS' WELFARE ASSOCIATION

Central Head Quarters [Regd. No. T 1833/09]
Identified & Registered under 'Pensioners Portal'

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General Secretary:	V Vara Prasad	Mob: 9440000482

Date: 12/05/2023

To

Shri T V Somanathan
Secretary
Department of Expenditure
North Block
New Delhi.

Sir,

Sub: Request to honour court order and for issuing a general order for payment from 1/1/1996 to 18/02/2003 for accounts cadre-reg

Ref: CAT, PB, New Delhi order dated 21/03/2023 in OA 2544/2015

May we draw your kind attention to the following facts on the above subject. The back-ground of the issue is well known and we refrain from repeating it here.

It is a settled law to pay arrears from 01/01/1996 to 18/2/2003 (which period was treated as notional) through various judgements of the constitutional courts. Accordingly the Government honoured the verdict but restricted to only litigants.

But the above-referred verdict of Hon CAT, PB, New Delhi dated 21/03/2023 expressed hope that the competent authority shall extend the benefit on its own to all eligible employees. Hence we are appealing to the competent authority in this regard. Paras 11, 12 & 13 of the above-referred judgement is given below for ready reference:

11. In light of the facts and arguments detailed above, the present O.A. is allowed. All the applicants are held to be entitled to the benefit of replacement/upgraded scale of pay on actual basis with effect from 01.01.1996 as against 19.02.2003. Pursuant to this they are also held to be entitled to the payments of arrears which would have accrued in their favour from this date. The competent authority amongst the respondents is directed to issue appropriate orders for grant and release of the upgraded pay scale in favour of the applicants with effect from 01.01.1996 along with the arrears within a period of twelve weeks from the date of receipt of a certified copy of this order.

12. It is made clear that if payment is made within the time period allowed, the applicants shall not be entitled to any interest on this payment. However, in the event of a delay the payment shall carry an interest at the rate applicable upon the deposits in the General Provident Fund.

13. Before parting we would also express a hope that the competent authority shall on its own extend the benefit of upgraded pay scales to all eligible employees with effect from 01.01.1996 irrespective of the fact whether they have approached an appropriate judicial forum for the same or not so that unnecessary litigation is avoided.

May we request you, sir, to fulfill the hope of Hon CAT, PB in this regard and avoid unnecessary litigation.

Thanking you

Yours faithfully,



(V Vara Prasad)

General Secretary

Copy to :

1. Shri V Srinivas,
Secretary (Pension), DoP&PW
New Delhi
2. Shri K Rajaraman,
Secretary (Telecom),
Sanchar Bhawan, New Delhi