



# ALL INDIA BHARAT SANCHAR NIGAM LIMITED RETIRED EXECUTIVES' ASSOCIATION

## Central Headquarters

Registered under Societies Registration Act XXI of 1860 vide Govt. of NCT Delhi No. S/RS/SW/1161/2014

[Registered under Pensioners Portal vide DoP&PW letter No. 4(4)/2021-P&PW(H)7311 dated 04.01.2024]

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No. AIBSNLREA/CHQ/2024/20

Dated: 22<sup>nd</sup> March 2024

To  
Dr. Neeraj Mittal,  
Secretary (Telecom),  
Department of Telecommunications,  
New Delhi.

**Sub: Grant of higher pay scales for the staff belonging to the Organised Accounts in various Departments – Request to take up with DoE for issue of common allowing the benefit of higher pay scales on actual basis w.e.f. 1.1.1996**

**Ref: 1. Our letter No.AIBSNLREA/CHQ/2023/46 dated 11<sup>th</sup> May 2023**

**2. DoE letter No.32(1)/E.III(B)/2021 dated 29<sup>th</sup> June 2023**

**3. Delhi High Court judgement in WP (C) 15760/2023**

Sir,

This is in continuation of our letter cited under reference 1, copy of which was marked to you, drawing attention to the judgement of PCAT New Delhi in OA 2544/2015, ordering extension of the benefit of higher pay scales on actual basis w.e.f 01.01.1996, for the staff belonging to the organised Accounts cadres in various departments, including those under DoT/BSNL.

2. Government had approved grant of higher scales for the Accounts staff of Railways on notional basis w.e.f.1.1.1996 with actual payment made prospectively. DoE vide its **OM vide F.No6/82/E.III(B)/91 dated 28th February 2003** extended this to the corresponding categories in all the organised Accounts cadres with actual payment to be made from 19.2.2003, the date on which the decision was approved by the Government.

3. Since then, many individuals from the Organised Accounts cadres have approached different courts seeking the benefit of actual grant of the upgraded pay scales from 01.01.1996, instead of granting notional benefit. And decisions of many courts have been in favour of granting actual benefits from 01.01.1996. The Apex court too had dismissed an SLP against decision of Kerala High Court favouring grant of actual benefits from 01.01.1996.

These court orders have been implemented along with arrears w.e.f. 01.01.1996, of course in respect of the applicants.

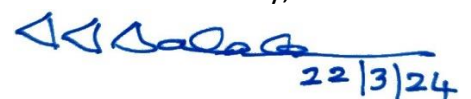
4. **Principal Bench of CAT New Delhi, in its orders dated 21st March 2023 in OA No.2544/2015**, had held that "all the applicants are held to be entitled to the benefit of replacement/upgraded scale of pay on actual basis w.e.f. 01.01.1996 as against 19.02.2003. Pursuant to this they are also held to be entitled to the payment of arrears which would have accrued in their favour from this date." PCAT New Delhi has further observed that "**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 w.e.r.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.**" We had therefore requested DoE to issue common orders extending the actual benefit of upgraded scale of pay to all the organised accounts cadres w.e.f. 01.01.1996 itself, with consequent arrears.

5. DoE however had forwarded our letter cited under reference 1 to DoT informing that "**this department does not consider representations received directly in this department from individuals and associations. Accordingly the copy of the grievance is forwarded for necessary action at your end.**" Recently **Delhi High Court in WP (C) 15760/2023 has dismissed the appeal** filed by Union of India against the orders of Principal Bench of CAT New Delhi in OA No.2544/2015.

6. We would therefore request you to kindly take up the matter with Department of Expenditure for issue of common orders extending the actual benefit of upgraded scale of pay to all the organised accounts cadres w.e.f. 01.01.1996 itself, with consequent arrears, so that the affected employees, now mostly retired, are not forced into an arduous task of seeking legal remedy individually.

With kind regards,

Yours sincerely,



22/3/24

(R R Balasubramanian)  
General Secretary

Encl: As stated

Copy to:

01. Dr. T V Somanathan,  
Secretary (Expenditure), DoE,  
New Delhi.
02. Shri Ajay Kumar Sahu,  
Member (S), DoT, New Delhi
03. Shri R K Purwar,  
CMD, BSNL, New Delhi

